



An Coimisiun Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902

Date: 22/07/2026

RE: ACP-324279-26

10 year planning permission for the proposed development of Ballincor Wind Farm and all associated infrastructure located within the townlands of located within the townlands of Cloonaheen, Ballincor Demesne, and Curralanty, County Offaly, and Clonfree, Castletown and Cronekill, County Tipperary.

Dear Sir/Madam,

Please find enclosed Offaly County Council's submission in response to an application for permission under section 37E of the Planning and Development Act 2000 – Ballincor Wind Farm insofar as this application relates to the functional area of Co. Offaly.

Please be advised that the CE Report is supported by separate documents which are to be read as an addendum to the CE Report, notably –

- CE Report
- Meeting Administrators Record (July Council Meeting)
- Views of the Elected Members (as expressed at the July Council Meeting)
- Addendum Report – Views of Elected Members (Cllr. P. Ormond)

A Schedule of Costs is also attached.

Should you require any additional information, do not hesitate in contacting the undersigned.

Kind regards,

PP 

Administrative Officer
Planning Department





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)**

Ballincor Wind Farm
An Coimisiún Pleanála Case reference: PAX92.324279

Application Details

Applicant:	RWE Renewables Ireland Ltd
Agent:	Tobin Consultant Engineers
An Coimisiún Pleanála Case reference:	PAX92.324279
Proposed Development (Summary):	Proposed development of 11 no. wind turbines and all associated site works – RED III application.
Site Location:	Townlands of Cloonaheen, Ballincor Demesne, and Curralanty, County Offaly, and Clonfree, Castletown and Cronekill, County Tipperary

Executive Summary

This Chief Executive report is set out in accordance with the provisions of Section 37E(4) of the Planning and Development Act 2000 (as amended) insofar as the proposed Strategic Infrastructure Development relates to the functional area of Co. Offaly.

Offaly County Council respectfully requests that An Coimisiún Pleanála refuse permission for the proposed Strategic Infrastructure Development (SID) as;

1. Having regard to the subject sites location within an 'Area Not Deemed Suitable for Wind Energy Development' in the Wind Energy Strategy Designations Map from the Offaly County Wind Energy Strategy within the Offaly County Development Plan 2021-2027, the proposed wind energy development would materially contravene the following objective from the County Development Plan;

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".*
2. To grant permission for the proposed development in an area outside and peripheral to 'Areas Deemed Open for Consideration for Wind Energy Development' and for a project which is not a product of the detailed analysis which occurred in the County Wind Strategy, undermines the county's strategic spatial planning approach, sets an undesirable precedent for developers to bypass the 'plan-led' County Wind Energy Strategy process and constitutes a piecemeal speculative approach to wind energy development.
 3. The applicants have not satisfactorily demonstrated that a robust assessment has taken place in relation to;
 - (a) the functional importance of habitats within the subject site in supporting SPA-associated wading bird species, including Golden Plover and Lapwing, has not taken place;
 - (b) Ruling out the potential roosting use of the subject site by Hen Harriers, an Annex I species;
 - (c) The predicted impact of the proposed development on Marsh Fritillary are likely to be profoundly negative and permanent, an Annex II species.

Piecemeal Approach to renewable energy development

Having regard to the subject sites location within an 'Area Not Deemed Suitable for Wind Energy Development' in the Wind Energy Strategy Designations Map from the Offaly County Wind Energy Strategy within the Offaly County Development Plan 2021-2027 (see below), the proposed development would materially contravene the following objectives from the County Development Plan;

- CAEO-03, to achieve a reasonable balance between responding to government policy on renewable energy and in enabling the wind energy resources of the county to be harnessed in an environmentally sustainable manner;
- CAEO-05 to implement the Council's Wind Energy Strategy so that windfarm developments are considered 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 and 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).

The proposal advocates a piecemeal and opportunistic approach to the location of renewable energy developments undermining Co. Offaly's established, plan led, spatial and strategic approach to wind energy development since its first County Wind Energy Strategy in 2009. Offaly has promoted and delivered wind energy developments in appropriate locations through a coherent, transparent and robust County Wind Energy Strategy, an approach in line with National Policy Objective 70 of the Revised NPF to "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".

Undesirable precedent for developers to bypass the 'plan-led' County Wind Energy Strategy process

The preparation of the Offaly County Wind Energy Strategy was evidence based in line with the 'Step-by-Step Guide to the Analysis of Suitable areas for Wind Energy by the Planning Authority' as outlined in Section 3.5 of the Wind Energy Guidelines 2006. It also significantly involved extensive community and stakeholder engagement which in turn has built community confidence in Offaly's support of and contribution to Ireland's renewable energy targets. The County Wind Energy Strategy is delivering at scale with public sentiment which has by and large supported this plan-led approach to date. To grant permission for the proposed development in an area outside and peripheral to 'Areas Deemed Open for Consideration for Wind Energy Development' and for a project which is not a product of the detailed analysis which occurred in the County Wind Strategy, undermines the county's strategic spatial planning approach (which has been very effective to date) and sets an undesirable precedent for developers to bypass the 'plan-led' County Wind Energy Strategy process, constituting a piecemeal speculative approach to wind energy development.

Consistency with national planning, environmental, and climate objectives and targets

The Planning Authority notes that Section 15(1) of the Climate Action and Low Carbon Development Act 2015 requires relevant bodies to perform their functions in a manner consistent with climate objectives, including mitigating greenhouse gas emissions and adapting to climate change effects.

The Planning Authority considers that the performance of the Offaly County Wind Energy Strategy is consistent with Section 15(1) of the Climate Action and Low Carbon Development Act 2015. Offaly has exceeded the target of 466MW contained within the Offaly County Development Plan 2021-2027 since early 2026. Indeed, it should be noted the county's wind energy 'pipeline' (i.e. operational, granted, with planning or at pre-planning in the public domain) within the Areas Open for Consideration would represent c.11% of the National Climate Action Plan 2025 target, and over 40% of the NPF target for the EMRA area. Considering a piecemeal approach such as this would undermine the plan-led approach which continues to make Offaly the number 1 renewable electricity producer national throughout the months of January, March, May & June of 2026.

It should be noted in this regard that there is currently 520MW of operational wind energy developments within Co. Offaly, all of which were delivered over a short period of time in the context of such developments nationally i.e. the first windfarm was energised in 2014. In addition, it is submitted that 300MW alone has been energised since 2024, with a further 85MW permitted and

awaiting construction imminently and along with a further 247MW currently in the planning system (excluding the subject application) within the County. The above, when combined represents 9% of the entire country's Climate Action Plan / National Planning Framework 2030 wind energy target of 9,000MW and yet Co. Offaly represents only 2.3% of the country's landmass. Further, it is noted that the total 'pipeline' of wind energy development within Co. Offaly would represent 11% of entire country's wind energy target. It is advised that a number of applications or pending applications for further wind development located outside the Wind Development Areas in the County Development Plan are not included in these figures. Please also note that a significant portion of adjoining Counties' wind energy 'pipelines' (Offaly has 7 neighbouring counties) are located contiguous or close to the Offaly county boundary, with at least five projects crossing / sharing the county boundary. None of the turbines located in the adjacent counties are counted in the above.

County Offaly was the number 1 producer of renewable electricity nationally in January, March, May and June 2026 and number 2 in February, having being the third highest producer for much of the latter part of 2025. (Source: Green Energy Collective based on Eirgrid & SONI data). Until offshore wind energy ramps up in the early 2030s, having regard to the future wind and solar 'pipeline' in the county, it is predicted that this position will be retained into the 2030's.

The Commission is requested to note that Co. Offaly's solar energy 'pipeline' is similarly large and would represent approximately 14% of the entire country's Climate Action Plan / National Planning Framework 2030 target. It should also be noted that the battery and other electricity storage 'pipeline' in Offaly is over 1GW, with approx. 50% of this already installed or nearing the construction stage. Conventional generation eg. gas-fired, biomass fired and distillate 'peaking' plants will total approximately 1.2GW once the recently permitted gas plant at Derrygreenagh is operational.

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1. PURPOSE OF THIS REPORT

Due to the scale of the development which comprises an 11-turbine wind farm with a generation capacity of c.61.6 to 77 MW, it has been determined by An Coimisiún Pleanála (hereafter referred to as 'ACP' or 'the Commission' as constituting Strategic Infrastructure Development (SID) 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 Ballincur windfarm and related development, and to the policy context, it is considered that the proposed development, as described above, 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. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a), Section 37A(2)(b) and Section 37A(2)(c) of the Planning and Development Act 2000, as amended. Therefore, an application for permission for the proposed development must be made directly to An Coimisiún Pleanála under Section 37E of the Planning and Development Act 2000, as amended."

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 interest of clarification in the outset, 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.

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 in the outset that upon receipt of this SID application which constitutes a RED III application and that an Coimisiún, in accordance with section 37JA (a) of the Planning and Development Act 2000, as amended, has confirmed that it is satisfied that the application includes all the information required to process the application in relation to the proposed development (Completeness Check).

It should also 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 AND DESCRIPTION

As outlined in the submitted documentation, The subject site is located in the rural townlands of Cloonaheen, Ballincor Demesne, and Curralanty, County Offaly, and Clonfree, Castletown and Cronekill, County Tipperary, located approximately 5 kilometres (km) south of Birr and approximately 3.6 km north of the village of Shinrone, west of the Little Brosna River.

The site comprises 355 hectares and is described in submitted documentation as primarily comprising agricultural land, raised bog, cutover bog, wet grassland, mixed broadleaved woodland, oak-birch-holly woodland, bog woodland and scrub, sitting in a predominantly low lying landscape apart from Knockshigowna Hill to the south west.



Figure 1: Site Location Map (prepared by Offaly County Council)

3. DESCRIPTION OF DEVELOPMENT

This section provides an overview of the proposed development as outlined in Chapter 2: Description of the Proposed Project contained within the accompanying Environmental Impact Assessment.

The proposed development, for which consent is being sought for, is described in the submitted documentation as follow:

- Assembly of 11 Wind Turbine Generators (including tower sections, nacelle, hub, rotor blades) with an estimated capacity of 61.6 to 77 MW and a blade tip height between 179.5 and 180 m, rotor diameter between 149 to 163 m, hub height of between 98.5 and 105 m (Design flexibility has been sought from An Coimisiún Pleanála for the turbine ranges used by the project).
- Associated hardstanding and turbine foundations at each turbine location
- Works along the public road and private land for a 12.23 km grid connection to the existing Dallow 110 kV substation including installation of 17 joint bays along the grid connection route ("GCR") which runs across the townlands of Cronekill, Castletown, Cornhill, Caherhoereigh, Pallas, Kilenamuck, Tinnakilly, Ballyloughnane, Killeen, Croghan, in Co. Tipperary and Townparks, Dovegrove, Woodfield or Tullynisk, and Clondallow in Co. Offaly;
- Turbine Delivery Accommodation works, road surfacing works, temporary wall/vegetation removal, load bearing surface will be laid to provide a minimum 4.5 m running width and a 5.5 m clearance width for turbine delivery at Sharavogue crossroads, Sharavogue, Co. Offaly.
- Upgrading of existing access tracks, construction of new founded access roads and floating roads. Total length of access roads is 9.7 km, and upgrades of two site entrances on R492 and L1071;
- Erection of 104 m permanent meteorological mast and including lightning pole;
- All associated excavation, earthworks and spoil management, Surface water drainage system and sediment control; Installation of new clear span watercourse or drain crossings on proposed wind farm site; Excavation and restoration of three borrow pits (borrow pit 1 to borrow pit 3) and one peat deposition area;
- Wheel wash, security fencing & hut;
- Four Temporary construction compounds including site office and staff facilities;
- Installation of 33 kV medium voltage electrical and communication cabling underground between the proposed turbines and the proposed on-site substation and associated ancillary works;
- All electrical plant and infrastructure and grid ancillary services equipment;
- 110 kV electricity on-site substation and switch rooms; including one EirGrid control building containing welfare facilities and storeroom, wastewater and rainwater holding tank;
- One Independent Power Producer (IPP) control building containing HV switch room, site offices, welfare facilities, wastewater holding tank;
- One Battery energy storage system (BESS) control building containing worker welfare facilities and equipment store, wastewater holding tank; 90 BESS container units, inverters, underground water storage tank and associated works;
- All associated infrastructure and services including site works and temporary construction signage,
- Operational stage site signage;
- All related site works and ancillary development including berms, landscaping, and soil excavation;
- Tree felling (7.2 ha) and hedgerow removal (1.1 km) to facilitate construction and operation of the proposed project,
- Biodiversity enhancement including hedgerow replanting (1.3 km), peatland enhancement and tree planting.

An EIAR and Natura Impact Statement (NIS) have been prepared in respect of the proposed development.

A 10-year planning permission and a 35-year operational life of the wind farm from the date of full commissioning is sought.

4. KEY RELEVANT POLICY

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

4.1 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 25 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-zero 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 EU's 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 greenhouse 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 on 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.

4.2 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's 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.

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, 2025-2035

In July 2025, the updated National Development Plan (NDP) was published. This Plan underpins the NPF, and 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 of the NDP 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 Ireland's 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.

4.3 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 of the guidelines. 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 includes 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. Guidance is also given regarding landscape character types as a basis for siting and design considerations.

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 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 permitted wind farm application.
- 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 (now 'ACP') 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.

4.4 Regional Policy

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

The Eastern and Midlands Regional Assembly (EMRA), established in 2015, comprises 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. They 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 the following RSOs:

[No. 8 Build Climate Resilience Ensure the long-term management of flood risk and build resilience to increased risks of extreme weather events, changes in sea level and patterns of coastal erosion to protect property, critical infrastructure and food security in the Region \(RSO 8\)](#)

[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 \(RSO 9\)](#)

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.

4.5 Local Policy

The following locally adopted plans and policies are 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 (OCAP) 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 OCAP 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 (WES) forms part of the County Development Plan. The Strategy constitutes a plan led approach to wind energy development in County Offaly. It sets out areas 'open for consideration' for wind energy developments and considerations for the evaluation of wind energy planning applications.

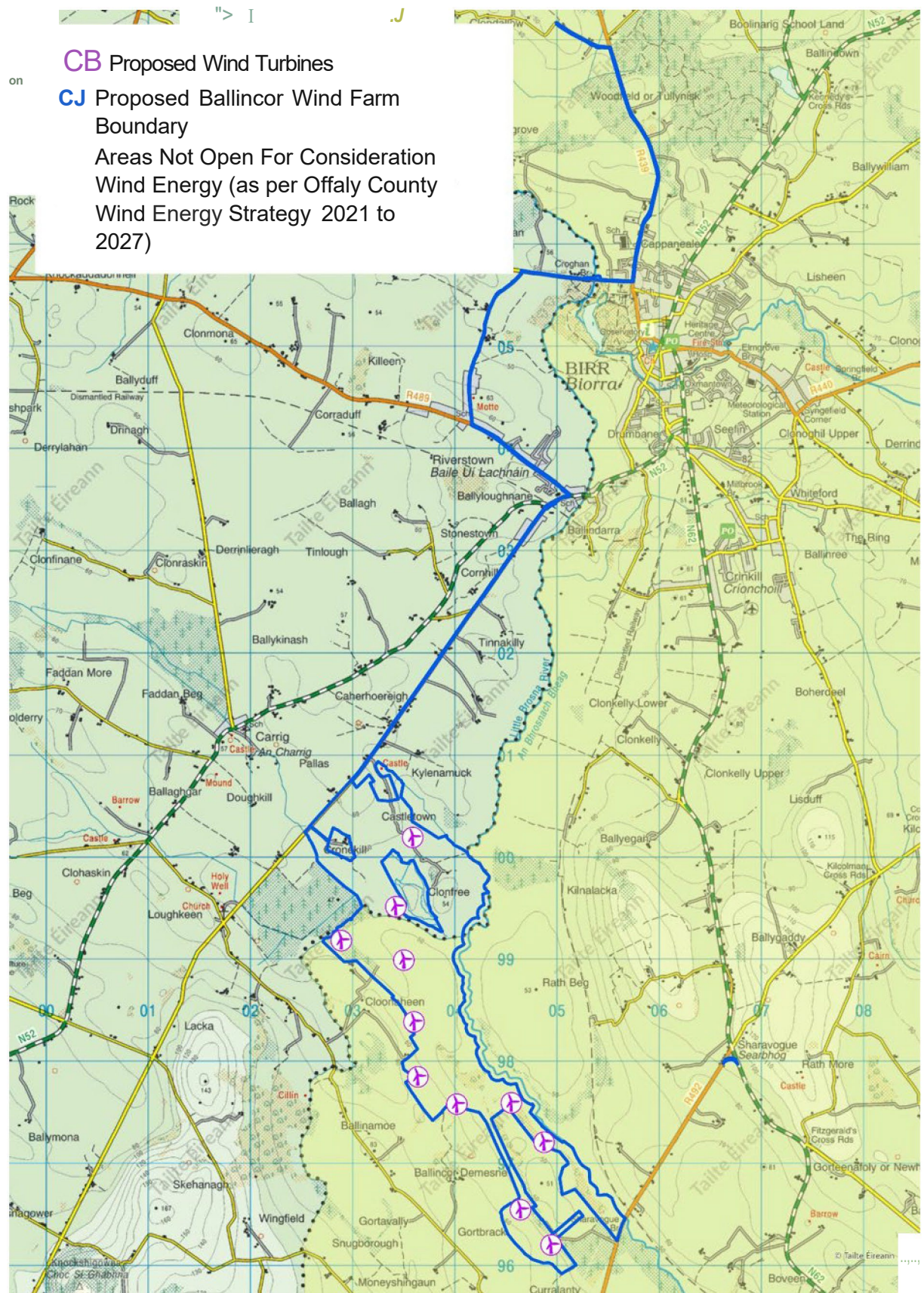


Figure 2: OCC Wind Energy Strategy Map with subject site location indicated.

The subject site is located in an area designated as 'Areas Not Deemed Suitable for Wind Energy Development' in Map No. 10 (Wind Energy Strategy Designations) of the Offaly County Development Plan 2021 – 2027.

The WES states in relation to such area that:

(a) This area is considered to be generally unsuitable for wind farm development due to significant environmental, heritage and landscape constraints and housing density.

(b) Individual small scale turbines will be considered on a case by case basis having regard to relevant exemption provisions in the Planning and Development Regulations 2001 as amended.

(c) 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 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'*.

'It is an objective of the Council to achieve a reasonable balance between responding to government policy on renewable energy and in enabling the wind energy resources of the county to be harnessed in an environmentally sustainable manner' (Objective CAEO-03, CDP).

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

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.



Renewable Energy

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.

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:

- 20

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.

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 within an area classified as a combination of 'moderate' and 'low sensitivity areas' in the OCDP.

