Comhairle Chontae Uíbh Fhailí
Offaly County Council

Planning and Development Act 2000 (as amended)

CE Report to Elected Members on Strategic Infrastructure Development as required by Section 37E(4) of the Planning and Development Act 2000 (as amended)

Ballinla Wind Farm
An Coimisiún Pleanála Case reference: PAX19.323579

Application Details

Applicant:	Ballinla Wind Farm Limited
Agent:	Malachy Walsh and Partners (MWP)
An Coimisiún Pleanála Case reference:	PAX19.323579
Proposed Development (Summary):	10-year planning permission for wind energy development consisting of 7 no. wind turbines and all associated works.
Site Location:	Townlands of Leitrim, Lumville, Ballinla, Clarkeville, Ballyfore Big, Ballyfore Little, Ballyeakin and Ballykilleen, in (Coolestown By).
Associated Website:	www.ballinlawindfarmsid.ie

1. PURPOSE OF THIS REPORT

Due to the scale of the development which comprises of a 7-turbine wind farm with a generation capacity of 50.4 MW, it has been determined by An Coimisiún Pleanála (ACP) as constituting Strategic Infrastructure under criteria set out in the Planning and Development Act 2000 (as amended) (hereafter referenced as PDA 2000).

ACP determined that *'having regard to the size, scale and location of the proposed wind farm and related development, and to the policy context, it is considered that the proposed development constitutes development that falls within the definition of energy infrastructure in the Seventh Schedule of the Planning and Development Act 2000 (as amended), thereby satisfying the requirements set out in section 37A(1) of the Act'*[1]. In addition, the proposed development is also *'considered to be of strategic importance by reference to the requirements of Sections 37A(2) (a) and (b) of the Planning and Development Act 2000 (as amended)'*[2].

Following an application to ACP (Case reference: PC19.318203), it was determined that the proposed development would be of strategic economic or social importance to the State or the region in which it would be situate. Therefore, the normal mechanism of applying to Offaly County Council for planning permission does not apply. Instead, the Applicant, Ballinla Wind Farm Limited[3] has applied directly to ACP for planning permission as required by the PDA 2000.

The purpose of this report is to set out the Planning Authority's views on the effects of the proposed development on the environment and on the proper planning and sustainable development of the area of the authority, having regard in particular to the matters specified in Section 34(2) of the PDA 2000. The matters specified in Section 34(2)(a) are:

(i) the provisions of the development plan,
(ia) any guidelines issued by the Minister under Section 28,
(ii) the provisions of any special amenity area order relating to the area,
(iii) any European site or other area prescribed for the purposes of Section 10(2)(c),
(iv) where relevant, the policy of the Government, the Minister or any other Minister of the Government,
(v) the matters referred to in Subsection [34](4) (Planning conditions)
(va) previous developments by the applicant which have not been satisfactorily completed,
(vb) previous convictions against the applicant for non-compliance with this Act, the Building Control Act 2007 or the Fire Services Act 1981, and
(vi) any other relevant provision or requirement of this Act, and any regulations made thereunder.

In the interests of clarification at this stage, there are no Special Amenity Area Orders (item ii above) in County Offaly. The matters referred to in Subsection 34(4) of the PDA 2000 are conditions that may be relevant during the consideration of a normal planning application.

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[1] *Board Direction BD-018310-24, ABP-318203-23.*
[2] *As above.*
[3] *The Applicant, Ballinla Wind Farm Ltd, forms part of the renewable energy company, Stakraft.*

This report shall be submitted for the consideration of ACP as required under Section 37E(4) of the PDA 2000, as amended.

The members may, by resolution, decide to attach recommendations to this report (as per Section 37E(6)). The views expressed at the meeting of the Council, where this report is considered, shall also be attached to this report (also per Section 37E(6)). This is known in the legislation as the "Meetings Administrators record" of the Council Meeting.

It should be noted that ACP has absolute discretion to request revised proposals or further information in advance of a decision being made under Section 37F(1) of the PDA 2000, as amended.

2. SITE LOCATION & DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Location

The subject site (see Figure 1) is located approximately 4km west of the Edenderry Town boundary, within the townlands of Leitrim, Lumville, Ballinla, Clarkeville, Ballyfore Big, Ballyfore Little, Ballyeakin and Ballykilleen.

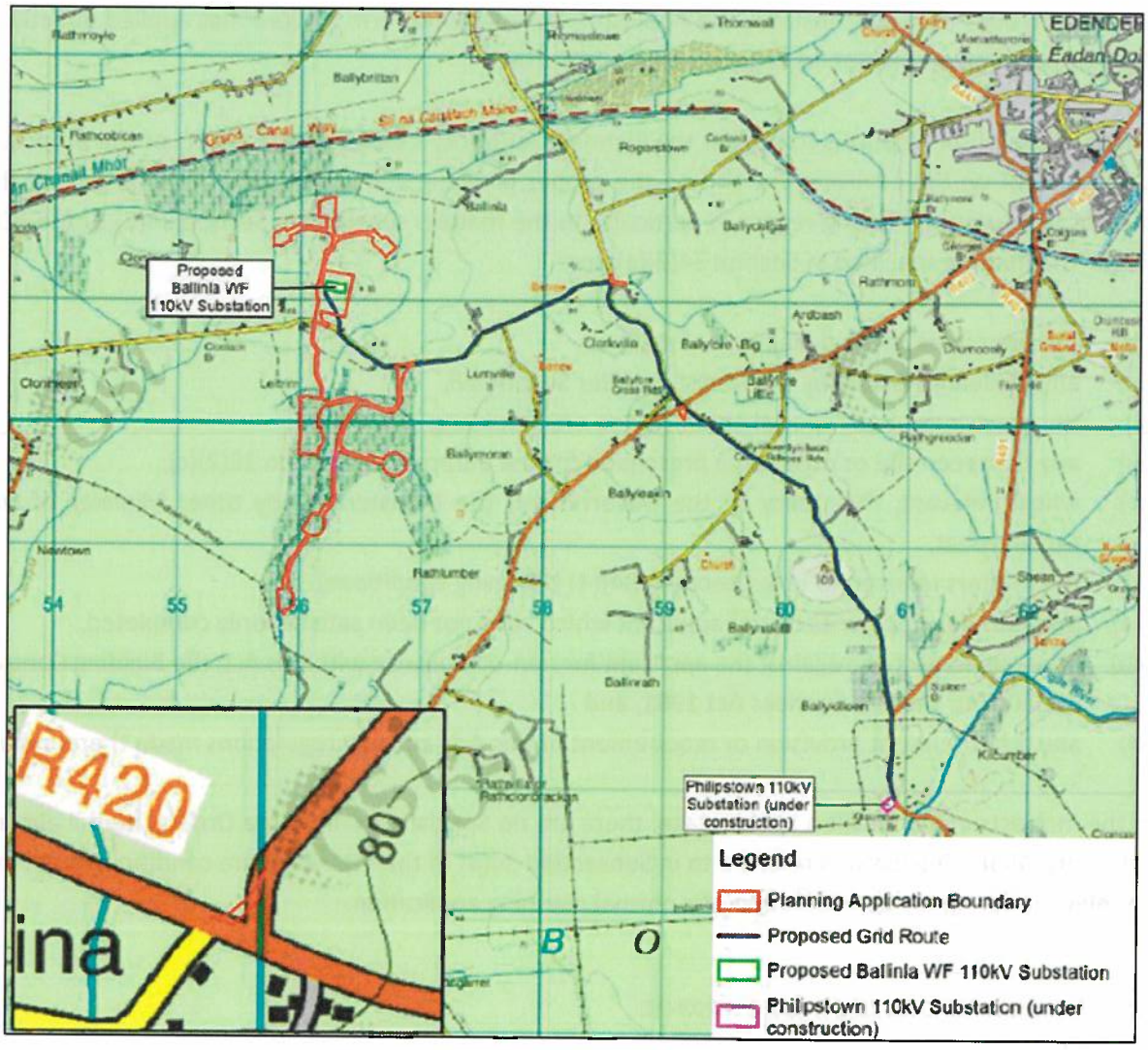

Figure 1: Site Location (source: as submitted).

The project will have an overall site area of approximately 42 hectares (ha). The lands within the proposed development area are owned by a number of different private landowners and one semi state body, Colite.

The proposed grid connection will be 8km along the public roads from the proposed wind farm southeast to the existing Philipstown 110kV substation adjacent to the Edenderry Power Station. The Applicant confirms that this connection will be subject to a separate planning application.

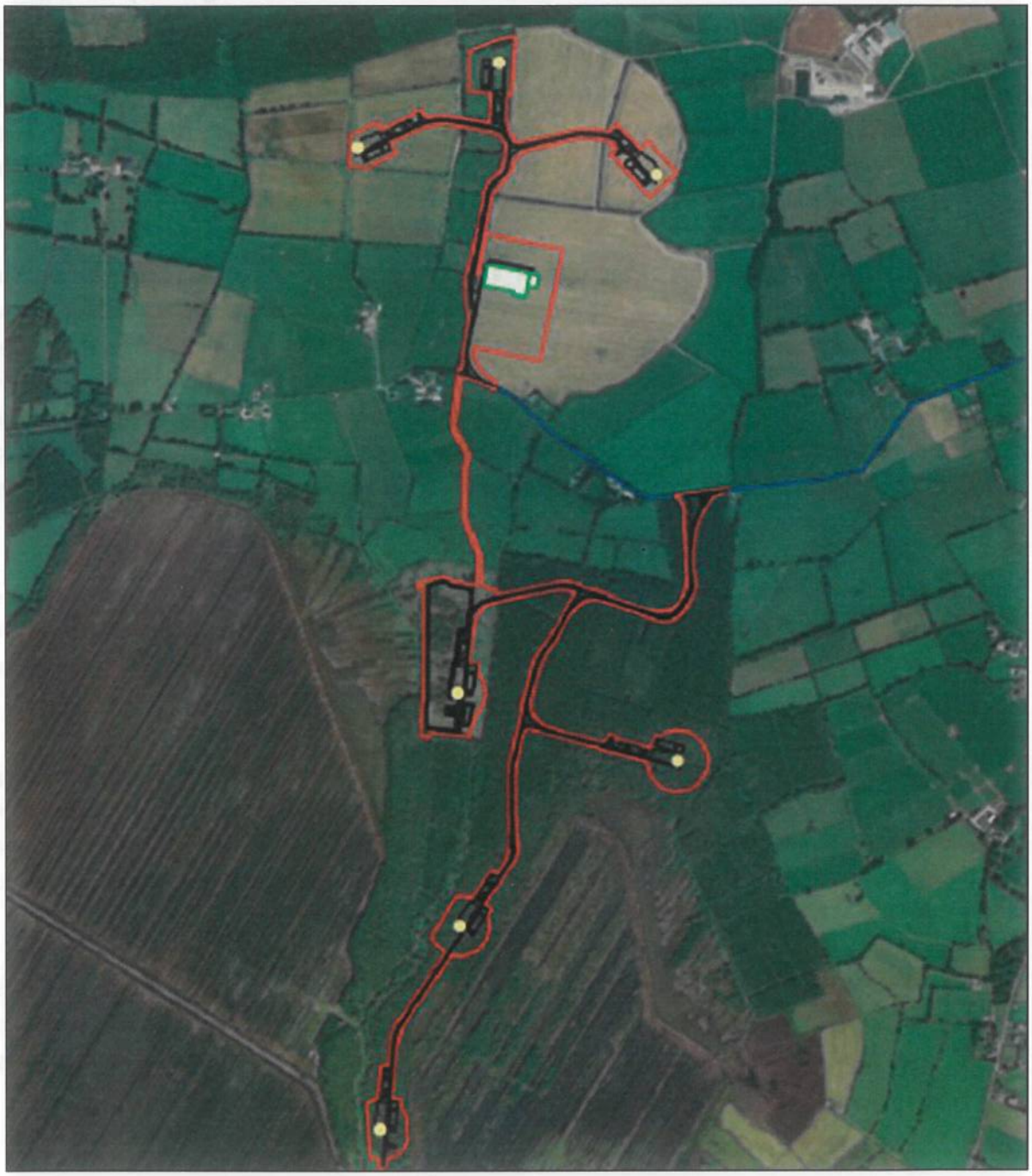

Figure 2: Turbine Locations (approximate) (source: as submitted).

The northern portion of the proposed wind farm consists of agricultural lands (grassland) while the southern portion comprises commercial coniferous and mixed forest. The proposed turbine delivery

route (TDR) and grid connection traverse a variety of land uses, including public road corridors, public open spaces, pasturelands, mixed forestry, and agricultural lands interspersed with significant areas of natural vegetation. The L5010 local road which lies on an east-west axis bisects the subject site which extends on a predominantly north – south axis, with 3 no. turbines proposed on lands to the north of this local road and 4(no) turbines on lands to the south of this road. The Grand Canal is located to the north of the overall delineated site.

The submitted documentation describes the proposed wind farm site as being mostly flat land with one gentle slope in the area of the substation, with elevations ranging from 69.5m to 78.6m AOD across the subject site. It is outlined that the underlying geology is primarily limestone, with the Edenderry Oolite Member[4] dominating the development area. Subsoil conditions vary across the site, with the northern portion underlain by limestone-derived till and the southern portion by cut-over raised peat. Peat depths range from less than 0.5m to 4m. Site investigations by the Applicant confirmed that the area is generally stable, with no evidence of historical landslides or instability.

The subject site contains a number of open drainage ditches which connect to the Leitrim Stream. The channels in the northern portion of the site are deep, widened, straight and generally have no significant vegetation within the main channel. The entirety of the proposed wind farm is considered to drain to the Barrow Catchment. A small portion of the proposed grid connection and the proposed TDR works (Ballyfore Big) likely drain to the Kinnafad Stream and downstream to the Boyne catchment. The main channel of the Leitrim Stream, in the southern portion of the proposed wind farm, is less modified though the channel is also deep, straight and no has significant vegetation within the main channel.

Some of the proposed wind farm infrastructure (T1 and the substation) was found to be within a flood zone. The prepared flood risk assessment concluded that once the proposed mitigation measures are implemented, the proposed development will not have an adverse impact on flooding elsewhere or on the proposed infrastructure.

With respect to European designated sites, the nearest Special Area of Conservation (SAC) is The Long Derries, Edenderry SAC which is situated approximately 7.6km west of the subject site. The River Boyne and River Blackwater SPA is the closest SPA to the site and is found approximately 17km north of the site. These designated sites are discussed in the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) submitted with the planning application.

With regard to settlement patterns in the local area, these largely comprise of dispersed rural dwellings often accompanied by attendant agricultural holdings and outbuildings. The submitted EIAR states that there are no dwellings within 500m of a turbine and 141 no. dwellings located within the defined study area[5].

[4] *'Edenderry Oolite Member' is a geological formation of oolitic limestone, which is a type of limestone containing ooids (small, spherical grains). It is a component of the Allenwood Formation and is found in the Edenderry area.*
[5] *The submitted EIAR states that in line with best practice, the scope of the assessment area extends to a distance of 10 times the rotor diameter (RD) from each turbine.*

2.2 Development Description

The proposed development comprises of the following components:

- 7 no. 185m Wind Turbine Generators (WTGs) with a total generation capacity of c.50.4 MW.
- WTGs foundations and hardstand areas.
- An electrical substation (110kV) including independent power producer (IPP) substation and wind farm operations compound with associated ancillary buildings, security fencing and all associated works.
- A Light Detection and Ranging (LiDAR) station based on the ground.
- 2 no. new site entrances from the L5010.
- New and upgraded internal site access tracks.
- All associated underground electrical and communications cabling connecting the proposed turbines to the proposed onsite substation.
- The turbine delivery route including temporary works on sections of the public road network and private lands along the turbine delivery route on the L-5006 and the junction of the R-402 and R-420.
- Temporary construction site compound and additional mobile welfare unit.
- A spoil deposition area.
- Landscaping.
- Associated surface water management systems.

The applicant seeks a ten-year planning permission and 35-year operational life from the date of commissioning of the entire wind farm.

The project will be commissioned in a single construction phase and the construction period is likely to last for approximately 18 months.

As detailed in the development description above, there are some temporary elements of the project which include:

- Construction site compound (95m x 50m) and additional mobile welfare unit.
- Temporary blade set down and temporary crane areas at the turbine locations.
- Temporary works on sections of the public road network along the delivery route including hedge or tree cutting, relocation of powerlines/poles, lampposts, signage and temporary local road widening. There are three locations where works will be required within private lands.

In the submitted planning documentation, the Applicant outlines off-site or secondary elements of the project which are assessed within the accompanying EIAR but are not included in the current SID planning application. It is intended that these secondary elements will be subject to a separate licensing and/or consenting process. These include:

- The proposed connection of the onsite 110kV substation to the national grid does not form part of this planning application. It is proposed that an underground electrical cable would be constructed to connect the onsite substation to the Philipstown 110kV substation which is located approximately 6km southeast. This proposed 110kV grid connection cable route will be approximately 8km in length. The underground cable (UCG) will be trenched into the road or the verge of the public road. The proposed grid connection will travel from the proposed 110kV

substation along the access tracks for approximately 0.5km to the L5010. On the L5010 the underground cable will then travel east for approximately 2km to the L5006. On the L5006, the UGC will progress south on the L5006 for approximately 5km before joining the R401 south for approximately 1km where it will link into the newly constructed Philipstown 110kV substation.

- Felling of c.21 ha of commercial conifer and mixed broadleaf and conifer forestry is required to accommodate the construction of some wind farm infrastructure, namely four turbine foundations, and associated hardstands, access tracks, turbine assembly, and spoil deposition area.

Figure 3: Proposed grid connection route (as submitted).

An EIAR and NIS have been prepared in respect of the proposed development.

Turbine Specifications and Layout

For the purposes of the EIAR assessment the turbine dimensions have been specified as follows:

- 7 no. wind turbines.
- Maximum tip height of 185m from top of foundation.
- Maximum hub height of 104m from top of foundation.
- Maximum blade diameter of 162m from the top of the foundation.
- Maximum turbine blade length of 79.35m.
- Potential power output range of 7.2MW per turbine resulting in a total rated output of 50.4MW for the project.
- Conventional three-blade design.

- Proposed turbine colour of white, off-white or light grey.

Comment: There is discrepancy in the total area of tree felling that is required to accommodate the proposed development. Both 18ha and 21ha are referred to in the submitted planning documentation; clarification on this area should be sought from the Applicant.

3. KEY RELEVANT POLICY

This section provides an overview of International/European; national; regional; and local policies which are relevant to the proposed development.

3.1 International and European Renewable Energy Policy

The following is deemed relevant to the assessment of the proposed development:

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

The European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025) were signed by the Minister of Housing, Local Government & Heritage and came into force on the 6 August 2025. Subsequently, the European Union (Planning and Development) (Renewable Energy) (No.2) Regulations 2025 (S.I. 426 of 2025) were signed by the Minister on 11 of September and came into force on the 25th September 2025.

RED III is the legal framework for the development of renewable energy across all sectors of the EU economy, supporting clean energy cooperation across EU countries. The Directive sets out a new target for share of energy from renewable sources in the EU of 42.5% for 2030 but is aiming for 45%. It requires Member States to set national contributions to meet the binding target as part of their integrated national energy and climate plans. The directive introduced new provisions to promote the use of renewable energy in heating and cooling, transport, and electricity sectors. It also enhanced the sustainability criteria for biofuels and set specific sub-targets for advanced biofuels and renewable transport fuels of non-biological origin.

European Wind Power Action Plan

The EU target of at least 42.5% of renewables by 2030 will require the installed capacity to grow from 204GW in 2022 to more than 500 GW in 2030. Globally, annual wind capacity additions should reach at least 329GW per year until 2030 to achieve net-aero emissions by 2050, more than quadrupling today's deployment levels of 75GW. The plan identifies six pillars of concerted action by EC Member States and industry including acceleration of deployment through increased predictability and faster permitting, improved auction design, access to finance, creating a fair and competitive international environment, skills and industry engagement and Member State commitments.

REPowerEU Plan 2022 and Directive EU 2018/2001 (as amended)

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

European Green Deal 2020

The European Commission, in December 2019, announced the European Green Deal which is aimed at making Europe the first climate neutral continent. The Deal seeks to achieve no net emissions of greenhouse gases by 2050, to decouple economic growth from resource use, and to leave no one behind. The EU introduced a set of proposals to align the EUs climate, taxation, energy, and transport policies to support achieving this aim.

The European Climate Law

This plan made the targets set under the European Green Deal legally binding, which also includes achieving a reduction in net greenhouse gas emissions of at least 55% by 2030. Climate neutrality by 2050 means achieving net zero greenhouse gas emissions for EU countries as a whole, mainly by cutting emissions, investing in green technologies and protecting the natural environment. The law aims to ensure that all EU policies contribute to this goal and that all sectors of the economy and society play their part.

Climate and Energy Policy Framework 2030

The Climate and Energy Policy Framework 2030 was adopted in 2014 and includes EU-wide targets and policy objectives for the period between 2021-2030. It seeks to drive continued progress towards a low-carbon economy and build a competitive and secure energy system that ensures affordable energy for all consumers and increase the security of supply of the EU's energy supply. It sets targets of at least 40% reduction in green-house gas emissions and at least 32% share of renewable energy from all energy consumed in the EU by 2030.

Effort Sharing Regulation (EU) 2018/842

The Effort Sharing Regulation (EU) 2018/842 lays down obligations on Member States with respect to minimum requirements to fulfil the EU's target of reducing its greenhouse gas emissions 30% below 2005 levels in 2030 in the various sectors and contributes to achieving the objectives of the Paris Agreement. A GHG reduction target of at least 30% applies to Ireland.

Energy Roadmap 2050

In December 2011 the European Commission published its Communication on the Energy Roadmap for 2050, which looks beyond 2020 targets. The energy agenda set out in the Communication sought to explore the challenges posed by delivering the EU's decarbonisation objective for moving to a competitive low carbon, climate resilient and environmentally sustainable economy by the year 2050 and commits the EU to reducing greenhouse emissions to 80-95% below 1990 levels by 2050.

3.2 National Policy

The following is deemed relevant to the assessment of the proposed development:

The National Planning Framework – Project Ireland 2040 - First Revision (April 2025)

The National Planning Framework (NPF) which sets out the strategic vision for Ireland' growth and development up to 2040 was published in 2018 with its first revision in April 2025. The NPF provides the basis for the review and updating of regional strategies and local authority development plans to reflect matters such as updated housing figures, projected jobs growth and renewable energy capacity

allocations, including through the zoning of land for residential, employment and a range of other purposes.

Since the publication of the NPF in 2018, research and modelling by the Economic and Social Research Institute (ESRI) forecasts substantial population growth over the next decade. The NPF sets out an agenda to cater for a population of between 6.1 to 6.3 million people by 2040, and plan for approximately 50,000 units per annum over that period, doubling the previous 2018 first NPF goal.

The revised NPF highlights the need for the provision of services to support and enable housing development to take place, and to ensure that housing delivery is aligned with the provision of services and facilities for communities. This includes the provision of education, childcare, healthcare and recreational facilities to support the expansion of existing settlements and the creation of new sustainable communities.

There is a clearer focus on planning for climate change in the context of an accelerating climate crisis, and therefore renewable energy, under the revised NPF. Accordingly, the revised NPF has included new policies in relation to renewable energy, including the identification of regional renewable electricity capacity allocations in order to facilitate the accelerated roll-out and delivery of renewable electricity infrastructure for on-shore wind and solar generation development. Each Region must plan for sufficient wind and solar energy development to achieve both the MW targets set out in the revised NPF and the 2030 national renewable electricity generation targets.

The following NPF outcomes and policies are relevant to the proposed development:

National Strategic Outcome 8 – Transition to a Carbon Neutral and Climate Resilient Society states that new energy systems and transmission grids will be necessary for a more distributed, more renewable focused energy generation system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave and solar and connecting the richest sources of that energy. A target of 80% of the country's electricity needs from renewable sources by 2030 and to achieve net-zero emissions no later than 2050 is stated along with a strategic aim to increase renewable deployment in line with EU targets and national policy objectives up to 2030 and beyond.

National Policy Objective 55: *To support, the progressive development of Ireland's offshore renewable energy potential, the sustainable development of enabling onshore and off-shore infrastructure including domestic and international grid connectivity enhancements, non-grid transmission infrastructure, as well as port infrastructure for the marshalling and assembly of wind turbine components and for the operation and maintenance of offshore renewable energy projects.*

National Policy Objective 66: *The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the medium and longer-term requirements of all relevant environmental and climate legislation and the sustainable management of our natural capital.*

National Policy Objective 69: *Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives,*

as well as targets for greenhouse gas emissions reductions as expressed in the most recently adopted carbon budgets.

National Policy Objective 70: Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050.

National Policy Objective 71: *Support the development and upgrading of the national electricity grid infrastructure, including supporting the delivery of renewable electricity generating development.*

National Policy Objective 75: *Local Authorities shall plan for the delivery of Target Power Capacity (MW) allocations consistent with the relevant Regional Spatial and Economic Strategy, through their City and County Development Plans.*

National Development Plan, 2021-2035

In July 2025, the updated National Development Plan (NDP) was published. This Plan underpins the NPF Plan, and it sets a framework for investment priorities which includes expenditure commitments to secure a wider range of Strategic Investment Priorities for example, decarbonising energy. Section 3.7 refers to an 80% target by 2030 for renewable sources, which is described as an unprecedented commitment to the decarbonisation of electricity supplies.

National Energy and Climate Plan, 2021-2030

This Plan outlines Irelands energy and climate policies in detail for the period from 2021 to 2030 and looks onwards to 2050. The NECP is a consolidated plan which brings together energy and climate planning into a single process for the first time. It envisages a target of at least 55% renewable energy in electricity by 2030 (compared to 1990 levels).

