

TO: An Coimisiún Pleanála

DATE: 15th March 2026

RE: FORMAL SUBMISSION OF OBSERVATIONS ON STRATEGIC INFRASTRUCTURE DEVELOPMENT APPLICATION

Applicant: Ballyteige Solar Limited

Development: Permanent 110kV Air Insulated Switchgear Substation and associated infrastructure

Location: Townlands of Ballyteige Little, Wood of O, Corndarragh, Derrynagall or Ballydaly, Ardán and Puttaghan, Co. Offaly

Reference: www.colehillSID110kv.ie

INTRODUCTION

I am a resident living **less than 100 metres** from the boundary of the proposed development site, in Ballydaly, Tullamore, Co. Offaly. I write to formally object to the above-referenced planning application under Section 182A of the Planning and Development Act 2000 (as amended). This submission is made within the statutory seven-week observation period commencing 29th January 2026.

I am the owner and occupier of a private residential property. My home, along with many other households in the Ballydaly area, is served by a **local mains water supply** - a shared community water infrastructure that serves a significant number of residences in this rural area. The land immediately surrounding the proposed development site comprises **wetland and bogland, mature hedgerows, woodland, and agricultural farmland** - all ecologically sensitive habitats that will be directly impacted by this development.

I respectfully but firmly request that An Coimisiún Pleanála **refuse planning permission** for this development for the following substantive grounds:

GROUND 1: UNACCEPTABLE PROXIMITY TO A PRIVATE RESIDENCE - LESS THAN 100 METRES

The proposed permanent 110kV Air Insulated Switchgear Substation will be situated **less than 100 metres from my home**. This is industrial-scale electrical infrastructure of the highest voltage class in the distribution network, and its siting at this proximity to a private residence raises profound concerns across multiple dimensions: safety, noise, electromagnetic fields (EMF), visual amenity, and property value.

Safety and electromagnetic fields:

- The proposed substation will include 2 No. transformers, 4 No. lightning poles, harmonic filters, CCTV, and high-voltage switchgear operating at 110kV - all within less than 100 metres of my home.

- The UK government's Scientific Advisory Group on EMFs (SAGE) has recommended that "reasonably practicable efforts be made to site substations distant from homes." No such consideration appears to have been applied in this case.
- The Health and Safety Authority's Code of Practice for confined spaces applies to the substation design, yet no assessment has been provided of the risk posed to nearby residents during both construction and operation.

Noise:

- 110kV substations containing transformers are a recognised source of operational noise (typically a continuous low-frequency hum). This is explicitly identified as a concern requiring consideration when planning homes in close proximity to such infrastructure. No noise impact assessment has been provided for public inspection as part of this application.

Residential amenity:

- The permanent installation of 2.6m high palisade fencing, crane hardstand, control buildings, lightning poles, and CCTV infrastructure less than 100 metres from a family home constitutes a wholly unacceptable and irreversible impact on the visual amenity and peaceful enjoyment of that property.
- Planning authorities, including An Coimisiún Pleanála, have refused comparable applications on the grounds that proposed development would have "a disproportionate and adverse impact on the rural landscape and visual character of the area" and be "out of scale with its surroundings." These considerations apply with even greater force where the affected party is a resident living less than 100 metres away.

GROUND 2: SERIOUS RISK TO THE LOCAL COMMUNITY MAINS WATER SUPPLY

My home, and a significant number of other households in the Ballydaly area, is served by a **shared local mains water supply**. This community water infrastructure is the sole source of domestic water - drinking, cooking, and sanitation - for many families in this rural area. The proposed development poses a direct, serious, and wholly inadequately assessed risk to this shared supply.

The specific risks are:

- The application proposes c.7.5km of underground 110kV cabling with joint bays along access tracks and local roads, installed using horizontal directional drilling. This involves extensive and invasive ground penetration across rural land, with a direct risk of damaging, disturbing, or contaminating the groundwater and supply infrastructure that feeds the local mains network.
- The development includes a construction compound of c.8,733m², involving diesel plant, lubricants, transformer oils, concrete washout, and other construction chemicals on site for an extended period. Any spillage or leakage has the potential to percolate into the groundwater system that the local mains supply draws from.
- Unlike urban water networks with multiple supply redundancies, this rural community mains supply serves a discrete and finite number of households. Contamination or disruption would leave multiple families - not just one - without any domestic water supply, with no alternative immediately available.
- No hydrogeological assessment of the risk to the local water supply infrastructure has been provided for public inspection. No water supply impact assessment has

been submitted. This is a critical and unacceptable omission given the scale of underground civil works proposed.