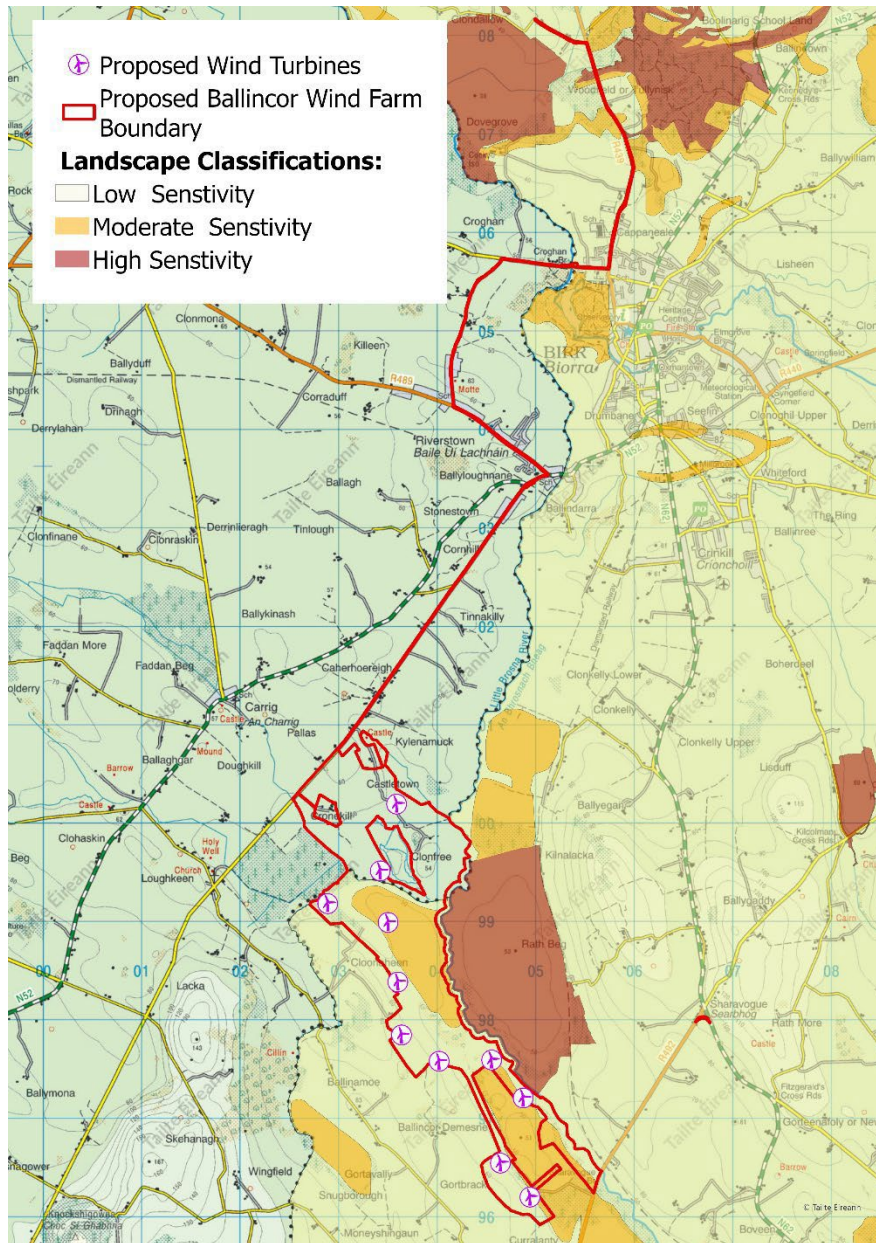


Figure 4: Landscape Classification Areas from the OCDP 2021-27 relative to the subject site

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.*

MODERATE SENSITIVITY AREAS

Moderate sensitivity areas can accommodate development pressure but with limitations in the scale and magnitude. In this category of sensitivity, elements of the landscape can accept some changes while others are more vulnerable to change.

Characteristics:

Cutaway bogs cover a large part of the landscape of Offaly and in their entirety, are approximately 42,000 hectares. Generally, there are a number of land uses suitable for cutaway bog, not included in High Sensitivity Areas, which include wilderness, grassland, forestry and recreation. Some cutaway bog landscapes are more robust and may be considered for other uses.

Sensitivities:

- The development of Lough Boora (albeit designated as high sensitivity) acts as a prototype in the creation of parkland character.
- However, some of these cutaway bogs may be appropriate for other sensitively designed and located developments including renewable energy (wind farms, biomass crops) and/or industrial use.

The Council recognises the need for a land use framework plan for the future development and utilisation of large areas of cutaway bog within Offaly.

Acceptability of Development for consideration: Some form of development subject to appropriateness / conditions.

Need for Landscaping and Appropriate Design: Very High.

Figure 5: Table 4.19 Moderate Sensitivity Areas in County Offaly – OCDP 2021 – 2027.

Table 4.18 Low Sensitivity Areas in County Offaly

<u>LOW SENSITIVITY AREAS</u> 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 6: 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 6 outlines the context of Tourism and Recreational Development in the county and relevant policies and objectives for the six-year period of the County Development Plan.

Section 6.5.7 Greenways

The Council published 'A Strategy for Walking and Cycling in Offaly; Connecting People Connecting Places' (2015), which set the vision for County Offaly to connect to, embrace and build on the opportunities for walking and cycling in the county. Following from this the 'Feasibility Study on the Development of a Major Cycling Destination in the Midlands of Ireland' was published in 2016. Chapter 8 Sustainable Transport Strategy also addresses walking and cycling. The Council recognises the importance of continuing to extend and link in the form of a network, greenways and peatways in the interests of sustainable mobility, activity tourism, transition to a low carbon and climate resilient

society, enhancing amenities, strengthening rural economies and communities, health and wellbeing, job creation and settlement connectivity. In light of this the council working in conjunction with key stakeholders, promotes the establishment of walking / cycling ways along rivers, canals, disused railway lines and peatlands indicated in Figure 6.12 and Figure 6.13 below.

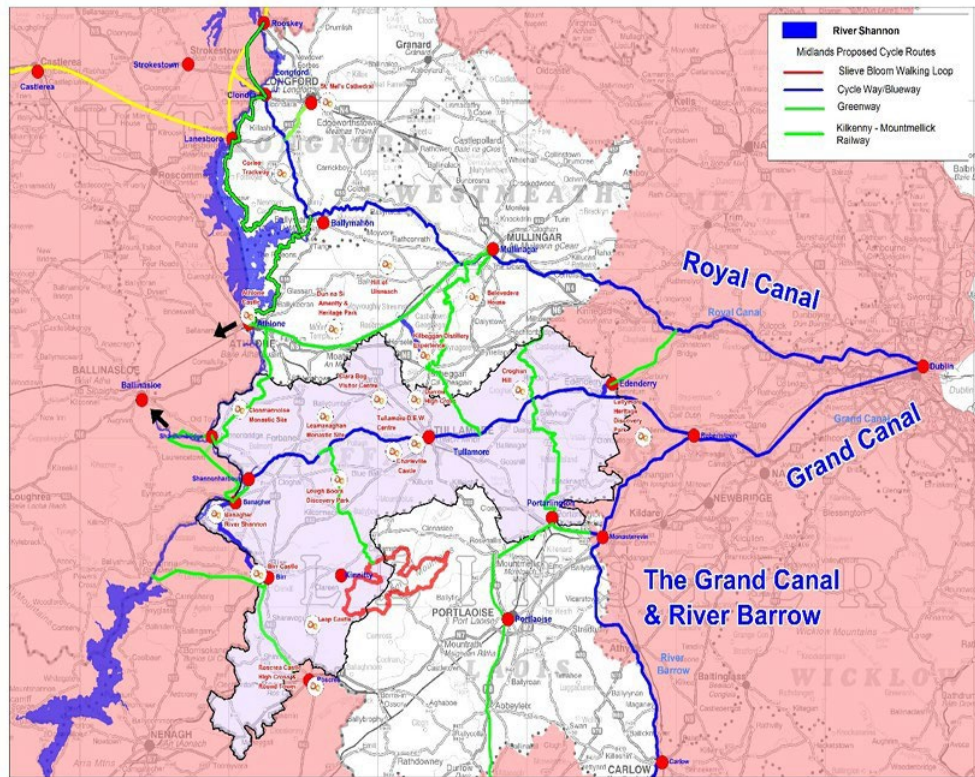


Figure 7: Proposed Midlands Cycle and Walking Routes from OCDP 2021-2027

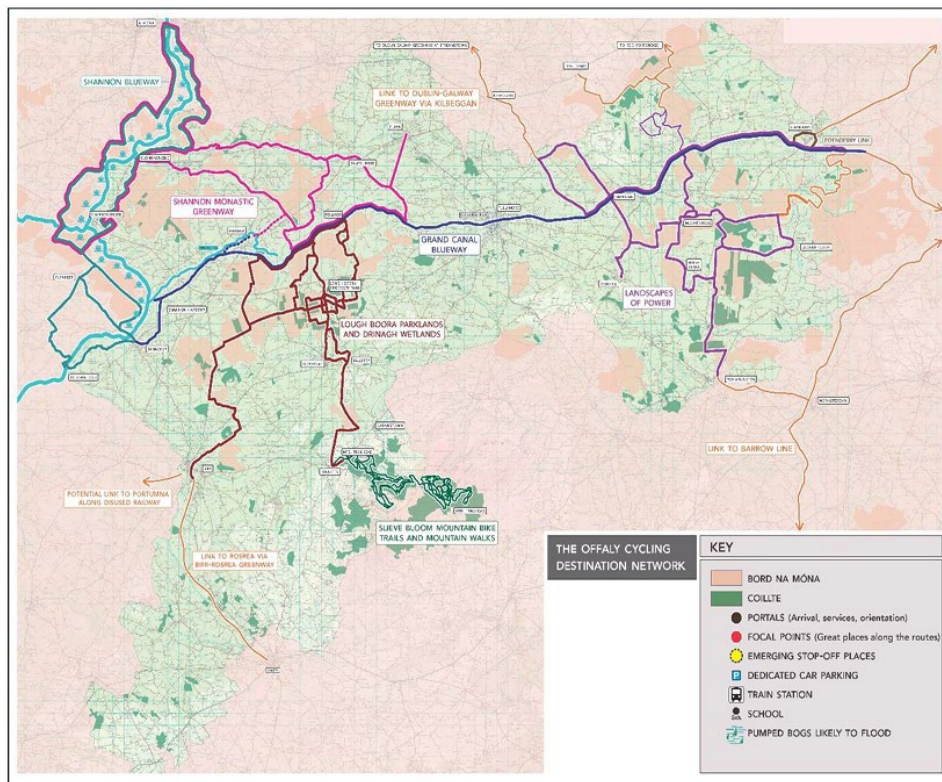


Figure 8: Midlands Cycling Destination, Offaly Network Map from OCDP 2021-2027

6.7 Tourism Policies

TRP-22: *It is Council policy to promote the ‘Feasibility Study on the Development of a Major Cycling Destination in the Midlands of Ireland’ (2016) in conjunction with Bord na Móna and Coillte in accordance with ‘Outdoor Recreation Plan for Public Lands and Waters in Ireland’ 2017-2021 and in particular to recognise Tullamore as a hub in this respect.*

6.8 Tourism Objectives

TRO-15: *It is an objective of the Council to implement the ‘Feasibility Study on the Development of a Major Cycling Destination in the Midlands of Ireland’ (2016) in conjunction with Bord na Móna, Coillte, Waterways Ireland, the Office of Public Works and the Product Development Group, in accordance with the Offaly Tourism Statement of Strategy 2017-2022.*

TRO-17: *It is an objective of the Council to protect potential greenway, blueway and peatway routes (i) along and in proximity to abandoned rail lines and (ii) routes identified in Figure 6.13 ‘Midlands Cycling Destination, Offaly Network Map’ from inappropriate development that could compromise the delivery of a cycling or walking route in the future.*

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 10 outlines the policies and objectives that apply to the county’s historic landscapes and heritage which is pertinent in the assessment of the proposed SID application.

Archaeological Heritage

BHP-33 *It is Council policy to support and promote the protection and appropriate management and sympathetic enhancement of the county’s archaeological heritage within the Plan area, in particular by implementing the Planning and Development Act 2000 (as amended) and the National Monuments Act 1930 (as amended).*

BHP-34 *It is Council policy to seek to promote awareness of and access to archaeological sites in the county where appropriate.*

BHP-35 *It is Council policy to consult with the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht (DCHG) in relation to archaeological sites within and/or adjoining a proposed development.*

BHP-36 *It is Council policy to facilitate the identification of important archaeological landscapes in the county.*

BHP-37 *It is Council policy that any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a licenced archaeologist.*

Archaeological Heritage

BHO-05 It is an objective of the Council to protect archaeological sites and monuments, and archaeological objects, which are listed in the Record of Monuments and Places, and to seek their preservation in situ (or at a minimum, preservation by record) through the planning process.

Chapter 13 sets out the general development management principles and standards to be applied in ensuring that future development is in accordance with the policies and objectives set out elsewhere within 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.

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).

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.

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.*

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.*

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 World 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.

An assessment against the above criteria will be considered under the relevant subheadings as part of this overall report.

5. RELEVANT PLANNING HISTORY

Planning History on subject site

Planning Authority	Pl. Ref.	Description	Decision
An Coimisiún Pleanála	324220	10-year permission for the proposed construction of the Ballincor Wind Farm and all associated infrastructure	Withdrawn
An Coimisiún Pleanála	324246	10-year permission for the proposed construction of the Ballincor Wind Farm and all associated infrastructure	Withdrawn

Enforcement Information Relating to the Subject Site

None shown on planning register.

6. DESIGNATIONS

6.1 European – Special Areas of Conservation (SACs) and Special Protected Areas (SPAs)

There are no European Designated sites within the application area. The nearest European Designated site to the subject site is Sharavogue Bog SAC which is located 10 metres from the subject site. Other European designated sites in the vicinity of the subject site are;

- Ballyduff/Clonfinane Bog SAC (located c.2.8 km northwest of subject site)
- Lisduff Fen SAC (located c.3.7 km east of subject site)
- Arragh More (Derrybreen) Bog SAC (located c.5.2 km west of subject site).

6.2 National Designations - Natural Heritage Areas (NHAs)/Proposed Natural Heritage Areas (pNHA)

There are no NHAs or pNHAs within the application area. The nearest National Designated sites are;

- Cangort Bog NHA (located c.2.5km to the southwest of the subject site)
- Killeen Bog NHA (located c.3.7km to the north of the subject site)

- Ballyduff/Clonfinane Bog pNHA (located c.4.9km to the northwest of the subject site)
- Lough Nahinch (Tipperary) pNHA (located c.4.9km to the southwest of the subject site)
- Arragh More Bog NHA (located c.5.5km to the northeast of the subject site)

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

The Planning Authority confirms that no special amenity area orders, protected structures or Architectural Conservation Areas are located within the proposed site.

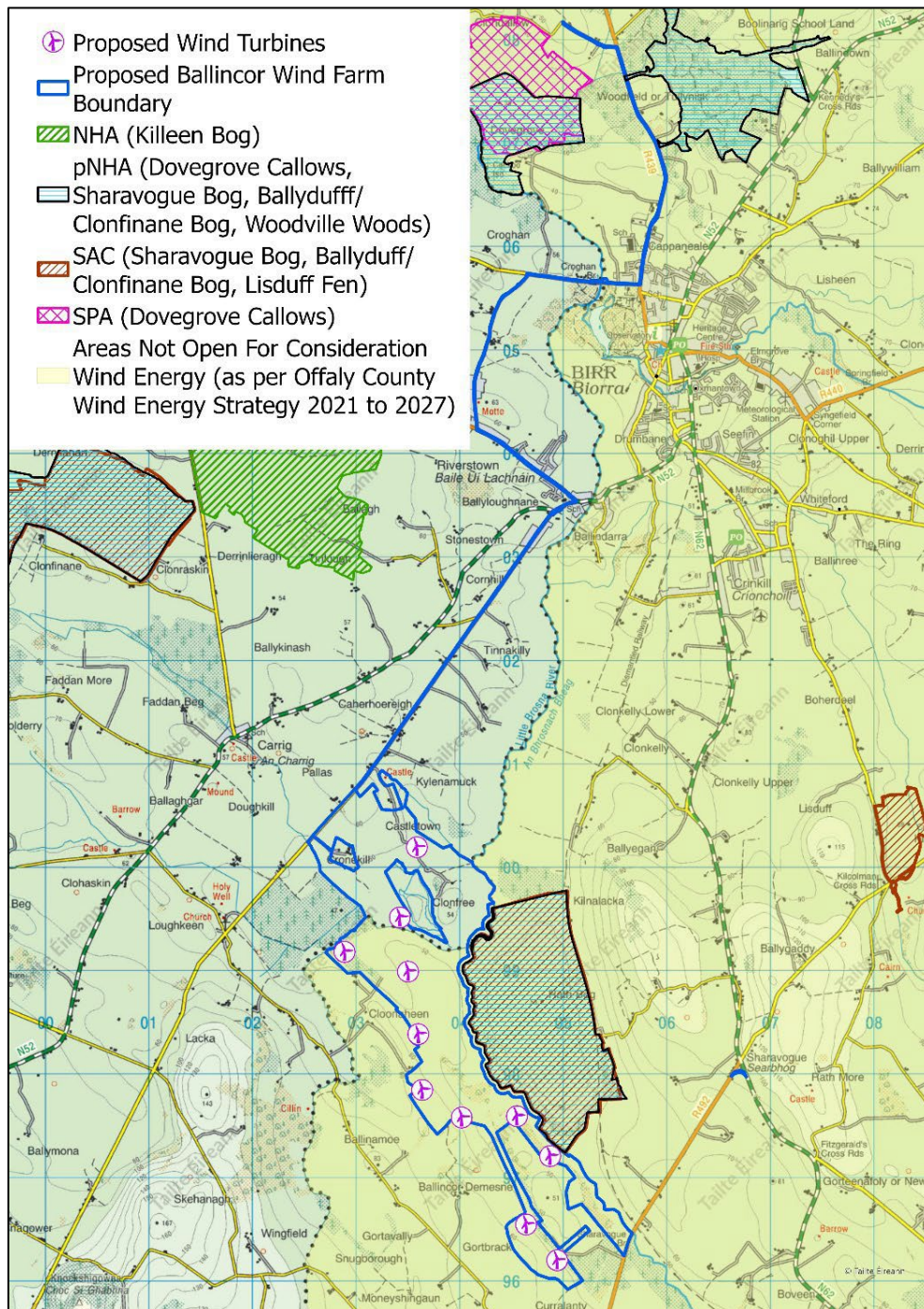


Figure 9: European and National Designated sites relative to subject site

7. PUBLIC SERVICES

7.1 Water supply

The application submitted outlines that drinking water for staff will be provided by way of bottled water brought to the site.

Non-potable water at the substation building (toilets, etc.) will be from rainwater harvesting for the operational phase or tankered to site in the construction phase.

7.2 Sanitary facilities

Portaloos will be used during construction and will be located in the construction compounds. Wastewater will be transported off site by a permitted waste collector to a wastewater treatment plant. Wastewater from the staff welfare facilities at the proposed buildings will be stored in a sealed storage tank and removed from the site by a licensed waste collector to a wastewater treatment plant.

7.3 Surface water

Comprehensive site-specific drainage details are set out in accompanying drawings and EIAR included with this application.

8 FLOOD RISK ASSESSMENT AND WATER FRAMEWORK DIRECTIVE & ASSOCIATED REGULATIONS

8.1 Flood Risk Assessment

A Flood Risk Assessment (FRA) for the proposed development has been completed and submitted in Appendix 9-3 that accompanies the EIAR. This Site-Specific Flood Risk Assessment (SSFRA) states that;

Fluvial Flooding

Based on a review of available information, it was estimated that four of the turbines are at risk of fluvial flooding (Turbines T1, T2, T8, and T9). The amount of inundation varies at each turbine, with Turbine T8's hardstand being the least inundated and Turbine T9's hardstand being the most. All of the four mentioned turbines hardstands are liable to fluvial flooding in both 1 in 100-year and 1 in 1000-year (1% & 0.1% AEP) current and MRFS events.