Climate Action Plan 2024 (CAP 2024) and Climate Action Plan 2025 (CAP 2025)

CAP 2024 (December 2023) sets out a roadmap to deliver on Irelands climate ambition, of 51% reduction in GHG emissions from 2021-2030 and net-zero emissions by 2050. The plan aligns with the legally binding economy-wide carbon budgets and sectoral ceilings that were agreed by Government in July 2022. The Climate Action Plans have outlined precise goals for renewable energy, focusing on solar, onshore wind, and offshore wind generation. The Key Target for Onshore Wind generation is to achieve 6GW by 2025 and 9GW by 2030.

The Climate Change Advisory Council has made a number of recommendations for actions in the electricity sector in particular around the need for laws to ensure access to information from smart meters, private wire connections, phase-out of coal use, storage, demand management, and the need to streamline the planning process for windfarms. The Climate Action Plan 2025 builds upon CAP 2024 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

National Landscape Strategy for Ireland, 2015-2025

The National Landscape Strategy was published by the Department of Arts, Heritage and the Gaeltacht in June 2015. The main objectives include the development of a National Landscape Character

Assessment, which would provide a framework for the protection and management of change within the landscape in terms of its cultural, social, economic and environmental values. The aim is to seek to achieve a balance between the social, cultural and economic needs and the environment and the landscape. It is stated that a National Landscape Character Assessment would ensure consistency between and within public authority functions and areas, would inform LCA's at a local level and would guide the development of landscape policy.

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 Irelands contribution to international biodiversity initiatives. The Wildlife (Amendment) Act 2023 provides that every public body, as listed in the Act, is obliged to have regard to the objectives and targets in the National Biodiversity Action Plan.

3.3 National Guidelines

The following is deemed relevant to the assessment of the proposed development:

Wind Energy Development Guidelines for Planning Authorities (Department of the Environment, Heritage and Local Government, 2006)

These guidelines provide advice to the Commission and to planning authorities on wind energy development through the Development Plan and the development management process. They are intended to provide for consistency in the approach to wind energy development in terms of the identification of suitable locations for such development and in the determination of planning applications. It is stated that the assessment of such projects should be plan-led with clear guidance on where wind energy development should locate and what factors will be taken into account.

The matters to be considered in a planning application are set out in Chapter 4. These include potential impacts on the built and natural heritage, ground conditions and drainage, visual and landscape impacts, local environmental impacts, (including noise, shadow flicker, electromagnetic interference), and adequacy of the local access road network. It is stated that best practice would suggest that an integrated planning application that include grid connection information should ideally be submitted and that developers should be encouraged to engage in public consultation with the local community.

The potential environmental impacts arising from wind energy developments are discussed in Chapter 5. Guidance is given on matters such as noise, shadow flicker, natural heritage, archaeology, architectural heritage, ground conditions, aircraft safety and wind take. Whilst a setback distance is not established, it is stated that noise is unlikely to be a significant problem where the distance to the residential property is more than 500m. In respect of noise, the recommended standard is a lower fixed limit of 45dBA or a maximum increase of 5dBA above background noise and nearby noise sensitive locations, apart from very quiet areas where the daytime level is limited to 35-40dB(A). A night time limit of 43 dB(A) is recommended. In terms of shadow flicker, the recommended standard is a maximum of 30 hours per year or 30 minutes per day for dwellings and offices within 500m. It is

further stated that at distances of greater than 10 rotor diameters, the potential for shadow flicker is very low.

Chapter 6 provides guidance on siting and design of wind energy development in the landscape. This includes advice on siting, spatial extent and scale, cumulative effect, spacing of turbines, layout of turbines and height of turbines. Advice is also given regarding landscape character types as a basis for application of the guidance on siting and design.

Draft Revised Wind Energy Development Guidelines (Dept. of Housing, Planning & Local Government, 2019)

The Department of Housing Planning and Local Government published Draft Revised Wind Energy Development Guidelines in December 2019. These guidelines were intended to supersede the 2006 Guidelines, but a final version of these guidelines has yet to be formally published.

The Draft 2019 Guidelines provide reference to a lot of best practice and updated guidance for assessing wind energy development.

The proposed key revisions include the following;

- New more stringent noise standards and noise monitoring requirements for wind energy developments in order to reduce the noise nuisance for local residents and communities
- A setback distance for visual amenity purposes of 4 times the tip height should apply between a wind turbine and the nearest point of the curtilage of any residential property in the vicinity of the proposed development, subject to a mandatory minimum setback of 500 metres. Exceptional circumstances for lower setback where the occupiers / owners of the properties are agreeable.
- Mandatory community engagement by the developer in relation to wind farm developments and the preparation of a 'Community Report' detailing the methods/level of local community engagement which shall be submitted as part of a wind farm planning application
- The control of shadow flicker in the form of specific planning condition(s) attached to any wind farm grant permissions.
- The consideration of the grid connection layout and design as part of wind farm applications. Opportunities for community gain or a community dividend for local communities to be established as part of a wind farm development.

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

National guidance for planning authorities on Appropriate Assessment of plans and projects in Ireland was published by the Department of Environment, Heritage and Local Government (DEHLG) in 2009. It was updated in 2010, by replacing the term "Statement for Appropriate Assessment" with "Natura Impact Statement" or "NIS".

This guidance is intended to assist and guide planning authorities in the application of Article 6(3) and 6(4) of the Habitats Directive as it relates to their roles, functions and responsibilities in undertaking Appropriate Assessment of plans and projects. It applies to plans and projects for which public authorities receive an application for consent, and to plans or projects which a public authority wishes to undertake or adopt.

The guidelines set out the different steps and stages that are needed in establishing whether a plan or project can be implemented without adversely affecting the integrity of a Natura 2000 site. The guidance addresses issues of mitigation and avoidance of impacts, and also the Article 6(4) derogation provisions for circumstances in which there are no alternatives and for which there are imperative reasons of overriding public interest (IROPI) requiring a plan or project to proceed.

Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Dept. of Housing, Planning & Local Government, August 2018)

The publication of these Guidelines coincided with the making of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) and the coming into operation of the Regulations on 1st September 2018 in order to transpose the Directive into Irish planning law. The Guidelines replaced Guidelines for Planning Authorities and An Bord Pleanála on carrying out environmental impact assessment issued by the Department of the Environment, Community and Local Government in March 2013. The purpose of the Guidelines is to give practical guidance on procedural issues and the EIAR process arising from the requirements of Directive 2014/52/EU and to assist with the achievement of a consistency of approach in the implementation of the Directive.

Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA, May 2022)

Originally published in 2002, these guidelines now contain up to date references to other Irish and EU guidance and publications to be considered when preparing an Environmental Impact Assessment Report (EIAR). The guidelines contain the systematic approach, standard descriptive methods and effect descriptions that can be used by developers. This ensures that all the likely significant effects are adequately considered and clearly communicated.

3.4 Regional Policy

Eastern & Regional Assembly - Regional Spatial & Economic Strategy 2019-2031 (RSES)

The Eastern and Midlands Regional Assembly was established in 2015 and comprises of the 12. no local authorities located within Dublin and the Eastern & Midland counties. In June 2019, the Assembly adopted its Regional Spatial and Economic Strategy (RSES). The primary purpose of the RSES is to support the implementation of Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the Region.

The RSES sets out a vision based across 3 no. key guiding principles: healthy placemaking, climate change, and economic opportunity.

A total of 16 Regional Strategic Outcomes (RSOs) are set out in the RSES which cross referenced and aligned with the 3 key principles of the RSES and have been developed in iteration with the Strategic Environmental Outcomes of the parallel Strategic Environmental Assessment process. Of particular relevance to the proposed development is:

No. 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, 9).

Underpinning the 3 guiding principles are a series of Regional Policy Objectives (RPO's). The following RPO's are of particular relevance to the proposed development:

RPO 7.36: Planning policy at local authority level shall reflect and adhere to the principles and planning guidance set out in Department of Housing, Planning and Local Government publications relating to 'Wind Energy Development' and the DCCAE Code of Practice for Wind Energy Development in Ireland on Guidelines for Community Engagement and any other relevant guidance which may be issued in relation to sustainable energy provisions.

RPO 10.20: Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This Includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and timely manner subject to appropriate environmental assessment and the planning process.

RPO 10.22: Support the reinforcement and strengthening of the electricity transmission and distribution network to facilitate planned growth and transmission/distribution of a renewable energy focused generation across the major demand centres to support an island population of 8 million people.

3.5 Local Policy

The following is deemed relevant to the assessment of the proposed development:

Offaly Local Authority's Climate Action Plan 2024 – 2029

Offaly County Council's Climate Action Plan accords with the Climate Action and Low Carbon Development (Amendment) Act 2021. It aligns with Government's national climate objectives, which seek the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050. The plan includes actions which aim to reduce Offaly County Council's emissions across its own infrastructure and assets by 51% by 2030 and create pathways towards enabling sectoral emission reductions across the county.

Offaly County Development Plan 2021-2027 County Wind Energy Strategy

A County Wind Energy Strategy forms part of this Development Plan. The Strategy constitutes a plan led approach to wind energy development in County Offaly and sets out areas 'open for consideration' for wind energy developments and considerations for the evaluation of wind energy planning applications.

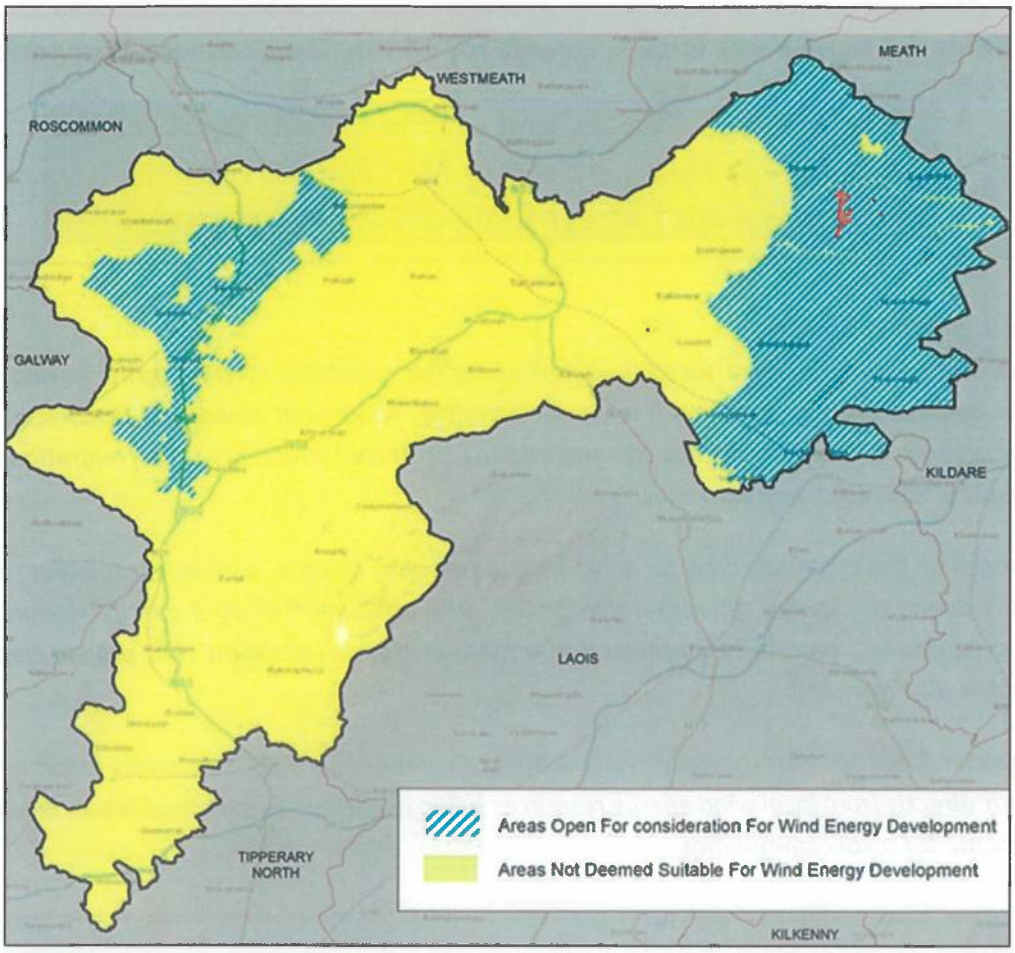

Figure 6: OCC Wind Energy Strategy with subject site location indicated (source: submitted EIAR)

The subject site is denoted within a wider area in the Wind Energy Strategy as *'Deemed Open for Consideration for Wind Energy Developments'*. The plan states in relation to such areas:

These areas are open for consideration for wind energy development as these areas are characterised by low housing densities, do not conflict with European or National designated sites and have the ability by virtue of their landscape characteristics to absorb wind farm developments. Notwithstanding this designation, wind farm developments in these areas will be evaluated on a case by case basis subject to criteria listed in Development Management Standard 109 contained in Chapter 13 of Volume 1 of this County Development Plan and the Section 28 Wind Energy Development Guidelines.

Offaly County Development Plan 2021-2027

Chapter 3 of the Offaly County Development Plan 2021-2027 (OCDP) outlines the Climate Action and Energy strategy for the county with the strategic aim *'to achieve a transition to an economically competitive, low carbon climate resilient and environmentally sustainable county, through reducing the need to travel, promoting sustainable settlement patterns and modes of transport, and by reducing the use of non-renewable resources, whilst recognising the role of natural capital and ecosystem services in achieving this'.*

Table 3.1 outlines the targets for wind energy, solar energy and battery storage demonstrating County Offaly's contribution to realising overall national targets.

Table 3.1 Renewable Energy Targets for County Development Plan period

Wind Energy Target by end of Plan Period: 466.3 MW
Solar Energy Target by end of Plan Period: 145 MW
Battery Storage Target by end of Plan Period: 445 MW

Section 3.2.6 Wind Energy:

Site suitability is an important factor in determining the suitability of wind farms having regard to possible adverse impacts associated with, for example, residential amenities, landscape, including views or prospects, wildlife, habitats, designated sites, protected structures or bird migration paths and compatibility with adjoining land uses.

The Council is therefore required to achieve a reasonable balance between responding to overall positive Government policy on renewable energy and enabling the wind energy resources of the Planning Authority's area to be harnessed in a manner that is consistent with proper planning and sustainable development.

The Council recognises that community ownership of wind energy projects enables local communities to benefit directly from local wind energy resources being developed in their local areas, ensuring long-term income for rural communities.

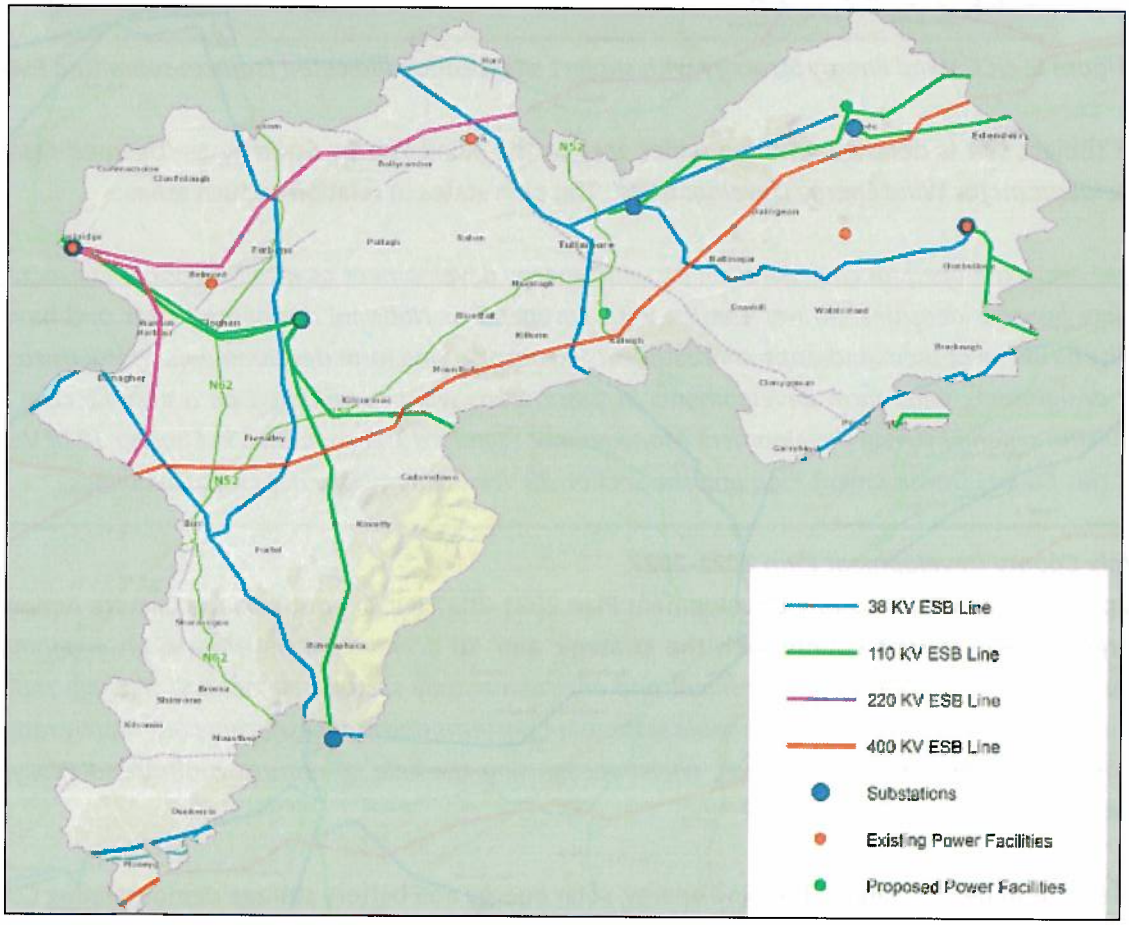

Figure 4: Extract from OCDP – Figure 3.3 Existing Electricity Infrastructure in Co. Offaly

Section 3.8 Climate Action and Energy Policies

- *CAEO-04 It is an objective of the Council to ensure the security of energy supply by supporting the potential of the wind energy (and other renewable) resources of the County in a manner that is consistent with proper planning and sustainable development of the area.*
- *CAEO-05 It is an objective of the Council to implement the Council's Wind Energy Strategy as follows:*
  1. *In 'Areas Deemed Open for Consideration for Wind Energy Development' as identified in Map No. 10 'Wind Energy Strategy Designations', the development of windfarms and smaller wind energy projects will be considered;*
  2. *In all other areas, wind energy developments shall not normally be permitted – except as provided for under relevant exemption provisions in the Planning and Development Regulations 2001 (as amended); and*
  3. *Applications for re-powering (by replacing existing wind turbines) and extension of existing and permitted wind farms will be assessed on a case by case basis and will be subject to criteria listed in Development Management Standard 109 contained in Chapter 13 of Volume 1 of this County Development Plan and the Section 28 Ministerial Wind Energy Development Guidelines.*

Climate Change Adaptation and Mitigation

- *CAEP-07: It is Council policy to support and facilitate European and national objectives for climate adaptation and mitigation as detailed in the following documents, taking into account other provisions of the Plan (including those relating to land use planning, energy, sustainable mobility, flood risk management and drainage);*
  - *Climate Action Plan (2019 and any subsequent versions);*
  - *National Mitigation Plan 2017 (or subsequent editions);*
  - *National Climate Change Adaptation Framework (2018 and any subsequent versions);*
  - *Relevant provisions of any Sectoral Adaptation Plans prepared to comply with the requirements of the Climate Action and Low Carbon Development Act 2015, including those seeking to contribute towards the National Transition Objective, to pursue, and achieve, the transition to a low carbon, climate resilient and environmentally sustainable economy by the end of the year 2050; and*
  - *Offaly Climate Change Adaptation Strategy.*
- *CAEP-11: It is Council policy to support the transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050, by way of reducing greenhouse gases, increasing renewable energy, and improving energy efficiency.*

Reasonable Alternatives and Existing Infrastructural Assets

- *CAEP-23: It is Council policy to require that environmental assessments should address reasonable alternatives for the location of new energy developments, and where existing infrastructural assets such as sub-stations, power lines and roads already exist within the proposed development areas, then such assets should be considered for sustainable use by the proposed development where the assets have capacity to absorb the new development.*

Renewable Energy

- *CAEP-25: It is Council policy to encourage and facilitate the production of energy from renewable sources, such as from bioenergy, waste material, solar, hydro, geothermal and wind energy, subject to proper planning and environmental considerations.*

Wind Energy

- *CAEP-37: It is Council policy to recognise the importance of wind energy as a renewable energy source which can play a vital role in achieving national targets in relation to reductions in fossil fuel dependency and therefore greenhouse gas emissions.*
- *CAEP-38: It is Council policy that in assessing planning applications for wind farms, the Council shall:*
  - *have regard to the provisions of the Wind Energy Development Guidelines 2006, the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change 2017 and the Draft revised Wind Energy Guidelines 2019 which are expected to be finalised in the near future;*
  - *have regard to 'Areas Open for Consideration for Wind Energy Developments' in the Wind Energy Strategy Designations Map from the County Wind Energy Strategy;*
  - *the impact of the proposed wind farm development on proposed Wilderness Corridors as detailed in Objective BLO-28 of Chapter 4;*
  - *have regard to Development Management Standard 109 on wind farms contained in Chapter 13 of this Plan; and*
  - *have regard to existing and future international, European, national and regional policy, directives and legislation.*

Chapter 4 outlines the Biodiversity and Landscape strategy for the county. The proposed site is located in areas denoted as low sensitivity area in the OCDP.

Section 4.14.1 Landscape Sensitivity

The sensitivity of a landscape is the measure of its ability to accommodate change or intervention without suffering unacceptable effects to its character and values. The sensitivity of the landscapes of County Offaly varies and is thereby classified within the following sensitivity classes: Low, Moderate and High Sensitivity.

Section 4.16 Biodiversity and Landscape Policies

Designated and Non-Designated Sites

- *BLP-01 It is Council policy to protect, conserve, and seek to enhance the county's biodiversity and ecological connectivity.*
- *BLP-02 It is Council policy to conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92/43/EEC) (as amended) and the Birds Directive (2009/147/EC), the Wildlife Acts 1976 (as amended) and the Flora Protection Orders.*
- *BLP-04 It is Council policy to protect and maintain the conservation value of all existing and future Natural Heritage Areas, proposed Natural Heritage Areas, Nature Reserves, Ramsar Sites, Wildfowl Sanctuaries and Biogenetic Reserves in the county.*

LOW SENSITIVITY AREAS

Low sensitivity areas are robust landscapes which are tolerant to change, such as the county's main urban and farming areas, which have the ability to accommodate development.

Characteristics:

County Offaly is largely a rural county which comprises of a predominantly flat and undulating agricultural landscape coupled with a peatland landscape. Field boundaries, particularly along roadside verges which are primarily composed of mature hedgerows typify the county's rural landscape.

Sensitivities:

- These areas in general can absorb quite effectively, appropriately designed and located development in all categories (including: telecommunication masts and wind energy installations, afforestation and agricultural structures).
- Within the rural areas, development shall be screened by appropriate natural boundaries that are sympathetic to the landscape generally, where possible.
- New housing proposed in rural areas should respect Offaly County Councils Rural Housing Design Guidelines, together with conformity with development standards.

Acceptability of Development for consideration: A wide range of development subject to appropriateness / conditions

Need for Landscaping and Appropriate Design: High.

Figure 5: Table 4.18 Low Sensitivity Areas in County Offaly – OCDP 2021 – 2027.

Peatlands

- *BLP-14 It is Council policy to protect the county's designated peatland areas and landscapes, including any historical walkways through bogs and to conserve their ecological, archaeological and cultural heritage and to develop educational heritage.*

Waterways, Lakes and Wetland Landscapes

- *BLP-20 It is Council policy to preserve riparian buffer strips free from development by reserving a minimum of 10 metres either side of all watercourses (measured from top of bank) with the full of the protection determined on a case by case basis by the Council, based on site specific characteristics and sensitivities.*
- *BLP-23 It is Council policy to consider the Waterways Corridor Study 2002 and protect the recreational, educational and amenity potential of navigational and non-navigational waterways within the county, such as the Grand Canal Corridor, towpaths and adjacent wetland landscapes, taking into account more recent heritage and environmental legislation (including the SEA Directive) and environmental policy commitments.*

Landscape

- *BLP-38 It is Council policy to protect and enhance the county's landscape, by ensuring that development retains, protects and where necessary, enhances the appearance and character of the county's existing landscape.*

- *BLP-40 It is Council policy to ensure that consideration of landscape sensitivity is an important factor in determining development uses.*

Section 4.17 Biodiversity and Landscape Objectives

Natural Capital

- *BLO-01 It is an objective of the Council that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of County Offaly's natural capital.*
- *BLO-04 It is an objective of the Council to ensure that the impact of development within or adjacent to national designated sites, Natural Heritage Areas, proposed Natural Heritage Areas, Ramsar Sites and Nature Reserves likely to result in significant adverse effects on the designated site is assessed by requiring the submission of an Ecological Impact Assessment prepared by a suitably qualified professional, which should accompany planning applications.*

Peatlands

- *BLO-10 It is an objective of the Council to require the preparation and submission of a Hydrological Report/Assessment for significant developments within and in close proximity to protected raised bogs and to take account of same in the assessment of impacts on the integrity of peatland ecosystems.*

Waterways, Lakes and Wetland Landscapes

- *BLO-12 It is an objective of the Council to maintain a riparian zone for larger and smaller river channels based on the Inland Fisheries Ireland updated guideline document, 'Planning for Watercourses in the Urban Environment, a Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning'.*

Landscape

- *BLO-24 It is an objective of the Council to have regard to the Landscape Sensitivity Areas in Tables 4.18, 4.19 and 4.20 in the consideration of planning applications.*

Chapter 8 outlines the Sustainable Transport Strategy for the county over the six-year period.