- No contingency plan, service restoration guarantee, or legally binding assurance exists in this application to protect the local water supply or compensate affected households in the event of contamination or disruption.

In the Cadamstown Solar Farm objection in Kildare, residents successfully argued that the absence of "a contingency plan, indemnity fund, or legally binding assurances" regarding water supply was a fundamental planning deficiency. The risk here is more serious still - because a single incident could deprive an entire rural community of its water supply simultaneously.

I submit that this application cannot lawfully be granted without a full hydrogeological and water supply impact assessment, independent verification that the local mains infrastructure will not be damaged or contaminated, and legally binding protective conditions and restoration obligations - none of which have been provided.

GROUND 3: DESTRUCTION OF WETLAND, BOGLAND AND ECOLOGICALLY SENSITIVE HABITATS

The land directly surrounding the proposed development site includes **wetland and bogland**, which are among the most ecologically sensitive and legally protected habitat types in Ireland and in Europe. The Offaly midlands are characterised by raised bogs, many of which are designated as Special Areas of Conservation (SACs) under the EU Habitats Directive.

Specific concerns:

- The proposed development involves the installation of c.7.5km of underground cabling across rural land with horizontal directional drilling, and a temporary construction compound of 11.02 hectares. In the context of wetland and bogland environments, any disturbance to drainage patterns, soil structure, or surface hydrology carries an irreversible risk of habitat degradation.
- The All-Ireland Pollinator Plan explicitly warns that solar farm infrastructure "can undergo significant habitat destruction, degradation, fragmentation, and biodiversity loss." Bogland and wetland habitats are particularly vulnerable - once drained or disturbed, they cannot be restored on any meaningful timescale.
- The NIS submitted with this application must demonstrate compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) by screening for Likely Significant Effects on any nearby European Protected Sites, including raised bog SACs. The adequacy of this assessment cannot be determined from the documents available for public inspection.
- The Offaly Biodiversity Action Plan 2025–2030, adopted by Offaly County Council, explicitly prioritises the conservation of wetland and bogland habitats in the county. The proposed development has not been assessed against this plan.

In the Kildare Solar Farm refusal, the council refused permission explicitly because the site was located on "Irish wetlands" and the development "failed to protect the biodiversity of this wetland" in contravention of the EU Habitats Directive. The same principle applies here with equal force.

GROUND 4: DESTRUCTION OF MATURE HEDGEROWS AND WOODLAND

The site and its surrounds contain **mature hedgerows and woodland**. These are not merely scenic features - they are critical ecological corridors, carbon stores, and legally protected habitats under both Irish and European law.

- The proposed infrastructure includes perimeter fencing, new and upgraded access tracks, road realignment, and a construction compound. The construction of these elements across 11.02 hectares of rural land will inevitably require the removal or severe disturbance of existing hedgerows, trees, and woodland boundaries.
- The Wildlife Act 1976 (as amended) prohibits the cutting or destruction of hedgerows during the bird nesting season (1st March to 31st August). Notably, the site notice was erected on 29th January 2026 and the observation period runs to 19th March 2026 - any construction commencing in spring 2026 would immediately engage this prohibition.
- In the Cadamstown Solar Farm refusal (Kildare), the planning authority found that tree and hedgerow removal "represents an unnecessary negative impact on the natural heritage and biodiversity of the site" and that permitting it "in the absence of detailed assessment would be contrary to" the applicable County Development Plan. No such detailed hedgerow or woodland assessment has been provided here.
- The Offaly County Development Plan contains policies protecting the rural landscape and its natural heritage features. No assessment demonstrating compliance with these policies has been provided.

GROUND 5: CUMULATIVE IMPACT — THIS SUBSTATION SERVES TWO SEPARATE SOLAR FARMS

The site notice expressly states that the proposed substation is designed to serve **two separate solar developments**: the Ballyteige Solar Farm (PA Ref:2198) and the Derrygrogan Solar Farm (PA Ref:22378 and ABP 318041-23). This application therefore cannot be assessed in isolation.