In order to ensure the turbines are not at risk of fluvial flooding the applicant proposes that critical infrastructure is raised above that of the 1 in 1000-year (0.1% AEP) MRFS event, with additional freeboard added. It is proposed that all critical infrastructure will have a minimum level of 46.5mOD. Approximately 14,000m³ of compensation storage is proposed adjacent to Turbine T2, to account for the flood plain lost due to the construction of the hardstanding areas of the turbines. On this basis, the submitted FRA estimates that the risk of fluvial flooding to all critical infrastructure on the site will be minimal.

Coastal Flooding

The subject site is not at risk of coastal flooding due to its distance inland from coastal waters.

Pluvial Flooding

Pluvial flood extents do not inundate any of the turbines or access roads. Surface water arising on the proposed development will be managed by a dedicated stormwater drainage system in accordance with Sustainable Drainage Systems (SuDS) principles, limiting discharge from the site to greenfield runoff rates. The landscaping and topography of the developed site will provide safe exceedance flow paths and prevent surface water ponding to minimise residual risks associated with an extreme flood event or a scenario where the stormwater drainage system becomes blocked.

Groundwater Flooding

It is concluded in the FRA that there is no evidence to suggest groundwater as a potential source of flood risk to the proposed subject site as the proposed lands to accommodate the hardstanding area and access road will remove the surface water flood risk to the development.

It is noted that the flood risk assessment estimates that the risk of flooding to the proposed development will be minimal, and that the development will not increase the risk of flooding elsewhere.

8.2 Water Framework Directive & Associated Regulations

Appendix 9-1 that accompanies the EIAR contains a Water Framework Directive Report which concludes that;

“Taking into consideration the potential impacts of the proposed project on the biological, physico-chemical and hydromorphological quality elements, following the implementation of design and mitigation measures, it is concluded that it will not compromise progress towards achieving GES (Good Environmental Status) or cause a deterioration of the overall status of the water bodies that are in scope; it will not compromise the qualifying features of protected areas and is compliant with other relevant Directives. It can therefore be concluded that the proposed project is compliant with WFD and therefore does not require assessment under Article 4.7 of the WFD.”

9 APPROPRIATE ASSESSMENT SCREENING AND NATURA IMPACT STATEMENT SUMMARY

The Screening for Appropriate Assessment and Natura Impact Statement which accompany this SID application concludes that in the absence of appropriate mitigation, the proposed project could result in indirect effects on the following European sites, primarily due to the potential for a temporary disturbance/displacement and degradation in water quality from the release of suspended solids or pollutants:

- Sharavogue Bog SAC
- River Shannon Callows SAC
- Dovegrove Callows SPA
- River Little Brosna Callows SPA
- Lough Derg (Shannon) SPA
- Middle Shannon Callows SPA.

It is stated that through the careful design of the proposed project, in combination with the detailed avoidance and mitigation measures outlined in the submitted document (Section 6.2), that the potential for significant adverse effects on any European sites in view of their conservation objectives will be fully avoided. The application states that the project design has been developed to minimise habitat disturbance, prevent displacement of species, and reduce potential barrier effects. As a result, it is submitted by the applicant that any residual effects from the proposed project alone are negligible, and when considered in combination with other existing or approved plans and projects, no significant adverse effects are anticipated or likely that would compromise the integrity or conservation objectives of the European sites. Consequently, the Screening for AA and NIS concluded that in light of best scientific knowledge, the proposed project alone and in combination with any other plan or project will not result in any significant adverse effects on the integrity of any European site in view of its conservation objectives.

In this case, An Coimisiún Pleanála is the competent authority for the purposes of making a determination on Appropriate Assessment.

10 ENVIRONMENT IMPACT ASSESSMENT REPORT (EIAR) SUMMARY

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

This section of the CE report gives the Planning Authority's views in relation to the adequacy of the EIAR which accompanies this SID planning application.

The EIAR is considered to be set out in a clear format and the Non-Technical Summary (NTS) is considered to be 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 applicant, the proposed project, the location of the proposed project, the need for the proposed project, the Environmental Impact Assessment (EIA) process, the legislative context and Guidelines, the structure of the Environmental Impact Assessment Report (EIAR), scoping and consultation, a list of contributors to the EIAR along with assumptions and limitations of the EIAR.

Chapter 2: Description of the Proposed Project

Chapter 2 provides a description of the project, stating that the proposed project is expected to have an Export Capacity (EC) of between 61.6 to 77 MW with the erection of 11 no. wind turbines before proceeding to describe the proposed wind farm site and the grid connection route.

Section 2.3 states in relation to Community Benefit that

"A significant annual community benefit fund of €378,000 to €472,000 per year for the first 15 years of the project will be established in line with Government policy which will include funding for both wider community initiatives and a Near Neighbour scheme focused on houses in close proximity to the project. Therefore, over the expected 15-year of RESS 5, the Community Benefit Fund will be in the order of €5.7 to €7.1 million. Post RESS - RWE will also commit to maintaining a Community Benefit Fund for the duration of the project in line with best practice and guidelines".

It is noted that it is stated in Section 2.5 that Lidar data measurements over a two year period indicate an average wind speed of 6.9 m/s which is a suitable wind resource for a commercial wind energy development.

Section 2.6 details the proposed project layout and components. It is stated in Section 2.6.1 that;

"The current design will be capable of operating in compliance with the 2019 draft Guidelines, in particular in relation to:

- *Shadow flicker – it is proposed to have near-zero shadow flicker (See Chapter 16);*
- *GCR – grid connection cables are proposed to be underground; and*
- *Proximity to sensitive receptors – a minimum turbine set-back of 4 times the tip height (179.5m to 180m) is provided".*

It is stated in Section 2.6.1.1 that each turbine has a tip height of between 179.5 m - 180 m, rotor diameter of between 149 m - 163 m, hub height of between 98.5 m - 105 m.

Section 2.6.4 outlines that;

- the site will be accessed by two site entrances, located on the regional road R492 (Co. Offaly) and local road L1071 (Co. Tipperary). The R492 access point will be the main site access/egress point for the construction phase, as this is the only suitable access point to the existing road

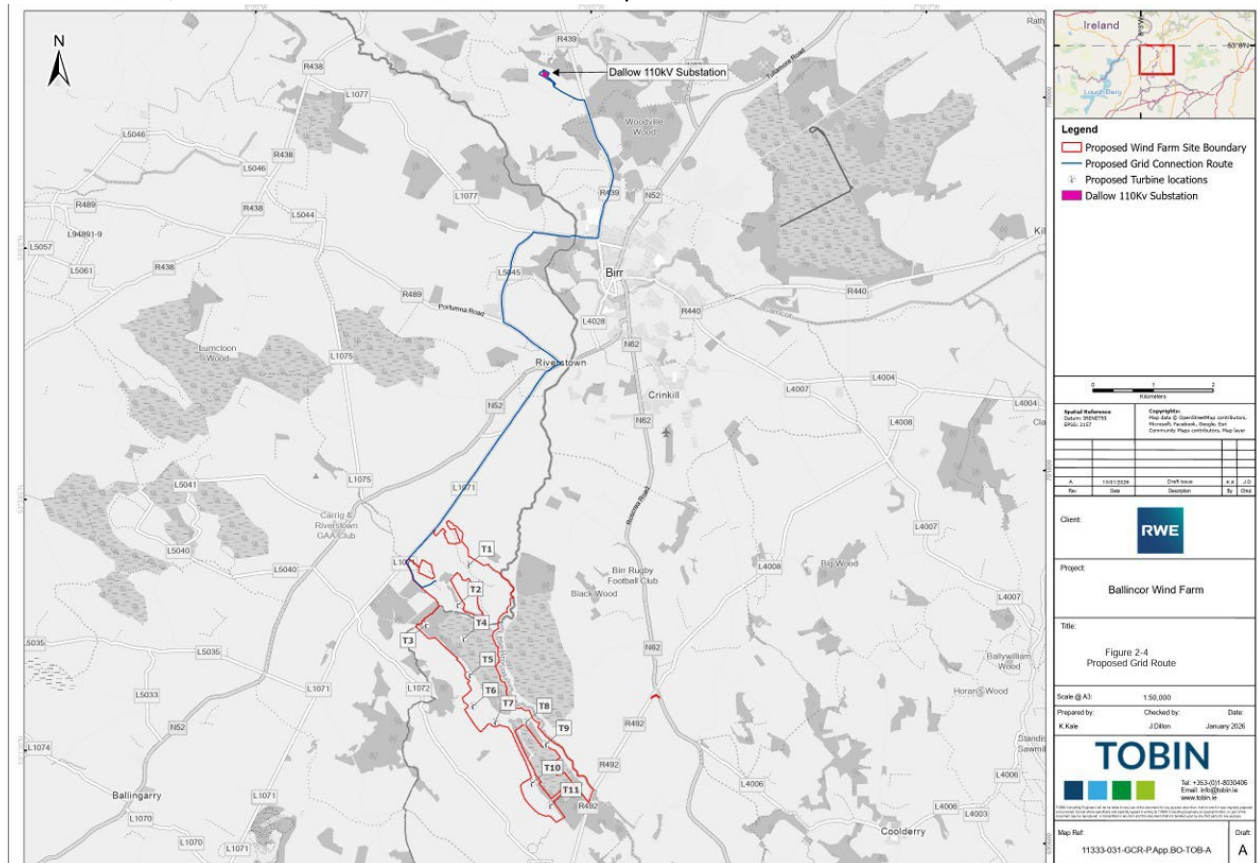
network to accommodate construction vehicles whilst the during the operational phase, all vehicles will use the L1071 entrance.

- Internal access roads of circa 9.7 km will be constructed as part of the initial phase of the construction of the wind farm.
- There is one proposed river stream/crossing on site where it is proposed to provide a clear span bridge to avoid in stream works.

In relation to the proposed Turbine Delivery Route (TDR), Section 2.6.5 outlines that the TDR will begin at Foynes Port, Co. Limerick, and the route will run along the N69, M7 and N62 to Sharavogue. Several temporary works will be required along the TDR which range from hedgerow trimming/clearing to facilitate oversail of turbine blades to the temporary placement of hardcore to allow the oversize vehicles to pass.

Section 2.6.6 details that it is proposed to construct 1 no. on-site 110kV substation to provide a connection point between the proposed wind farm and the proposed grid connection point at the existing 110kV Dallow substation, while Section 2.6.7 outlines the proposed Battery Energy Storage System (BESS) incorporating notably 90 no. battery energy storage system units, 17 no. power conversion system units.

Section 2.6.8 outlines the proposed grid connection route (GCR), approximately 12.23 km in length and will travel in a northerly direction from the proposed project substation to the existing Dallow 110 kV substation, with most of the GCR situated in the public road network.



A total area of 7.2 hectares is proposed to be felled, described as a commercial crop that would be felled in the future regardless of the proposed development, according to Section 2.6.13.

Section 2.8 details the construction management involved with the proposed development.

It is anticipated that the construction phase will take approximately 24 months from starting onsite to completion of commissioning of the turbines.

It is stated that with the exception of the localised commercial forestry felling, vegetation clearance will commence outside the breeding birds' season, which runs from the 1st of March to the 31st of August. If any minor clearance or trimming is required within those dates, or if the initial vegetation clearance extends past the 1st of March, the works will be preceded by an ecological survey (from a qualified and suitably experienced Ecologist) to ensure there are no sensitivities associated with the action.

Construction operations will be restricted to between 07:00 hrs and 19:00 hrs Monday to Friday (excluding public holidays) and between 07:00 hrs and 14:00 hrs on Saturdays. It is also stated however that during the following critical periods longer hours will be required:

- Concrete pours for turbine foundations;
- During turbine installation when the weather is suitable (i.e. light winds);
- Delivery of oversized loads; and
- In the unlikely event of an emergency (this is unlikely - see EIAR Chapter 18 (Major Accidents and Natural Disasters)).

The construction phase is broken down into five main phases as follows (some overlap between these):

- 24 months – Civil Engineering Works (including forestry felling and vegetation clearance, drainage, construction of site roads, hardstands, turbine foundations);
- 9 months – Electrical grid connection/substation installation and commissioning;
- 12 months – Site electrical (installing between turbines and substation, pulling cables);
- 4 months – Turbine deliveries and erection;
- 2 months – Commissioning.

A Construction Environmental Management Plan (CEMP) has been compiled for the proposed project. The CEMP will be updated prior to commencement of the construction works to address the requirements of any relevant planning conditions, including any additional mitigation measures which may be conditioned, and will be submitted to Offaly and Tipperary County Council for written approval. The construction contractor will be responsible for implementing the mitigation measures specified in the EIAR, Natura Impact Statement (NIS) and supporting documents such as the CEMP and for communicating the requirements with all staff on-site. Their implementation of the mitigation measures will be overseen by the Environmental Manager, Ecological Clerk of Works (ECOW), Ecologists, Archaeologists and/or Geotechnical Engineers, as appropriate.

Chapter 3: Site Selection and Reasonable Alternatives

This chapter contains a description of the reasonable alternatives that were studied which are relevant to the proposed project and its specific characteristics and provides an indication of the main reasons for the option chosen, taking into account the effects of the proposed project on the environment.

Section 3.3 addresses alternatives under the following headings:

- 'Do Nothing/Future Baseline' Option, i.e. without the proposed project proceeding;
- Site Selection;
- Alternative Layouts/ Design;
 - Alternative Technology;
- Alternative Mitigation Measures.

It is stated in Section 3.3.1 that in a 'Do Nothing/Future Baseline' Option, the prospect of capturing a valuable renewable energy resource would be lost and as a result the opportunity to contribute to

meeting Government and EU targets to produce electricity from renewable resources and the reduction of greenhouse gas emissions would also be lost. Furthermore, the chance to generate additional local employment and investment would not occur, the local economy would remain less diverse and continue to rely primarily on agriculture and forestry as its main source of income.

In relation to screening, the process of site screening and project selection was undertaken in house by RWE's team of developers who uses Geographical Information Spatial software (GIS), using a number of criteria and stages to assess the potential for wind energy development across Ireland. It is noted that Section 3.3.2.2 refers to the following number of criteria which were considered in this regard:

- Available wind resource;
- Environmental constraints including low potential for impact on Natura 2000 and Nationally Designated Sites (Special Area of Conservation (SAC), Special Protection Area (SPA), Natural Heritage Area (NHA) and proposed Natural Heritage Area (pNHA) sites;
- Population density
- Proximity to dwellings;
- Planning Policy;
- Archaeological features;
- Landscape and visual constraints
- Reasonable access to the national electricity grid;
- Access route availability.

Section 3.3.3 outlines the site layout design stage, outlining in Table 3-2 the environmental considerations that were taking into account. It is noted that the design and layout of the proposed development went from 12 to 11 turbines "to avoid feeding and roosting areas for wintering waterfowl and wader, and to reduce the visual and landscape effect."

It is noted that the chapter proceeds to consider different delivery route options from a number of ports and road networks, different site entrances along with different technologies and construction processes for the project.

PA Comments:

1. The Planning Authority is not satisfied with the level of detail contained in Section 3.3.2.3 'Summary of the Site Selection Process' and how specifically this site was chosen as being suitable for a windfarm. In particular, it is noted that;
 - (a) No consideration appears to have been given to the Offaly County Wind Strategy 2021-2027;
 - (b) No details have been submitted in relation to other sites that were considered and discounted along with the reason(s) for same;
 - (c) No comparison given on how all sites considered adhere to the criteria outlined in Section 3.3.2.2 is provided.
2. No consideration has been given in relation to alternative scales of project for the site i.e. a smaller number of turbines.

Chapter 4: Planning Policy and Development Context

This chapter sets out planning history of the subject site along with the legislative and policy framework relevant to the proposed project, and considers international, European, national, regional, and local objectives for renewable energy and climate action.

Section 4.3 outlines the planning history of the site. it is noted that it is stated that there is no planning history traced on the subject site. Table 4-1 lists selected planning applications within 10 km of the

subject site whilst Table 4-2 outlines pending and determined windfarm applications within 20 km of the subject site.

Reference is made in Section 4.4.1 of this chapter to international agreements such as the Paris Agreement and the UN Framework Convention on Climate Change (UNFCCC) which commits Ireland to reducing greenhouse gas emissions. It is noted that this section details relevant EU policy, such as the Renewable Energy Directive and the European Green Deal, which has progressively raised renewable energy targets, now requiring at least 42.5% of energy from renewables by 2030, alongside a 55% reduction in emissions under the Fit for 55 package.

It is noted that Section 4.4.2 indicates that nationally, it is stated that Ireland's Climate Action Plans (CAP24 and CAP25) set ambitious goals to achieve 80% renewable electricity by 2030, including 9 GW of onshore wind and 8 GW of solar capacity and that the revised National Planning Framework (NPF) and National Development Plan (NDP) support these targets by introducing regional renewable energy allocations and prioritising investment in grid infrastructure.

Section 4.4.2.1 outlines the various national policy objectives in the Revised NPF that support the principle of the proposed development. It is stated in this section in relation to the Revised NPF that *"each Region is required to plan for an adequate level of wind and solar energy development to meet the regional renewable electricity capacity targets set out in Table 9.1 (see Figure 4-2 below) and in accordance with NPO 74. The plan must also consider various factors that may influence delivery, including attrition rates and fluctuations in energised capacity levels, in addition to the currently installed energised capacity. These considerations are essential to ensure that, at a minimum, the national renewable electricity generation targets for 2030 are achieved"*.

Table 9.1 Regional Renewable Electricity Capacity Allocations						
Region	Energised capacity 2023 (MW)	Additional Renewable Power Capacity Allocations (MW)	Total % of National Share in 2030	Energised Capacity 2023 (MW)	Additional Renewable Power Capacity Allocations (MW)	Total % of National Share in 2030
	Onshore Wind			Solar PV		
Eastern and Midlands	284	1,966	25%	306	3,294	45%
Northern and Western	1,761	1,389	35%	0.3	959	12%
Southern	2,622	978	40%	138	3,302	43%
Total	4,667	4,333		445	7,555	

Figure 4-2 Regional Renewable Energy Capacity Allocations

Figure 11: Regional Renewable Energy Capacity Allocations from the National Planning Framework, First Revision (April, 2025)

Section 4.4.4 outlines that part of the subject site falls within both the Eastern and South Regions and outlines the relevant Regional Policy Objectives in both strategies that support the principle of the proposed development.

Section 4.4.2.6.1 summarises the main provisions of the Climate Action and Low Carbon Development (Amendment) Act, 2021 and also specifically outlines duties for certain bodies (which includes consenting authorities) under Article 15 (1) of the Act as follows:

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

(a) the most recent approved climate action plan,

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

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

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

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

In relation to local policy, Section 4.4.5.1.1 summarises the Offaly County Wind Energy Strategy, outlining the key objectives of the Strategy and refers to the location of the proposed project as not being within in an ‘Area Not Deemed Suitable for Wind Energy Development’ in the Wind Energy Strategy Designations Map from the Offaly County Wind Energy Strategy. It is also noted that Section 4.4.5.2.1 refers to the subject site as being located on lands deemed ‘Areas Unsuitable for New Wind Energy Development’.