Section 8.8 Sustainable Transport Strategy Policies - Roads

- *SMAP-24: It is Council policy to maintain and protect the safety, strategic transport function, capacity and efficiency of national roads, motorways and associated junctions and in accordance with Strategic Planning and National Roads Guidelines 2012 or any subsequent edition.*
- *SMAP-28 It is Council policy to ensure that developments which have the potential to generate significant traffic movement are subject to a Traffic and Transportation Assessment, Quality Audit and Road Safety Audit as appropriate.*
- *SMAP-31 It is Council policy that the capacity and efficiency of the road network drainage regimes in County Offaly will be safeguarded for road drainage purposes.*

Section 8.9 Sustainable Transport Strategy Objectives – Roads

- *SMAO-15: It is an objective of the Council to improve and maintain regional and county roads in line with the annual roads programme and allocated budgets.*

Chapter 13 sets out the general development management principles and standards that will be applied by the Council to ensure that future development is in accordance with the policies and objectives set out elsewhere in the OCDP. The following development management standards (DMS) are relevant to the proposed development:

DMS-97 Safe Sight Distances required for access onto National, Regional and Local Roads

The following safe sight distances, shall be provided from vehicular entrances on the road network;

- *Local Tertiary Roads: 60 metres;*
- *Local Secondary Roads: 90 metres;*
- *Local Primary Roads: 120 metres;*
- *Regional Roads: 150 metres; and*
- *National Roads: 230 metres.*

As set out by design standards detailed in TII publications, sight distances shall be measured from a point 2.4 metres from the road edge at the proposed access to a point at the near edge of the approaching carriageway. The standard for local roads is at the discretion of the Planning Authority and may be reduced where it would not give rise to a specific traffic hazard. DMS-97 standards apply only to locations other than those to where DMURS applies.

As part of the proposed development, 2 no. new entrances onto the adjacent local road are proposed. Please refer to the comments provided by the District Engineer and Local Authority's Roads Section which are outlined later in this report.

DMS-105 Traffic and Transport Assessments and Road Safety Audits

Developers will be required to provide a detailed Transport and Traffic Assessment (TTA), as carried out by competent professionals in this field, where new developments will have a significant effect on travel demand and the capacity of surrounding transport links in accordance with the thresholds set out in Tables 2.1, 2.2 and 2.3 of Traffic and Transport Assessment Guidelines (Transport Infrastructure Ireland, 2014). When preparing the TTA's regard should be had to the provision of the;

- *Traffic and Transport Assessment Guidelines (2014);*
- *Design standards detailed in TII publications; and*
- *Traffic Management Guidelines (Dublin Transportation Office and Department of Transport, 2019).*

Where a Transport and Traffic Assessment identifies necessary on and off-site improvements for the development to be able to proceed, the developer will be expected to fund the improvements by entering into a formal agreement with the Council. A Road Safety Audit shall be required for significant developments in accordance with the Road Safety Audit Guidelines (TII Publication).

Chapter 15 of the submitted EIAR considers the potential effects on traffic and transport material assets arising from the proposed development. Please refer to the comments provided by the District Engineer and Local Authority's Roads Section which are outlined later in this report.

DMS-106 Flood Risk Assessments Flood Zones and Appropriate Uses

The table below indicates the types of land uses that are appropriate in each of the Flood Zones identified within the Plan area, in accordance with the 2009 Flood Risk Management Guidelines for Planning Authorities and Departmental Circular PL2/2014 (or any updated/superseding legislation or policy guidance). Where developments/land uses are proposed that are considered inappropriate to the Flood Zone, then a Development Management Justification Test and site-specific Flood Risk Assessment will be required in accordance with The Planning System and Flood Risk Management Guidelines 2009 (and as updated).

Note (refer to Flood Risk Management Guidelines 2009 and 'SFRA for the Offaly County Development Plan 2021-2027' for additional detail):

- *Highly Vulnerable Development – Houses, schools, hospitals, residential institutions, emergency services, essential infrastructure, etc.*
- *Less Vulnerable Development – Economic uses (retail, leisure, warehousing, commercial, industrial, non-residential institutions, etc.), land and buildings used for agriculture or forestry, local transport infrastructure, etc.*
- *Water Compatible Development – Docks, marinas, wharves, waterbased recreation and tourism (excluding sleeping accommodation), amenity open space, sports and recreation, flood control infrastructure, etc.*

Site-Specific Flood Risk Assessments

The detail of these site-specific FRAs will depend on the level of risk and scale of development but it is advised that The Planning System and Flood Risk Management, Guidelines for Planning Authorities (DEHLG and OPW, 2009) (or any superseding document) and available information from CFRAM Studies, including existing and emerging CFRAMS mapping (including National Indicative Fluvial mapping) and the most up to date CFRAM Programme climate scenario mapping shall be consulted with to this effect. A detailed site-specific FRA should quantify the risks, the effects of selected mitigation and the management of any residual risks. The assessments shall consider and provide information on the implications of climate change with regard to flood risk in relevant locations.

As part of the planning application documentation, the Applicant has submitted a Flood Risk Assessment; this will be discussed later in the report.

DMS-107 Undergrounding of Services

All services, including ESB, telephone and television cables shall be placed underground, where possible. Service buildings or structures shall be sited as unobtrusively as possible and must be screened. Proposals should demonstrate that environmental impacts including the following are minimised:

- *Habitat loss as a result of removal of field boundaries and hedgerows (right of way preparation) followed by topsoil stripping (to ensure machinery does not destroy soil structure and drainage properties);*
- *Short to medium-term impacts on the landscape where, for example, hedgerows are encountered;*
- *Impacts on underground and underwater archaeology;*
- *Impacts on soil structure and drainage; and*

- *Impacts on surface waters as a result of sedimentation.*

The Applicant outlines, in the submitted EIAR, that a network of underground cables serving each turbine with electrical power, signal transmission and collecting the generated power (collector cable), will be installed along the internal access tracks connecting the turbines to the substation compound. They advise that there will be no overhead power lines constructed on the site.

The collector cable will link the turbines to the proposed 110kV substation. The collector cable will diagonally cross the L5010 when connecting the turbines. These cables will be a combination of, within the verge and within the access track cables. In this regard, please refer to the comments provided by the Municipal District Engineer and Local Authority's Roads Section which are outlined later in this report.

DMS-108 Peatlands

In the consideration of development on or adjacent to peatland areas, the following guiding principles should apply:

- *Consideration of the potential contribution of peatlands to climate change mitigation and adaptation including renewable energy production;*
- *Consideration of habitats and species of environmental significance;*
- *Consideration of the potential contribution of peatlands to an existing or proposed greenway / blueway / peatway network;*
- *Consideration of the ecosystem services and tourism potential provided by peatlands;*
- *Development of peatlands shall ensure that there are no negative impacts on water quality and hydrology;*
- *Consideration of existing and future rehabilitation measures including enhanced rehabilitation measures (i.e. drain blocking and rewetting);*
- *Consideration of peatland stability;*
- *Achieving of a carbon emissions balance; and,*
- *Incorporation of fire mitigation measures such as fire breaks or ensuring access points and routes are suitable for travel by emergency services.*

Chapter 9 of the submitted EIAR outlines that ground investigations, in the form of peat probing and soakaway testing, were completed for portions of the proposed development area by Ground Investigations Ireland (GII) during August 2024 and September 2024 (GII, 2024). As part of the submitted documentation, a Peat Landslide Hazard and Risk Assessment has been submitted and concludes that *'there is no risk of peat instability at this site, or from felling activities, as the limited area of peat identified onsite, is being completely avoided'.*

DMS-109 Wind Farms

When assessing planning applications for wind energy developments the Council will have regard to;

- *the Wind Energy Development Guidelines for Planning Authorities, DoEHLG, (2006) and any amendments to the Guidelines which may be made; and*
- *the Wind Energy Strategy Designations Map from the County Wind Energy Strategy showing areas identified as 'Areas Open for Consideration for Wind Energy Developments' and 'Areas not*

deemed suitable for Wind Energy Developments', and specific policy for wind development in these areas as outlined in Section 8 of the County Wind Energy Strategy;

In addition to the above, the following local considerations will be taken into account by the Council in relation to any planning application;

- *Impact on the visual amenities of the area;*
- *Impact on the residential amenities of the area;*
- *Scale and layout of the project, any cumulative effects due to other projects and the extent to which the impacts are visible across the local landscape;*
- *Visual impact of the proposal with respect to protected views, scenic routes and designated scenic landscapes and proposed Wilderness Areas as detailed in Chapter 4 of this Plan;*
- *Impact on nature conservation, ecology, soil, hydrology, groundwater, archaeology, built heritage and public rights of way;*
- *Impact on ground conditions and geology;*
- *Consideration of falling distance plus an additional flashover distance from wind turbines to overhead transmission lines;*
- *Impact of development on the road network in the area;*
- *Impact of the development on radio observatories and broadcast communications in the area; and*
- *Impact on human health in relation to noise disturbance (including consistency with the Word Health Organisations 2018 Environmental Noise Guidelines for the European Region), shadow flicker and air quality.*

This list is not exhaustive and the Council may consider other requirements contained in the chapter on a case by case basis with planning applications should the need arise. Where impacts are predicted to arise as a result of the development proposed, suitably detailed mitigation measures shall be proposed.

Assessment against the above criteria will be considered as part this report.

4. RELEVANT PLANNING HISTORY

This section provides a review of the relevant planning history associated with the subject site and the surrounding area.

4.1 Subject Site

There are no previous planning applications within the proposed development site which are deemed relevant to this assessment.

4.2 Planning Applications in the Vicinity of the Proposed Wind Farm Development

Chapter 2 of the submitted EIAR provides details on large scale planning applications within 25km of the subject site.

Planning Ref.	Applicant	Description		Planning Authority Decision
PL2/19/606 306924 (ABP)	Cloncant Renewable Energy Ltd.	The development will consist of up to 8 wind turbines with a tip height of up to 187m and all associated development including foundations, hardstands, access roads, cabling, substation, battery storage facility and grid connection, on an area of 60.674 ha.	Ballykilleen, Co. Offaly	Granted, Conditional (ABP) 25/09/2020
309686 (ABP)	Cloncant Renewable Energy Ltd.	The Proposed Development is a 110kV substation with a 400m 110kV overhead line grid connection. It includes one site entrance off the R401, a temporary construction site compound and all associated site development.	Ballykilleen, Co. Offaly	Granted, Conditional (ABP) 11/04/2022
21290 (LA)	Bord Na Mona Energy Ltd	Intended to extend the lifetime of Clonbullogue ash repository to the end of 2031. The development will consist of: (1) The continued operation of the existing ash repository from the beginning of 2024 until the end of 2031, including all the associated infrastructure. (2) the deposition of up to 13,000 tonnes per annum of biomass ash from Edenderry power plant between the beginning of 2024 until the end of 2030. (3) An amendment to the planning boundary to incorporate the existing site entrance. (4) the completion of the construction of cell 6 (up to an area of 23,752m2) (5) The completion of the capping of cells 5 over an area of 24,009m2 and cell 6 over an area of 23,752m2 and (6) the sourcing of capping material for cells 5 and cell 6 from 2 no. areas, area No. 1 and area No. 2 within the site boundary. Area no. 1 covers an area of up to approximately 35,000m2 and area no. 2 covers an area up to 15,000m2. Clonbullogue Ash Repository is licenced by the environmental protection agency under an Industrial Emissions (IE) Licence (ref. W0049-02). Activities at the facility and associated environmental aspects and emissions will continue to be regulated and controlled by the EPA.	Cloncreen, Clonbullogue, Co. Offaly	Granted, Conditional 14/04/2022
21190 (LA)	Mark Rochford	Construction of A-roof (agricultural buildings) to include a milking parlour, calf rearing pen, feed storage, cow collecting sheds, silage pit, slurry lagoon and associated site works	Ballinla Farm, Co. Offaly	Granted, Conditional 09/07/2021
2560200	Mark Rochford	Construction of an A-Roof shed (agricultural building), permission to construct a soiled water/slurry lagoon and associated site works. (This application is within the curtilage of a protected structure Ref 16-15 Ballinla House)	Ballinla Farm, Co. Offaly	Submitted 25/05/2025
19496 (LA)	Bord Na Mona PLC	Alterations to the existing 110kV Cushaling substation and includes the installation of 110kV ais switchgear with associated foundations, steelwork, supports and connectors and associated works	Ballykilleen, Edenderry, Co. Offaly	Granted, Conditional 17/12/2019
19500 (LA)	Bord Na Mona PLC	The erection and operation of a multi-user telecommunications mast to be utilised as part of the national broadband plan, comprising a 45-metre lattice structure, 6no cabinets on structure plinths, fibre chamber, antennae, turning area, compound, fencing, gate, access and all associated works and services	Ballykilleen, Co. Offaly	Granted, Conditional 18/12/2019
2152 (LA)	Bord Na Mona Powergen Ltd	A modular battery energy storage system (BESS) facility within the footprint of a previously consented construction compound (ABP ref PL19.PA0047) Planning permission sought for a period of 10 years. The facility will consist of up to 28 No, battery storage modules (up to 13m in length, 3m in width and 3m in height) and ancillary equipment.	Ballykilleen, Co. Offaly	Granted, Conditional 30/07/2021
22494 (LA)	Cloncant Renewable Energy Limited	The development of (a) approximately 970m of new internal access roads for the permitted Cushaling Wind Farm (planning ref PL2/19/606 ABP 306924) (B) Upgrade of approximately 560m of an existing Bord Na Mona bog access road (c) construction of a double circuit 33kV underground collector cable from the permitted Cushaling Wind Farm to the permitted wind farm substation (d) demolition and replacement of a Bord Na Mona bogland access bridge and (e) relocation of the permitted Cushaling Wind Farm substation 25 meters southwest	Ballykilleen, Co. Offaly	Granted, Conditional 28/03/2023
PA0047	Bord Na Mona Powergen	Proposed Cloncreen Wind Farm comprising up to 21 no. wind turbines and all associated works	Cloncreen, Co. Offaly	Granted, Conditional 03/05/2017
314660	Figile Ltd	Planning application for small quarry, with necessary facilities and upgrade of entrance	Mount Lucas, Tullamore, Co, Offaly	Not decided – No EIAR/NIS
304925	Highfield Solar Ltd	Solar PV energy development within a site area of approximately 15ha	Rhode, Co. Offaly	Granted, Conditional 11/03/2021
309491	OBM Solar Ltd	110kV Substation, associated 110kV underground grid connection, cabling and associated works	Rhode, Co. Offaly	Granted, Conditional 13/10/2021
315436	Bord Na Mona	Application for leave to apply for substitute consent for peat extraction and all associated bog development works	Co. Offaly	Not decided – No EIAR/NIS
306236	Bord Na Mona	Leave to apply for substitute for peat extraction	Co. Offaly	Granted, Conditional 01/05/2020
319023	Bord na Móna Powergen Ltd	Combined Cycle Gas Turbine and Open Cycle Gas Turbine Thermal Power Plant, Electricity Grid Connection including 2 no. substations, and associated buildings, plant, site works, service and ancillary development	Rhode, Co. Offaly	Lodged 09/02/2024 Live case
2379	Jason McNamee	Construction of a two-storey dwelling house, a detached garage, vehicular entrance, installation of a septic tank/ percolation area and any other associated site works	Letrim, Edenderry, Co. Offaly	Granted, 28/02/2023
2460289	Rohde LDES Limited	Development of a 22-hectare site. The Proposed Development comprises (i) two (2no.) air dome structures for the storage of carbon dioxide at atmospheric pressure (each 500m x 120m x 34m high) and associated cooling, compression, pumping and power generation equipment and machinery (ii) a single-storey storage and control building, (iii) internal site access roads and connection to existing and consented roads at Rhode Green Energy Park, (iv) underground electrical cable connection to Derryiron 110kV substation, (v) all civil engineering works, surface water and foul water drainage, landscaping, lighting and security fencing	in the townlands of Clonin, & Coolcor, Rhode Co. Offaly	Lodged 28/07/2024 Live case
16246	Highfield Solar Limited	A period of 10 years to complete the development of a solar PV energy development with a total site area of circa 96.6 hectares, to include one single storey electrical substation building and associated compound, electrical transformer and inverter station modules, storage modules, solar PV panels ground mounted on support structures, access roads, fencing and associated electrical cabling, ducting, CCTV and other ancillary infrastructure, additional landscaping as required and associated site development works	Clonin, Rhode, Co. Offaly	Granted 07/03/2017
2560115	Bord Na Mona	The development of a recreational shared cycle and walkway located on Bord Na Móna lands. The development proposes the following: a) The delivery of a shared cycle and walkway on Bord na Móna lands. This will include the repurposing of 18,958 meters of existing former rail bed and 82 / meters along pre-existing machine access routes. b) The proposed shared cycle and walkway will connect into the existing Grand Canal Way within the townlands of Coole and Knockballyboy; the Public Amenity Facilities at Mountlucas Wind Farm within the townlands of Clonarrow or Riverlyons and Drumcaw or Mountlucas; and the Cloncreen Wind Farm Amenity Track within the townland of Clongarret. c) The construction of car and / or bicycle parking facilities at a number of gateway locations along the proposed route and the provision of EV Charging spaces at the Gateway locations.	Bord Na Móna lands within County Offaly	Lodged 08/04/2025 Live case
2560189	Clonarrow Windfarm Limited	For the erection of 4 wind turbines. A 10-year planning permission and 35 year operational life from the date of commissioning of the entire wind farm is being sought. The planning application will be accompanied by an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS).	Clonarrow or Riverlyons,, and Killoneen,, Co. Offaly.	FI requested 17/07/2025
316212	Bord na Móna Powergen LTD.	Proposed development of 26 no. wind turbines and associated works. Ballivor wind farm.	Co. Meath and Co. Westmeath. (21km from proposed Development)	Granted 22/11/2024

On the above planning applications, the Planning Authority provide the following updates:

- PL2/19/606 - 306924 (ACP) - Cloncant Renewable Energy Ltd - permitted windfarm of 8 no. turbines is **fully operational.**
- 21/290 (OCC) - Bord Na Mona Energy Ltd - Clonbullogue ash repository – **construction has commenced.**
- 21/190 (OCC) - Mark Rochford – agricultural development – **construction completed.**
- 25/60200 (OCC) – OCC issued a **Request for Further Information** on the 18th July 2025; no response has been submitted to date.

- 21/52 (OCC) - Bord Na Mona Powergen Ltd - A modular battery energy storage system (BESS) facility - **fully operational.**
- PA0047 (ACP) - Bord Na Mona Powergen – permitted Cloncreen Wind Farm comprising up to 21 no. wind turbines is **fully operational**.
- PL19.314660 (OCC ref. 22/334) - Figile Ltd – **permission refused** on the 26th January 2024, upholding the decision of the Planning Authority.
- PL19.304925 (OCC ref. 19/194) - Highfield Solar Limited – **permission granted** on the 11th March 2021 overturning the refusal decision of the Planning Authority. Previous permission on this site includes OCC ref. 16/246.
- LS19.315436 (ACP) - Bord Na Mona - application for leave to apply for substitute consent for peat extraction and all associated bog development works Co. Offaly – **Withdrawn.**
- 306236-19 (ACP) - Bord Na Mona - Leave to apply for substitute consent for peat extraction – application granted on 1st May 2020; **decision subsequently quashed by Order of the High Court**.
- PA19.319023 (ACP)- Bord na Móna Powergen Ltd – application for combined cycle gas turbine and open cycle gas turbine thermal power plant, electricity grid connection including 2 no. substations, and associated buildings, plant, site works, service and ancillary development – **case was due to be decided by 8th August 2024** (as per the website of An Coimisiún Pleanála).
- 23/79 (OCC) – site adjacent to local road, c.350m NW of proposed entrance No. 2: - Jason McNamee sought permission for the construction of a two-storey dwelling house, a detached garage, vehicular entrance, installation of a septic tank/ percolation area and any other associated site works at Leitrim , Edenderry , Co. Offaly – **granted, not constructed.**
- 24/60289 (OCC) - Rhode LDES Limited - development comprises (i) two (2no.) air dome structures for the storage of carbon dioxide at atmospheric pressure – OCC issued a **final grant** of permission on the 16th September 2025.
- 25/60115 (OCC) - Bord Na Mona - OCC issued a **Request for Further Information** on the 30th May 2025; no response has been submitted to date.
- 25/60189 (OCC) - Clonarrow Windfarm Limited - OCC issued a **Request for Further Information** on the 17th July 2025; no response has been submitted to date.
- PA25M.316212 (ACP) - Bord na Móna Powergen Ltd.- Ballinvor Wind Farm of 26 turbines permitted. This development is located within Co. Westmeath & Co. Meath and located approximately 32km northwest of the subject site – **construction has not commenced.**

The Planning Authority also note the following planning applications:

- Adjacent to local road – c.150m east of proposed entrance to the east of the subject site: 24/60116 — Permission was **GRANTED** to John Kenny to retain relocated entrance, septic tank and percolation area and associated site works.
- Adjacent to local road – c.190m west of proposed entrance to the west of the subject site: 19/371 - Permission was **GRANTED (and CONSTRUCTED)** to Daniel Kavanagh & Maria Groome for a dwelling house and , (b) 1 no. new domestic garage and all associated site works .

Comment: The Planning Authority note, it would be beneficial to have the locations of all planning applications which have referenced by the applicant and the subject site detailed on a plan.

4.2 Enforcement Information Relating to the Subject Site

There are currently no record of any enforcement matters on the subject site.

5 DESIGNATIONS

5.1 European – Special Areas of Conservation (SAC's) and Special Protected Areas (SPA'S)

A Natura Impact Statement (NIS) dated August 2025 and prepared by MWP Consultants has been submitted as part of the SID application. This states that the nearest Natura 2000 site to the subject site is The Long Derries Edenderry SAC which is located 7.6km west of the subject site. The qualifying interest for this SAC is listed as follows;

- *Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210].*

The NIS states that the SAC does not have a hydrological or ecological connection with the subject site.

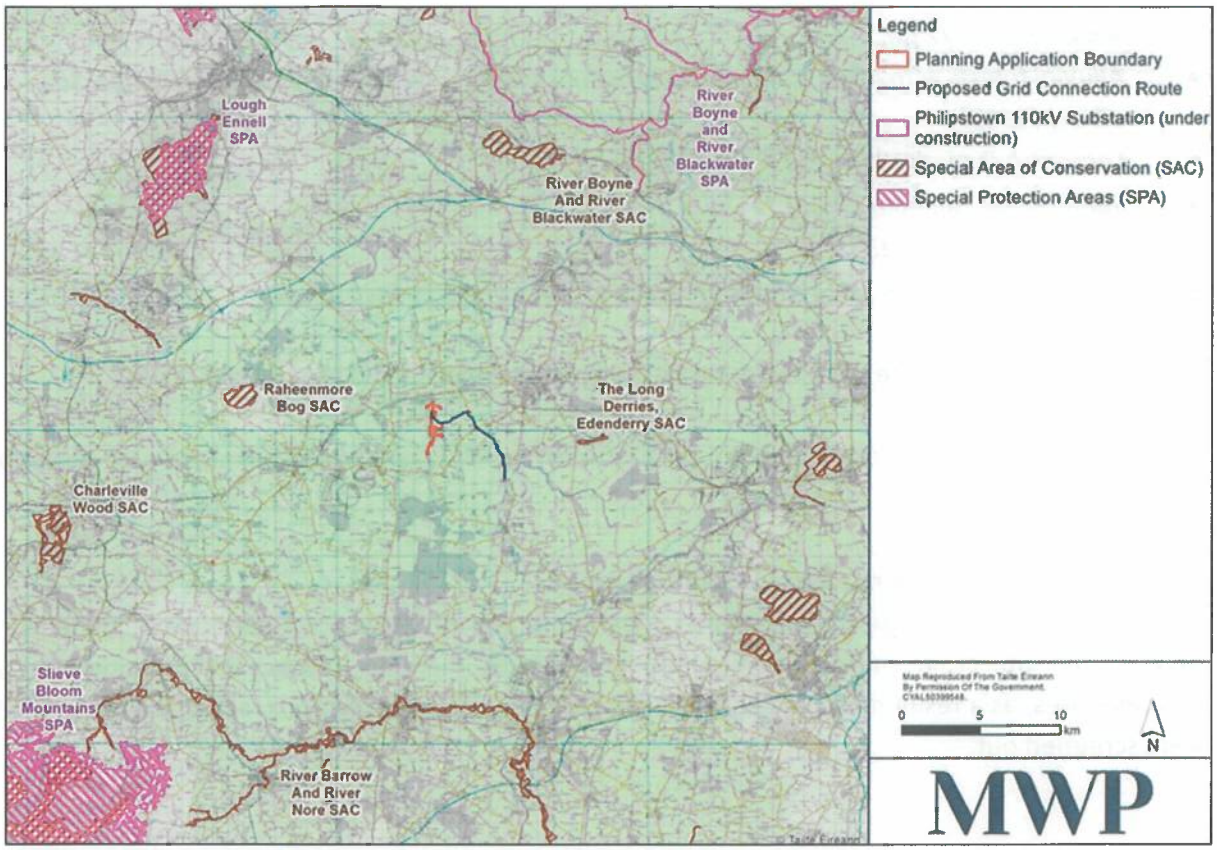

Figure 7: Natura 2000 sites within the vicinity of the subject site (as submitted).