- The combined footprint of the substation and the two solar farms it serves represents a major and permanent transformation of the rural landscape of this area of Co. Offaly.
- A Cumulative Environmental Impact Assessment (CEIA) evaluating the combined ecological, visual, hydrological, and residential amenity impacts of all three developments has not been provided and is, I submit, legally required.
- In comparable situations in Kildare, residents and planning authorities required that "a cumulative impact assessment of all three projects should be carried out" as a minimum condition. The same standard applies here.
- Notably, the Ballyteige Solar Farm application (PA Ref:2198) was previously invalidated in January 2026 due to an incomplete Natura Impact Statement. The fact that the associated solar farm application has already been found deficient raises serious questions about the adequacy of environmental assessment across this entire project.

GROUND 6: INADEQUATE ROAD INFRASTRUCTURE AND CONSTRUCTION TRAFFIC RISK

The Wood of O local road and the rural roads serving Ballydaly are narrow, unclassified rural roads that are wholly inadequate to safely accommodate the volume and weight of construction traffic required for a development of this scale.

- The development requires delivery and installation of at least 2 No. transformers and 2 No. auxiliary transformers, heavy switchgear, 4 No. lightning poles, multiple control buildings, and associated infrastructure - all requiring heavy goods vehicles and potentially specialist abnormal load vehicles.
- The application proposes a temporary road realignment of a section of the Wood of O local road. This in itself acknowledges the inadequacy of existing road infrastructure.
- No construction traffic management plan, road condition survey, or road restoration bond has been provided for public inspection.
- The Kildare County Council explicitly refused the Cadamstown Solar Farm on the grounds that the development lacked "adequate existing road infrastructure to safely build the solar farm." The rural roads in this area are in an identical or worse position.

GROUND 7: ABSENCE OF STATUTORY PLANNING GUIDELINES — PRECAUTIONARY PRINCIPLE REQUIRES REFUSAL

As of March 2026, Ireland has **no statutory planning guidelines** for large-scale solar farm infrastructure or associated grid substations. This has been identified by planning practitioners, An Coimisiún Pleanála inspectors, and Dáil representatives as a significant and ongoing gap in the Irish planning system.

- There is no national framework setting minimum separation distances between 110kV substation infrastructure and private residences.
- There is no statutory guidance on the acceptable density of solar/grid infrastructure in any given rural area - meaning the cumulative industrialisation of the Ballydaly/Ballyteige landscape cannot be objectively assessed against any agreed standard.
- There is no requirement for community benefit funds, compensation mechanisms, or binding mitigation measures for residents whose homes, water supplies, and amenity are permanently affected.

In the absence of such guidelines, I submit that An Coimisiún Pleanála must apply the **precautionary principle** - well established in EU environmental law and Article 6 of the EU Habitats Directive - and refuse permission where the full environmental and residential impact cannot be adequately assessed. The proximity of this substation to my home, my private well, and the sensitive wetland and bogland habitats of Co. Offaly makes this a paradigm case for the application of that principle.

CONCLUSION AND FORMAL REQUEST

For all of the above reasons, I formally and strongly request that An Coimisiún Pleanála:

1. REFUSE planning permission on the grounds of unacceptable proximity (less than 100 metres) to a private residence, with no noise assessment, no EMF assessment, and no safety separation analysis provided;
2. REFUSE planning permission on the grounds of a direct and unmitigated risk to the local community mains water supply, which serves multiple households in the area, with no hydrogeological survey, no water supply impact assessment, no protective conditions, and no service restoration obligations provided;
3. REFUSE planning permission on the grounds that the Natura Impact Statement is inadequate to comply with Article 6(3) of the EU Habitats Directive, given the presence of wetland, bogland, woodland, and hedgerow habitats on and adjacent to the site;
4. REFUSE planning permission on the grounds of the unassessed cumulative impact of this substation together with the two solar farms it serves — particularly given that the associated Ballyteige Solar Farm application was previously invalidated due to NIS deficiencies;
5. REFUSE planning permission on the grounds of inadequate road infrastructure assessment, inadequate hedgerow and woodland impact assessment, and unacceptable permanent impact on residential amenity;
6. In the alternative, if An Coimisiún Pleanála is minded not to refuse outright, I formally request that a full ORAL HEARING be convened under the Commission's discretion, to allow affected residents to present evidence and be cross-examined, given the scale, complexity, and irreversible nature of the proposed development.

I confirm that this submission complies with the requirements of Article 217 of the Planning and Development Regulations 2001 (as amended). The €50 observation fee accompanies this submission.

Signed: *Yasmin Esani*

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Date: 15th March 2026

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