Section 4.4.5.1.1 refers to the wind energy target of 466.3 MW contained in Table 3.1 and various renewable energy and wind energy policies that are considered relevant to the proposed development.

It is noted that reference is made in this chapter to the Planning Statement submitted along with the planning application which states in Section 4.1 that;

“Whilst the proposed project is located within an area designated as 'Not Deemed Suitable for Wind Energy Development' under Map No. 10 of the Wind Energy Strategy and therefore constitutes a material contravention of the Offaly County Development Plan 2021–2027, the Offaly CDP nonetheless contains broader objectives that are supportive of renewable energy in principle. In particular, CAEO-03 seeks to achieve a reasonable balance between national renewable energy policy and the sustainable harnessing of the county's wind energy resources, and CAEP-25 encourages and facilitates the production of energy from renewable sources subject to proper planning and environmental considerations. These objectives provide important context and reflect the Council's recognition of the importance of wind energy. However, the operative basis for granting this application is the statutory jurisdiction of An Coimisiún Pleanála under Section 37G(6) of the Planning and Development Act 2000, as amended, to grant permission in material contravention of the development plan where, as here, the proposed project is consistent with national planning, environmental, and climate objectives”.

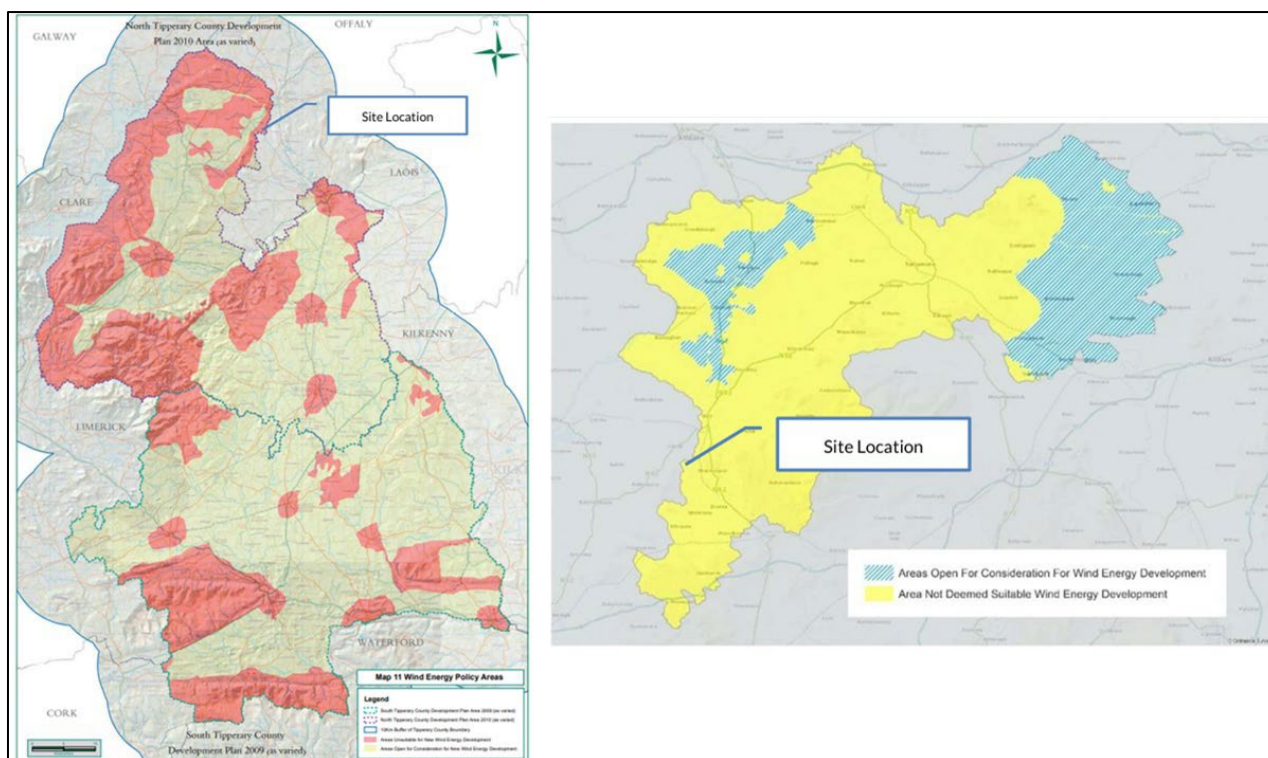


Figure 12: Wind Energy map from the Tipperary Renewable Energy Strategy 2022-2028 and the Wind Energy Strategy Designations Map from the Offaly County Wind Energy Strategy 2021-2027.

PA Comments:

The Planning Authority (PA) is not satisfied with the justification put forward for locating such a development within an ‘Area Not Deemed Suitable for Wind Energy Development’ as per the Wind Energy Strategy Designations Map contained within the Offaly County Wind Energy Strategy (WES). As the County WES is contained within the Offaly County Development Plan 2021-2027, it is the view of the PA that to permit the proposed SID would materially contravene the following objectives of the County Development Plan;

- CAEO-03, to achieve a reasonable balance between responding to government policy on renewable energy and in enabling the wind energy resources of the county to be harnessed in an environmentally sustainable manner;
- CAEO-05 to implement the Council’s Wind Energy Strategy so that windfarm developments are considered 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 and 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).

The PA is of the strong view that the proposal advocates a piece meal and opportunistic approach to the location of renewable energy developments which fundamentally undermines Co. Offaly’s established, plan led, spatial and strategic approach to wind energy development since its first County Wind Energy Strategy in 2009. Offaly has promoted and delivered wind energy developments in appropriate locations through a coherent, transparent and robust County Wind Energy Strategy, an approach in line with National Policy Objective 70 of the Revised NPF to “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”.

The Planning Authority notes that Section 15(1) of the Climate Action and Low Carbon Development Act 2015 requires relevant bodies to perform their functions in a manner consistent with climate objectives, including mitigating greenhouse gas emissions and adapting to climate change effects. The Planning Authority considers that the performance of the Offaly County Wind Energy Strategy is consistent with Section 15(1) of the Climate Action and Low Carbon Development Act 2015. County Offaly has already exceeded the target of 466MW contained within its operative County Development Plan since early 2026. Indeed, it should be noted the county's wind energy 'pipeline' (i.e. operational, granted, with planning or at pre-planning in the public domain) within the Areas Open for Consideration would represent c.11% of the National Climate Action Plan 2025 target, and over 40% of the NPF target for the EMRA area. Considering a piecemeal approach such as this would undermine the plan-led approach which continues to make Offaly the number 1 renewable electricity producer nationally for the months of January, March, May & June of this year (2026).

Chapter 5: Population and Health

This chapter examines the existing environment and addresses the likely significant effects on population and human health arising from the proposed development.

Population

Section 5.3 outlines that;

- Between 2011 and 2022, compared to the growth of the state population by 12.2% along with the growth of Co. Offaly at 8.4% and Tipperary by 5.76%, at the ED level, the overall population saw a modest increase of around 6%;
- In relation to population density, while the national average population density is 73.3 persons per square kilometre, and Offaly and Tipperary have lower averages of 41.6 and 39 respectively, apart from Birr Rural (66) the rural EDs are significantly below these averages;
- From using Geodirectory data, it is noted that there exists 237 residential properties, 18 commercial and 52 residential and commercial properties within 2 km of the subject site;
- The CSO Residential Property Price Index (RPPI) shows that the median price of residential properties sold in the R42 Eircode area in Birr County Offaly was €213,750 in May 2025. The national median was €370,000 in May 2025. A number of UK studies along with an Irish study are put forward showing different perspectives on the impact of windfarms on residential property prices in the area. Reference is also made to an SEAI National Survey from 2023 in relation to public perception of windfarms.
- The nearest primary school to the proposed wind farm site is Carrig National School, located approximately 1 km away. The next closest is Shinrone Mixed National School, situated about 3 km from the proposed wind farm site. Carrig and Riverstown GAA Club is located approximately 2 km from the subject site.
- Employment status and unemployment levels for the midland region and mid west region along with Co. Offaly and Co. Tipperary.
- Tourism statistics for Irelands Hidden Heartlands, Irelands Ancient East compared to equivalent figures for domestic and overseas visitors for 2023. It is stated that in Co. Offaly, the top attraction which is also fee-charging was Clonmacnoise (approximately 45 km from the proposed wind farm site) with 122, 718 visitors in 2023. Birr Castle Gardens and Science Centre sits at 2nd on the list of most popular attractions in County Offaly with 97,678 visitors in 2023.
- In terms of trails and cycleways²⁶, the closest routes to the proposed wind farm site are the Birr Cycle Hub Loop, which is located approximately 2.5 km to the east of the proposed wind farm site at its nearest point. This Loop runs from Birr town, towards Shinrone and loops back to Birr, it is approximately 46 km long. The Ormond Way walking trail is located approximately

5 km south-west of the proposed wind farm site at its nearest point, this trail is approximately 75 km long.

- A number of studies and reports are referred to in relation to a general positive tourist attitude to windfarms and public perceptions of wind energy.

Human Health

In terms of human health, Section 5.3.2 also considers available Irish health statistics and surveys, as well as a literature review of research carried out on the potential effects of wind farm developments on human health.

In relation to the assessment of effects, it is noted that;

Section 5.4.2.1 indicates in relation to the construction phase that overall, no significant effects are predicted on traffic, residential amenity and property values.

Section 5.4.2.2 considers it likely that there will be a long term, slight, positive residual effect on the local population and human health as a result of the proposed development, referring to the benefits from the provision of a clean renewable energy source, positive local economic effects and the establishment of a Community Benefit fund. It is stated that based on the literature reviewed and best practice guidance, there is currently no reliable evidence to link wind turbines to adverse health impacts. Every community will have vulnerable individuals; however, the health status of the community can only be established to certain level (i.e., small area statistics). Individual health status or potential vulnerability of individual receptors cannot be known or assessed. Emission limits and management, such as for noise or dust, allow for the protection of the most vulnerable, and so long as the limits are met, vulnerable individuals and the wider community are protected.

It is anticipated in Section 5.6.3 that residual effects on population and human health receptors associated with decommissioning works will be less than those identified for the construction phase, meaning there are no likely significant effects for the decommissioning phase.

PA Comments:

1. It is unclear how the authors arrived at the conclusion in Section 5.6.2 that the residual effects of the operational phase of the operational stage of the proposed development are expected to be positive on tourism.
2. In relation to the impact of renewable energy developments on tourism, it is noted that Fáilte Ireland surveys referred to in Section 5.4.2.2.6 are dated, from 2007 and 2012, in the context of the development of a greater number of and larger sized wind farms in certain parts of the country in recent years. In addition, it is not referenced in any of the studies what type of tourism visitors were engaging in i.e. cultural tourism, ecotourism, urban tourism etc, which is an important consideration with regard to the typical expectations of visitors.
3. The Planning Authority is concerned that the baseline section of this chapter is weighted towards the potential positive aspects of the proposed development rather than simply showing what exists in the study area before any development occurs. The section lacks;
 - (a) evidence of the typical specific economic and employment benefits felt locally in areas which have accommodated renewable energy developments to date rather than only referring to such benefits at a macro and national level.
 - (b) details in relation to local attitudes and perceptions to wind energy development in the study area, particularly any issues raised from public meetings or in the local media rather than relying solely on studies and reports at a macro and national level.

Chapter 6: Biodiversity

This chapter assesses the likely significant effects (both alone and cumulatively with other projects) that the proposed development may have on habitats, flora and fauna, and sets out the mitigation measures proposed to avoid, reduce or offset any potential significant effects that are identified.

Table 6-7 outlines the European and National Designated sites potentially connected to the subject site. It is noted that five source-pathway- receptor links are identified;

- Sharavogue Bog SAC;
- River Shannon Callows SAC
- River Little Brosna Callows NHA
- Sharavogue Bog pNHA
- Dovegrove Callows pNHA
- River Shannon Callows pNHA

In relation to effects on designated sites, Section 6.6.2.1 refers to the AA Screening Report conclusion which states that the proposed works, alone or in-combination with other plans or projects and in the absence of mitigation measure could have likely significant effects on the on the following European sites:

- Sharavogue Bog SAC
- River Shannon Callows SAC, but following the application of detailed mitigation measures, likely significant adverse effects will be avoided.

In relation to National sites, Section 6.6.2.2, no impacts are predicted subject to the implementation of mitigation measures outlined in the NIS.

Figure 6-3 from the EIAR (see below) shows European and National Designated sites within the vicinity of the site.

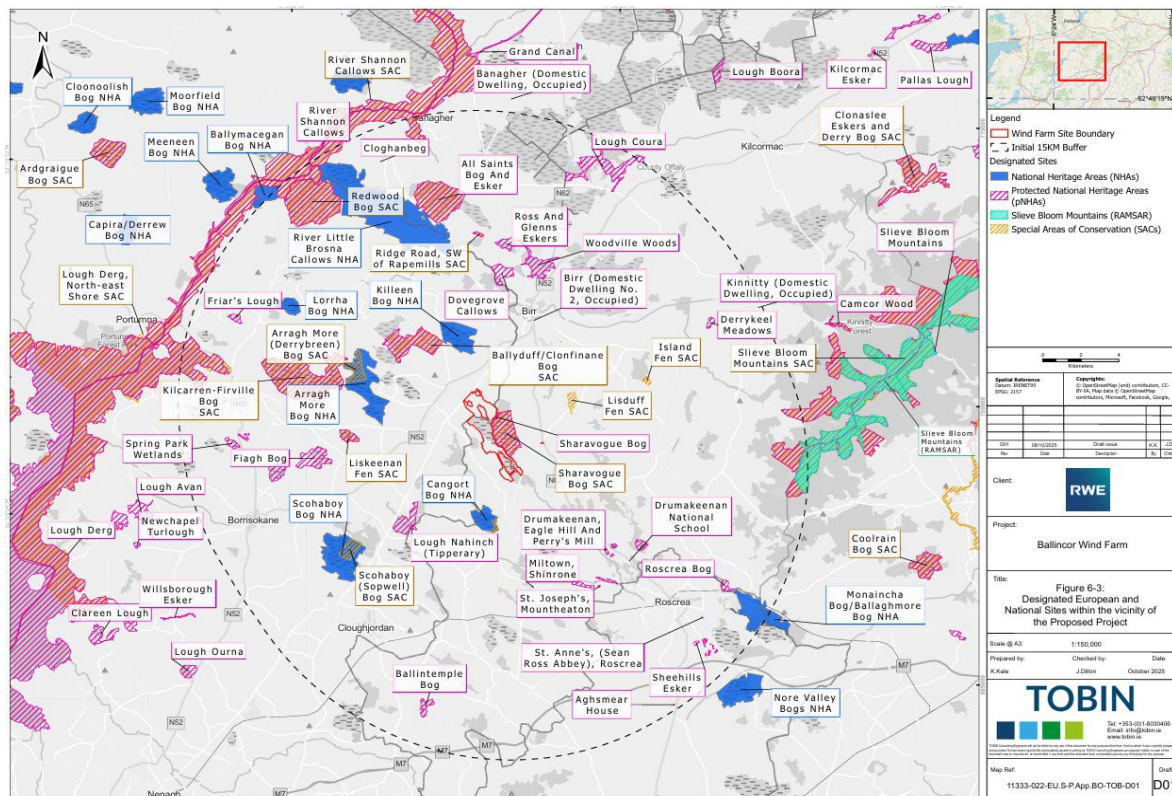


Figure 13: Designated European and National Designated sites within the vicinity of the subject site from Figure 6-3 of the EIAR

Figure 6-4A below shows the habitats recorded within the subject site. It is noted that most predominant habitats are dry meadows and improved agricultural grassland.

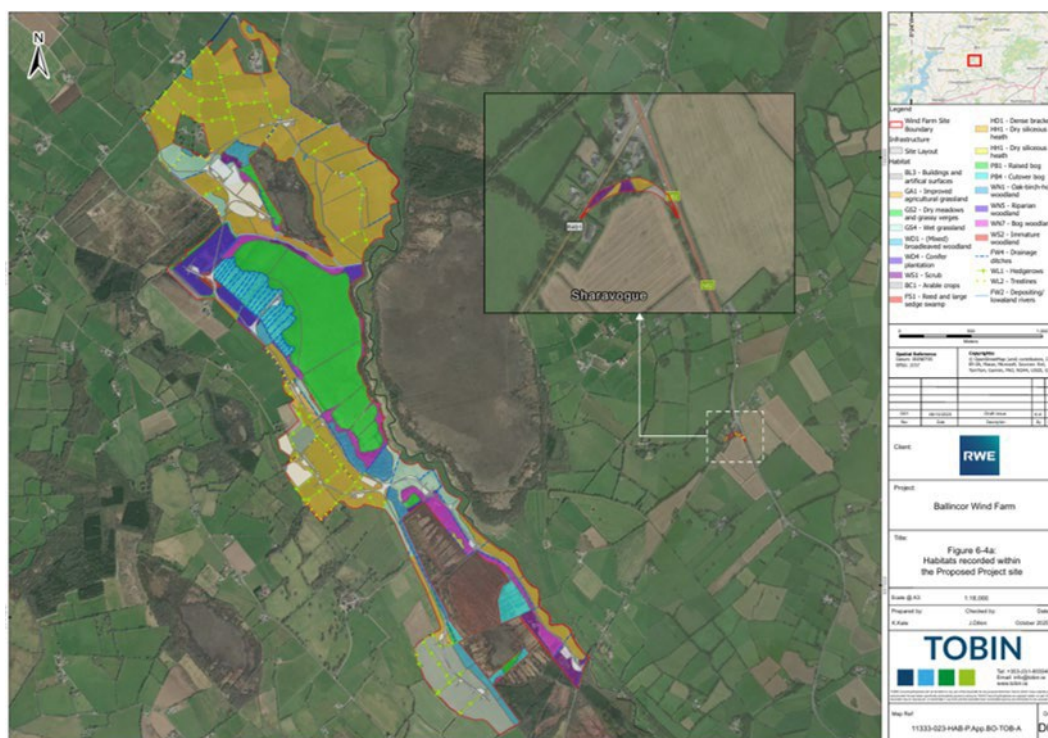


Figure 14: Habitats recorded within the subject site from Figure 6-4 of the EIAR

Section 6.6.3 outlines that the construction of the proposed project has the potential to cause habitat loss and habitat degradation effects. Table 6.18 details that the proposed project will result in permanent and temporary loss of 9.27ha and 2.3km of habitat determined to be ecologically beneficial. The loss of which will result in likely, permanent, negative, moderate to significant effects at a local geographic scale in the absence of mitigation and compensation measures.

It is noted also that Table 6-2 outlines that habitat degradation via water quality, invasive species spread and dust effects will potentially result in the degradation of surface water dependent habitats and/or plant species, the impact of this will result in likely, permanent, negative, slight to significant effects at a local geographic scale in the absence of mitigation.

Section 6.4 outlined evidence of badger setts throughout the site, along with evidence of otter (at four locations), moderate to high bat activity along with common frog (Local important - higher value), common lizard (Local important - higher value), Brown Trout, Stone Loach (Local important - higher value), Three-spined Stickleback (Local important - higher value), Nine-spine Stickleback (Local important - higher value), and Lamprey spp (Local important - higher value).