The nearest SAC which has a hydrological or ecological connection with the subject site has been identified as being the River Barrow and River Nore SAC (Site Code 002162) which is located 11.2km south of the subject site. The qualifying interests for this SAC are listed as follows;

- *Petrifying springs with tufa formation (Cratoneurion) [7220].*
- *Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0].*

- *Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0].*
- *Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016].*
- *Margaritifera margaritifera (Freshwater Pearl Mussel) [1029].*
- *Austropotamobius pallipes (White-clawed Crayfish) [1092].*
- *Petromyzon marinus (Sea Lamprey) [1095].*
- *Lampetra planeri (Brook Lamprey) [1096].*
- *Lampetra fluviatilis (River Lamprey) [1099].*
- *Alosa fallax fallax (Twaite Shad) [1103].*
- *Salmo salar (Salmon) [1106].*
- *Lutra lutra (Otter) [1355].*
- *Trichomanes speciosum (Killarney Fern) [1421].*

The River Boyne and River Blackwater SPA (Site Code 004232) is stated to be the closest SPA to the site and is located 17km north of the subject site. The qualifying interests for the SPA are as follows;

- *Alkaline fens [7230].*
- *Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] .*
- *Lampetra fluviatilis (River Lamprey) [1099].*
- *Salmo salar (Salmon) [1106].*
- *Lutra lutra (Otter) [1355].*
- *Site synopsis (NPWS, 2014) notes presence of wintering whooper swans.*

The NIS states that this site has a hydrological / ecological connection with the subject site.

These designated sites are discussed in detail both with the EIAR and the NIS submitted with planning application.

5.2 National Designations - Natural Heritage Areas

Chapter 6 of the submitted EIAR outlines that there was no ecological/hydrological connection between the subject site and the identified NHAs and pNHAs. Therefore, it states that potential effects on these sites, as a result of the proposed development, are not envisaged to occur and those sites were screened out.

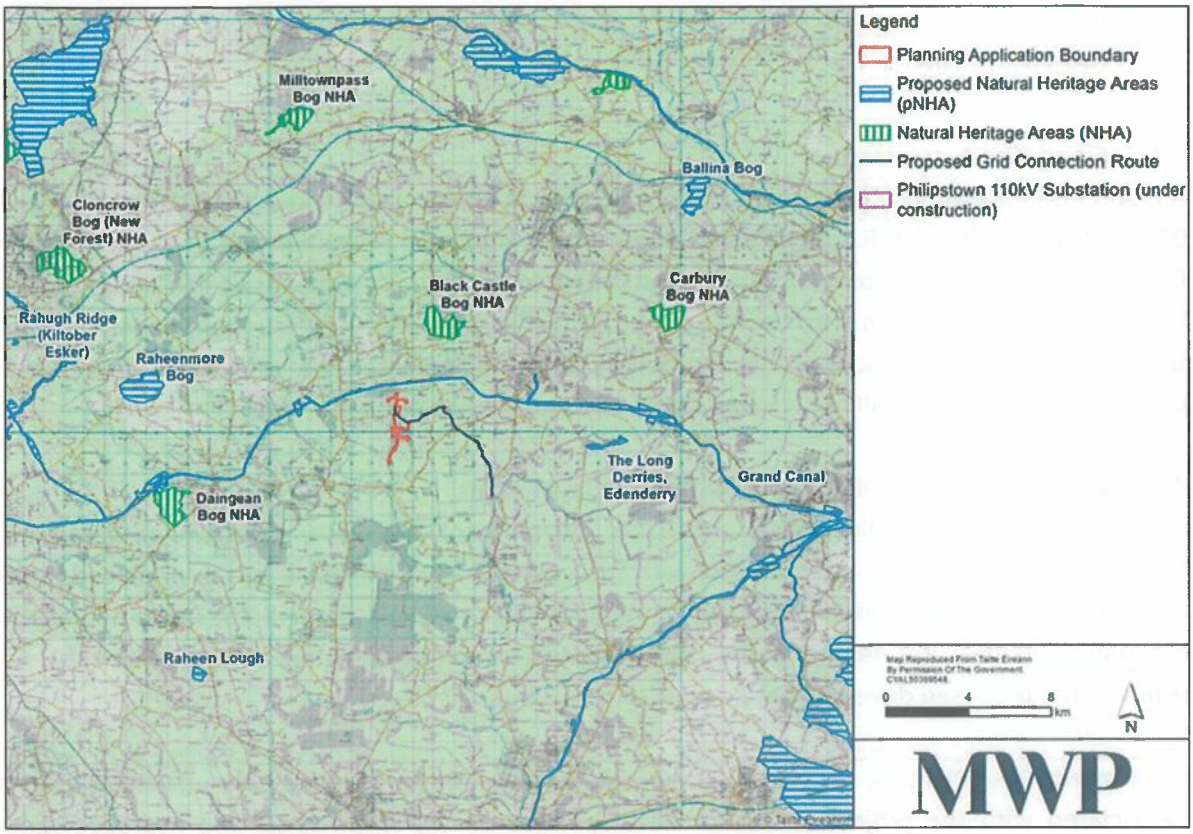

Figure 8: NHAs and pNHAs within the environs of the study area (as submitted).

5.3 Special Amenity Area Orders/Protected Structures/Architectural Conservation Areas

The Planning Authority confirm that there are none located on the proposed subject site. Chapter 12 of the EIAR examines protected structures and national monuments within the vicinity of the proposed development.

6 PUBLIC SERVICES

6.1 Water supply

Potable water for the operational and maintenance phase will be supplied as bottled water.

6.2 Sanitary facilities

During the construction phase, a self-contained port-a-loo with an integrated waste holding tank will be used onsite for toilet facilities. The applicant advises that this will be maintained by the service contractor on a regular basis and will be removed from the site on completion of the construction phase. The wastewater generated during the operational phase will be managed by a holding tank which is of twin-hull design and fitted with an alarm to indicate levels and when it is due for empty. The holding tank will be emptied by a permitted contractor only.

6.2 Surface water

The proposed surface water drainage system will discharge to ground and to existing on-site drains. All surface water will be fully treated to ensure no deleterious matter is discharged to local surface water features.

7 FLOOD RISK ASSESSMENT AND WATER FRAMEWORK DIRECTIVE & ASSOCIATED REGULATIONS

7.1 Flood Risk Assessment

A Flood Risk Assessment (FRA) including flood modelling was completed and is attached as Appendix 08-2 of the submitted EIAR. The FRA concludes that the proposed substation and T1 are in flood zone B and the proposed development may be vulnerable to flooding. As such, the design of the proposal has taken this into account with the flood risk being effectively addressed through the integration of targeted design interventions within the design. Once implemented, the applicant states that the proposed development will not have an adverse impact on flooding elsewhere.

7.2 Water Framework Directive & Associated Regulations

A Water Framework Directive (WFD) Compliance Assessment has been completed for all waterbodies (surface water and groundwater bodies) with the potential to be impacted by the proposed project and is attached as Appendix 08.3 of the submitted EIAR. It concludes that with the implementation of the mitigation measures detailed in the EIAR, there will be no impact on the existing WFD status as a result of the proposed development.

Comment: The Planning Authority note that an assessment of potential cumulative effects associated with the project and other developments on the hydrological and hydrogeological environment has not been completed as part of the WFD Compliance Assessment.

However, within the relevant chapter in the EIAR, notably Chapter 8 'Hydrology and Hydrogeology', it is stated that *'each component of the Proposed Development has been designed to avoid significant hydrological or hydrogeological impacts through the implementation of best practice construction methods, drainage controls, and reinstatement measures'.* The chapter concludes that *'due to the localised nature of the construction works along the Proposed Grid Connection, impacts on the water environment will not extend beyond the immediate vicinity of the underground cable excavations. Therefore, no cumulative effects on the water environment, between the Proposed Grid Connection and any other planned developments will occur'.*

8 ENVIRONMENT IMPACT ASSESSMENT REPORT (EIAR) ADEQUACY

In this case, An Coimisiún Pleanála are the competent authority for the purposes of carrying out an Environmental Impact Assessment (EIA).

The following section gives the Planning Authority's views in relation to the adequacy of the EIAR submitted as part of this SID planning application.

The EIAR is considered to be set out in a clear format and the Non-Technical Summary (NTS) is considered generally adequate. Throughout the different chapters, the EIAR outlines the existing environment providing a description of the context, character, significance and sensitivity of the receiving (baseline) environment in order to predict the likely significant effects of the project and the likely evolution of the environment in the absence of the project.

Chapter 1 – Introduction

The introduction sets out and refers to the need for the proposed development and the proposed economic benefits envisaged from the proposal. The structure of the EIAR is set out and the persons responsible for the preparation of the EIAR are identified. It is stated that the no difficulties were encountered in the preparation of the EIAR.

Chapter 2 – Project Description

In Chapter 2 of the EIAR a description of the proposed development is provided, including details on roads works and traffic management, site drainage and peat management, control buildings and substations, cabling and grid connection, site entrances, anemometry mast, construction compounds, landscaping, site management and construction plans.

Chapter 3 – Civil Engineering

This chapter provides additional information to Chapter 2 on the civil engineering rationale and works for the following elements of the proposed development: local access routes, site entrances, internal wind farm access tracks, wind turbine and hardstand infrastructure, internal wind farm collector circuit, substation compound and buildings, LiDAR unit, temporary site construction compound, spoil deposition area, construction material volumes, watercourse/drainage crossing design, site drainage systems design, sediment and erosion plan and proposed grid connection (the latter of which will be subject to a separate planning application).

Comment: There are a number of shortfalls within the submitted documentation. The Commission is requested to consider and address the matters raised by the Local Authority's Road Design and Edenderry Municipal District Engineer in informing its decision on civil engineering matters, in particular roads and road safety.

Chapter 4 – Alternatives

A description of the reasonable alternatives considered for the proposed wind farm development is outlined in Chapter 4.

Following initial screening which considered policy designations, environmental constraints and landscape and visual sensitivities, this resulted in the exclusion of large portions of the county where wind energy development would be inconsistent with planning policy or where significant environmental constraints were present. The remaining areas were then carried forward for more detailed Phase 2 assessments, which included technical feasibility, grid connection potential, and environmental sensitivities.

Having completed the initial policy and environmental screening, the remaining candidate areas were assessed in Phase 2 for technical feasibility, with a particular focus on grid connection potential. This applicant indicates that the screening ensured that only sites with a realistic prospect of timely and cost-effective grid connection were carried forward for more detailed environmental and technical assessment.

The next phase of the screening process involved a detailed evaluation of the short-listed areas, with a focus on site-specific environmental sensitivities and technical feasibility. Based on the screening

process, it is stated that proposed development site was the preferred site of scale to take through to the next stage of the assessment.

Following identification of all the environmental, technical and engineering constraints for the subject site, a preliminary layout which was deemed by the applicant to fit within the remaining unconstrained areas was developed. It is stated in this chapter that over the course of the design process, the initial layout underwent five iterations with each informed by engineering, environmental, technical, and landowner considerations. Refer to Figure 9 for details of the iterations.

The final layout which included a reduction in the number of proposed turbines from 10 to 7 is considered by the Applicant to represent *'the most appropriate design for the site conditions, following an iterative approach of design optimisation by the engineering and environmental members of the project team'.*

The Planning Authority can confirm that the subject site is located within wider lands which are designated as an *'Area Open for Consideration for Wind Energy Development'* within the County's Wind Strategy contained in OCDP.

Iteration	Description of Iteration	Reason for change	Design Improvement
1	Ten turbine layout, with three turbines adjacent to the Grand Canal. The three turbines ranged from 120-300m distance to the canal. Two locations identified for the substation.	N/A	N/A
2	Ten turbine layout. Movement of one turbine from the southern section to the northern section adjacent to the canal. Substation moves to final location now proposed.	Landowner considerations	Design maximises available land.
3	Movement of one turbine from 120m to 200m from the canal.	Potential visual impact from the high amenity area of the Grand Canal.	Reduced landscape and visual impacts on the Grand Canal high amenity area.
4	Eight turbine layout. Removal of two turbines from northern cluster and introduced 500m buffer to the Grand Canal.	Potential visual impact from the high amenity area of the Grand Canal.	Reduced landscape and visual impacts on the Grand Canal high amenity area and residential receptors.
5	Seven turbine layout. Removal of a turbine from the northern cluster.	Potential visual impact from the high amenity area of the Grand Canal. Landowner considerations	Reduced landscape and visual impacts on the Grand Canal high amenity area and residential receptors.

Figure 9: Design Evolution and Iterations (as submitted).

Chapter 4 also details the process in selecting the proposed grid connection and substation. This chapter outlines that the chosen route was chosen for the following reasons:

- *Utilisation of existing access track and public road infrastructure thereby minimising the requirement for new access track infrastructure associated with the connection.*

- *Low impact on biodiversity as a result of utilising access track and public roads for the majority of the connection.*

The substation location was chosen for the following reasons:

- *Landowner considerations.*
- *Reduced impact on residential receptors*
- *EirGrid required separation distances from the 110kV substation to the turbines.*

As the proposed development will include internal tracks, Chapter 4 details the consideration given to their design. It is outlined that existing tracks will be utilised where possible but new tracks to the majority of the turbines will be required. New excavated tracks will be constructed using imported stone aggregate and placed over a layer of geogrid, where required, after all organic and soft subsoil material is excavated to formation level. Geotextile material, used to separate the access track building material from the subsoil, may also be laid at formation level.

The chapter concludes with a section on the 'Do-Nothing' scenario noting that leaving the site as it is would *'represent a missed opportunity to harness the significant wind energy resource available at the site'* and would *'fail to contribute to national and EU renewable energy targets, delay progress toward climate neutrality, and forgo the associated socio-economic benefits, including local investment, community funding, and job creation'.*

Comment: There is shortfall in the details submitted. Having considered this chapter, it is noted that no details are provided on the location of the alternative sites which the Applicant states were considered at the beginning of the project. The Planning Authority also notes that no consideration was given to alternative renewable energy projects on this site such as solar.

Chapter 5 – Population & Human Health

Chapter 5 summaries the impact on population, employment, economic activity, tourism, land use and human health from the proposed wind farm development. The chapter examines the potential significant, direct and indirect effects associated with the proposal.

Cumulative effects were also considered in relation to proposed, consented and constructed projects located nearby the proposed development. The chapter states that no significant in-combination impacts were identified in relation to population and human health.

The chapter concludes that once mitigation measures set out throughout the prepared EIAR are implemented, it is unlikely that significant negative impacts to population and human health will occur as a result of the development of the proposed development. This is also similar to residual effects, with no significant residual effects to the population and human health associated with the proposal.

With respect to proposed *Community Gain Fund,* this will be in accordance with the Wind Energy Ireland (WEI) best practice and shall be awarded via the Renewable Energy Support Scheme (RESS). A contribution of €2 euro per megawatt hour (MWh) produced is required with a minimum of 40% of the funds to be paid to not-for-profit community enterprises, whose primary focus or aim is the

promotion of initiatives towards the delivery of the UN Sustainable Development Goals. A second component of the fund involves an annual minimum contribution of €1,000 to all dwellings located within a one-kilometre radius from the project.

The chapter notes that *'the total fund per annum will depend on the power output of the Proposed Development overall which may vary due to the installed turbine output and the number of permitted/constructed turbines'.* In this regard, the Planning Authority note that the development description detailed in the submitted documentation refers to the *'total generation capacity of c.50.4 MW'.* No reference is made to the administrating of this scheme however the Planning Authority acknowledges that such requirements are outlined in the RESS.

This chapter outlines that a peak number of approximately 60 no. direct workers will be employed during the construction stage. Local shops, cafes and accommodation providers often experience an increase in business during the operation phase e.g. extra technicians onsite during wind farm maintenance and servicing.

Comment:

- Given the proximity of proposed wind turbines (notably in particular T1, T3 and T4) to existing dwellings which are within the vicinity of the subject site, the Planning Authority has concerns regarding the potential impact on the local population; these concerns are discussed further in Section 13 of this report.
- A map showing all dwellings (existing, granted permission & under construction) within 2km of the proposed turbine locations should be provided as part of this chapter.
- A map showing all permitted and under construction energy developments within 15km of the subject site should be provided as part of this chapter.
- The Commission may deem it necessary that the EIAR considers the quantity of carbon released from the felling of the 21ha of woodland and the provision of materials for the turbine concrete bases and access roads (refer also to comment box, p.9 in relation to anomaly on total area of tree felling within the documentation).

Chapter 6 – Biodiversity

Chapter 6 of the submitted EIAR assesses the likely significant effects of the proposed development (as a standalone project and also in conjunction with other approved projects) with regard to designated sites, habitats, flora, fauna and biological water quality. Appendices to this chapter include an aquatic ecology and fish report and a bat survey report.

The chapter begins by detailing the variety of habitat and flora surveys which have been undertaken since June 2023 and which informed the findings of this chapter. The cumulation of these ecological surveys and desktop studies determined the potential Important Ecological Features (IEFs) likely to occur in the zone of influence (ZOI) of the proposed development.

The chapter confirms that the study area does not lie within the boundary of any NHA, pNHA and designated Natura 2000 sites. In addition, it is stated that there are that there are no Important Bird and Biodiversity Area (IBA) sites within a 15km radius of the Study Area and that the Ramsar Site

(Raheenmore Bog) which is located approximately 11.4km west of the site lies outside the ZOI of the proposed development.

Key habitats identified as *Important Ecological Features* within the study area have been evaluated as being of 'Local importance (higher value)' for a number of reasons including, their potentially important foraging, commuting, breeding, and resting habitat for fauna and being a species rich area. The habitats include Broadleaved woodland (WD1), Scrub (WS1), Hedgerows (WL1), Tree lines (WL2), Drainage Ditches (FW4) and Depositing Lowland Rivers (FW2).

Key fauna and flora identified as Important Ecological Features within the study area have been evaluated as being of 'Local importance (higher value)' for a number of reasons including their protection under national legislation and occurrence on the wind farm site. Not all of these ecological features were recorded during ecological surveys, but suitable habitat occurs. Examples of these include Badger, Pygmy Shrew, Red Squirrel, Otter, Pine Marten, Hedgehog, Irish Hare, Stoat, multiple bat species, terrestrial macro invertebrates (such as bees and butterflies), Frogs, Brook Lamprey and other fish species.

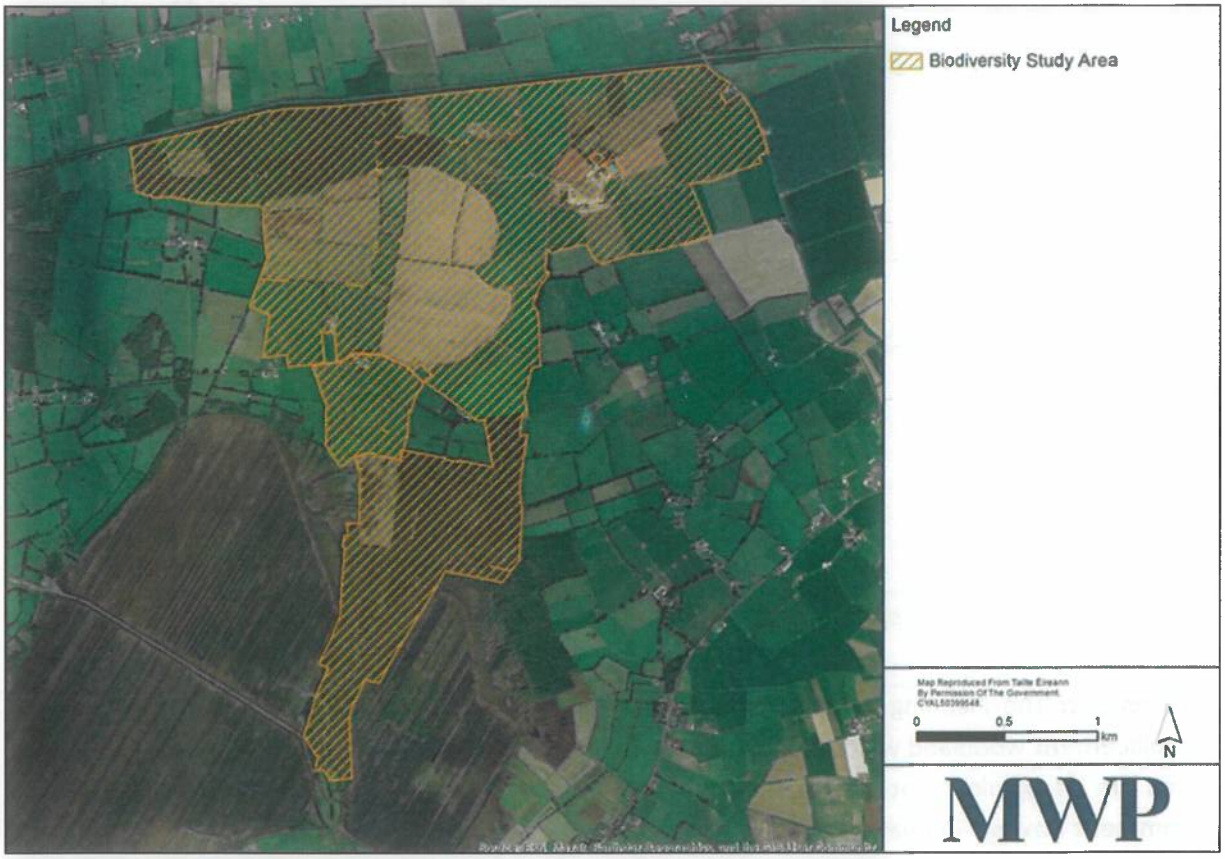

Figure 10: Biodiversity Study Area (as submitted).

It is stated in Chapter 6 that the proposed development will result in the tree felling of approximately 18ha of commercial forestry comprising of 13ha of Mixed Broadleaved-Conifer Woodland (WD2) and 6.2ha of Conifer Plantation (WD4). The Planning Authority notes that submitted Drawing No. 23882-MWP-00-00-DR-C-5034 Rev.P01 (Proposed Tree Felling Areas) refers to a required tree felling area of 21.2ha with the vast majority of this being located within the southern section of the development

area. With regard to the WD2 woodland, it is stated that 'these areas are highly modified and are considered to be of low importance for wildlife' while the WD4 is described as having 'no significant intrinsic ecological value'.

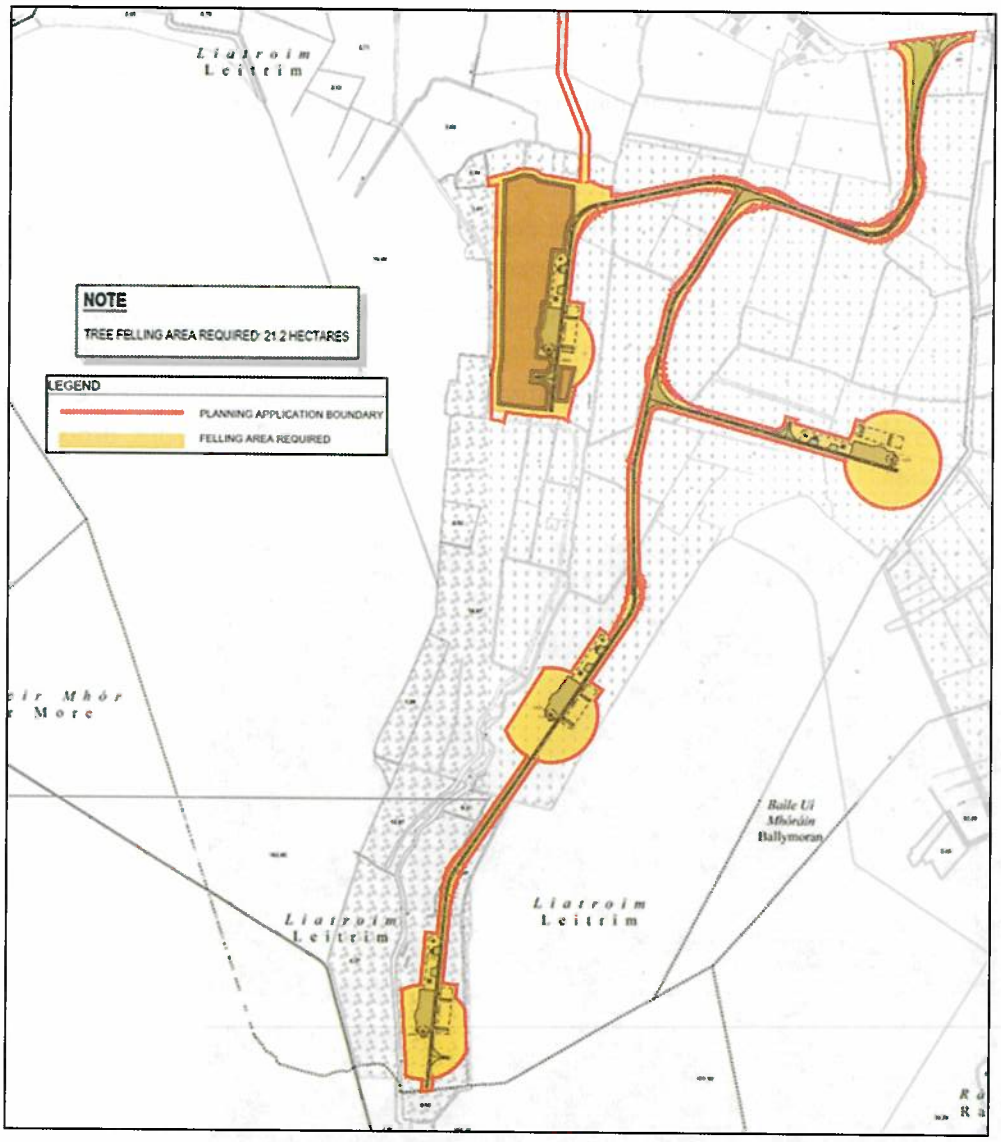

Figure 11: Proposed Tree Felling Areas (extract from submitted drawing).

Comment: The Planning Authority notes there is no reference to the location of the proposed replacement woodland which shall offset the felling of approximately 18ha of commercial forestry and are of opinion that further information should be provided on this matter. (Refer also to comment box, p.9 in relation to anomaly on total area of tree felling within the documentation).

As part of the proposal, approximately 466m of hedgerows, treeline, depositing/lowland river and drainage ditches will be removed to facilitate the works such as site access tracks, excavations for turbine foundations and deposition areas, site substation, as well as the temporary construction compound within the development boundary.

The chapter outlines that where there will be unavoidable removal of hedgerow and treeline habitat, these areas of losses will be reinstated within the proposed site. A linear length of approximately 1km of hedgerow has been incorporated into design of the proposed development with a further minimum 0.76ha of additional potential enhancement and/or creation area provided.

Figure 12: Proposed Biodiversity Creation Areas at the Proposed Development (as submitted).

Figure 13: Screengrab of Google Maps (2025).

The Planning Authority refers to Figure 12 above which in turns refers to 3 no. areas as proposed 'hedgerow creation' and note that these are existing hedgerows (refer to Figure 13 above).

Habitat Type	Area Of Habitat Removed (Ha/M)	Habitat Gain /Benefit (Ha/M)	Net Gain (Ha/M)	Description/Rationale
Habitat creation area for rewilding	N/a	0.53ha	0.53ha	This area includes three parcels of agricultural grassland to the west of the proposed substation. If allowed to regenerate naturally this area may propagate to scrub and due to its width (15m and 25m at its most narrow and widest points, respectfully) it may eventually succeed to smaller woodland where hedgerow is retained and allowed to expand.
Habitat creation area managed / landscaped	N/a	0.23ha	0.23ha	This area includes three parcels of agricultural grassland to the west and north of the proposed substation. Adjacent to the rewilded area and the 110kV substation, it will need to be managed as native small scrub as there are underground cables in these areas and deep routed species need to be removed.

Figure 14: Extract from Table 6-25: Areas and lengths of IEF habitats being removed and gained with the proposed development.

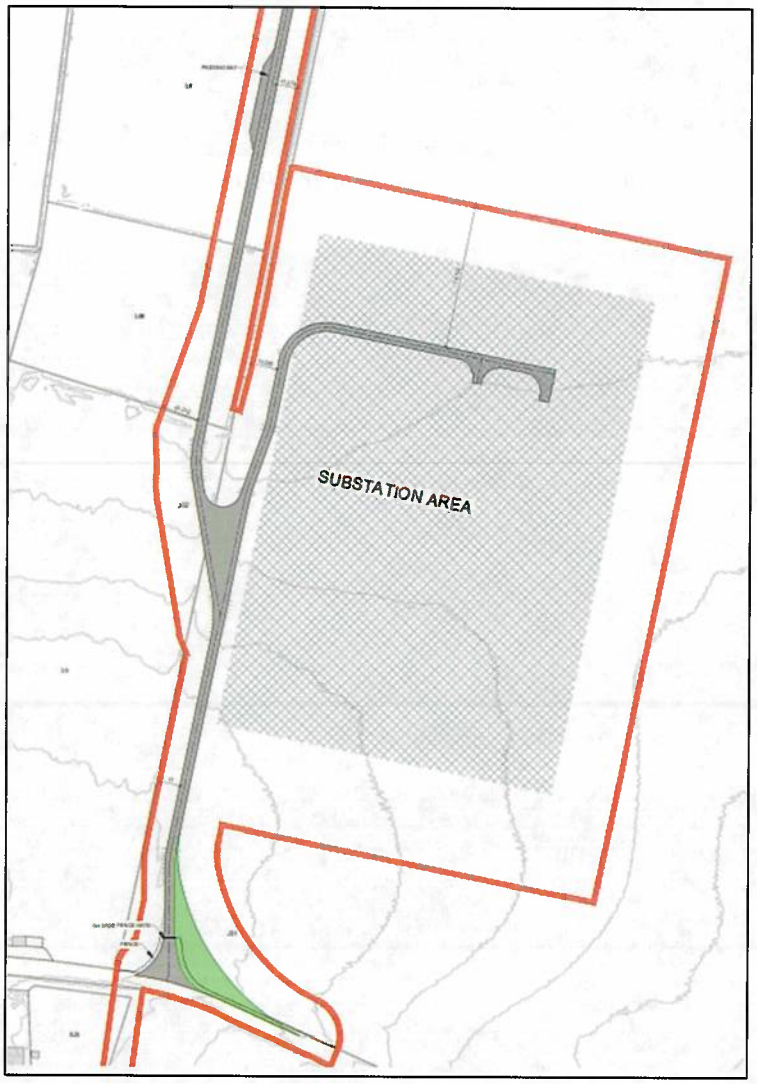

Figure 15: Proposed site layout (as submitted – Site Layout Sheet 3).

Comment: With regard to the proposed habitat creation areas, the Planning Authority seek that additional information be given on the proposed location for same as it is not clear from the submitted documentation where all 6 no. parcels are located. In addition, the proposed location of the 'habitat rewilding' area shown in Figure 12 above is queried given that it is located within the centre of the access roads for the proposed substation area and to Turbines 1 – 3. It is the view of the Planning Authority that this matter should be considered further.

Referring to the submitted NIS, the chapter states that due to an absence of ecological/hydrological connection and thus impact pathways, all NHAs and pNHAs identified in the vicinity of the Study Area are located outside of the zone of influence. It is stated that effects on these sites as a result of the proposed development are not envisaged to occur and these sites were screened out. A 'highly tenuous' hydrological link between the subject site and (a) the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA (both listed as being 24 river km downstream of the subject site), (b) the River Barrow and River Nore SAC (30km) and (c) Charleville Wood SAC (listed as being c.10 river km downstream of the subject site) were identified as part of the assessment.

Comment: The Planning Authority query the separation distance given for between the subject site and the Charleville Wood SAC (i.e. 'nearly 10km downstream'). It is noted that this SAC is located approximately 25km ('as the crow flies') southwest of the subject site.

The NIS concludes that with mitigation measures, the project, either alone or in combination with the other projects assessed, would not undermine the conservation objectives or have an adverse effect on the integrity of any European site.

In relation to the potential impacts on bats, no bat roosts were confirmed within the proposed development area. The bat activity surveys across the subject site determined that the majority of activity was found to be within the northern section of the proposed development study area, likely driven by the Grand Canal which borders the site to the north, as well as the presence of relatively higher number of linear habitats in the north of the site such as hedgerows and treelines. In addition, no significant potential tree roost locations suitable to support roosting bats were noted along the grid route (the latter of which will form part of a separate planning application). Trees proposed for removal within the wind farm site and along the proposed turbine delivery route are considered to be of low suitability for bat roosts. It is stated that whilst the study area is predominantly composed of intensive agricultural grasslands and dense conifer plantations with a general lack of roosting opportunities, the foraging and commuting habitat is suitable with good connectivity to the surrounding habitats.

Overall, the potential effects on bats during the construction phase of the proposed development are considered by the applicant to be slight negative.

The primary impact to bats associated with the operational phase of the proposed development is considered by the applicant to be injury/mortality caused by potential collision with operational turbine blades and/or barotrauma. The effect of potential impacts to bats during the operational phase of the proposed wind farm development is considered to be slight negative at a local level in the absence of mitigation as detailed in the chatper. Such mitigation measures include management of site

for bats by keeping hedgerow and linear features short (c. 1 – 1.5 m height at T1, T2, and T3) to shield draw-in to turbines by bats when considering the openness of landscape if they were removed and post construction monitoring.

With respect to the potential impact on otters, none were identified during the field surveys. The chapter concludes that no habitat loss effect on otters is predicated.

With regard to the potential impact on badgers, it is noted that 3 no. badger setts were confirmed present outside the proposed development area with the closest badger sett located approximately 152.2 m from the nearest point of any proposed infrastructure. It is stated by the applicant that there will be no loss or disturbance of badger setts identified during field surveys as a result of the proposed works however there will be habitat loss through the loss of potential foraging habitat. This habitat loss and the potential direct disturbance and/or displacement effects during the construction phase are assessed as Likely Short-term Slight Negative Effects.

The chapter concludes that the application of mitigation and protection measures throughout the construction and operational phases will ensure that no significant residual effects are likely to arise from the proposed development, either alone or in combination with other plans or projects.

It is stated that during the construction phase there is potential for construction activities to result in the run-off of silt, nutrients and hydrocarbon pollutants etc. which may have an impact on the rivers, streams and open watercourse located in and around the development site. The potential for significant effects on identified aquatic species is restricted to indirect effects on their habitat, resulting from water pollution. The mitigation measures as detailed in the CEMP and in a drainage maintenance plan, which involve the use of silt traps, settlement ponds, interceptor drains etc. will ensure no significant effects on the aquatic habitats within these river, streams and waterbodies.

It is stated by the applicant that there will be an overall gain for linear habitats where the total loss of linear habitats is 335m and reinstatement is 913m. This equates to an overall gain of 578m additional linear habitat within the site and with the implementation of mitigation measures, the chapter concludes that it is likely that there will be no net loss to important ecological feature linear habitats as a result of the proposed development.

The chapter concludes that through the reinstatement of habitats within the proposed development site, as well as the implementation of mitigation measures and habitat management and monitoring, the proposed development will ensure biodiversity on the site is maintained and no net loss occurs.

The ecological impact assessment concludes that the proposed development will not result in any significant effects on biodiversity and when considered in conjunction with other plans/projects, it will not contribute to any cumulative effect.

Comment: As previously noted above, the Planning Authority consider further information with regard to the reinstatement of habitats within the proposed development site should be sought.

Chapter 7 – Ornithology

The potential impact of the proposed development may have on birds within the study area and also on birds in the surrounding area are discussed in this chapter.

Field surveys were undertaken over a three-year period from Summer 2021 to Winter 2024/2025 in order to gather information on bird distribution and flight activity. These surveys included Vantage Point (VP) Surveys; Hinterland Surveys' Breeding Bird Transect Surveys; Winter Bird Transect Surveys; Breeding Wader Surveys; Hen Harrier Roost Surveys; Nocturnal Migration Audio Whooper Swan Surveys; and, Whooper Swan Migration Surveys Winter.

A series of mitigation and best practice measures are proposed as part of the construction and operation phases of the proposal. These include; appointment of an Ecological Clerk of Works to supervise during the construction phase; appropriate monitoring of bird species including re-confirmatory ornithological surveys prior to the commencement of development; removal of woodland/scrubs outside the bird breeding season; suitably qualified ecologist will carry out pre-clearance surveys to identify any active nests where clearance is required during this period; and, appropriate species-specific buffer zones and/or seasonal constraints based on the known breeding cycles of the species involved.

The chapter concludes that *'residual effects for the majority of species range from Imperceptible to Slight'* and that *'Slightly higher residual effects were identified for a number of species. however, none of these are Significant effects'.* The chapter outlines that habituation over the lifetime of the proposed wind farm is likely to reduce the magnitude of the residual operational effects identified and that comprehensive post-construction monitoring programme will be implemented.

Comment: As stated in Chapter 7 of the EIAR, long-term *Moderate* impact on the Merlin and Woodcock is expected during the construction phase due to habitat loss while the Snipe will suffer a long-term *Moderate* impact due to disturbance/displacement. It is acknowledged by the Planning Authority that these impacts are Not Significant however the Applicant should provide details on whether it is proposed to create suitable offset lands or potential enhancement of surrounding land in order to offset the loss of habitat created as a result of the proposed development.

Chapter 8 – Hydrology and Hydrogeology

The impact on the hydrology and hydrogeology on the receiving environment, as a result of the proposed development, is investigated in Chapter 8 of the EIAR.

The proposed wind farm is mapped by the EPA (EPA, 2025) to be within the Barrow WFD Catchment with a small section of the northern portion of the site within the Boyne WFD Catchment. The majority of the proposed grid connection is also mapped with the Barrow WFD catchment with the exception of a small section of the northern portion of the site within the Boyne WFD Catchment.

The entirety of the proposed development is considered to drain to the Barrow Catchment. Only a small portion of the proposed grid connection and the proposed Ballyfore Big TDR works are likely to drain to the Kinnafad Stream and downstream Boyne catchment. The main channel of the Leitrim

Stream in the southern portion of the development is less modified though the channel is also deep, straight and no has significant vegetation within the main channel.

Through design avoidance and mitigation measures, there will be no impact to the existing WFD Status of water bodies associated with the proposed development including the Leitrim Stream, the Kinnafad Stream, the Figile River and downstream waterbodies and underlying groundwater bodies.

It is stated that there is no identified direct hydrological connection between the proposed development and the Grand Canal which is located to the north of the subject site lands. It is also outlined in the chapter that the Aquatic Ecology and Fish Report concluded that the watercourses at the subject site are highly modified and degraded, consisting mainly of drainage ditches, small streams, and deepened rivers.

A Stage 3 Flood Risk Assessment was carried out to assess flood risk issues in sufficient detail to provide a quantitative appraisal of potential flood risk to the site as some of the wind farm infrastructure (T1 and the Substation) was found to be within a Flood Zone B. The chapter outlines that flood risk has been effectively addressed through the integration of targeted design interventions within the proposed development and therefore, the development will not have an adverse impact on flooding outside of the subject site boundary.

As part of the construction phase, several minor crossings of the Leitrim Stream and its tributary drainage channels will be required. During the construction phase, there is potential for cumulative effects such as sedimentation, accidental spills, and changes to drainage patterns. However, these risks are considered low due to the implementation of standard environmental protection measures across all developments, including CEMPs and drainage controls.

During the operational phase of the proposed development, surface water and groundwater will be managed in accordance with best practice and sustainable drainage principles (SuDS). The drainage infrastructure installed during construction will remain in place and be maintained to ensure that runoff is treated and attenuated before being discharged to the surrounding environment. There will be no direct discharges to watercourses, and flow paths will be designed to mimic natural conditions, thereby protecting water quality and maintaining existing hydrological regimes.

Having considered existing and planned developments in the area, including nearby wind farms, solar farms, and agricultural and forestry activities, the applicant's assessment concluded that cumulative effects on water quality, water supply, and wastewater infrastructure are assessed as imperceptible and not significant. Following implementation of the appropriate mitigation measures as outlined in the EIAR, the chapter concludes that there will be no significant adverse residual impacts on the receiving hydrological and hydrogeological environment associated with the proposed development.

Comment: The Local Authority's Environment & Water Section are satisfied with the findings of the assessment by the applicant and have provided a set of planning conditions which are outlined in Appendix A of this report.

Chapter 9 – Land & Soils

This Chapter examines the potential impacts on the land and soil in relation to the proposed wind farm development.

The subject site is described as being as being mostly flat land with one gentle slope in the area of the substation. The elevations range from 69.5 to 78.6m Ordnance Datum (OD) across the whole wind farm site with the overall slope to the west.

The study area for the proposed wind farm is primarily in agricultural use in the norther section, north of the L5010, and coniferous and mixed commercial forestry in the south section, south of the L5010. The proposed grid connection is along the local roads through mostly agricultural lands either side while the proposed TDR is also on roads with works in third party lands that are temporary and on agricultural lands.

The underlying geology is primarily limestone, with the Edenderry Oolite Member dominating the proposed wind farm. Subsoil conditions vary across the site, with the northern portion underlain by limestone-derived till and the southern portion by cut-over raised peat. The proposed grid connection and proposed TDR are similarly underlain by limestone-derived till, however, it is stated that since much of the grid connection follows existing public roadways, it is expected that quaternary sediments in these areas will largely consist of made ground.

With regard to an analysis of peat stability, this chapter outlines that the peat depths range from less than 0.5m to 4m. Site investigations confirmed that the area is generally stable, with no evidence of historical landslides or instability and it is concluded by the applicant's appointed consultans that there is no risk of peat instability at this site, or from felling activities, as the limited area of peat identified onsite, is being completely avoided.

The EIAR concludes that there are no significant adverse effects anticipated during the construction, operational, or decommissioning phases of the proposed development. The mitigation strategy addresses key risks such as soil erosion, compaction, contamination, and slope instability, and has been developed in accordance with current best practice and regulatory guidance. In addition, it is concluded that given the scale of the proposed development and the nature of the receiving environment, no significant cumulative effects on land and soil are predicted.

Comment: The Planning Authority has no reason to dispute the details provided in this chapter and have no matters to raise in this regard.

Chapter 10 – Noise and Vibration

Chapter 10 assessed the potential noise and vibration impacts associated with the development of the proposed Ballinla Wind Farm.

It is expressed that the noise assessment included in the chapter has been based on the guidance provided in '*Wind Energy Development Guidelines for Planning Authorities' (2006)*. While noting that '*Draft Revised Wind Energy Guidelines'* (2019) were prepared by the Department of Housing, Planning and Local Government and subject to public consultation (the submission period closed in February

2020), the applicant confirms that the noise assessment carried out is based on the 2006 Wind Energy Guidelines.

It is further stated that the 2006 Wind Energy Guidelines are based on the Department of Trade and Industry (UK) Energy Technology Support Unit (ETSU) document *'The Assessment and Rating of Noise from Wind Farms'* (1996) and that this document has been used to supplement the guidance contained within the 2006 Wind Energy Guidelines, where necessary.

With respect to the noise assessment criteria, it is stated that an increase of 5dB (A) above the background for night-time operation has been adopted as part of the noise assessment, and while this is not explicitly included in the 2006 Wind Energy Guidelines, the EIAR details that this criteria is commonly applied in noise assessments and is in line with the intent of the relevant Irish guidance.

In terms of construction noise associated with the proposed development, the applicant outlines that the implementation of standard mitigation measures will ensure no significant effects to Noise Sensitive Locations (NSLs). It is further stated that there may be brief instances of the highest noise levels being reached but there will be 'short-lived and not excessive'. With respect to construction vibration, it is stated that effects are not expected to be perceptible at nearby homes due to the distance between the construction activities and residential areas. Traffic in the area will increase during the construction phase however this is deemed a 'short term' impact and will be monitored during construction phase.

An assessment of the operational phase noise levels of the proposed development in combination with the operational Cloncreen and Mount Lucas wind farms which are located approximately 2.2km southeast and 4.1km southwest of the subject site, respectively was undertaken. It is stated in this chapter that the Yellow River wind farm *'was not operational during the survey period and therefore not generating wind turbine noise which could affect the baseline noise measurements'.*

Section 10.7.1.2 of the chapter outlines that *'in the event of a complaint which indicates potential AM associated with turbine operation, the operator will employ a qualified acoustic consultant to assess the level of AM in accordance with the methods outlined in the IOA Noise working Group (Wind Turbine Noise) Amplitude Modulation Working Group (AMWG) namely, Institute of Acoustics IOA Noise Working Group (Wind Turbine Noise) Amplitude Modulation Working Group Final Report: A Method for Rating Amplitude Modulation in Wind Turbine Noise (9 August 2016) or subsequent revisions'.*

Following this and if mitigation measures are required, it is stated that these *'will consist of the implementation of operational controls for the relevant turbine type, which will include curtailment of turbines under specific operational conditions'.* Noting the potential absence of a suitable condition in this regard, it is stated that the commitments outlined in the EIAR are considered best practice.

The chapter concludes that the proposed development is not expected to give rise to any significant noise or vibration effects during either the construction or operational phases.

Comment:

- The Planning Authority are not satisfied that sufficient details on noise and in particular, the combined noise generation from the proposed development and existing windfarms in the local area have been provided by the applicant.
- Regarding the identified Noise Sensitive Locations (NSLs), the Planning Authority notes that as the competent authority, the Commission must be satisfied that the identified NSLs are suitable and acceptable.
- The Planning Authority confirms that the Yellow River Windfarm referenced in the chapter is now fully operational. Given the scale of the Yellow River wind farm at 29 no. wind turbines and its proximity to the subject site, it is the view of the Planning Authority that in order to carry out a robust cumulative noise assessment as part of the proposed development, that the generating wind turbine noise for the adjoining wind farm is necessary and required to be included in any measurements for establishing the baseline noise levels.
- Consistent with the findings of recent High Court decisions, including Gibbet Hill and Ballyduff, the Planning Authority place emphasis on the need for a Noise Complaint Monitoring Programme being agreed prior to the commissioning of a windfarm, if permitted.

Chapter 11 – Landscape and Visual

This chapter describes the landscape context of the project and assesses the likely landscape and visual impacts of the scheme on the receiving environment.

Chapter 11 of the EIAR assesses the likely significant landscape and visual effects of the proposed wind farm development. For the purposes of the Landscape and Visual Impact Assessment (LVIA), a 'central study area' of 5km within the proposed development and a 'wider study area' of 20km for visual and landscape effects were chosen from the proposed turbines.

The EIAR considers the landscape sensitivity of the 'central study area' area to be medium - low due to being located within a robust, rural and highly modified landscape, which is classified as having the 'ability to accommodate' wind development. With regard to the 'wider study area', it is stated that 'whilst the landscape associated with Croghan Hill, the Grand Canal Corridor are considered to have a comparatively high landscape sensitivity (High-Medium) as a result of their comparative scenic, recreational, and heritage values', this area is deemed to retain an underlying 'medium-low' sensitivity.

The chapter concludes that while some visual and landscape changes will occur, particularly in the immediate vicinity, these are generally modest and not considered significant. With regard to cumulative impact, it is stated that this is limited, given the existing wind farm context. In summary, it is concluded that the proposed development *'represents a well-considered addition to the local energy infrastructure, with landscape and visual impacts that are acceptable within the planning and environmental context'.*

Comment:

- In the absence of an overall map showing all View Points (VPs) referenced in the submitted documentation, the Planning Authority has concerns in relation to the overall assessment of

the prominent views of the proposed development from other vantage points, in particular to the east of the subject site area.

- The Planning Authority has concerns regarding the potential impact on dwellings, which are located south of T1 and T3 and north of T4 and T5, due to the siting & layout of the proposed turbines.
- It is noted that the cumulative impact of permitted but not yet constructed wind turbines has not been factored into the LVIA by the applicant. It is the view of the Planning Authority that a revised Landscape & Visual Assessment should be provided by the applicant, to inform its assessment of the proposed development.

Chapter 12 – Cultural Heritage

A comprehensive review of the potential impact on the archaeology, architecture and cultural heritage of the subject site, and surrounding area, with respect to the proposed wind farm development is contained within Chapter 12.

The chapter outlines that there are no known or recorded monuments or find spots of archaeological importance within the subject site boundary while there are several Recorded Monuments and Places (RMP) located within the vicinity. Notably, 2 no. recorded monuments (RMP OF011-054: ring-barrow in the townland of Clarkville and RMP011-03501: large bi-vallate enclosure consisting of a central flat area) are in the immediate vicinity of the roadside where the cable trench will be excavated. The Planning Authority note that these works will form part of a separate planning application.

The assessment concludes that will be no direct impact on any upstanding known archaeological monuments noting that the locations of the proposed turbines have been guided to avoid impacts on known archaeological monuments and buildings as well as areas of strong archaeological potential. Mitigation measures including a geophysical survey and test trenching at pre-construction phase should be carried out at the locations of each turbine and adjoining working area; where soil removal is proposed; at the location of the proposed substation; and, along the access road. It is highlighted that as much of the lands at the southern side of the subject site may not be suitable for geophysical survey and the scope of archaeological testing may be limited by the terrain and existing forestry. For such areas, it has been recommended that archaeological monitoring at the construction phase, for all ground reduction works/topsoil stripping associated with the proposed windfarm, be implemented.

With respect to architectural and cultural heritage, it is stated that there are no recorded protected structures within the boundaries of the proposed development. Ballinla House (OCC RPS ref. 16-15) is the closest, at a distance of 600m to the proposed Turbine (T3) while Ballymoran House[6] (OCC RPS ref. 16-18) is located 900m to the east of proposed Turbine (T5). The assessment concludes that the proposed development will have no direct impact on protected structures within the vicinity.

In summary, the chapter concludes that there are no known archaeological monuments or protected structures within the subject site boundary and no significant cultural heritage impacts are predicted. It is noted that while there is a possibility of encountering unknown subsurface archaeology during construction, this risk will be effectively managed through a combination of survey, testing, and

[6] EIAR refers to this protected structure as Ballmoran House.

monitoring. Through implementation of the recommended mitigation measures, the applicant concludes that proposed development is not expected to result in any significant adverse effects on cultural heritage.

Comment: Having examined the documentation submitted, the Local Authority's Senior Executive Architect notes that in order to fully consider the potential visual impact on the setting of the Ballinla House (a protected structure) and substantiate the statement by that applicant that the proposed development 'will have no direct impact on protected structures within the vicinity', photomontages should be provided from this sensitive viewpoint.

Chapter 13 – Air & Climate

This section of the EIAR document examines the potential significant direct and indirect effects on air quality and climate arising from the proposed wind farm development.

In summary, it is stated there will be minor dust and machinery/plant emissions during the construction phase of the development, but once basic mitigation measures as outlined in the chapter are adhered to, the construction-related air quality impacts are deemed by the applicant as being slight to not significant, short-term, and localised.

The applicant states that during the operational stage, the proposed development will generate electricity that would otherwise require the burning of fossil fuels and an increase in carbon into the atmosphere. It is stated that the CO2 footprint (87,000 tonnes CO2 equivalent) of the proposed development will be paid back within 1.7 years. Over its lifespan, the wind farm is expected to deliver moderate, long-term, positive impacts on air quality and climate

During the decommissioning phase (i.e. dismantling turbines and restoring the wind farm site), impacts will be similar but smaller in scale than the construction phase. Overall, decommissioning is expected to have low risk, short-term, and localised impacts on air quality.