Section 6.6.3.2 outlines the potential construction phase impacts on these fauna from the construction phase of the proposed development outlining the effects from loss of habitat and disturbance/displacement. It is noted in this regard that the most significant effects are to occur to;

- Badgers - likely short term, significant negative effect on the Badger population, at a local geographical scale from disturbance/displacement;
- Otter – likely short term, not significant effect on the Otter population of local geographical importance from direct habitat loss and disturbance/displacement along with a long term, significant negative effect on otter foraging habitat from degradation of water quality;

- Bats – in the absence of mitigation, the loss of habitat from vegetation clearing will result in the ‘permanent negative effect’ on commuting and foraging bats at a local geographical scale.
- Lepidoptera Species – Section 6.6.3.3.2 states that “The cumulative effects of the direct habitat loss combined with indirect habitat degradation are likely to be profoundly negative and permanent, leading to the total loss of the local breeding population of Marsh Fritillary as well as the total loss of 0.32 ha of suitable Marsh Fritillary habitat, within the proposed wind farm site.”
- Aquatic Ecology – Table 6-21 outlines that significant negative short term effects from siltation are likely and significant negative long term effects from contamination are likely.

In relation to Section 6.6.4, the most significant potential impacts from the operational phase of the proposed development are in relation to;

- Collision Risk on bats – predicted to be ‘permanent, slight, negative’ in the absence of mitigation.

It is noted that;

- Table 6-22, Section 6.7 outlines the proposed mitigation measures for habitats and flora in relation to habitat loss and degradation, habitat degradation – air quality and habitat.
- Table 6-23, Section 6.7 outlines the proposed mitigation measures for Lepidoptera Species in relation to direct mortality and wet grassland habitat loss.
- Table 6-24, Section 6.7 outlines the proposed mitigation measures for aquatic species in relation to aquatic habitats – siltation and aquatic habitats – contamination.

The chapter concludes in Section 6.11 post implementation of the proposed mitigation and compensation measures, that the proposed project, either individually or cumulatively with other projects, will not result in significant effects on the environment and specifically biodiversity and will not have significant effects on biodiversity at any geographic scale.

It is noted in relation to marsh fritillary that;

- Pre-construction surveys will identify Marsh Fritillary larval webs within the wind farm site, particularly near the southern entrance compound and Turbine 8. Where possible, habitat will be avoided, and identified larval webs will be protected with temporary fencing. If avoidance is not possible, larval webs will be carefully translocated to nearby suitable GS4 wet grassland habitat containing Devil’s-bit scabious, under the supervision of an ECoW, ensuring the larvae remain unharmed. Translocations will take place in April, before caterpillars pupate, following pre-agreed routes to minimise disturbance.
- Additional mitigation includes vegetation management within construction areas to discourage Marsh Fritillary from laying eggs in affected zones, retention and management of wider habitat through mowing and controlled cattle grazing, and removal of encroaching scrub outside the bird breeding season. Devil’s-bit scabious will also be translocated to enhance the receiving habitat. Exclusion zones will be clearly fenced and signed, preventing access during construction. Post-construction monitoring will continue for up to ten years to assess larval web survival, habitat condition, and effectiveness of mitigation measures. Overall, these measures aim to limit habitat loss to 0.225 ha while enhancing 4.8 ha of surrounding wet grassland for long-term species conservation.

In relation to bats, it is noted that;

- Trees, scrub and hedgerows will be retained where possible during the construction phase and all trees to be felled will be inspected by an Ecological Clerk of Works (ECoW).

- To reduce the collision risk to bat populations, buffer zones of 100 m will be established and maintained around each turbine. Buffer zones are essentially areas where vegetation (such as hedgerows or trees) is removed as this vegetation might attract bats into the area.
- Mitigation measures during the operational phase to reduce the collision risk will include: feathering of the wind turbine blades to prevent the blades from freewheeling during low wind conditions; and raising the cut-in speed (the minimum wind speed at which the turbine starts to operate) by 1.5 m/s at the high-risk turbines. Monitoring will also be undertaken for a minimum of three years from the first year of operation to determine the effectiveness of the curtailment program.

PA Comments:

1. The Planning Authority notes with concern the predicted impact of the proposed development on Marsh Fritillary are likely to be profoundly negative and permanent, having regard to its inclusion on Annex II. The applicant should be requested to confirm that the loss or disturbance of occupied habitat will not adversely affect the conservation status of the species at a local or regional scale.
2. Having regard to the predicted likely significant effects on aquatic ecology from siltation and contamination, the Planning Authority queries the conclusion from Section 6.6.3.6.4 that “the potential likely effects during the Construction Phase of the proposed wind farm from water abstraction are appraised as neutral and imperceptible to aquatic ecology”.
3. Having regard to the recording of High collision-risk species including Leisler’s Bat, Common Pipistrelle, Soprano Pipistrelle and Nathusius’ Pipistrelle at the proposed wind farm site, the Planning Authority queries the conclusion of Section 6.6.4.2.2 that the permanent effects on these species are only ‘slight, negative’ in the absence of mitigation.
4. The Planning Authority notes the subject site contains peatland habitats, including raised bog and cutover bog that are hydrologically connected to the Little Brosna River, Sharavogue Bog SAC and The Shannon Callows SAC/SPA. The applicant should be requested to demonstrate that impacts from peat extraction, drainage works and water crossings will not extend beyond the immediate project site.

Chapter 7: Ornithology

This chapter evaluates the potential significant effects of the proposed project on bird species. This assessment considers both the direct effects of the wind farm and supporting infrastructure including works along the proposed TDR, as well as cumulative impacts in combination with other projects.

Table 7-9 outlines Internationally Designated Conservation Sites Potentially Connected with the Proposed project in relation to ornithology. It is noted that five source-pathway- receptor links are identified;

- Dovegrove Callows SPA
- River Little Brosna Gallows SPA
- Lough Derg (Shannon) SPA
- Middle Shannon Callows SPA
- River Little Brosna Callows NHA
- Sharavogue Bog pNHA
- Dovegrove Callows pNHA.

It is noted from Section 7.4.2 that a total of 98 species were recorded during the breeding and wintering bird surveys conducted within the study areas between 2020 and 2026. A full list of species of birds is contained in Table 7-12.

Table 7-15 outlines Potential Effects of Habitat Loss During the Construction Phase on Key Ornithological Receptors as a Result of the Proposed project. It is noted that the most significant effects are as follows;

- Barn Owl - Long term, slight negative effects
- Black-headed Gull - Long term, slight negative effects
- Black-tailed Godwit - Long term, slight negative effects
- Cormorant - Long term, slight negative effects
- Golden Plover - Long term, slight negative effects
- Hen Harrier- Long term, slight negative effects
- Kestrel- Long term, slight negative effects
- Lapwing - Long term, slight negative effects
- Pintail- Long term, slight negative effects
- Snipe- Long term, slight negative effects
- Teal- Long term, slight negative effects
- Wigeon- Long term, slight negative effects.

Table 7-16 outlines Potential Effects of Habitat Degradation, due to surface water quality, air quality and the spread or introduction of invasive alien species during the Construction Phase on Key Ornithological Receptors as a Result of the Proposed project. It is noted that the most significant effects are as follows;

- Black-headed Gull - Long-term, Slight negative effect
- Black-tailed Godwit - Long-term, Moderate negative effects
- Cormorant - Long-term, Moderate negative effects
- Golden Plover- Long-term, Moderate negative effects
- Hen Harrier - Long-term, Slight negative effect
- Lapwing - Long-term, Slight negative effect
- Little Egret- Long-term, Slight negative effect
- Pintail - Long-term, Moderate negative effects
- Snipe - Long-term, Slight negative effect
- Teal - Long-term, Moderate negative effects
- Whooper Swan - Long-term, Moderate negative effects
- Wigeon - Long-term, Moderate negative effects

Table 7-17 assesses the Potential Effects of Disturbance/Displacement During the Construction Phase on Key Ornithological Receptors as a Result of the Proposed project. It is noted that all the effects are deemed to be short term ranging from 'Slight to imperceptible negative' to 'moderate negative'.

Table 7-18 assesses the Potential Effects of Disturbance/Displacement and Barrier Effects During the Operational Phase on Key Ornithological Receptors as a Result of the Proposed project.

It is noted that the most significant effects are as follows;

- Barn Owl: Long term, moderate negative effects
- Black-Headed Gull: Long term, moderate negative effects
- Black-Tailed Godwit: Long term, moderate negative effects
- Buzzard: Long-term, Slight negative effects
- Cormorant: Long term, moderate negative effects
- Golden Plover: Long term, moderate negative effects
- Hen Harrier: Long term, moderate negative effects
- Kestrel: Long-term, Slight negative effects
- Lapwing: Long term, moderate negative effects
- Lesser Black-backed Gull: Long term, slight negative effects

- Little Egret: Long-term, Slight negative effects
- Mallard: Long-term, Slight negative effects
- Merlin: Long-term, Slight negative effects
- Mute Swan: Long-term, Slight negative effects
- Peregrine Falcon: Long-term, Slight negative effects
- Pintail: Long term, moderate negative effects
- Snipe: Long-term, Slight negative effects
- Teal: Long term, moderate negative effects
- Whooper Swan: Long term, moderate negative effects
- Wigeon: Long term, moderate negative effects.

It is noted from Section 7.6.4.2 that an Avian collision risk with turbines was modelled for the operation phase of the proposed project, based on the results from the vantage point surveys during the field study. The collision risk assessment concludes that no likely significant effects can be expected from the proposed project. Furthermore, the collision risk with other elements of the proposed project (e.g. meteorological mast) also indicates that no likely significant effects due to collision are to be expected.

In relation to mitigation, the following measures are proposed in Section 7.2;

- During the construction phase, a CEMP (which includes pollution, sediment, and erosion control measures) will guide environmental protection.
- A qualified Ecological Clerk of Work (ECoW) with ornithological expertise will oversee the implementation of these mitigation measures.
- Pre-construction surveys will be conducted between the months of April and July, to inform site clearance activities.
- Any removal of scrub vegetation during the construction phase will be undertaken outside the bird breeding season (1 March and to 31 August), however where programme or site constraints (e.g. safety concerns or adverse weather) require works to be undertaken during the breeding season, no vegetation clearance will take place unless a pre-construction nesting bird survey has been carried out by the ECoW.
- Works in proximity to the Little Brosna are further restricted to outside of the wintering period (October to March inclusive) to mitigate the disturbance of sensitive species that utilise this habitat over winter unless unforeseen circumstances require work outside this period where surveys will be taken by the ECoW.
- Habitat management of areas located at least 500 metres from proposed turbines to reduce collision risk.
- A Bird Monitoring Programme will be implemented to protect local and migratory bird species during the construction and operation of the wind farm.

It is noted that Section 7.10 concludes that, with the full implementation of the mitigation measures, no likely significant effects are expected from the proposed project, during the construction, operation and/or decommissioning phases.

Section 7.12 details existing wind farms that may have a cumulative effect combined with the proposed development.

PA Comment:

1. Given that no hen harrier surveys were undertaken during the 2022 breeding season and winter roost surveys were only undertaken in 2025/2026, the Planning Authority is concerned that roosting use of the subject site by Hen Harriers, an Annex I species, cannot be ruled out.

2. The Planning Authority is concerned that a robust assessment of the functional importance of habitats within the subject site in supporting SPA-associated wading bird species, including Golden Plover and Lapwing, has not taken place.
3. There is a particular need to protect and strengthen bat populations, including roost sites, commuting corridors and foraging areas. The fragmentation of linear landscape features such as hedgerows, drains and treelines, in conjunction with turbine placement, has the potential to create barrier effects and disrupt established bat movement patterns, contrary to the requirements of the Habitats Directive and associated national legislation.
4. The Planning Authority is concerned in relation to
 - (a) barrier effects arising from turbine arrays, which may alter established flight lines, displace birds from suitable foraging and breeding habitats, and increase energetic costs, particularly for migrating species;
 - (b) Disturbance and displacement effects, including the potential abandonment of roosting, nesting or foraging habitats.
 - (c) Loss or degradation of functionally important habitat, including winter roost sites and potential breeding habitats.
5. The applicant must demonstrate full compliance with international best practice in avoiding, reducing and mitigating bird strike risk, including robust collision risk modelling that incorporates cumulative and in-combination scenarios, particularly in light of increasing wind energy development across the County and in the Midlands. This is particularly important given the evolving landscape context and the likelihood of increased pressure on migratory corridors.
6. In addition, a comprehensive, enforceable, and adequately resourced long-term monitoring and adaptive management programme must be provided, covering the full operational lifetime of development. This should include triggers for corrective action where unforeseen impacts arise, in line with best practice.
7. In the context of emerging obligations under the EU Nature Restoration Law, any development not directly contributing to habitat restoration must be subject to the highest level of scrutiny. A precautionary approach is required, ensuring that the integrity, connectivity, and recovery potential of the wider bog and wetland landscape are not compromised.

Chapter 8: Land, Soils and Geology

This chapter of the EIAR assesses the effects of the proposed project on the land, soils and geological environment.

The available desktop information and geotechnical site investigations undertaken for the proposed project have been used in Section 8.3 to establish the baseline conditions for Land, Soils and Geology, and to inform the impact assessment for the proposed project. The highest points are found in the west areas, while the areas along the Little Brosna river and to the northwest corner has the lowest elevation. The proposed wind farm study area predominantly consists of agricultural land, cutover peat and mixed forestry. Peat and alluvial sediments is present on the eastern half of the proposed wind farm with till soils located to the west. The site is underlain by a poorly productive aquifer.

Section 8.4 details the likely effects from the proposed development. It is noted that;

- Three locations within the proposed wind farm site will be used as borrow pits for extracting material. There are no effects anticipated on mineral/aggregate resources along the proposed GCR or proposed TDR.

- Construction phase activities of the proposed project will require earthworks, resulting in the removal of vegetation cover, topsoil and mineral subsoil. Incorrect site management of earthworks and excavations could potentially lead to pollution of the land, soils and geology environment, owed to potential leaks and spills from construction phase activities.
- Occasionally, during the operational phase, machinery will access the proposed wind farm for maintenance of access tracks, substation/BESS and turbines. The presence of machinery on the proposed wind farm site has the potential to result in minor accidental leaks or spills of fuels/ oils contaminating the soils and subsoils.

Table 8-6, 8-7 and 8-8 give a summary of the effects of the proposed development during the construction, operational and decommissioning phases of the proposed development.

Table 8-6: Summary of likely effects of proposed project during the construction phase

Environmental Attribute	Potential Effects– Construction	Significance
Geological heritage sites	None as no geological heritage site within the proposed wind farm site. One section of Esker IGH mapped along GCR however only excavations are in the public road	Not Significant
Land Use	Temporary too long term loss of soils –Not Significant, direct effects	Not Significant
Contaminated sites/Potential for contamination	Slight/not significant, localised, short term	Not Significant
Mineral/Aggregate Resources	Not significant, long term effect	Not Significant
Soil Compaction and erosion	The potential effect on land soils and geology is negative, certain, direct, not significant and long term.	Not Significant
Geohazards/Peat and Soil Stability	No karst feature. Peat and soft sediments present and assessed via PSRA. Potential effects are long term, negative, not significant, direct and indirect, very low probability.	Not Significant

Table 8-7: Summary of likely effects of proposed project during the operational phase

Environmental Attribute	Potential Effects – Operational	Significance
Geological heritage sites	Neutral - None as no geological heritage site are affected.	Not Significant
Land Use	Imperceptible, certain, direct and long term.	Not Significant
Contaminated sites/Potential for contamination	Imperceptible, unlikely, negative, direct and long term.	Not Significant
Mineral/Aggregate Resources	Slight, certain, direct and long term.	Not Significant
Soil Compaction and erosion	Slight to Not significant, certain, permanent and negative.	Not Significant
Geohazards/Peat and Soil Stability	Long term, negative, imperceptible, direct and indirect, very low probability.	Not Significant

Table 8-8: Summary of likely effects of proposed project during the decommissioning phase

Environmental Attribute	Potential Effects –Decommissioning	Significance
Geological heritage sites	None as no geological heritage site affected	Not Significant
Land Use	Slight, certain, direct and long term.	Not Significant
Contaminated sites/Potential for contamination	Not significant, certain, direct and long term.	Not Significant
Mineral/Aggregate Resources	Imperceptible, certain, direct and long term.	Not Significant
Soil Compaction and erosion	Imperceptible, certain, direct and long term.	Not Significant
Geohazards/Peat and Soil Stability	Long term, negative, imperceptible, very low probability.	Not Significant

Section 8.5 outlines the following mitigation measures;

- Excavation works will be monitored by a suitably qualified and experienced geotechnical engineer or engineering geologist. The earthworks will not be scheduled to be carried out during severe weather conditions.
- Cutover peat located in low lying areas to the eastern section of the proposed wind farm site and will be used to reinstate the borrow pits and for habitat enhancement. The geological hazards based on the peat stability risk assessment are low. No contamination were identified on the proposed project and it is therefore considered as low sensitivity. The primary risks to soils arise from potential hydrocarbon spillage and leakages.
- Oil storage will be required at several fixed and mobile locations around the proposed wind farm site. Fuel and oil storage and handling requirements will be as detailed for construction, with fuel and oil storage located within permanent covered bunds.

It is stated also that a Construction Environment Management Plan (CEMP) has been developed and can be viewed in Appendix 2-3.

Section 8.6 states that the replacement of natural soil, subsoils, and rock with gravels and concrete for the construction of the infrastructure (temporary and permanent) will result in a change in ground conditions within the proposed wind farm site and study area. Overall, due to the relatively low sensitivity of the land, soils and geology conditions locally, the residual effect is deemed not significant and neither permanent nor negative while the residual effect in relation to peat stability will be not significant, short-term, negative and will be localised to excavations carried out during the construction, operational and decommissioning phases.

Chapter 9: Hydrology and Hydrogeology

In relation to the receiving environment, Section 9.3 outlines that;

- the subject site is located in the Little Brosna subcatchment. Within the proposed wind farm site, two primary streams have been identified: the Little Brosna to the east, flows northward to Birr, and the Holy Well Clohaskin Stream, flows eastwards through the site to the Little Brosna.
- The Little Brosna _030 , the Little Brosna _040 and the Little Brosna_050 are classified as having moderate status in EPA monitoring since 1987 while the Little Brosna_060 is classified as having good status.
- In relation to EPA mapping of waterbodies and their risk of meeting WFD objectives by 2027, the Little Brosna_040 and the Little Brosna_050 are 'at risk' of not meeting the WFD objectives. Conversely, the Little Brosna _030 and the Little Brosna _060 are 'not at risk ' of meeting the WFD objectives.

- All streams within the wind farm site are slow flowing lowland streams. The Holy Well Clohaskin Stream is partially channelised (deepened) and straightened in places. All watercourses within the proposed wind farm site are of low gradient.
- Reference to the GSI National Aquifer Map of the study area, indicates that the proposed wind farm site is predominantly underlain by a Locally Important Aquifer (LI)- Bedrock which is Moderately Productive only in Local Zones with a small proportion to the north of the proposed wind farm site underlain by a Regionally Important Aquifer (Rkd) - Karstified (diffuse).
- The subject site is located primarily within the Shinrone groundwater body (GWB).
- The groundwater vulnerability throughout the proposed wind farm site is predominantly classified as Moderate with areas of High and Extreme vulnerability where bedrock is at or within 1m of the surface, particularly to the north of the proposed wind farm site in the vicinity of T1.