The chapter also considers the cumulative impact assessment having regard to nearby renewable energy projects, including wind and solar farms. It is stated that the developments are sufficiently distant from proposed development to avoid overlapping dust effects. Collectively, such renewable energy developments during their operational phase will contribute to significant reductions in greenhouse gas emissions and improvements in air quality. The applicant concludes that the cumulative impact is long-term, significant, and positive for climate and air quality.

Comment: The Planning Authority queries the applicant's position that "the proposed development will generate electricity that would otherwise require the burning of fossil fuels". Consideration should also be afforded to alternative renewable energy types.

Chapter 14 – Material Assets: Built Services

Chapter 14 of the EIAR considered the likely significant effects of the proposal on the material assets including Built Services (grid capacity and electrical infrastructure, forest resources, telecommunications, aviation, gas, water and wastewater supply infrastructure) and Waste

Management and Resource Use for the construction and operational phases of the proposed development.

The findings of the chapter are summarised as follows:

- *Forest Resources:* Currently no defined recreational or tourism amenities within or associated with the plantation that is contained within the subject site. Felling of c.21ha of commercial forestry required with a suitable replanting area off-site to be identified to ensure no net loss of forestry area. The applicant references that there will be no impact on trees or forest resources during the construction phase of the grid connection however some trees will require trimming and removal along the proposed TDR.
- *Grid Capacity and Electrical Infrastructure:* No existing electrical services within the main subject site area that would be affected. Proposed to construct a 110kV grid connection cable within the public road between the proposed onsite substation and existing Philipstown 110kV substation. Working with relevant authorities, any impacts on the existing electrical networks along the grid route will be avoided. Some brief disruption to electrical supplies due to movement of existing overhead lines and poles at three pinch points along the proposed TDR.
- *Telecommunications:* Results from the impact analysis indicated that there are five radio links that cross over the proposed development area. Network analysis indicates that none of the radio links would be impacted by the proposed turbine layout.
- *Aviation:* Nearest airport located 6.5km from the proposed development. Consultation held with the Irish Aviation Authority (IAA) and the Irish Parachute Club, Clonbullogue, Co. Offaly. Standard mitigation measures to be implemented.
- *Gas:* No gas network utilities within or immediately adjacent to the proposed development area.
- *Water and Wastewater Supply Infrastructure*: Water distribution main indicated along the L5010 which transects the middle of the proposed development site. Several group water schemes in the vicinity of Edenderry, including Ballyfore/Ballykilleen GWS, Mountlucas GWS, Bracknagh GWS and Ballinagar GWS. Nearest wastewater treatment plant (WWTP) is Edenderry WWTP. Appropriate consultation with relevant authorities and best practice measures to ensure no impacts on the infrastructure.
- *Waste Management:* Where possible, all material used in the project will be sourced locally from the nearest supplier to as to minimise traffic and transport. It is likely that all materials required will be sourced in the Kildare/Offaly area. Waste Management procedures included in the submitted CEMP shall be implemented.

Comment: The Planning Authority has no matters to raise at this time. It is acknowledged that any matters raised by prescribed bodies and/or third parties will be integral to the Commission's assessment of the proposed SID.

Chapter 15 – Material Assets: Traffic and Transport

Chapter 15 of the EIAR conveys the likely significant effects of the proposal on transportation infrastructure; telecommunications and aviation.

The construction phase of the proposed development is expected to last approximately 18 months resulting in a peak daily traffic could reach up to 440 vehicles, including 360 HGVs, with the highest

hourly peak involving 36 HGVs. It is stated that while these volumes represent a noticeable increase on some local roads, they remain below thresholds set by Transport Infrastructure Ireland for significant impact. Mitigation measures including temporary traffic management measures, including stop/go systems and signage, will be implemented to maintain safety and minimise disruption. Overall, the chapter concludes that during both the construction and decommissioning phases, traffic volumes will temporarily increase resulting in a slight to moderate, short-term impact on the local road network. The operational phase will have negligible impact.

In order to consider cumulative impact, notable renewable energy projects within a 15 km radius were reviewed. It is noted that the majority of these developments are either completed, nearing completion, or located at sufficient distance to limit the potential for significant cumulative traffic interactions. Based on the spatial separation, staggered construction timelines, and the implementation of best-practice traffic controls, the potential for cumulative traffic effects is assessed as negative, slight to moderate, local, unlikely and short term.

Comment: The Local Authority's Roads Section and the Edenderry Municipal District Engineer seek that further information be provided in relation to traffic impacts. Shortfalls in relation to the applicant's submitted details are required prior to any grant of permission, so as to fully assess the potential impact(s) of the proposed development. Please refer to Appendix A of this report.

Chapter 16 – Shadow Flicker

This chapter assessed the potential impact of shadow flicker associated with the development of the proposed windfarm.

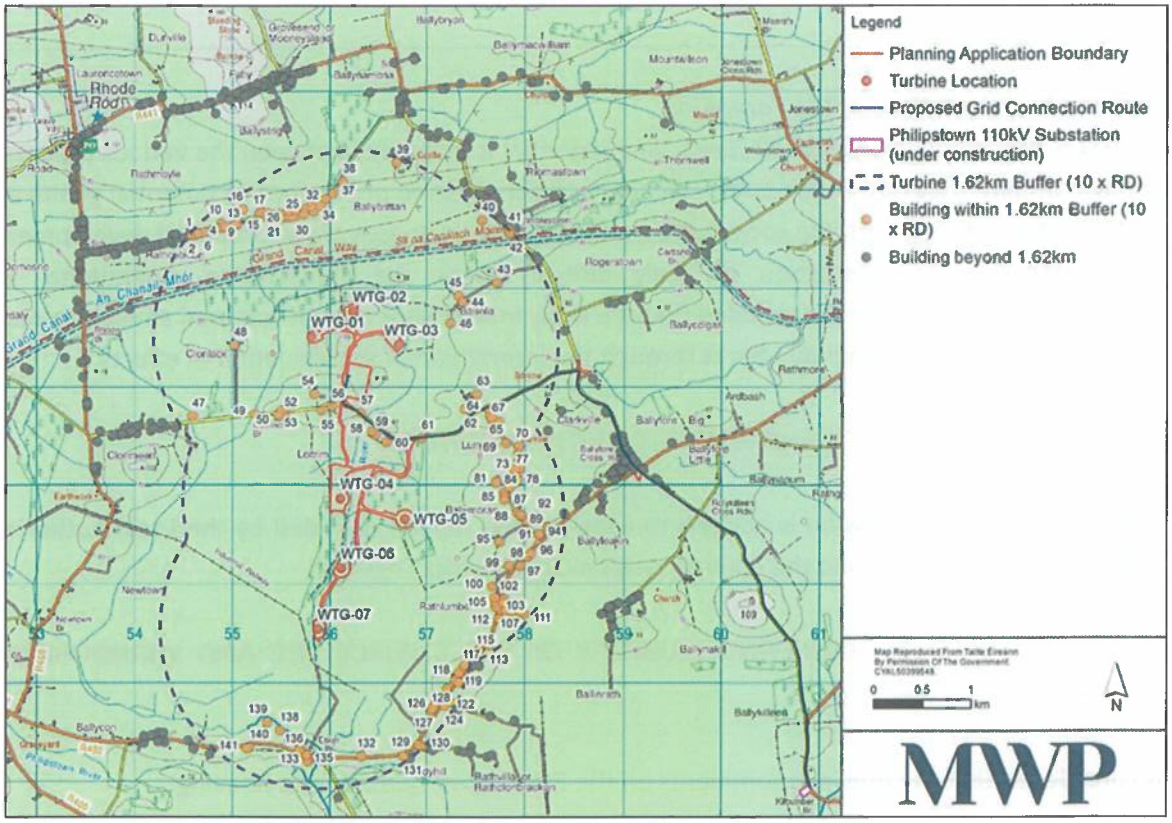

Figure 16: Residential receptor within 10 x rotor diameters of a turbine (as submitted).

In line with best practice guidance, it is stated that the scope of this assessment extends to a distance of 10 times the maximum rotor diameter (or 1.62 km). There are 141 residential properties within the 10 x rotor diameter study area. Of the 141 properties assessed, it is concluded that shadow flicker could theoretically occur at up to 111 properties.

It is outlined that once sunshine hours are factored in and the 2006 Wind Energy Development Guideline limits are introduced, 1 no. property exceeds the 2006 limit. The applicant states their intention of zero shadow flicker at all properties within the study area and that will be achieved by installing shadow flicker modules on the turbines. This allows the turbines to be programmed to shut down during periods when shadow flicker is predicted to, and where conditions are present for it to occur. The chapter advises that this strategy has been successfully employed at other wind farms and therefore, no operational shadow flicker impacts are expected.

With regard to cumulative impacts, it is stated that the only wind farm with potential for cumulative shadow flicker effects is Cloncreen Wind Farm. A combined shadow flicker model was run to assess cumulative impacts, and the results showed no overlapping shadow flicker effects on any residential receptors.

In summary, the assessment concludes that no operational shadow flicker impacts are expected, and the proposed development will not contribute to cumulative shadow flicker impacts in the area.

Comment: Given the proximity of proposed turbines to a number of dwellings within the vicinity of the subject site, the Planning Authority has reservations about the potential impacts on nearby dwellings as a result of shadow flicker. Please refer to Section 13 of this report for further comments on this matter.

Chapter 17 – Interactions of the Foregoing

A matrix is presented in Chapter 17 identifying potential interactions between the various aspects of the environment assessed in the EIAR. This matrix illustrates the occurrence of potential positive or negative effects during both the construction and operational phases of the proposed development. Having assessed the interaction of likely effects during the construction, operational and decommissioning phases, it is concluded that the likely interactions are not assessed as likely to result in any effects that could magnify effects through the interaction or accumulation of effects.

9 CARRYING CAPACITY AND SAFETY OF ROAD NETWORK

In this regard, the Commission is advised to consider the reports provided by the Local Authority's Roads Design Department and the Edenderry Municipal District Engineer.

10 ENVIRONMENTAL CARRYING CAPACITY OF THE SUBJECT SITE AND SURROUNDING AREA

It is considered that the previous comments on the EIAR above relate to this heading.

11 REPORTS OF RELEVANT LOCAL AUTHORITY DEPARTMENTS

This section of the report provides details of reports received from the relevant internal sections within the Local Authority.

11.1 Road Design and Edenderry Municipal District Engineer's Reports

On review of the planning documentation associated with this application, OCC's Roads Design Section and the Municipal District (MD) Engineer have provided their comments in relation to the proposal. The report from the MD outlines a significant amount of further information that is deemed necessary to complete the assessment of the proposed development. The MD Engineers report also includes a number of conditions and requirements that should be adhered to, in the event that An Coimisiún Pleanála grant planning consent for the proposal.

Details of the required further information and suggested conditions, in the event that the Commission is of a view to grant permission are set out below:

Edenderry Municipal District Engineer

Further Information Required

(a) The applicant shall submit details on proposals for the existing public road at the proposed site entrances on the L5010 including proposals for strenghtening the road fabric at the entrances, to resist damage likely to be caused by HGV's entering and existing the site during the construction period. These details should include proposed road build up/specification, which shall comply with TII Specifications for Road Works Series 900 (latest edition) and details of longitudinal & cross sections.

(b) The Applicant shall submit drawings with details of surface water measures at the proposed site entrances including road side drainage and details of gully and soakaway locations. The drawings shall also detail/show any proposed line marking and signage at/near the site entrances.

(c) The applicant shall provide details to mitigate deposition/ spillage of site materials onto the public road(s) during construction works.

(d) The applicant shall submit details of the proposed wheel wash facilities for all vehicles (HGV's) leaving the site(s) from both access points on the L5010.

(e) The applicant shall submit details of locations, size and proposed construction details/buildup of proposed passing bays along the L5010.

(f) The applicant shall submit details and drawings for the proposed temporary turning head at Ballyfore R402/L5006 junction & entering Ballinla west along the L5010 towards Lumville as outlined in *Table 3.1: Overview of Works Required along Turbine Delivery route in the Turbine Delivery Assessment Report*. Details to include temporary boundary treatments , signage, road markings and any road widening / surfacing works required.

(g) The applicant shall submit details regarding the number and weight of loads of timber to be removed from the site as outlined in the *Environmental Impact Assessment Report 2.2 Construction Phase*. Details of the destination of same and haul route to be used is also required.

(h) The applicant shall submit a report including a survey of the roads and bridges along the proposed haul routes, carried out at the developers expense by a suitably qualified person. This

report shall include a schedule of proposed works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic.

(i) The applicant is requested to clarify whether surplus material is intended to be retained on site or disposed of off site, as reports appear to contain conflicting information (e.g. *Section 3.10.2 of Environmental Impact Assessment Report*). Also, clarify statement under *Section 3.12.6* in relation to haulage of materials from joint bays along public road back to onsite deposition areas i.e. material from trenches may be classified as waste & therefore to be disposed of to a licensed waste facility.

(j) The applicant shall submit details regarding number & weight of loads for pre-cast concrete culverts components proposed, as outlined in *Environmental Impact Assessment Report under Section 3.11.3.*

Conditions

1. Prior to commencement, the applicant shall submit details, as listed below, to OCC / Edenderry MD: ***(These proposals will be subject to the review & agreement of Roads Authority – Edenderry MD).***
   (a) Proposals for the existing public road at the proposed entrance area, including proposals for strenghtening the road fabric at the entrance areas to resist damage likely to be caused by HGV's entering and existing the site during the construction period. These details should include proposed road build up / specification, which shall comply with *TII Specifications for Road Works Series 900* (latest edition) and details of longitudinal & cross sections.
   (b) Prior to commencement, the applicant shall submit drawings detailing surface water measures at the proposed site entrances including road side drainage and details of gully and soakaway locations.
   (c) Prior to commencement, the applicant shall submit drawings showing any proposed line marking and signage at/near the site entrances upon the L5010.
   (d) Prior to commencement, the applicant shall provide details to mitigate deposition/ spillage of site materials onto the public road(s) during construction works.
   (e) Prior to commencement, the applicant shall submit details of the proposed wheel wash facility for all vehicles leaving the site from both site access locations on the L5010.
   (f) Prior to commencement, the applicant shall submit details of locations, size and proposed details of construction/buildup of proposed passing bays along the L5010.
   (g) Prior to commencement, the applicant shall submit details and drawings for the proposed temporary turning head at Ballyfore R402/L5006 junction & entering Ballinla west along the L5010 towards Lumville as outlined in *Table 3.1: Overview of Works Required along Turbine Delivery route in the Turbine Delivery Assessment Report*. Details to include temporary boundary treatments , signage, road markings and any road widening / surfacing works required.
2. Prior to commencement, the applicant shall submit a report including a survey of the roads and bridges along the haul routes carried out at the developers expense by a suitably qualified person. This report shall include a schedule of proposed works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic. The extent and scope of the survey and the schedule of works shall be agreed with the Roads authority prior of commencement of the development. Within 3 months of the cessation

of the end of the public road(s) being used as haul routes, a condition survey of the roads, bridges and any other public infrastructure, accompanied by a schedule of repair/ upgrade works shall be carried out at the developers expense by a suitably qualified person. This shall be submitted to, and agreed in writing with the Roads authority within 3 months of the cessation of use of public roads by construction traffic. All agreed works shall be completed at the developers expense within 12 months of the cessation of public roads being used as haul routes.

3. Prior to commencement, the applicant shall submit details regarding the number and weight of loads of timber to be removed from the site as outlined in the *Environmental Impact Assessment report 2.2 Construction Phase*. Details of the destination of same and haul route to be used is also required.
4. Prior to commencement, the applicant is requested to clarify whether surplus material is intended to be retained on site or disposed of off site, as the reports appear to contain conflicting information (i.e. see *Section 3.10.2 Environmental Impact Assessment Report*) and also statement under *Section 3.12.6* in relation to haulage of materials from joint bays along the public road back to onsite deposition areas (i.e. material from trenches may be classified as waste and therefore to be disposed of to a licensed waste facility).
5. Prior to commencement, the applicant shall submit details regarding the number and weight of loads for the pre-cast concrete culverts components as outlined in the *Environmental Impact Assessment Report Section 3.11.3.*
6. No construction delivery vehicles shall access the site via the northern section of the L5006 and the Trimblestown Bridge on the Grand Canal.
7. Visibility site distances for all entrances, both temporary and permanent shall be in accordance with DMS-097 and DMS-098 of the current Offaly County Development Plan. Hedges in the vicinity of sight distance shall be trimmed regularly to maintain sight distance for the during of construction and operation of the wind farm. In addition to the use of a wheel wash at the construction entrances to reduce debris on the public road shall be deployed.
8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning and Roads 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.
   (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) Phasing programme (including a detailed schedule of all deliveries that run concurrently (e.g. concrete delivery , stone etc and the delivery of abnormal loads to the site) indicating the timescale within which it is intended to use each public route to facilitate construction of the proposed development.
   (f) Detailed arrangements for temporary traffic arrangements/ controls on roads. Including associated directional signage to be submitted and agreed with the Roads authority. Traffic Signage to be compliant with Chapter 8 of Traffic Signs Manual 2019 (as amended).
   (g) Measures to obviate queuing of construction traffic on the adjoining road network.
   (h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.

(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

(j) 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.

(k) Off-site disposal of construction / demolition waste and details of how it is proposed to manage excavated soil.

(l) Details of on-site re-fuelling arrangements, including use of drip trays.

(m) Details of how it is proposed to manage excavated soil.

(n) Means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses.

9. Any change(s) to locations and sources of materials being hauled to the site during construction shall be notified to the planning and Roads authority, as any deviation from agreed haul routes may have an adverse impact on the road network; which may also lead to amendments to agreed schedule of works to roads as agreed with EMD under designated haul routes for materials for the development.

10. Edenderry MD as the Roads Authority will require access to regular reports which reflect construction sequencing, deliveries to site, proof of compliance and complaints received; from the TMS live system, which is outlined in the Traffic Management Plan, Section 2.7 Traffic Management system report.

Turbine Delivery Routes

11. Developer to liaise with TII, Edenderry Municipal District & Offaly County Council in relation to deliveries. Where OCC consider a proposed delivery route is not in a suitable condition, the developer shall upgrade the road or junction in advance of delivery operations, as agreed with OCC/EMD.

12. Detailed programme of deliveries to be submitted to OCC/EMD in advance of commencement of deliveries. Details to include dates and times, number of loads, abnormal loads, weights, road closure, diversion routes, support vehicles, etc.

13. Developer to engage and adhere with OCC procedure regarding submission, review and agreement for abnormal loads.

14. Developer to provide evidence of agreement with landowners at all nodes and entry/exit points requiring temporary or permanent works. Proposed scope of works adjacent /upon public roads shall be reviewed and agreed with the Roads Authority/EMD.

15. Any damage caused to roads shall be repaired to the satisfaction of OCC/EMD as the Roads authority.

16. Developer to consult with all relevant Stakeholders (e.g. Uisce Éireann, An Garda Síochána, emergency services, Tidy towns, TII) in relation to turbine delivery routes. OCC to be advised of any alterations required/requested by Stakeholders along the proposed routes.

17. Any alterations affecting the width of the existing road shall be reinstated to the original width, unless otherwise agreed with OCC/EMD as the Roads authority. Where roads are widened, the specification shall be that as agreed prior to works with OCC/EMD.

18. All green/landscaped areas affected by the works shall be fully reinstated to their original condition. Where landscaping has been removed, similar plants of similar maturity shall be used for reinstatement. Where it is not possible to replace mature trees, younger trees plus additional

landscaping shall be provided in lieu to enhance the area. Where hedging is removed and new hedging planted as reinstatement, suitable fencing shall be provided for the protection of the hedge, and maintenance shall be provided until the hedge is established. Where grass is replaced with new seeding, the grass shall be maintained until it is established. Full reinstatement shall be completed within one month of the final delivery.

19. Any road signage and other street furniture which requires removal to facilitate turbine component deliveries shall be removed and reinstalled in suitable retention sockets prior to commencement of deliveries. Signage and street furniture shall only be uninstalled from these sockets immediately before turbine component deliveries and reinstated immediately afterwards. Signage and road furniture shall remain in place at all times outside of these reversing movements. The applicant shall relocate, at its own expense any existing public light poles which will hinder vehicle movements at this location. A public lighting design shall be completed by a suitably qualified designer and submitted to OCC for approval.
20. Where applicable, existing hedgerows shall be reinstated with a suitable native mix upon completion of construction of the windfarm. The turning area hardstand shall be sufficiently secured during construction works to prevent it being used as a location for nuisance parking.
21. Delivery movements of oversize turbine components shall be restricted to nighttime hours to minimise disruption to the national road network.
22. Passing bays are required along the L-5010 to enable the haul route. Details of locations, size and proposed construction details shall be agreed with Edenderry MD as the Roads authority prior to commencement of the development.
23. A Transport Management Plan, including details of the road network/ haulage routes and the vehicle types to be used to transport turbine infrastructure to site and a schedule of control measures for exceptionally wide and heavy deliveries to be submitted to OCC/EMD.
24. All road surfaces, culverts, watercourses, verges and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the Planning and Edenderry MD (Roads Authority).

Materials Delivery Routes

25. Prior to the 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 and from 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 agreed between the Planning Authority and the Developer. Reason: To ensure the satisfactory reinstatement of Haulage Routes.
26. Developer to liaise with Edenderry Municipal District & Offaly County Council in relation to deliveries prior to commencement of construction. Prior to the commencement of any deliveries, once all suppliers have been confirmed by the Developer/Contractor, a detailed programme of deliveries is to be submitted to OCC/Edenderry MD for review. Details to include number of movements per day, weights, etc. Developer/Contractor to liaise with OCC / Edenderry MD to establish the designated delivery/haul routes.
27. Traffic management plans to be submitted detailing haulage of materials, including entry/exit points.

28. Pre-condition surveys along the designated delivery/haul routes, consisting of a video survey and photographs, a Road Condition Survey, and an FWD Survey (where required) to be carried out and a copy submitted to OCC/EMD as Roads authority; prior to the commencement of deliveries to site(s).
29. Where OCC/EMD consider a proposed haul route is not in a suitable condition, the developer shall upgrade the road or junction in advance of haulage operations as agreed with EMD/Roads authority.
30. Any defects that appear upon the public roads/designated haul routes during the construction period of the development shall be rectified by the developer as agreed with EMD/Roads authority.
31. Any damage caused to the road network, shall be repaired to the satisfaction of OCC / Edenderry MD.
32. Public roads shall be kept free of mud, dust, spillages and debris. Any necessary measures shall be put in place at site entry/exit points to sites and along designated haul routes to satisfy this condition.

Temporary Traffic Management (TTM) For Construction Phase.

33. The applicant shall ensure that specific Temporary Traffic Management Plans are designed and installed to cater for the various phases of the project. Items that may be considered along with the General Principles of Prevention, could include, but not exclusively, some of the following:
    (a) The prevailing traffic speeds and traffic volumes. Busy commuter routes.
    (b) Horizontal and vertical alignments of the road(s). Visibility. Obstacles. Undulations.
    (c) Presence of existing entrances in the vicinity/ existing turning movements/ existing slow-moving traffic areas.
    (d) Grass verges – shall be kept in check by the developer to ensure that TTM signage is visible at all times.
    (e) Appropriate TTM Plan and risk assessments shall be in place for all activities on the public roads.
    (f) Housekeeping: All public roads affected by the development shall be kept free of loose materials, dust, mud, spillages, and debris.
    (g) For excavation works at entrances – the safety zone requirements and available residual road widths shall be considered as part of the Design Process.
    (h) The impact that (i) queuing of delivery vehicles on the road before entry to the site, and (ii) slow-moving vehicles exiting the site, could have on traffic safety.
    (i) The Provision of Variable Message Signs (VMS) for the duration of the project, or at specific phases of the project.

Cable Routes - *Planning Authority notes that these works do not form part of the current application*

34. Road opening licence(s) will be required from Offaly County Council for works within the public roads which are to be agreed with Edenderry MD office (as the Roads Authority).
35. Details of cable installation to be submitted to OCC in advance of commencement of works. Details to include works programme, construction details, cross-sections for each road showing location of trench in road and existing road width, existing services.
36. Where road closures are required, application must be submitted to OCC at least 8 weeks in advance.

37. Where road works speed limits are required, an application shall be submitted to OCC at least 8 weeks in advance. Signs to be erected & maintained by the developer/contractor.
38. Diversion routes to be maintained by the developer/contractor, whilst the diversion is in place.
39. Traffic management plans to be submitted for each stage of the works.
40. Pre-condition survey of cable routes, consisting of a video survey of the full route and photographs at every entrance and boundary structure to be carried out and a copy submitted to OCC. Any damage caused to the road(s) or adjacent properties shall be repaired to the satisfaction of Offaly County Council / Edenderry MD and relevant landowner/property owner.
41. Pre-condition structural surveys on adjacent properties shall be carried out by a competent person at the developers expense prior to any works taking place along the affected road/adjacent property.
42. Reinstatement of the trench in local and regional roads shall be in accordance with the latest version of "Guidelines for the Opening, Backfilling and Reinstatement of Trenches in Public Roads" (The Purple Book), except where noted otherwise. After temporary reinstatement of the trench: A full width overlay shall be provided on all local roads. A half road permanent reinstatement shall be provided on regional roads > 6.0 metres wide. Details and extent of temporary and permanent reinstatement to be agreed with Edenderry MD (as the Roads Authority & as per road opening licenses) prior to commencement of works.
43. Ironworks shall be raised & reset in mastic as necessary and road markings and road studs reinstated.
44. All existing watercourse crossings/bridges shall be identified and detailed designs submitted to Offaly County Council Roads Section & Edenderry MD, to indicate how these will be crossed, for Offaly County Council / Edenderry MD approval.

Road Design

Roads have reviewed the documentation and comment as follows:

- The proposal is satisfactory subject to the further information/conditions outlined in District Engineer's Report.

11.2 Environment and Water Services Report

The Local Authority's Environment and Water Services Department has reviewed the planning documentation associated with this proposal and have confirmed that they have no objection subject to the following conditions:

General

- All mitigation measures as outlined in the submitted Construction and Environmental Management Plan shall be implemented by the applicant/developer for the construction & operational phase of the development.
- All mitigation measures as outlined in the submitted Flood Risk Assessment shall be implemented by the applicant/developer for the operational & construction phase of the development.

- All mitigation measures as outlined in chapter 6 of the submitted Screening for Appropriate Assessment Report and Natura Impact Statement shall be implemented by the applicant/developer for the construction & operational phase of the development.
- All mitigation measures as outlined in chapter 18 of the submitted Environmental Impact Assessment Report shall be implemented by the applicant/developer for the construction, operational phase & decommissioning phase of the development.
- All statutory consents and licences required to commence construction Works on-site shall be obtained prior to works commencing, including but not limited to; Site notices, Construction commencement notices, Licence to connect to existing utilities (including water) and mains sewers, where required, abstraction and / or discharge licenses, where required, Road opening / closure licences, etc.

Surface Water

- Surface water run off from the roofs, roads and hardstanding areas shall be collected and disposed of within the site to soakaways or proposed attenuation overflowing to the adjacent watercourse. No such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties.
- The applicant shall maintain/preserve any existing riparian corridor/drain present within and/or adjacent to the site by implementing a buffer zone where no development is permitted in accordance with Offaly County Council's, Development Plan 2021-2027.
- It is noted that the applicant wishes to carry out in stream works as part of the provisions of a potential future development. The Applicant is requested to consider clear span bridging structures instead of proposed headwall & bottomless culvert construction to satisfy OCC's existing policy BLP-21. If the applicant does not satisfy this request then they shall document stream habitat lost and provide compensatory habitat where possible.
  - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-21: It is Council policy to promote clear span bridging structures as the preferred option for culverts. Any development proposal requiring culverting should also document stream habitat lost and provide compensatory habitat where possible. Realignment of water courses should incorporate stream enhancement measures, as outlined in Office of Public Works Environmental Guidance. The Council will consult with Inland Fisheries Ireland in relation to riparian and instream works as appropriate.
  - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-20: It is Council policy to preserve riparian buffer strips free from development by reserving a minimum of 10 metres either side of all watercourses (measured from top of bank) with the full extent of the protection determined on a case by case basis by the Council, based on site specific characteristics and sensitivities.
  - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy WSP-22: It is Council policy to ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan and to promote the use of Sustainable Drainage Systems.
  - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-03:It is Council policy to support the implementation of the Water Framework Directive, the River Basin Management Plan and the Local Authority Waters Programme in achieving and

maintaining at least good environmental status for all water bodies in the county. Development proposals shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands.

Foul Sewerage

- In the event that foul waste is to be removed regularly from site by a contractor during construction phase, the developer shall submit a signed maintenance contract with an Authorised Waste Collector and all foul waste must be transported to an Authorised Waste Facility.

Waste Management

- All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.
- All uncontaminated soil and stone imported onto the site shall comprise non-waste by-product, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. Nó. 126 of 2011.
- No development shall commence prior to registration with the Environmental Protection Agency of the material to be imported onto the lands, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. Mo. 126 of 2011.
- Prior to commencement of development, details regarding the origin/source of proposed soil & stone to be imported onto the site shall be submitted for the written agreement of the Planning Authority.

Environmental Nuisance

- Noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall not exceed the following:
  - LAeq (60 minutes) 55dB(A)8am to 8pm
  - LAeq (15 minutes) 45dB(A)8pm to 8am
- Audible tonal or impulsive components should be minimised at any noise sensitive location.
- The Applicant shall take reasonable measures to mitigate any environmental nuisance (noise and dust) which may arise during construction. Construction shall take place during working hours 7am to 6.30pm Monday to Friday and 8am to 1.30pm Saturday unless otherwise authorised by the Planning Authority.
- Dust suppression shall be undertaken under dry and windy conditions to ensure that dust deposition does not exceed 350mg/m²/day.

Biodiversity & Landscape

- The applicant shall maintain/preserve any existing hedgerow/woodland/trees present within and/or adjacent to the site in accordance with Offaly County Council's, Development Plan 2021-2027.

- Where hedgerow/woodland/tree removal is required to facilitate the development, the applicant shall apply for a Tree Felling Licence from the Forestry Service, Dept. of Agriculture, Food and the Marine in compliance with the Forestry Act 2014.
  - ➢ As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-24: It is Council policy to support the protection and management of existing networks of woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character, and to strengthen local networks.

11.3 Senior Executive Architect Report

The Local Authority's Senior Executive Architect recommends that additional photomontages are sought in order to fully consider the potential impact of the proposed development on Ballinla House (protected structure).

11.4 Chief Fire Officer

In this report, the Senior Assistant Chief Fire Officer confirms they have no objections to the proposed development.

12 THIRD PARTY OBSERVATIONS/SUBMISSION SUBMITTED TO AN COIMISIÚN PLEANÁLA

At the time of writing, the Planning Authority has not received copies of any third-party submissions or referrals from prescribed bodies which may have been submitted to the Commission.

13 PLANNING AUTHORITY'S ASSESSMENT AND VIEWS

Principle of Development

The Planning Authority acknowledges the location of the subject site is located within a wider area which in the current County Wind Energy Strategy is 'Deemed Open for Consideration for Wind Energy Developments'. However, development in such areas must suitably demonstrate that the proposed windfarm would not result in any negative impact on the residential and visual amenities of the surrounding area. Having considered the proposal, it is the view of the Planning Authority that, in its current format, the proposed development would cause detrimental impact on the amenities in the area due to the siting of the proposed turbines.

The following discussion outlines why it is the view of the Planning Authority that further information and significant alterations (i.e. reduction in the number of turbines, alterations to their layout) are required to the proposed development in order to protect the amenity of the local area and residents.

Alternatives

Chapter 4 of the submitted EIAR outlines the alternative locations and project design options that were considered in the early stages of this project. In this regard, the Planning Authority note that no details are provided on the location of the alternative sites which the Applicant states were considered at the beginning of the project, and it appears that no consideration was given to alternative renewable energy projects such as solar as a potential development.

Biodiversity

Having considered Chapter 6 (Biodiversity) of the EIAR, the Planning Authority notes the following:

- There is no reference to the location of the proposed replacement woodland which shall offset the felling of the 21ha of commercial forestry which is required in order to accommodate the proposed development. Further information should be sought in this regard.
- The applicant shall clarify the area of commercial forestry that is proposed for removal; both 18ha and 21ha are reference throughout the submitted documentation.
- The 3 no. areas shown in Figure 6-8: Proposed Biodiversity Creation Areas at the Proposed Development as proposed 'hedgerow creation' are existing hedgerows (refer to Figure 13 of this report). The applicant is requested to clarify their intention in this regard and to provide updated documentation.
- With regard to the proposed habitat creation areas, the Planning Authority seeks additional information on their location as it is not clear from the submitted documentation where all 6 no. parcels are located. In addition, the identified location and potential delivery of the 'habitat rewilding' area shown in Figure 6-8 of the EIAR is queried as it is located within the centre of the access roads for the proposed substation area and to Turbines 1 – 3. Furthermore, the extent of proposed habitat creation areas also appears to be very limited given the scale of the proposed development. It is the view of the Planning Authority that this matter should be appropriately addressed prior to any grant of permission.

Birds

Further to the above item and having considered the contents of Chapter 7 'Ornithology' of the submitted EIAR, the Planning Authority notes that a long-term *Moderate* impact on the Merlin and Woodcock is expected during the construction phase due to habitat loss while the Snipe will suffer a long-term *Moderate* impact due to disturbance/displacement. It is acknowledged by the Planning Authority that these impacts are deemed to be 'Not Significant'. Notwithstanding, it is suggested that the Applicant should be required to provide details on whether it is proposed to create suitable offset lands or potential enhancement of surrounding land in order to offset the loss of habitat created as a result of the proposed development and which would impact these birds and others identified by the applicant.

Noise

The Planning Authority are not satisfied that sufficient details on noise impact arising from the proposed development has been provided and request that a detailed examination is undertaken by the Commission.

Section 10.4.3.4 'Noise from Existing Turbines' as contained in Chapter 10 of the submitted EIAR states that *'Yellow River wind farm was not operational during the survey period and therefore not generating wind turbine noise which could affect the baseline noise measurements'.* The Planning Authority understand that the Yellow River Windfarm is now fully operational. Given the scale of this windfarm which comprises of 29 no. wind turbines and its proximity to the subject site, it is the view of the Planning Authority that in order to carry out a cumulative noise assessment, this development must be included in any measurements for establishing the baseline noise levels. It is the view of the Planning Authority that a revised baseline noise measurements shall be retaken and a revised noise assessment submitted as part of further information response and prior to any grant of permission.

Furthermore, the Commission is requested to be mindful of the findings of recent High Court decisions, including Gibbet Hill and Ballyduff wind farms in its assessment of this SID. In this context, the Planning Authority wishes to highlight the need for a Noise Complaint Monitoring Programme being agreed prior to the commissioning of any development, if permitted.

Finally, it is requested that the Commission attach a condition, if permission were granted, whereby all required costs incurred by the Local Authority in ensuring full compliance with ongoing noise monitoring requirements for the duration of the operational life of the wind farm be burdened on the applicant. The Planning Authority will provide further clarity to the Commission on this important matter, if necessary.

Cultural Heritage

Chapter 12 of the EIAR refers to Ballinla House which is located c.600m from the proposed turbine, T3 and which is a protected structured under the current Offaly County Development Plan. It is stated that there is no anticipated direct impact on protected structures during the construction phase, as none are located within the development boundary. Once operational phase, it is concluded that no significant impacts on cultural heritage are expected. It is the view of the Local Authority's Senior Architect that in order to fully consider the potential impact on the protected structure of Ballinla House, photomontages should be provided from this sensitive viewpoint.

Transportation and Traffic

The Local Authority's Roads Department and the Edenderry Municipal District Engineer have sought further information on an extensive range of requirements with respect to transportation and traffic components of the proposed development. In the event that An Coimisiún Pleanála grant planning permission for the development, suitable conditions, in this regard, have been provided as part of this report.

Shadow Flicker

In Chapter 16 of the submitted EIAR, it states that *'of the 111 properties which could potentially experience shadow flicker, the model predicts that the 30-minute daily threshold would be reached or exceeded at 65 properties and that the 30 hours per annum threshold would be reached or exceeded at 48 properties'.* The assessment continues by outlining that these results can be considered as a very conservative overestimate as it does not take into account wind direction or the amount of sunlight and there is an assumption that there is a clear line of sight between all dwellings and a wind turbine and that there is a window on the potentially affected wall/gable of such dwellings.

They advise that a more realistic simulation would be that the sun will not always be shining. When this simulation is analysed, it indicates that when the sunshine hours are accounted for, the potential shadow flicker *'reduces below the 30 hours per year threshold value at all but 1 residential receptor and below the 30-minutes per day threshold at all locations'.*

Notwithstanding the above analysis, the Planning Authority has reservations about the potential impacts on nearby dwellings as a result of shadow flicker due to the proximity of the turbines in particular, T1, T2 and T3 and requests that the Commission further considers this matter.

Siting of Proposed Turbines and Setback from Dwellings

The Planning Authority acknowledges the mandatory minimum setback of 500m between a wind turbine and the nearest point of the curtilage of any residential property in the vicinity of the proposed development which is referred to in current and draft wind energy guidelines.

The Planning Authority notes that identified dwellings H54, H55 and H56[7], which are located to the south of proposed turbine T1, have a setback of approximately 564m, 719m and 733m respectively. As noted in Chapter 12 of the EIAR, identified dwelling T45 (Ballinla House) is located within 600m of proposed Turbine T3. Within the southern section of the development lands, proposed turbine T4 is setback from identified dwellings H58, H59 and H60 by approximately 711m, 712m and 740m respectively. Setback distances from the proposed turbines to the existing dwellings within the vicinity do not appear to have been provided as part of the EIAR therefore the setback distances referenced have been estimated by the Planning Authority based on the information available to them.

While mandatory minimum setback is acknowledged, it is the view of the Planning Authority that best practice measures should be implemented in the design of any proposal. Having regard to windfarm design, best practice as set out in the Draft Wind Energy Guidelines refers to a setback distance for visual amenity purposes of 4 times the tip height between a wind turbine and the nearest point of the curtilage of any residential property in the vicinity of the proposed development. With a proposed height of 185m for the proposed windfarm turbines, this would result in a best practice setback of 740m.

The Applicant has failed to provide a suitable justification for the siting of the proposed turbines in particular T1, T2, T3 and T4 which will have a setback less than 740m from the dwellings identified above. It is the opinion of the Planning Authority that granting permission for these turbines in their current format, would set an undesirable precedent of similar development and likely cause detrimental impacts on the residential amenity of these dwellings.

Visual Impact

Having undertaken a site visit and in examining the submitted photomontage booklet and the Visual Impact Assessment, the Planning Authority has significant concerns regarding the potential impact of the proposed turbines on the local area and residents.

Firstly, having regard to the absence of an overall map showing all View Points (VPs) referenced in the submitted documentation, the Planning Authority has concern in relation to the overall assessment of the prominent views of the proposed development from other vantage points, in particular to the east of the subject site area. Secondly, the quality of the submitted photomontages is also noted as the background in the images appears to be 'hazy'. It is the view of the Planning Authority that photomontages should be based on good quality photographic images that were taken in good, clear weather conditions. Lastly, it is noted that the ordering of the submitted photomontage booklet is slightly out of sequence with Viewpoints 11 and 13 mixed together.

[7] *Dwelling references as per Figure 16-2 Residential Receptors within 10 x Rotor Diameters of a Turbine of submitted EIAR.*

As a result of minimum setbacks of the proposed turbines from existing dwellings in the vicinity; the minimum separation distances between some of these turbines (e.g. c.504m separation between T1 and T2 and c. 579m between T2 and T3); and the existing turbines within the surrounding area, the Planning Authority considers that the proposed development will have a significant visual impact on the residential amenity of local residents and also the wider area. In particular, the Planning Authority refers to the dwellings along the local road between the northern and southern sections of the proposed development. It is the view of the Planning Authority that these dwellings will be subject to an overbearing impact from the proposal as a result of the siting of the proposed turbines, specifically T1, T2, T3 and T4.

Summary

As outlined above, it is the opinion of the Planning Authority that while the proposal may satisfy minimum standards; this is not adequate and rather the applicant should work towards a layout that implements best practice measures. The Applicant has failed to provide adequate justification for the location and siting of the proposed turbines and as a result of their layout, the proposed development will have significant impacts on the local visual and residential amenity. In conclusion, the Planning Authority considers that the layout and/or the number of proposed turbines should be reconsidered.

14 PLANNING AUTHORITY'S VIEW ON COMMUNITY GAIN

The Community Gain Fund proposed with respect to this project will be in accordance with the Wind Energy Ireland (WEI) best practice and shall be awarded via the Renewable Energy Support Scheme (RESS). The submitted documentation notes that a contribution of €2 euro per megawatt hour (MWh) produced is required with a minimum of 40% of the funds to be paid to not-for-profit community enterprises, whose primary focus or aim is the promotion of initiatives towards the delivery of the UN Sustainable Development Goals. A second component of the fund involves an annual minimum contribution of €1,000 to all dwellings located within a one-kilometre radius from the project.

Comment:

- The chapter notes that 'the total fund per annum will depend on the power output of the Proposed Development overall which may vary due to the installed turbine output and the number of permitted/constructed turbines'. In this regard, the Planning Authority note the development description detailed in the submitted documentation refers to the 'total generation capacity of c.50.4 MW'. No reference is made to the administrating of this scheme however the Planning Authority that such requirements are outlined in the RESS.
- Notwithstanding the information above, is considered that the submitted planning documentation is light on details in relation to the breakdown for the various funding elements of the Community Fund and on the specifics on actual implementation and selection criteria associated the Community Gain schemes for this Ballinla Wind Farm development.
- In terms of potential amenity provisions proposed by the project, the Planning Authority seeks confirmation from the applicant as to whether the proposed development will include for any provision of amenity trails.
- The Planning Authority considers that further information should be sought in this regard.

15 DEVELOPMENT CONTRIBUTIONS

The Commission shall note that Offaly County Council's Development Contribution Scheme 2021-2025 is currently under review. A new Development Contribution Scheme for the period 2026-2032 is anticipated for adoption in February 2026.

At time of writing, the development contributions as set out within the Offaly County Council Development Contribution Scheme 2021 – 2025 is as follows:

Table 2 – Levels of Contributions – Other Categories of Development: €20,000 per MW of capacity (where tip height is greater than 175m)

- i.e. 50.4 MW x €20,000 per MW of capacity = €1,008,000.

With regard to the proposed structures comprising of 544m², a rate of €15 per m² of floor area industrial / commercial development is applicable (ref. Table 1a: Level of Contribution – Residential & Industrial / Commercial Development in all other areas).

- i.e. 544m² x €15 per m² of floor area = €8,160.

16 BONDS

It is recommended that a bond be attached in order to secure the reinstatement of public roads which may be damaged by the transport of materials to the site.

In addition, the Planning Authority seek the provision of a bond in order to secure the satisfactory reinstatement of the site on cessation of the project.

17 PLANNING AUTHORITY'S VIEW ON CONDITIONS

Recommendations for the request of further information have been made above across a range of issues. It is intended that by seeking as much clarity as possible there would, all things being equal, be less need to address matters by condition.

Subject to relevant environmental determinations (for which An Coimisiún Pleanála is the Competent Authority), it is recommended that permission be granted for the above development subject to condition. Recommendations for conditions, at this stage, include:

- Timescale for completion, operation and decommissioning.
- Turbines not to be replaced without consent.
- Pre-roads surveys and reinstatement costs.
- Noise levels during construction and operation, including monitoring and a noise complaint monitoring programme.
- Construction Environmental Management Plan

- Archaeological recording, reporting and any further mitigation arising from same.
- Navigation lighting.
- Public lighting.
- Mitigation measures in the EIAR to be applied.
- Bird monitoring & kill record (subject to NPWS report).
- Surface water monitoring and management.
- Development contributions.
- Community Benefit Scheme.
- No Signage/Livery.
- Colour – standard off-white / light grey.
- Bonds.
- All required costs incurred by the Local Authority in ensuring full compliance with ongoing noise monitoring requirements for the duration of the operational life of the wind farm to be burdened on the applicant.
- Conditions on road and traffic safety. Other suggested conditions by OCC Roads Department and District Engineer.
- Commitment by the Applicant to investigate (within a specific period) the potential of amenity trails/links within the subject site.

18 RECOMMENDATION

Notwithstanding Section 18 above, the Planning Authority requests that further information be requested of the applicant to address the points / concerns raised in Sections 11, 13 and 14 of the report before a decision is made.

Úna McCafferkey

15th October 2025

Úna McCafferkey (Executive Planner) *Date*

James Condron

October 16th, 2025

James Condron (Senior Executive Planner)

Paula Hanlon

16/10/2025

Paula Hanlon (Senior Planner) *Date*

f. F. Mille

Fiona Millane (Deputy Chief Executive) *Date* 16th October 2025

Appendix A – Internal Reports Received

Edenderry MD

Comhairle Chontae Uíbh Fhaili
Offaly County Council

To:	**Planning**
File Reference:	**Ref: ABP-318203-23**
Applicant:	**Ballinla Wind Farm**
Site Address:	**Leitrim, Ballyfore Big, Ballyleakin & Ballina (Geashill), Co. Offaly**
Date of Memo:	**06/10/2025**

SID020 -35 YEAR PLANNING PERMISSION FOR 7 WIND TURBINES

Further Information Required

(k) The applicant shall submit details on proposals for the existing public road at the proposed site entrances on the L5010 including proposals for strenghtening the road fabric at the entrances, to resist damage likely to be caused by HGV's entering and existing the site during the construction period. These details should include proposed road build up/specification, which shall comply with TII Specifications for Road Works Series 900 (latest edition) and details of longitudinal & cross sections.

(l) The Applicant shall submit drawings with details of surface water measures at the proposed site entrances including road side drainage and details of gully and soakaway locations. The drawings shall also detail/show any proposed line marking and signage at/near the site entrances.

(m) The applicant shall provide details to mitigate deposition/ spillage of site materials onto the public road(s) during construction works.

(n) The applicant shall submit details of the proposed wheel wash facilities for all vehicles (HGV's) leaving the site(s) from both access points on the L5010.

(o) The applicant shall submit details of locations, size and proposed construction details/buildup of proposed passing bays along the L5010.

(p) The applicant shall submit details and drawings for the proposed temporary turning head at Ballyfore R402/L5006 junction & entering Ballinla west along the L5010 towards Lumville as outlined in *Table 3.1: Overview of Works Required along Turbine Delivery route in the Turbine Delivery Assessment Report*. Details to include temporary boundary treatments , signage, road markings and any road widening / surfacing works required.

(q) The applicant shall submit details regarding the number and weight of loads of timber to be removed from the site as outlined in the *Environmental Impact Assessment Report 2.2 Construction Phase*. Details of the destination of same and haul route to be used is also required.

(r) The applicant shall submit a report including a survey of the roads and bridges along the proposed haul routes, carried out at the developers expense by a suitably qualified person. This report shall include a schedule of proposed works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic.

(s) The applicant is requested to clarify whether surplus material is intended to be retained on site or disposed of off site, as reports appear to contain conflicting information (e.g. *Section 3.10.2*

of Environmental Impact Assessment Report). Also, clarify statement under *Section 3.12.6* in relation to haulage of materials from joint bays along public road back to onsite deposition areas i.e. material from trenches may be classified as waste & therefore to be disposed of to a licensed waste facility.

(t) The applicant shall submit details regarding number & weight of loads for pre-cast concrete culverts components proposed, as outlined in *Environmental Impact Assessment Report under Section 3.11.3.*

Conditions

9. Prior to commencement, the applicant shall submit details, as listed below, to OCC / Edenderry MD: ***(These proposals will be subject to the review & agreement of Roads Authority – Edenderry MD).***
   (h) Proposals for the existing public road at the proposed entrance area, including proposals for strenghtening the road fabric at the entrance areas to resist damage likely to be caused by HGV's entering and existing the site during the construction period. These details should include proposed road build up / specification, which shall comply with *TII Specifications for Road Works Series 900* (latest edition) and details of longitudinal & cross sections.
   (i) Prior to commencement, the applicant shall submit drawings detailing surface water measures at the proposed site entrances including road side drainage and details of gully and soakaway locations.
   (j) Prior to commencement, the applicant shall submit drawings showing any proposed line marking and signage at/near the site entrances upon the L5010.
   (k) Prior to commencement, the applicant shall provide details to mitigate deposition/ spillage of site materials onto the public road(s) during construction works.
   (l) Prior to commencement, the applicant shall submit details of the proposed wheel wash facility for all vehicles leaving the site from both site access locations on the L5010.
   (m) Prior to commencement, the applicant shall submit details of locations, size and proposed details of construction/buildup of proposed passing bays along the L5010.
   (n) Prior to commencement, the applicant shall submit details and drawings for the proposed temporary turning head at Ballyfore R402/L5006 junction & entering Ballinla west along the L5010 towards Lumville as outlined in *Table 3.1: Overview of Works Required along Turbine Delivery route in the Turbine Delivery Assessment Report*. Details to include temporary boundary treatments , signage, road markings and any road widening / surfacing works required.
10. Prior to commencement, the applicant shall submit a report including a survey of the roads and bridges along the haul routes carried out at the developers expense by a suitably qualified person. This report shall include a schedule of proposed works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic. The extent and scope of the survey and the schedule of works shall be agreed with the Roads authority prior of commencement of the development. Within 3 months of the cessation of the end of the public road(s) being used as haul routes, a condition survey of the roads, bridges and any other public infrastructure, accompanied by a schedule of repair/ upgrade works shall be carried out at the developers expense by a suitably qualified person. This shall be submitted to, and agreed in writing with the Roads authority within 3 months of the cessation

of use of public roads by construction traffic. All agreed works shall be completed at the developers expense within 12 months of the cessation of public roads being used as haul routes.

11. Prior to commencement, the applicant shall submit details regarding the number and weight of loads of timber to be removed from the site as outlined in the *Environmental Impact Assessment report 2.2 Construction Phase*. Details of the destination of same and haul route to be used is also required.
12. Prior to commencement, the applicant is requested to clarify whether surplus material is intended to be retained on site or disposed of off site, as the reports appear to contain conflicting information (i.e. see *Section 3.10.2 Environmental Impact Assessment Report*) and also statement under *Section 3.12.6* in relation to haulage of materials from joint bays along the public road back to onsite deposition areas (i.e. material from trenches may be classified as waste and therefore to be disposed of to a licensed waste facility).
13. Prior to commencement, the applicant shall submit details regarding the number and weight of loads for the pre-cast concrete culverts components as outlined in the *Environmental Impact Assessment Report Section 3.11.3.*
14. No construction delivery vehicles shall access the site via the northern section of the L5006 and the Trimblestown Bridge on the Grand Canal.
15. Visibility site distances for all entrances, both temporary and permanent shall be in accordance with DMS-097 and DMS-098 of the current Offaly County Development Plan. Hedges in the vicinity of sight distance shall be trimmed regularly to maintain sight distance for the during of construction and operation of the wind farm. In addition to the use of a wheel wash at the construction entrances to reduce debris on the public road shall be deployed.
16. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning and Roads authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
    (o) Location of the site and materials compound.
    (p) Location of areas for construction site offices and staff facilities.
    (q) Details of site security fencing and hoardings.
    (r) Details of on-site car parking facilities for site workers during the course of construction
    (s) Phasing programme (including a detailed schedule of all deliveries that run concurrently (e.g. concrete delivery , stone etc and the delivery of abnormal loads to the site) indicating the timescale within which it is intended to use each public route to facilitate construction of the proposed development.
    (t) Detailed arrangements for temporary traffic arrangements/ controls on roads. Including associated directional signage to be submitted and agreed with the Roads authority. Traffic Signage to be compliant with Chapter 8 of Traffic Signs Manual 2019 (as amended).
    (u) Measures to obviate queuing of construction traffic on the adjoining road network.
    (v) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
    (w) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
    (x) 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.