Table 9-16, 9-17 and 9-18 give a summary of the effects (pre-mitigation) of the proposed development during the construction, operational and decommissioning phases of the proposed development.

Table 9-16: Significance of Hydrological Effects - Construction Phase (Pre mitigation)

Criteria	Description	Sensitivity	Magnitude	Significance of potential effect (pre mitigation)
Surface Water Flow	Potential increase in surface water runoff may be caused by impermeable areas on the proposed wind farm and give rise to a slight increase in surface water flow locally but is expected to have a negligible effect on the volumetric flow rate of downstream rivers.	Low	Low Magnitude	Short term and unlikely, Not Significant to Slight negative
Surface Water Quality	No significant decrease in water quality is expected. Potential for minor spills of fuels and concrete.	Medium to High	Low Magnitude	Short term, unlikely Slight negative
Groundwater Flow	Potential alteration of groundwater flow to one on site well. Limited excavations on GCR/TDR	Low to Medium	Low Magnitude	Short term, unlikely Not Significant to Slight negative
Groundwater Quality	Potential for minor spills of fuels and concrete. No significant reduction in groundwater quality is expected on the proposed wind farm site. Limited excavations on GCR/TDR. Potential temporary (1-2 days) increase in turbidity at Ballyloughane boreholes.	Medium	Low Magnitude	Temporary to Short term, likely Slight to Moderate (GCR) negative

Table 9-17: Significance of Hydrological Criteria - Operational Phase (Pre mitigation)

Criteria	Description	Sensitivity	Magnitude,	Significance of potential effect (pre mitigation)
Surface Water Flow	Increased surface runoff caused by impermeable areas on the proposed wind farm may give rise to a slight increase in surface water flow rate of downstream rivers.	Low	Low to Negligible	Long term and rarely, Not Significant Slight (Not Significant) negative
Surface Water Quality	No significant decrease in water quality is expected. Site infrastructure and SuDS will remain in place during the operational phase	Medium to High	Negligible	Long term and unlikely, Not Significant negative
Groundwater Flow	No significant alteration in groundwater flow.	Low to Medium	Negligible	Not Significant negative
Groundwater Quality	No significant effects on groundwater quality.	Medium	Negligible	Not Significant negative

Table 9-18: Significance of Hydrological Criteria - Decommissioning Phase (Pre mitigation)

Criteria	Description	Sensitivity	Magnitude	Significance of potential effect (pre mitigation)
Surface Water Flow	Decommissioning on the proposed wind farm may give rise to a slight increase in surface water flow locally but is expected to have a slight potential effect on the volumetric flow rate of downstream rivers. Limited excavations proposed during the decommissioning phase	Low	Low to Negligible effect	Temporary to Short term and unlikely, Not Significant to Slight (Not significant) negative
Surface Water Quality	A slight, temporary to short terms increase in sediment locally but is expected to have a slight potential effect on the downstream rivers. Limited excavations proposed during the decommissioning phase	Medium to High	Low to Negligible	Temporary to short term and unlikely, Slight (Not significant) negative
Groundwater Flow	No significant alteration in groundwater flow. Limited excavations proposed during the decommissioning phase	Low to medium	Negligible	Long term and unlikely, Not Significant
Groundwater Quality	No significant effects on groundwater quality. Limited excavations proposed during the decommissioning phase	Medium	Low to Negligible	Long term and unlikely, Not Significant

Section 9.5 details the following mitigation measures:

- During the construction phase, all works associated with the construction of the proposed project will be undertaken in accordance with the guidance contained within CIRIA Document C741 'Environmental Good Practice on Site' (CIRIA, 2015).
- The dewatering operations will be inspected each day when dewatering is taking place to ensure that dewatering treatment controls are working correctly and to evaluate whether there are observable indicators of sediment discharges. Where any issues are encountered, action will be undertaken to correct any problems at the proposed project or with the dewatering controls that may have contributed to the discharges.
- All associated tree felling will be undertaken using good working practices as outlined in the Forestry Report (contained in Appendix 2-8) and the CEMP (contained in Appendix 2-3), the Forestry Harvesting and Environment Guidelines (Forestry Service, 2000) and the Forestry and Water Quality Guidelines (Forestry Service, 2000).
- Regular monitoring of groundwater (levels and quality) will take place using existing monitoring boreholes during the construction phase. The existing groundwater well on site will be monitored on site during construction and for a period following cessation of construction activities (to be agreed with the relevant authorities).
- A programme of inspection and maintenance of silt control measures will be designed and dedicated construction personnel assigned to manage this programme. A checklist of the inspection and maintenance control measures will be developed, and records kept.

Section 9.8 concludes that; *“Overall, the development of the proposed project will not have a significant negative effect on the hydrological or hydrogeological environment based on the design and mitigation measures that will be put in place and managed appropriately throughout the proposed project. The principal risks associated with hydrological, or hydrogeology are the management of soils, particularly with regard to the generation of silty waters, and the loss of construction and operational materials (concrete, fuel and oil, etc) to water. It is expected that these risks can be fully mitigated through the adoption of construction and operational good practice.”*

Chapter 10: Air Quality

This chapter comprises an assessment of the likely effect on local air quality associated with the proposed project.

Figure 10.2 shows sensitive receptors within 250 metres of the proposed grid connection and turbine delivery route.

In relation to the assessment of effects, it was determined that following the implementation of dust mitigation measures detailed in Table 10-10 in Section 10.7, the residual effect of fugitive emissions of dust and particulate matter from the site will be short-term, direct, localised, negative and not significant in nature and will pose no nuisance at nearby human receptors and sensitive designated habitats. It is stated in Section 10.7.2 that these mitigation measures have been incorporated into the overall Construction Environmental and Management Plan for the subject site.

Section 10.6.3 states that the generation of electricity due to the installation of the wind farm will lead to indirect net savings in terms of nitrogen oxides (NOx) emissions. The minimum supply of 178 GWh of renewable electricity to the national grid will lead to a net saving in terms of NOx emissions which may have been emitted from fossil fuels to produce electricity, and will therefore have a positive impact of on Ireland's obligations under the National Emissions Reduction Directive. This is considered an indirect, long-term, slight, positive effect on air quality.

In relation to cumulative effects, following consideration of planned and permitted projects within 500 metres of the site as outlined in Table 10-12, Section 10.9 concludes that with appropriate mitigation

measures in place, the likely cumulative impacts on air quality associated with the construction and decommissioning phases of the proposed project is short term, direct, negative and not significant.

Chapter 11: Noise and Vibration

This chapter assesses the likely significant environmental noise and vibration effects of the proposed project.

The authors outline in Section 11.3.2.6.6 that the Wind Energy Development Guidelines published by Department of the Environment, Heritage, and Local Government in 2006 provide for the following noise criteria curves at Noise Sensitive Locations:

- An appropriate absolute limit level in the range of 35 – 40 dB LA90 for quiet daytime environments with background noise levels of less than 30 dB LA90,10min;
- 45 dB LA90,10min or a maximum increase of 5 dB above background noise (whichever is higher), for daytime environments with background noise levels equal to or greater than 30 dB LA90,10min and;
- 43 dB LA90,10min for night time periods or a maximum increase of 5 dB above background noise (whichever is higher).

The authors also refer in Section 11.3.2.6.9 to the relevant provisions of the World Health Organisation (WHO) Noise Guidelines for the European Region.

Section 11.4.2 refers to the undertaking of a background noise survey to establish typical background noise levels at representative NSLs surrounding the proposed wind farm site. The background noise survey was conducted through installing unattended sound level meters at 7 no. representative locations in the surrounding area. Figure 11-2 shows the location of selected noise monitoring locations.



Figure 15: Noise Monitoring Locations as per Figure 11-2 of the EIAR

To inform the noise impact assessment;

- Table 11-10 in Section 11.5.1.1 outlines existing baseline and background noise levels in the receiving environment. This was achieved through simultaneous wind measurements and noise monitoring over several weeks, capturing noise levels across a representative set of wind speeds and directions.
- Table 11-11 in Section 11.5.1.1 outlines proposed noise criteria curves at each of the NMLs at wind speeds between 3 and 9 m/s.

In relation to the assessment of effects, it is noted that Section 11.6.2 and 11.6.3 outlines that the proposed project is expected to comply with the noise and vibration criteria during the construction and decommissioning phases of the proposed development. Section 11.6.4 predicts based on the proposed site layout and the details of turbine noise emissions, hub height, and tip height for the range of turbine types considered in the assessment, that at the location H010 a potential exceedance of 0.2 dB of the criterion is predicted at ≥ 7 m/s for the N163 turbine in northeasterly wind directions.

In relation to mitigation measures and the type of turbine to be located at H010, the Nordex N163, Section 11.7.2.1 states that the subject turbine can be programmed to run in reduced modes of operation (or low noise modes) to achieve the required attenuation in specific wind conditions (i.e., wind speed and direction).

Section 11.7.1 states that subject to good working practices outlined in the CEMP, the assessment has confirmed that noise and vibration from construction and decommissioning activities are predicted to be below the recommended threshold values at all Noise Sensitive Locations (NSLs). It is stated in Section 11.7.3 that prior to the commissioning of the project, the developer will submit a Noise Compliance Monitoring Programme (NCMP) to the planning authority for written agreement. The NCMP will include a detailed methodology for noise measurements, the frequency of monitoring, procedures for recording results and a protocol for managing complaints. A Draft Protocol for Managing Complaints is presented in Appendix 11-9.

It is noted that Section 11.8.1 states that during the construction phase of the project, there will be some impacts on nearby NSLs due to noise emissions from site traffic and other construction activities. However, given the distances between the main construction works and the NSLs, the short-term duration of the construction phase, and the assessment's findings that the expected noise and vibration emissions will be below the identified threshold and limit values, the impacts will not be significant.

In relation to wind turbine noise levels, Section 11.8.2.1 states that as the residual turbine noise levels associated with the proposed project will be within best practice noise criteria curves recommended in line with Irish guidance 'Wind Energy Development Guidelines for Planning Authorities', it is not considered that a significant effect is associated with the project. Section 11.8.2.2 outlines that there are no likely significant effects from the operation of the fixed plant items, substation and BESS, of the proposed project.

It is noted that Section 11.9 concludes the cumulative effects of the proposed wind farm with the existing operational Lacka and Skehanagh Wind Farms and permitted Carrig Renewables (AIR) Wind Farm is not deemed to be significant.

PA Comment:

1. Expert review of this chapter of the EIAR is recommended noting the projected noise and existing baseline noise levels.

Chapter 12: LVIA

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

Section 12.3 outlines the existing environment stating;

- The study area is largely made up of a relatively gentle rolling landscape except in the south and east of the study area;
- Lackagh Wind farm is located 2.7 km southwest of the subject site;

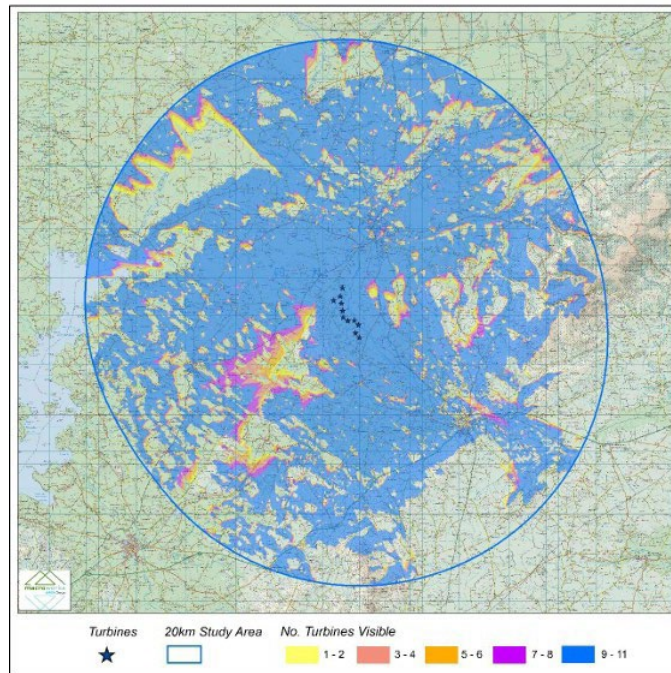


Figure 16: ZTV Map as per Figure 12.7 of the EIAR

Following a ZTV analysis, 27 viewpoint locations are included in Table 12-6 of the EIAR, which are a combination of;

- Key Views (from features of national or international importance);
- Designated Scenic Routes and Views;
- Local Community views;
- Centres of Population;
- Major Routes; and
- Amenity and heritage features.

The viewpoint locations are shown below in Figure 12.10 from the EIAR.

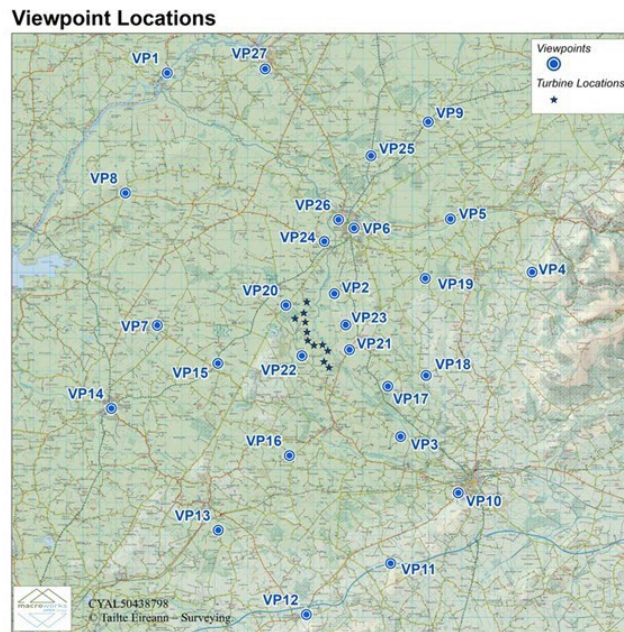


Figure 12.10 Viewpoint location map

Figure 17: Viewpoint location maps as per Figure 12.10 of the EIAR

Section 12.4.2.2 deems the magnitude of construction stage landscape effects within the site and its immediately surrounding context to be low and of a Negative quality, but of a short term duration. Beyond 5km from the site, the magnitude of landscape impact is deemed to reduce to Low and Negligible at increasing distances as the construction activities relating to the proposed project becomes a proportionately smaller component of the overall landscape fabric.

In relation to the operational phase effects on landscape character, Section 12.4.3.2 deems the magnitude of the landscape impact to be High-medium for the site and its immediate surrounds (<1km) reducing to Medium for the remainder of the Central Study Area. Beyond 5km from the site, the magnitude of landscape impact is deemed to reduce to Low and Negligible at increasing distances as the wind farm becomes a proportionately smaller and more familiar component of the overall landscape fabric (not significant).

Section 12.4.3 determines that the construction stage visual impacts in the immediate vicinity of the site will be no greater than 'Substantial-moderate' and 'Moderate' and will reduce considerable beyond 1 km from the site, where the proposed construction works will be more heavily screened. As a result, construction stage visual impacts are considered to be 'Not Significant'.

Table 12-7 in Section 12.4.3.3 provides an assessment on the significance of the visual effect on each of the 27 viewshed reference points (VRPs).

It is noted that Table 12-7 states that the most significant visual effects are experienced at the following VRPs;

VRP No.	Distance to nearest turbine km	Visual receptor Sensitivity (see appendix 12.1)	Visual Impact Magnitude	Significance of Visual effect
VP17	3.7	Medium	Medium-low	Moderate-slight / Negative/ Long-term
VP20	1.0	Medium-low	High	Substantial-moderate/ Negative/ Long-term

VP21	1.3	Medium-low	High-medium	Moderate/ Negative/ Long-term
VP22	1.0	Medium-low	High-medium	Moderate/ Negative/ Long-term
VP23	1.9	Medium-low	High-medium	Moderate/ Negative/ Long-term

The determination of visual effects at the remaining VPs ranged from 'Imperceptible / Neutral / Long-term' to Slight / Neutral-Negative/ Long-term' to 'Slight/ Negative/ Long-term'.

In relation to 'Local Community Viewpoints', the authors consider that although there will be some notable negative impacts from the Local Community receptor locations (VP 17, VP 20, VP21, VP22 and VP23), these are Not Significant.

Four VRPs were selected specifically in relation to designated scenic route / view receptors; VP1 at Meelick Harbour, VP4 at Clonlee, VP5 from the R440 at Ballinree and VP8 from the R489 at its junction with L5052 local road. The visual effects at these locations were deemed to be Not Significant.

It is noted that the author is satisfied that the visual effects at Centres of Population, Major Routes, Amenity and Heritage Features and nighttime following its assessment is 'Not Significant'.

Section 12.5 states in relation to mitigation that the two main forms of landscape and visual mitigation employed were:

- Mitigation by avoidance and design
- Buffering of Residential Receptors.

Section 12.7 'Cumulative Effects' refers to an existing windfarm at Lacka (2.5 km from the site), Derrinlough and Cloghan along with permitted windfarms at Cush and Carrig and includes a map in Figure 12.2 showing the cumulative visual impact of the subject site with other windfarms in the wider area.

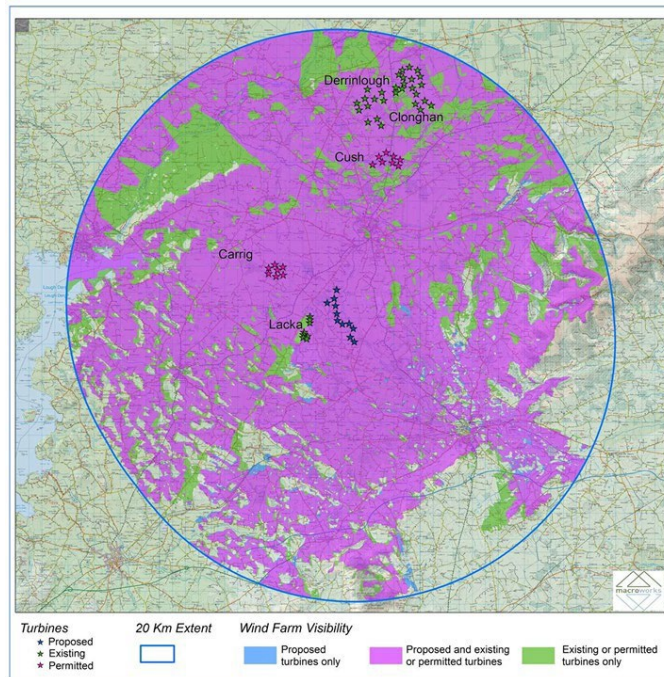


Figure 18: Cumulative ZTV Map as per Figure 12.12 of the EIAR

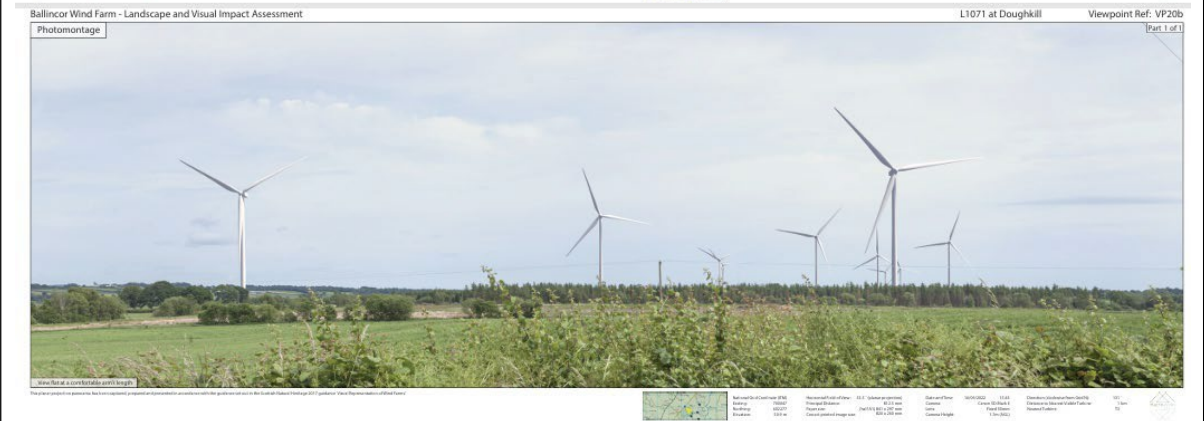
It is stated that from a cumulative visual impact perspective, the proposed project is only seen in combination with the existing Lacka Wind Farm in a modest number of the representative viewpoints used for the visual impact assessment and that the magnitude of cumulative impact is deemed to be 'Low'.