(y) Off-site disposal of construction / demolition waste and details of how it is proposed to manage excavated soil.
(z) Details of on-site re-fuelling arrangements, including use of drip trays.
(aa) Details of how it is proposed to manage excavated soil.
(bb) Means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses.

25. Any change(s) to locations and sources of materials being hauled to the site during construction shall be notified to the planning and Roads authority, as any deviation from agreed haul routes may have an adverse impact on the road network; which may also lead to amendments to agreed schedule of works to roads as agreed with EMD under designated haul routes for materials for the development.
26. Edenderry MD as the Roads Authority will require access to regular reports which reflect construction sequencing, deliveries to site, proof of compliance and complaints received; from the TMS live system, which is outlined in the Traffic Management Plan, Section 2.7 Traffic Management system report.

Turbine Delivery Routes

27. Developer to liaise with TII, Edenderry Municipal District & Offaly County Council in relation to deliveries. Where OCC consider a proposed delivery route is not in a suitable condition, the developer shall upgrade the road or junction in advance of delivery operations, as agreed with OCC/EMD.
28. Detailed programme of deliveries to be submitted to OCC/EMD in advance of commencement of deliveries. Details to include dates and times, number of loads, abnormal loads, weights, road closure, diversion routes, support vehicles, etc.
29. Developer to engage and adhere with OCC procedure regarding submission, review and agreement for abnormal loads.
30. Developer to provide evidence of agreement with landowners at all nodes and entry/exit points requiring temporary or permanent works. Proposed scope of works adjacent /upon public roads shall be reviewed and agreed with the Roads Authority/EMD.
31. Any damage caused to roads shall be repaired to the satisfaction of OCC/EMD as the Roads authority.
32. Developer to consult with all relevant Stakeholders (e.g. Uisce Éireann, An Garda Síochána, emergency services, Tidy towns, TII) in relation to turbine delivery routes. OCC to be advised of any alterations required/requested by Stakeholders along the proposed routes.
33. Any alterations affecting the width of the existing road shall be reinstated to the original width, unless otherwise agreed with OCC/EMD as the Roads authority. Where roads are widened, the specification shall be that as agreed prior to works with OCC/EMD.
34. All green/landscaped areas affected by the works shall be fully reinstated to their original condition. Where landscaping has been removed, similar plants of similar maturity shall be used for reinstatement. Where it is not possible to replace mature trees, younger trees plus additional landscaping shall be provided in lieu to enhance the area. Where hedging is removed and new hedging planted as reinstatement, suitable fencing shall be provided for the protection of the hedge, and maintenance shall be provided until the hedge is established. Where grass is replaced with new seeding, the grass shall be maintained until it is established. Full reinstatement shall be completed within one month of the final delivery.

35. Any road signage and other street furniture which requires removal to facilitate turbine component deliveries shall be removed and reinstalled in suitable retention sockets prior to commencement of deliveries. Signage and street furniture shall only be uninstalled from these sockets immediately before turbine component deliveries and reinstated immediately afterwards. Signage and road furniture shall remain in place at all times outside of these reversing movements. The applicant shall relocate, at its own expense any existing public light poles which will hinder vehicle movements at this location. A public lighting design shall be completed by a suitably qualified designer and submitted to OCC for approval.
36. Where applicable, existing hedgerows shall be reinstated with a suitable native mix upon completion of construction of the windfarm. The turning area hardstand shall be sufficiently secured during construction works to prevent it being used as a location for nuisance parking.
37. Delivery movements of oversize turbine components shall be restricted to nighttime hours to minimise disruption to the national road network.
38. Passing bays are required along the L-5010 to enable the haul route. Details of locations, size and proposed construction details shall be agreed with Edenderry MD as the Roads authority prior to commencement of the development.
39. A Transport Management Plan, including details of the road network/ haulage routes and the vehicle types to be used to transport turbine infrastructure to site and a schedule of control measures for exceptionally wide and heavy deliveries to be submitted to OCC/EMD.
40. All road surfaces, culverts, watercourses, verges and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the Planning and Edenderry MD (Roads Authority).

Materials Delivery Routes

33. Prior to the 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 and from 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 agreed between the Planning Authority and the Developer. Reason: To ensure the satisfactory reinstatement of Haulage Routes.
34. Developer to liaise with Edenderry Municipal District & Offaly County Council in relation to deliveries prior to commencement of construction. Prior to the commencement of any deliveries, once all suppliers have been confirmed by the Developer/Contractor, a detailed programme of deliveries is to be submitted to OCC/Edenderry MD for review. Details to include number of movements per day, weights, etc. Developer/Contractor to liaise with OCC / Edenderry MD to establish the designated delivery/haul routes.
35. Traffic management plans to be submitted detailing haulage of materials, including entry/exit points.
36. Pre-condition surveys along the designated delivery/haul routes, consisting of a video survey and photographs, a Road Condition Survey, and an FWD Survey (where required) to be carried out and a copy submitted to OCC/EMD as Roads authority; prior to the commencement of deliveries to site(s).

37. Where OCC/EMD consider a proposed haul route is not in a suitable condition, the developer shall upgrade the road or junction in advance of haulage operations as agreed with EMD/Roads authority.
38. Any defects that appear upon the public roads/designated haul routes during the construction period of the development shall be rectified by the developer as agreed with EMD/Roads authority.
39. Any damage caused to the road network, shall be repaired to the satisfaction of OCC / Edenderry MD.
40. Public roads shall be kept free of mud, dust, spillages and debris. Any necessary measures shall be put in place at site entry/exit points to sites and along designated haul routes to satisfy this condition.

Temporary Traffic Management (TTM) For Construction Phase.

34. The applicant shall ensure that specific Temporary Traffic Management Plans are designed and installed to cater for the various phases of the project. Items that may be considered along with the General Principles of Prevention, could include, but not exclusively, some of the following:
    (j) The prevailing traffic speeds and traffic volumes. Busy commuter routes.
    (k) Horizontal and vertical alignments of the road(s). Visibility. Obstacles. Undulations.
    (l) Presence of existing entrances in the vicinity/ existing turning movements/ existing slow-moving traffic areas.
    (m) Grass verges – shall be kept in check by the developer to ensure that TTM signage is visible at all times.
    (n) Appropriate TTM Plan and risk assessments shall be in place for all activities on the public roads.
    (o) Housekeeping: All public roads affected by the development shall be kept free of loose materials, dust, mud, spillages, and debris.
    (p) For excavation works at entrances – the safety zone requirements and available residual road widths shall be considered as part of the Design Process.
    (q) The impact that (i) queuing of delivery vehicles on the road before entry to the site, and (ii) slow-moving vehicles exiting the site, could have on traffic safety.
    (r) The Provision of Variable Message Signs (VMS) for the duration of the project, or at specific phases of the project.

Cable Routes - *Planning Authority notes that these works do not form part of the current application*

45. Road opening licence(s) will be required from Offaly County Council for works within the public roads which are to be agreed with Edenderry MD office (as the Roads Authority).
46. Details of cable installation to be submitted to OCC in advance of commencement of works. Details to include works programme, construction details, cross-sections for each road showing location of trench in road and existing road width, existing services.
47. Where road closures are required, application must be submitted to OCC at least 8 weeks in advance.
48. Where road works speed limits are required, an application shall be submitted to OCC at least 8 weeks in advance. Signs to be erected & maintained by the developer/contractor.
49. Diversion routes to be maintained by the developer/contractor, whilst the diversion is in place.
50. Traffic management plans to be submitted for each stage of the works.

51. Pre-condition survey of cable routes, consisting of a video survey of the full route and photographs at every entrance and boundary structure to be carried out and a copy submitted to OCC. Any damage caused to the road(s) or adjacent properties shall be repaired to the satisfaction of Offaly County Council / Edenderry MD and relevant landowner/property owner.
52. Pre-condition structural surveys on adjacent properties shall be carried out by a competent person at the developers expense prior to any works taking place along the affected road/adjacent property.
53. Reinstatement of the trench in local and regional roads shall be in accordance with the latest version of "Guidelines for the Opening, Backfilling and Reinstatement of Trenches in Public Roads" (The Purple Book), except where noted otherwise. After temporary reinstatement of the trench: A full width overlay shall be provided on all local roads. A half road permanent reinstatement shall be provided on regional roads > 6.0 metres wide. Details and extent of temporary and permanent reinstatement to be agreed with Edenderry MD (as the Roads Authority & as per road opening licenses) prior to commencement of works.
54. Ironworks shall be raised & reset in mastic as necessary and road markings and road studs reinstated.
55. All existing watercourse crossings/bridges shall be identified and detailed designs submitted to Offaly County Council Roads Section & Edenderry MD, to indicate how these will be crossed, for Offaly County Council / Edenderry MD approval.

Rory Moore (District Engineer, Edenderry MD, OCC)

Rory Moore
District Engineer
Edenderry Municipal District
Offaly County Council

Roads

ROAD DESIGN - Planning Report

To:	*Planning*
From:	Hugh McConnell, Executive Engineer
Date:	7th October 2025

Planning Ref. No. SID ABP-318203-23	*Road Class:* *Varies*
Applicant:	Ballinla Windfarm
Agent:	Graeme Thornton, MWP
Proposed Development:	Seven Wind Turbine Generators (blade tip height 185m); Seven Wind Turbine foundations and hardstand areas; One electrical substation (110kV) including independent power producer (IPP) substation and wind farm operations compound with associated ancillary buildings, security fencing and all associated works; One LiDAR station based on the ground; Two new site entrances from the L5010; New and upgraded internal site access tracks; All associated underground electrical and communications cabling connecting the proposed turbines to the proposed onsite substation; The TDR including temporary works on sections of the public road network and private lands along the turbine delivery route on the L-5006 and the junction of the R-402 and R-420; One temporary construction site compound and additional mobile welfare unit; One spoil deposition area; Landscaping; Associated surface water management systems.
Site Address:	Townlands of Leitrim, Ballyfore Big, Ballyleakin & Ballina (Geashill), Edenderry

I have reviewed the documentation and comment as follows-The proposal is satisfactory subject to the further information/conditions outlined in District Engineer's Report, Dated 06/10/2025.

Hugh McConnell
Executive Engineer
Roads Section

Environment and Water Services

Offaly County Council
Water Services

Planning Conditions

To: Planning

Planning Ref: PL2-SID020

Date: 02nd October 2025

Application for: THE PROPOSED DEVELOPMENT FOR WHICH PERMISSION UNDER SECTION 37E IS BEING SOUGHT WILL INCLUDE THE FOLLOWING;

1. SEVEN WIND TURBINE GENERATORS (BLADE TIP HEIGHT 185M).
2. SEVEN WIND TURBINE FOUNDATIONS AND HARDSTAND AREAS.
3. ONE ELECTRICAL SUBSTATION (110KV) INCLUDING INDEPENDENT POWER PRODUCER (IPP) SUBSTATION AND WIND FARM OPERATIONS COMPOUND WITH ASSOCIATED ANCILLARY BUILDINGS, SECURITY FENCING AND ALL ASSOCIATED WORKS.
4. ONE LIDAR STATION BASED ON THE GROUND.
5. TWO NEW SITE ENTRANCES FROM THE L5010.
6. NEW AND UPGRADED INTERNAL SITE ACCESS TRACKS.
7. ALL ASSOCIATED UNDERGROUND ELECTRICAL AND COMMUNICATIONS CABLING CONNECTING THE PROPOSED TURBINES TO THE PROPOSED ONSITE SUBSTATION.
8. THE TDR INCLUDING TEMPORARY WORKS ON SECTIONS OF THE PUBLIC ROAD NETWORK AND PRIVATE LANDS ALONG THE TURBINE DELIVERY ROUTE ON THE L-5006 AND THE JUNCTION OF THE R-402 AND R-420.
9. ONE TEMPORARY CONSTRUCTION SITE COMPOUND AND ADDITIONAL MOBILE WELFARE UNIT.
10. ONE SPOIL DEPOSITION AREA.
11. LANDSCAPING.
12. ASSOCIATED SURFACE WATER MANAGEMENT SYSTEMS.

Applicant: BALLINLA WIND FARM LTD

Location: WITHIN THE TOWNLANDS OF LEITRIM, BALLYFORE BIG, BALLYLEAKIN, AND BALLINA (GEASHIL), CO. OFFALY

Report sent to Uisce Eireann:	No	x	Yes		FI		Conditions	x	Refusal	

Environment & Water Services have no objection subject to the following conditions:

Grant Conditions:

General

1. All mitigation measures as outlined in the submitted Construction and Environmental Management Plan shall be implemented by the applicant/developer for the construction & operational phase of the development.

2. All mitigation measures as outlined in the submitted Flood Risk Assessment shall be implemented by the applicant/developer for the operational & construction phase of the development.

3. All mitigation measures as outlined in chapter 6 of the submitted Screening for Appropriate Assessment Report and Natura Impact Statement shall be implemented by the applicant/developer for the construction & operational phase of the development.

4. All mitigation measures as outlined in chapter 18 of the submitted Environmental Impact Assessment Report shall be implemented by the applicant/developer for the construction, operational phase & decommissioning phase of the development.

5. All statutory consents and licences required to commence construction Works on-site shall be obtained prior to works commencing, including but not limited to; Site notices, Construction commencement notices, Licence to connect to existing utilities (including water) and mains sewers, where required, Abstraction and / or discharge licenses, where required, Road opening / closure licences, etc.

Surface Water

1. Surface water run off from the roofs, roads and hardstanding areas shall be collected and disposed of within the site to soakaways or proposed attenuation overflowing to the adjacent watercourse. No such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties;

2. The applicant shall maintain/preserve any existing riparian corridor/drain present within and/or adjacent to the site by implementing a buffer zone where no development is permitted in accordance with Offaly County Council's, Development Plan 2021-2027.

3. It is noted that the applicant wishes to carry out in stream works as part of the provisions of a potential future development. The Applicant is requested to consider clear span bridging structures instead of proposed headwall & bottomless culvert construction to satisfy OCC's existing policy BLP-21. If the applicant does not satisfy this request then they shall document stream habitat lost and provide compensatory habitat where possible

    - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-21: It is Council policy to promote clear span bridging structures as the preferred option for culverts. Any development proposal requiring culverting should also document stream habitat lost and provide compensatory habitat where possible. Realignment of water courses should incorporate stream enhancement measures, as outlined in Office of Public Works Environmental Guidance. The Council will consult with Inland Fisheries Ireland in relation to riparian and instream works as appropriate.

    - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-20: It is Council policy to preserve riparian buffer strips free

from development by reserving a minimum of 10 metres either side of all watercourses (measured from top of bank) with the full extent of the protection determined on a case by case basis by the Council, based on site specific characteristics and sensitivities.

- As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy WSP-22: It is Council policy to ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan and to promote the use of Sustainable Drainage Systems.

- As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-03:It is Council policy to support the implementation of the Water Framework Directive, the River Basin Management Plan and the Local Authority Waters Programme in achieving and maintaining at least good environmental status for all water bodies in the county. Development proposals shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands.

Foul Sewerage

1. In the event that foul waste is to be removed regularly from site by a contractor during construction phase, the developer shall submit a signed maintenance contract with an Authorised Waste Collector and all foul waste must be transported to an Authorised Waste Facility.

Waste Management

1. All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.

2. All uncontaminated soil and stone imported onto the site shall comprise non-waste by-product, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. Nó. 126 of 2011

3. No development shall commence prior to registration with the Environmental Protection Agency of the material to be imported onto the lands, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. Mo. 126 of 2011

4. Prior to commencement of development, details regarding the origin/source of proposed soil & stone to be imported onto the site shall be submitted for the written agreement of the Planning authority

Environmental Nuisance

1. Noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall not exceed the following:

LAeq (60 minutes)	55dB(A)	8am to 8pm
LAeq (15 minutes)	45dB(A)	8pm to 8am

2. Audible tonal or impulsive components should be minimised at any noise sensitive location;

3. The Applicant shall take reasonable measures to mitigate any environmental nuisance (noise and dust) which may arise during construction. Construction shall take place during working hours 7am to 6.30pm Monday to Friday and 8am to 1.30pm Saturday unless otherwise authorised by the Planning Authority;

4. Dust suppression shall be undertaken under dry and windy conditions to ensure that dust deposition does not exceed 350mg/m²/day.

Biodiversity & Landscape

1. The applicant shall maintain/preserve any existing hedgerow/woodland/trees present within and/or adjacent to the site in accordance with Offaly County Council's, Development Plan 2021-2027

2. Where hedgerow/woodland/tree removal is required to facilitate the development, the applicant shall apply for a Tree Felling Licence from the Forestry Service, Dept. of Agriculture, Food and the Marine in compliance with the Forestry Act 2014.

    - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-24: It is Council policy to support the protection and management of existing networks of woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character, and to strengthen local networks.

Report prepared and approved by:

Damien English

Damien English
For Senior Engineer
Climate Action, Environment & Rural Water

Senior Executive Architect

Report Date:	7th October 2025
Request for Further Information	Could they be asked to provide some photomontages of that location showing the impact (or not) that it has on Ballinla? As they will most definably be visible and most likely should have been mentioned in their description. Ballinla House, BALLINLA, OFFALY - Buildings of Ireland NIAH Appraisal 1842: *A farmhouse representing an important component of the mid nineteenth-century domestic built heritage of County Offaly with the architectural value of the composition confirmed by such attributes as the compact plan form centred on a rebated doorcase showing Art Nouveau-esque stained glass...*

Fire Officer

Central Fire Station
Tullamore

Tel: 057 - 9327410
Fax: 057 - 93

Our Ref: EOC/NS

02 October 2025

The Planning Officer,
Offaly County Council,
Áras an Chontae,
Charleville Road,
Tullamore.

RE: SID 2025 -

AT: Ballinla Farm Ltd., Ballinla, Edenderry, Co. Offaly

APPLICANT: Coimisiun Pleanla

A Chara,

With reference to yours received on the 26 September 2025 concerning the above, I have no objections to the GRANTING of planning permission to this development.

Please let me have a copy of the Councils final decision.

Nick Smyth
SENIOR ASSISTANT CHIEF FIRE OFFICER

COMHAIRLE CHONTAE UÍBH FHAILÍ
06 OCT 2025
PLANNING

Appendix B – Planning Authority Comments on EIAR Chapters

Relevant Section of CE Report	*Comment*
Section 2.2 Development Description	There is discrepancy in the total area of tree felling that is required to accommodate the proposed development. Both 18ha and 21ha are referred to in the submitted planning documentation; clarification on this area should be sought from the Applicant.
Section 4.2 Planning Applications in the Vicinity of the Proposed Wind Farm Development	The Planning Authority note, it would be beneficial to have the locations of all planning applications which have referenced by the applicant and the subject site detailed on a plan.
Section 7.2 Water Framework Directive (WFD) Compliance Assessment	The Planning Authority note that an assessment of potential cumulative effects associated with the project and other developments on the hydrological and hydrogeological environment has not been completed as part of the WFD Compliance Assessment.
Section 8 – Chapter 3 Civil Engineering	There are a number of shortfalls within the submitted documentation. The Commission is requested to consider and address the matters raised by the Local Authority's Road Design and Edenderry Municipal District Engineer in informing its decision on civil engineering matters, in particular roads and road safety.
Section 8 - Chapter 4 Alternatives	There is shortfall in the details submitted. Having considered this chapter, it is noted that no details are provided on the location of the alternative sites which the Applicant states were considered at the beginning of the project. The Planning Authority also notes that no consideration was given to alternative renewable energy projects on this site such as solar.
Section 8 - Chapter 5 Population & Human Health	Given the proximity of proposed wind turbines (notably in particular T1, T3 and T4) to existing dwellings which are within the vicinity of the subject site, the Planning Authority has concerns regarding the potential impact on the local population; these concerns are discussed further in Section 13 of this report.

	A map showing all dwellings (existing, granted permission & under construction) within 2km of the proposed turbine locations should be provided as part of this chapter. A map showing all permitted and under construction energy developments within 15km of the subject site should be provided as part of this chapter. The Commission may deem it necessary that the EIAR considers the quantity of carbon released from the felling of the 21ha of woodland and the provision of materials for the turbine concrete bases and access roads (refer also to comment box, p.9 in relation to anomaly on total area of tree felling within the documentation).
Section 8 - Chapter 6 Biodiversity	The Planning Authority notes there is no reference to the location of the proposed replacement woodland which shall offset the felling of approximately 18ha of commercial forestry and are of opinion that further information should be provided on this matter. (Refer also to comment box, p.9 in relation to anomaly on total area of tree felling within the documentation). With regard to the proposed habitat creation areas, the Planning Authority seek that additional information be given on the proposed location for same as it is not clear from the submitted documentation where all 6 no. parcels are located. In addition, the proposed location of the 'habitat rewilding' area shown in Figure 12 above is queried given that it is located within the centre of the access roads for the proposed substation area and to Turbines 1 – 3. It is the view of the Planning Authority that this matter should be considered further. The Planning Authority query the separation distance given for between the subject site and the Charleville Wood SAC (i.e. 'nearly 10km downstream'). It is noted that this SAC is located approximately 25km ('as the crow flies') southwest of the subject site. As previously noted above, the Planning Authority consider further information with regard to the reinstatement of habitats within the proposed development site should be sought.

Section 8 - Chapter 7 Ornithology	As stated in Chapter 7 of the EIAR, long-term *Moderate* impact on the Merlin and Woodcock is expected during the construction phase due to habitat loss while the Snipe will suffer a long-term *Moderate* impact due to disturbance/displacement. It is acknowledged by the Planning Authority that these impacts are Not Significant however the Applicant should provide details on whether it is proposed to create suitable offset lands or potential enhancement of surrounding land in order to offset the loss of habitat created as a result of the proposed development.
Section 8 - Chapter 8 Hydrology & Hydrogeology	The Local Authority's Environment & Water Section are satisfied with the findings of the assessment by the applicant and have provided a set of planning conditions which are outlined in Appendix A of this report.
Section 8 - Chapter 9 Land & Soils	The Planning Authority has no reason to dispute the details provided in this chapter and have no matters to raise in this regard.
Section 8 - Chapter 10 Noise and Vibration	The Planning Authority are not satisfied that sufficient details on noise and in particular, the combined noise generation from the proposed development and existing windfarms in the local area have been provided by the applicant. Regarding the identified Noise Sensitive Locations (NSLs), the Planning Authority notes that as the competent authority, the Commission must be satisfied that the identified NSLs are suitable and acceptable. The Planning Authority confirms that the Yellow River Windfarm referenced in the chapter is now fully operational. Given the scale of the Yellow River wind farm at 29 no. wind turbines and its proximity to the subject site, it is the view of the Planning Authority that in order to carry out a robust cumulative noise assessment as part of the proposed development, that the generating wind turbine noise for the adjoining wind farm is necessary and required to be included in any measurements for establishing the baseline noise levels. Consistent with the findings of recent High Court decisions, including Gibbet Hill and Ballyduff, the Planning Authority

	place emphasis on the need for a Noise Complaint Monitoring Programme being agreed prior to the commissioning of a windfarm, if permitted.
Section 8 - Chapter 11 Landscape and Visual	In the absence of an overall map showing all View Points (VPs) referenced in the submitted documentation, the Planning Authority has concerns in relation to the overall assessment of the prominent views of the proposed development from other vantage points, in particular to the east of the subject site area. The Planning Authority has concerns regarding the potential impact on dwellings, which are located south of T1 and T3 and north of T4 and T5, due to the siting & layout of the proposed turbines. It is noted that the cumulative impact of permitted but not yet constructed wind turbines has not been factored into the LVIA by the applicant. It is the view of the Planning Authority that a revised Landscape & Visual Assessment should be provided by the applicant, to inform its assessment of the proposed development.
Section 8 - Chapter 12 Cultural Heritage	Having examined the documentation submitted, the Local Authority's Senior Executive Architect notes that in order to fully consider the potential visual impact on the setting of the Ballinla House (a protected structure) and substantiate the statement by that applicant that the proposed development 'will have no direct impact on protected structures within the vicinity', photomontages should be provided from this sensitive viewpoint.
Section 8 – Chapter 13 Material Assets: Air & Climate	The Planning Authority queries the applicant's position that "the proposed development will generate electricity that would otherwise require the burning of fossil fuels". Consideration should also be afforded to alternative renewable energy types.
Section 8 – Chapter 14 Material Assets: Built Services	The Planning Authority has no matters to raise at this time. It is acknowledged that any matters raised by prescribed bodies and/or third parties will be integral to the Commission's assessment of the proposed SID.
Section 8 - Chapter 15	The Local Authority's Roads Section and the Edenderry Municipal District Engineer seek that further information be

Material Assets: Traffic and Transport	provided in relation to traffic impacts. Shortfalls in relation to the applicant's submitted details are required prior to any grant of permission, so as to fully assess the potential impact(s) of the proposed development. Please refer to Appendix A of this report.
Section 8 - Chapter 16 Shadow Flicker	Given the proximity of proposed turbines to a number of dwellings within the vicinity of the subject site, the Planning Authority has reservations about the potential impacts on nearby dwellings as a result of shadow flicker. Please refer to Section 13 of this report for further comments on this matter.

END