PA Comment:

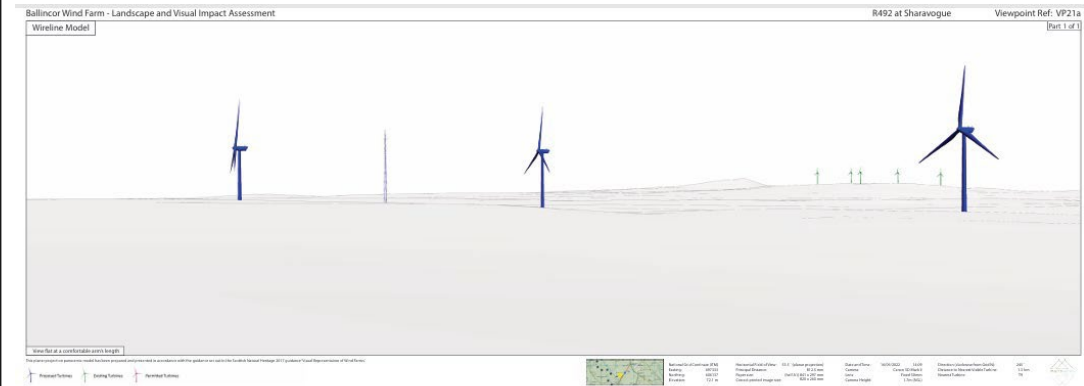
1. The Planning Authority considers that the proposed wind turbines will be significant and dominant features in the landscape. The Planning Authority, in particular, having regard to the proximity, orientation and exposure of a significant number of dwellings in the area to the proposed turbines, strongly disagrees with the conclusions contained in Section 12.4.3.3 of the EIAR that the visual effects on 'Local Community Viewpoints', apart from some notable negative impacts from the Local Community receptor locations (VP 17, VP 20, VP21, VP22 and VP23), are 'Not Significant'.

An Coimisiún Pleanála is requested to note the below Photomontages included in the LVIA Photomontages Book 2 which accompany the EIAR, showing the appearance of the proposed turbines from local roads and dwellings in the area.

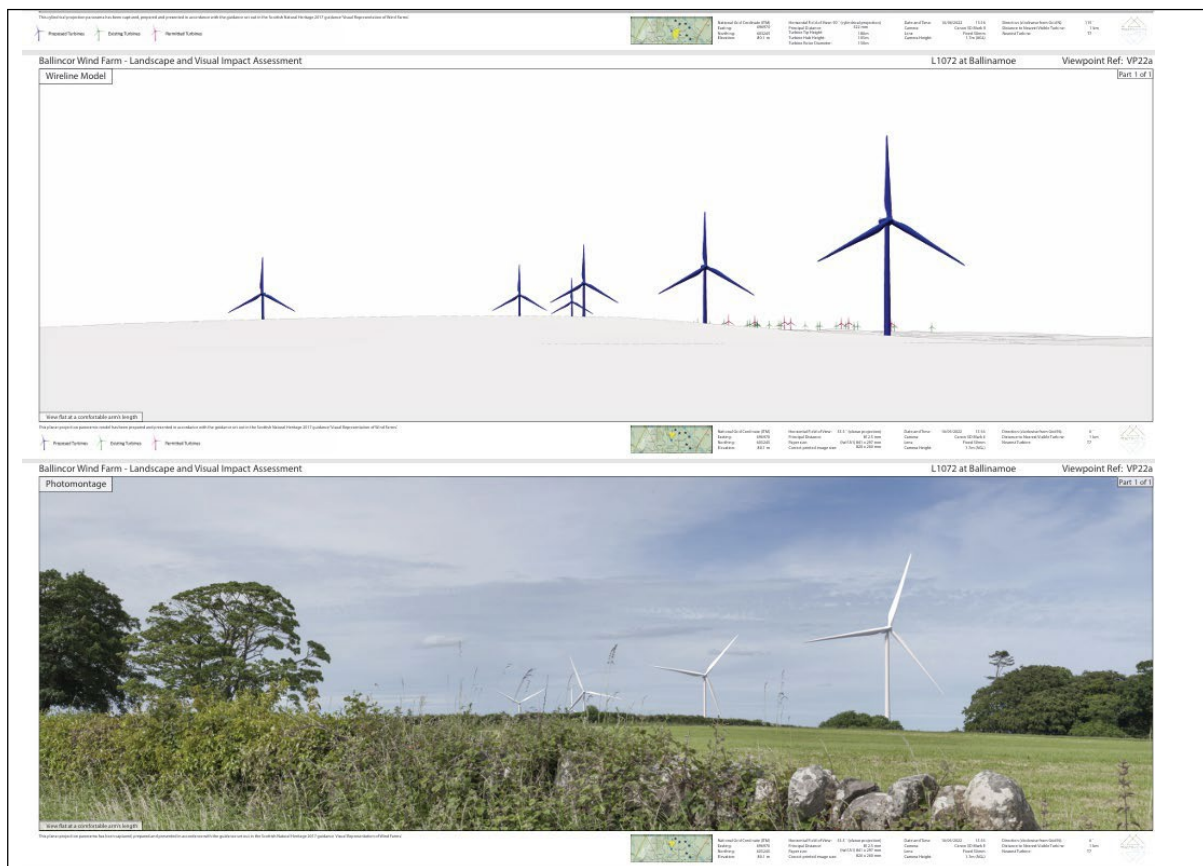
VP 17



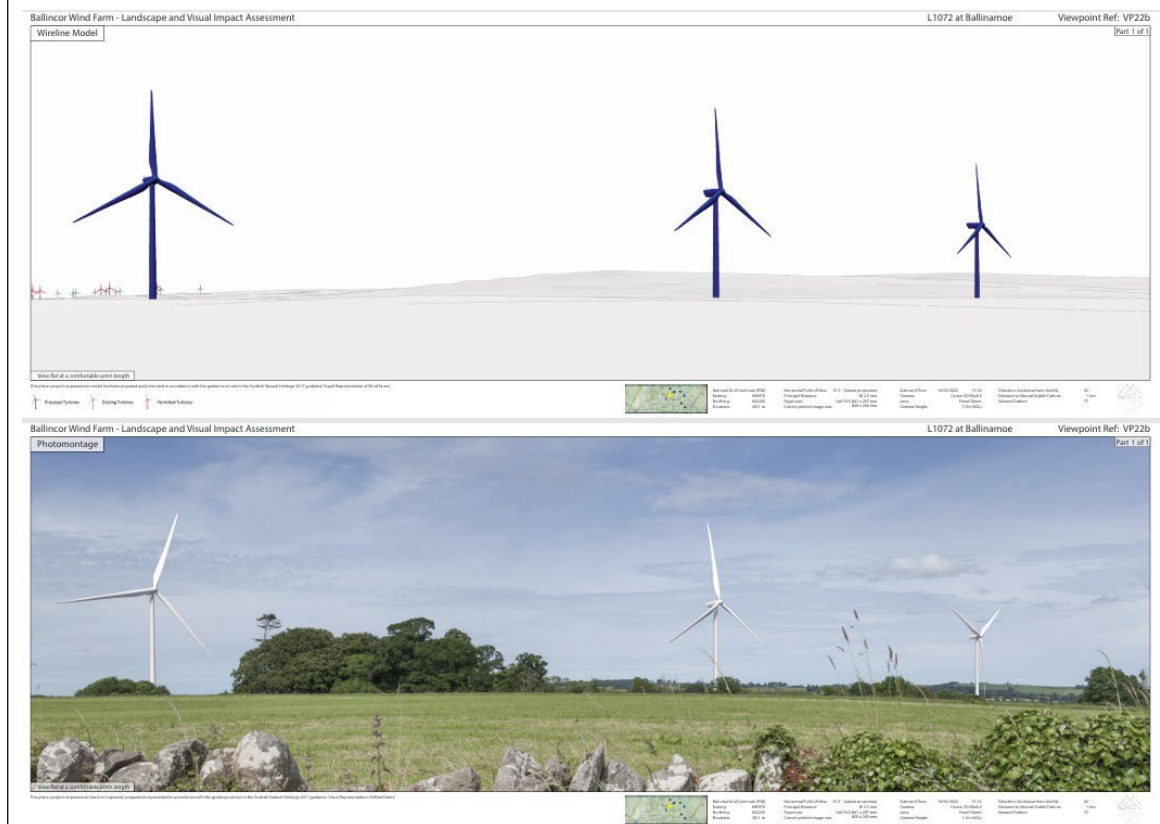
VP 21a



VP22a



VP 22b



VP23a



Chapter 13: Archaeology, Architectural and Cultural Heritage

Section 13.3 outlines the existing cultural heritage environment showing that there are;

- There is one recorded monument within the proposed wind farm site, which comprises a tower house and associated bawn (AH 97). The site of the recorded monument is located c. 695 m north-northwest of Turbine 1.
109(no) individual or groups of recorded archaeological sites are located within the 5 km study area of the proposed wind farm site, including three redundant records. (See Table 13-6 for a complete list).
- 70 individual or groups of recorded structures of architectural merit (protected structures, NIAH etc) are present within the study areas of the proposed project. Furthermore, 36 previously unrecorded sites of cultural heritage significance have been identified within the study areas of the proposed project as part of this assessment.
- One site included on the tentative list for World Heritage Property status located within the 10 km study area, which comprises the Birr Castle Demesne Great Telescope;
- There are two National Monuments located within the 10 km study area of the proposed wind farm site; Lismacrory Mounds. 4.63km to the west and Lackeen Castle c. 9.23km to northwest.

In relation to mitigation, it is noted that Section 13.5 outlines the following;

- Prior to the commencement of construction, a programme of archaeological test trenching will be carried out at the greenfield locations of the proposed wind farm site. This work will be carried out under licence to the National Monuments Service of the Department of Housing, Local Government and Heritage (DoHLGH). Dependent on the results of the testing assessment, further mitigation may be required, such as preservation by record or in-situ

and/or archaeological monitoring. Any further mitigation will require agreement from the DoHLGH.

- No mitigation with regards to Ballincor demesne landscape is required as the nature and extent of the landscape is well recorded and understood within the historic mapping record and aerial photographic coverage.
- All townland boundary interventions required for the proposed wind farm site will be subject to archaeological monitoring. This work will be carried out under licence to the National Monuments Service of the DoHLGH and will include a full record of the sections of boundaries removed.
- The route of the new access road will be subject to archaeological monitoring during construction. This will be carried out under licence to the National Monuments Service of the DoHLGH. If any archaeological remains are identified further mitigation may be required, such as preservation by record or in-situ. Any further mitigation will require agreement from the DoHLGH.
- The excavation of the GCR trench, where it passes to the west of a recorded monument, TN005021 (Castel motte and bailey) will be subject to archaeological monitoring during construction. This will be carried out under licence to the National Monuments Service of the DoHLGH. If any archaeological remains are identified further mitigation may be required, such as preservation by record or in-situ. Any further mitigation will require agreement from the DoHLGH. The excavation of the GCR launch/reception pits for the directional drilling at bridges at Ballyloughnane and Cloghan, which are protected structures, will be subject to archaeological monitoring during construction. This will be carried out under licence to the National Monuments Service of the DoHLGH. If any archaeological remains are identified further mitigation may be required, such as preservation by record or in-situ. Any further mitigation will require agreement from the DoHLGH.

Section 13.6 states that following the implementation of the above construction mitigation measures, there will be no significant residual effects on recorded or previously unrecorded archaeological resource during construction , operation and decommissioning.

It is noted that this chapter is supported by Appendix 13.3 Assessment of Operational Effects on the Archaeological, Architectural and Cultural Heritage Resource, which assesses the magnitude of impacts, significance of effects and residual effects of the proposed development on recorded monuments and protected structures.

PA Comments:

1. The Council's internal Conservation Report (included in Appendix A of this report) details that the proposed development would have an unacceptable impact on the architectural, archaeological and cultural heritage of the area, and would be unduly invasive in this sensitive context. It states that while this chapter of the applicant's EIAR ultimately concludes that impacts are not significant, this position is not fully supported by its own findings. It notes that the chapter:
 - Clearly identifies moderate adverse impacts on multiple heritage assets;
 - Acknowledges high archaeological potential,
 - Confirms that visual impacts cannot be mitigated.
2. In addition, the Councils Conservation Report expresses strong concerns in relation to the impact of the proposed development on the Birr Castle Demesne, a site of international significance included on the UNESCO Tentative List as part of Ireland's Historic Astronomical Observatories, alongside Dunsink and Armagh Observatories.

ACP is requested to give due consideration to the Council's Conservation Report in informing its assessment of this SID application.

This chapter assesses the likely significant effects of the proposed project on the surrounding road network and its capacity.

Section 14.3 outlines the existing road network with access to the proposed wind farm site is currently provided via the local road L1071 and regional road R492 (See Figure 14-2 below).

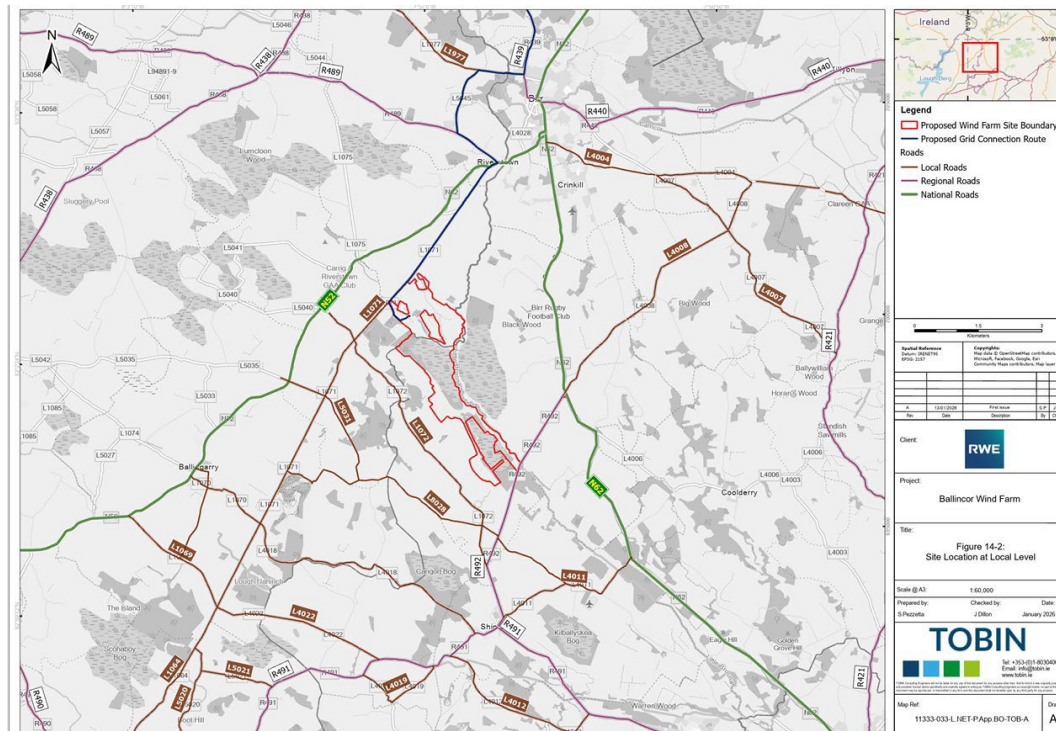


Figure 19: Road Network as per Figure 14-2 of the EIR

In relation to proposed access arrangements, Section 14.4.1 states that the R492 access point will be the main site access / egress point for the construction phase, as this is the only suitable access point to the existing road network to accommodate construction vehicles. A temporary contractor's compound will be located at the site entrance to accommodate vehicles and a temporary lay by / set down area is located along the first portion of the access track.

Section 14.5.2 states that turbine deliveries will take place outside of normal construction hours, primarily during night time, to take advantage of lower traffic volumes on public roads. These movements will be carried out under traffic management measures and accompanied by a Garda escort.

Section 14.5.3 states that the highest level of construction trip generation is anticipated between July and September 2027, when multiple construction activities will occur concurrently. Traffic surveys undertaken confirmed that local roads carry very low volumes of traffic, with the N62/R492 junction handling around 685 to 747 vehicles during peak hours and the R492 proposed wind farm site access seeing approximately 124 to 132 vehicles daily. Construction is expected to take approximately 24 months. During the peak construction period between July and September 2027, up to 27 heavy vehicles and 120 staff vehicles are anticipated daily, while average construction periods will see around 15 heavy vehicles and 76 staff vehicles.

The quarries where materials will be sourced and the associated access routes are outlined in Table 14-2 below;

Table 14-2 Quarries and Access Routes

Quarry	Location	Access Route
Loughnane Concrete	Ballynaguilsha, Birr, Co. Offaly	N52, N62, R492
Dowling Quarries	Lisduff, Errill, Co. Laois	R433, L3246, N62, R492
Kilsaran Tullamore	Tullamore, Co. Offaly, R35 Y688	N52, N62, R492

Section 14.5.5 outlines the proposed abnormal indivisible load (AIL) haul route from Foynes Port via the N69, N18, M7 motorway, R435, R445, and N62 before reaching the site via the R492 (see Figure 14-6 below).

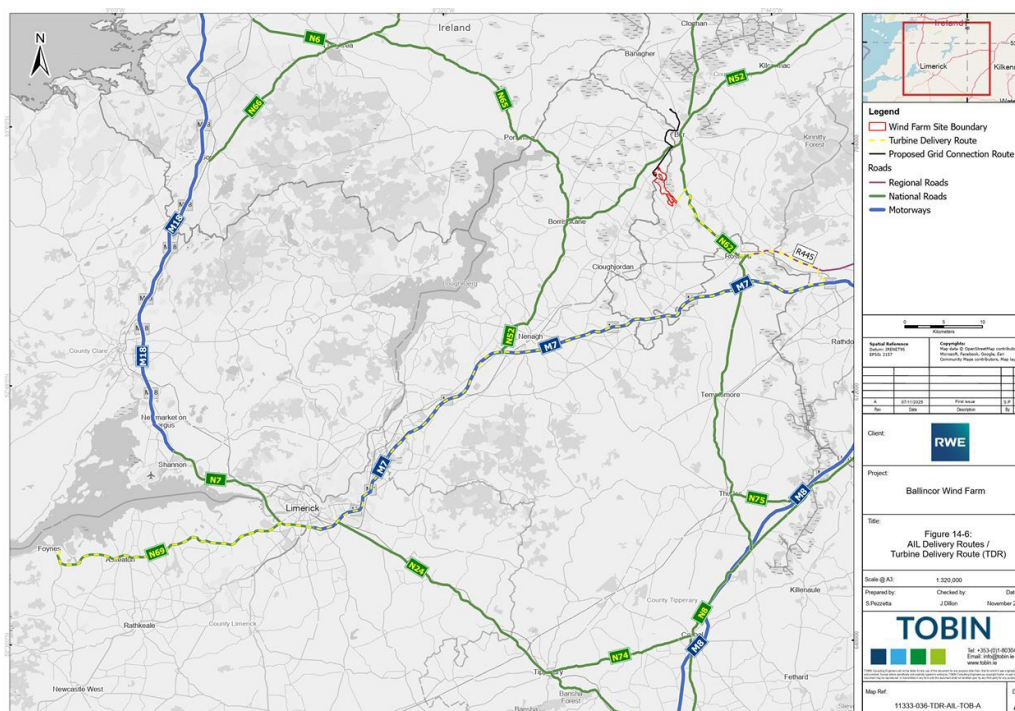


Figure 20: AIL/Turbine Delivery Routes as per Figure 14-6 of the EIAR

Table 14-3 outlines the traffic generation involved with this transport of AIL into the site;

Table 14-3: Traffic Generation during the Construction Phase – AIL

Components of Turbines	No. of Turbines	Parts	Components	Total Components	Trips with: 3 AIL per convoy	Trips with: 5 AIL per convoy
Nacelle	11	1	11	88	30	18
Blade	11	3	33			
Tower	11	4	44	1		
Transformer						
Note: (1) Traffic associated with the delivery of AILs has not been included in the traffic impact percentage increase, as these deliveries will take place at night, when traffic volumes are low, and will be managed under traffic control measures with Garda escort. (2) The AILs will be transported in convoys of 3 to 5 no. components per convoy.						

Section 14.6.1 outlines that a maximum of 27 daily HV one-way trips have been estimated at peak construction time (excluding the concrete pour volumes) and an average of 15 HV during off-peak.

Table 14-4: Construction Programme 1-way HV Construction Volumes per Day (Excluding Turbine Foundation Concrete Pours)

Month	2027												2028											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec
Site Health and Safety	1																							
Site Compounds		12	12	12			12	12	12															
Site Roads	2	2	2	2	2	2	2	2	2	2	2		2	2	2	2	2							
Turbine Hardstands					6	6	6	6	6	6	6	6	6	6	6	6	6	6						
Turbine Foundations						7	7	7	7	7	7	7	7	7	7	7	7							
Substation Construction & Electrical Works										3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Backfilling & Landscaping																								
Turbine Delivery and Erection																								
Substation Commissioning																								
Turbine Commissioning																								
Total HGV 1-way/day	3	14	14	14	8	15	27	27	27	18	18	16	18	18	18	18	18	9	3	3	3	3	3	3
Total HGV 2-way/day	6	28	28	28	16	30	54	54	54	36	36	32	36	36	36	36	36	18	6	6	6	6	6	6
Average HGV 1-way	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15
Average HGV 2-way	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30

In relation to concrete pour volumes, Section 14.6.1.1 estimates that 93HVs will arrive onsite per day over a total of 10 days.

Section 14.6.2 with regard to staff during construction states that at the peak of construction, approximately 120 staff are estimated, during off-peak activities 76 people are estimated on site.

In relation to the likely effects from the construction phase of the proposed development, Section 14.8.2 states that junction assessments indicated that peak construction traffic will have a moderate

negative effect over a temporary duration of three months, while average construction traffic will have a slight negative effect over a short-term duration of twenty-one months.

Section 14.8.2.3 states that the transport of abnormal loads will have a moderate temporary effect managed through night-time delivery and traffic controls. The negative effect is due to delays caused to traffic due to the works and the associated traffic management.

It is noted from Section 14.8.2.4 that;

- the progress of the construction of the grid connection is approximately 250 metres per week, with no more than 100 metres of trench open at any one time. The cabling works will require a temporary road closure of local roads and a temporary lane closure of regional road R439 for trenched crossings.
- The grid connection advanced works will have a moderate negative impact due to the temporary lane and road closure for cabling works.

Section 14.8.3.2.1 states that the operational traffic volumes will result in a low increase in traffic with imperceptible consequences on the road network over the 35 years of operation.

A significant number of mitigation measures are outlined in Section 14.9 including;

- the implementation of measures contained in a Traffic Management Plan (available as Appendix 2-2 of the EIAR) such as restricting heavy vehicle movements during school hours, using on-site stone from borrow pits to reduce imported materials, installing a wheel wash to keep roads clean, providing advance notice to local residents, and undertaking pre-construction and post construction road condition surveys.
- The R492 will be used during the construction phase, during which a temporary advisory speed limit will be implemented on the R492. 85th% speeds will be monitored here prior to opening the construction access.
- To mitigate the impact of the AIL deliveries these deliveries will be undertaken under Garda and traffic management escort during off-peak (i.e., night-time) hours. The arrangement of the appropriate abnormal load licences will be obtained by the appointed contractor in a timely fashion on procurement of the AIL. The appointed contractor will liaise with the relevant road's authorities and, an Garda Síochána on the delivery schedule for the AILs.

A Road Safety Audit has been included in Appendix 14-1 which accompanies the EIAR, which the authors state has been incorporated into the scheme design.

PA Comments:

1. Please refer to the internal report of the Birr MD and Offaly County Council's Roads Section. ACP is requested to give due consideration to the Council's Conservation Report in informing its assessment of this SID application.

Chapter 15: Material Assets, Telecommunications & Aviation

This chapter of the EIAR deals with aviation and telecommunications in addition to utility infrastructure (electricity, gas, and water), and waste services.

In relation to the existing environment, it is noted from Section 15.3 that;

- The nearest airfield to the proposed project is Birr Airfield, located approximately 4 km northwest of the proposed wind farm site. There are no other small airfields or air strips within 10 km of the proposed wind farm site.
- Three telecommunication operators with networks near the wind farm were identified;
- I-LOFAR is a low-frequency radio telescope array located within the grounds of Birr Castle, circa 4.96 km from I-LOFAR to closest turbine while the substation and all other turbines are over 5km in distance away;

- No High Voltage ESB lines were identified within the subject site. To the east of the proposed wind farm site, and at the permanent works area along the TDR at Sharavogue there are a number of 20 kV and 230 V Overhead Lines (OHLs) accompanied by poles
- No gas network infrastructure was identified within or immediately surrounding the proposed wind farm site, proposed GCR or proposed TDR works area.
- Uisce Éireann responded with some general EIAR considerations which were included for consideration. Uisce Éireann also noted that the proposed cabling route may interact with their underground network infrastructure within the public roads.
- The nearest quarry to the site is approximately 10 km north east of the site.

Section 15.8 concludes that it is not anticipated that the proposed project will result in likely significant effects in relation to the material assets described at any stage (i.e., construction, operational and decommissioning phases) following application of the mitigation measures outlined in Section 15.7.

Chapter 16: Shadow Flicker

This chapter assesses the potential for shadow flicker from the operation of the proposed turbines, as part of the proposed project, to impact on sensitive receptors in the surrounding area to the proposed wind farm site.

Section 16.2.3 outlines that the proposed rotor diameter for this wind farm is between 149 – 163 metres, so on the basis of the largest 163 m rotor diameter, all sensitive receptors within 1.63 km of the proposed turbine locations have been included in the shadow flicker assessment.

In order to ensure the full extent of the moving shadow which would be created by the proposed turbine range is considered in the assessment, three scenarios have been modelled in Section 16.4 to consider the extent of the proposed range of turbine dimensions:

- Scenario 1: N163 (98.5m hub height, 180m tip height, 163m rotor diameter)
- Scenario 2: N149 (105m hub height, 179.5m tip height, 149m rotor diameter)
- Scenario 3: V150 (105m hub height, 180m tip height, 150m rotor diameter).

It is noted from Section 16.5.1 that the applicant has committed to ‘near zero’ shadow flicker at any occupied dwelling house within 1.63km (> ten rotor diameters) apart from the brief period that may occur while the turbine rotor comes to a safe stop. This duration is typically between 1 and 2 minutes, depending on the reaction time of the shadow flicker control system and the specific turbine model proposed. This residual effect is considered negligible, as the rotor would stop within a short timeframe. However, in the interest of transparency, the EIAR describes this residual effect as near zero shadow flicker, acknowledging that it is not possible to eliminate the effect entirely.

It is also stated in Section 16.4.2 that at the very end of the construction phase and at the start of the commissioning phase there may be a short time where there is a potential for shadow flicker to occur. Some shadow flicker may be experienced while the software is being refined but the effects will be negligible given the short-term nature of commissioning and the early implementation of shadow flicker control systems, any such effects are expected to be negligible and temporary.

In relation to mitigation measures, Section 16.5 outlines proposed mitigation measures such as screening measures (such as planting vegetation to act as a screen or installation of suitable window blinds in the affected rooms of the residence) to screen shadow flicker effects from sensitive receptors and/or implement wind turbine control measures in accordance with a defined Turbine Shutdown Scheme to ensure that any residual shadow flicker effects from the proposed project will be almost entirely eliminated at any shadow flicker receptors.

Section 16.8 concludes that due to the design of the project, the use of appropriate software to predict and assess effects of shadow flicker, it is not likely that there will be any significant effect from shadow flicker on the environment or on any residence from this project alone or in combination with any other projects.

Chapter 17: Climate

This chapter identifies, describes, and assesses the potential significant direct and indirect effects on climate arising from the construction, operation and decommissioning of the proposed development in relation to;

- The potential greenhouse gas (GHG) emissions during the construction and operational phases of the proposed project.
- The offsetting of GHG emissions through renewable electricity generation, which will contribute to reducing Ireland's reliance on fossil fuels.
- The vulnerability of the project to climate change, including considerations for increased rainfall and other projected climate impacts.
- The long-term benefits of the proposed project in helping Ireland achieve its Climate Action Plan targets and the National Climate Objective of Net Zero by 2050.

It is noted from Table 17.6 that GHG emissions associated with the proposed project are predicted to be a small fraction of Ireland's Industry and Transport sector 2030 emissions ceilings of 4 Mt CO₂e and 6 Mt CO₂e, respectively.

Table 17.6: Construction Phase GHG Emissions

GHG Assessment Category	Elements Considered	Predicted GHG Emissions (tCO ₂ e)	Predicted GHG Emissions as % of Construction Phase Total	Relevant Sector for Carbon Budget Comparison
Materials	Concrete (required for main project elements such as turbine foundations, hardstanding areas and substation)	1	0.1%	Industry

GHG Assessment Category	Elements Considered	Predicted GHG Emissions (tCO ₂ e)	Predicted GHG Emissions as % of Construction Phase Total	Relevant Sector for Carbon Budget Comparison
Material Transport	HGV and LGV trips	214	11%	Transport
Clearance and Demolition	Site preparation and clearance	22	1%	Industry
Land Use Change and Vegetation Loss	Removal of bog and mixed forest	1,156	68%	LULUCF
Excavation	Peat and other excavation	75	4%	Industry
	Reuse of excavated material onsite	-1,696	-91%	Industry
Plant Use	Fuel usage by plant operation (diesel generators)	180	10%	Electricity
Construction Worker Travel to Site	Car trips	217	12%	Transport
Construction Waste Disposal	Mixed construction and demolition waste	1	0.1%	Waste
Construction Waste Transport	HGV transport of waste offsite	3	0.2%	Transport
Total Construction Phase GHG Emissions		173		

Table 17.7: Estimated Construction Phase GHG Emissions Relative to Sectoral Budgets and GHG Baseline

Target/Sectoral Budget (tCO ₂ e)		Annualised Development GHG Emissions (tCO ₂ e)		% of Relevant Target/Budget
Ireland's 2024 Total GHG Emissions (existing baseline)	57,640,000	Total GHG Emissions	53	0.0001%
Non-ETS 2030 Target	27,721,670	Total GHG Emissions		0.0002%
2030 Sectoral Budget (Industry Sector)	4,000,000	Total Industry Emissions	-13	-0.0001%
2030 Sectoral Budget (Transport Sector)	6,000,000	Total Transport Emissions	12	0.0002%
2030 Sectoral Budget (Electricity Sector)	3,000,000	Total Electricity Emissions	5	0.0002%
2030 Sectoral Budget (Waste Sector)	1,000,000	Total Waste Emissions	0.03	0.000003%

The proposed project will incorporate some mitigation measures which will aim to reduce climate impacts during construction and operation in Section 17.2;

- A number of best practice mitigation measures are proposed for the construction phase of the proposed project to ensure that impacts to climate are minimised. These mitigation measures include a construction program, determining material reuse and waste recycling opportunities (in line with CAP25) and identifying and implementing lower carbon material choices and quantities during detailed design;
- During the operation stage of development, the design includes mitigation measures such as adequate drainage systems to manage a 20% increase in rainfall, consistent with the 'Medium Risk' RCP4.5 scenario (2021-2050).

Section 17.3 concludes that;

- The effect of the proposed project in relation to GHG emissions is therefore considered direct, long-term, positive and slight, which is overall not significant in EIA terms.
- In relation to climate change vulnerability, it has been assessed that there are no significant risks to the proposed project as a result of climate change. The residual effect of climate change on the proposed project is considered direct, long-term, negative and imperceptible, which is overall not significant in EIA terms.

Chapter 18: Major Accidents and Disasters

This chapter describes the any likely significant effects of the proposed project on the environment deriving from its vulnerability to Major Accidents and/or Natural Disasters, as well as the potential of the proposed project itself to cause potential Major Accidents and/or Natural Disasters during the construction, operation and decommissioning phases.

Section 18.3 describes the baseline environment focusing on the following aspects which are considered relevant to major accidents and natural disasters; meteorological, hydrology, lands, soils and geology, COMAH (Seveso) establishments and Major Infrastructure and Built Services.

The list of risks are considered in Section 18.4 developed through the identification of reasonably foreseeable risks in consultation with relevant contributors to this EIAR. The identification of risks focused on non-standard but plausible incidents that could occur at or as a result of the proposed project during the construction, operation and maintenance and decommissioning phases. The potential risks include:

- Striking strategic infrastructure resulting in damage, disruption to services and / or fatalities / injuries;
- Contamination of ground or surface water. This is associated with construction works;
- Major traffic accidents resulting from construction phase traffic or temporary construction traffic management measures;
- Movement of peat within the site / Landslide;
- Flooding of site during construction, operational and decommissioning stage;
- Collision risk resulting in damage to infrastructure and/or injuries;
- Incident at nearby Seveso site involving release of dangerous substances;
- Collapse / damage of structures/infrastructure;
- Risks related to climate change such as increased frequency and strength of storms, heightened flood risk, risk of extreme temperatures;
- Collapse / damage of turbine structures / infrastructure at substation;
- Fire at wind turbines, BESS or substation resulting in damage to infrastructure and/or injuries; and
- Ice falling from wind turbine blades.

It is put forward that the proposed project has been designed and built-in accordance with the best practice measures set out in this EIAR and, as such, mitigation against the risk of major accidents and/or disasters is embedded through the design. The authors conclude that no likely significant effects arise in terms of major accidents or disasters.

Chapter 19: Interactions

This chapter identifies the interactions of the potential significant environmental effects that may occur in terms of population and human health, biodiversity, ornithology, land, soils and geology, hydrology and hydrogeology, shadow flicker, noise and vibration, landscape and visual, air quality and climate, archaeology and cultural heritage along traffic and transportation as a result of the proposed project.

A matrix is presented in the chapter to identify interactions between the various aspects of the environment already discussed in the EIAR.

It is noted that Section 19.5 concludes;

“Having assessed the interactions of potential effects during construction, operational, and decommissioning phases, it has been concluded that there are no additional interactions beyond those described in this chapter. The detailed assessment found that these interactions do not result in any likely significant effects. The proposed project is also expected to have positive effects at the international, national, regional, and local levels, particularly through its contribution to renewable energy targets, domestic energy security, and the community benefit scheme supporting local initiatives.”

PA Comment:

1. In the absence of clarity to the contrary, the Planning Authority does not concur with the statement made that there will be no significant interactions occurring between;
 - (a) residential amenity and landscape or visual effects on account of the number of residences within 5 km of the subject site and the visibility of the proposed turbines from a number of prominent vantage points on local roads, L1071 and L1072.
 - (b) population and human health and traffic and transportation during the construction stage of the proposed development having regard to the number of residences within 5 km of the subject site.

ACP is requested to give due consideration to this matter in informing its assessment of this SID application.

Chapter 20: Schedule of Mitigation

This chapter of the EIAR provides a summary of EIAR, based on the design and mitigation measures identified within the technical assessments of this report.

Table 20-1 outlines all mitigation and monitoring measures relating to the pre-commencement, construction, operational and decommissioning phases of the proposed development.

It should be noted that it is stated that *“During the construction phase of the proposed project, all personnel working on the project will be required to be responsible for the environmental control of their own work and to perform their duties in accordance with the requirements and procedures of the CEMP (See Appendix 2-3)”*.

11 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 made from prescribed bodies, which may have been submitted and received by the Commission.

12 PLANNING AUTHORITY’S ASSESSMENT AND VIEWS

County Offaly has strongly embraced the transition to renewables in a plan-led manner, starting with its 2009 Wind Energy Strategy. Policy to encourage other technologies, including solar and bio-energy, followed in 2014, as did the policy requirement to strongly consider cumulative impacts. In all other policy respects the policy has remained consistent, in particular the concept of a ‘reasonable balance’, which, it must be noted was taken directly from the Governments (statutory) Wind Energy Guidelines, 2006.

Currently the county is far ahead of its peers having exceeded the target of 466MW contained within the Offaly County Development Plan 2021-2027 since early 2026. Indeed, it should be noted that the county’s wind energy ‘pipeline’ (i.e. operational, granted, with planning or at pre-planning in the public domain) within the Areas Open for Consideration would represent c.11% of the National Climate Action Plan 2025 target, and over 40% of the NPF target for the EMRA area.

The Council will continue to support renewable energy development in appropriate locations as per the County Wind Energy Strategy. In this context, it is submitted that the PA has serious concerns in relation to the piecemeal approach to renewable energy development as proposed under this strategic infrastructure development and the undesirable precedent in which it sets for developers to bypass the ‘plan-led’ County Wind Energy Strategy process.

Piecemeal Approach to renewable energy development

Having regard to the subject site’s location within an ‘Area Not Deemed Suitable for Wind Energy Development’ in the Wind Energy Strategy Designations Map contained within the Offaly County Wind Energy Strategy of the Offaly County Development Plan 2021-2027 (see figure 20 below), the proposed development would materially contravene the following objectives of the County Development Plan;

- 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”.
- **CAEO 03:** “It is an objective of the Council to achieve a **reasonable balance** between responding to government policy on renewable energy and in enabling the wind energy resources of the county to be harnessed in an environmentally sustainable manner.”

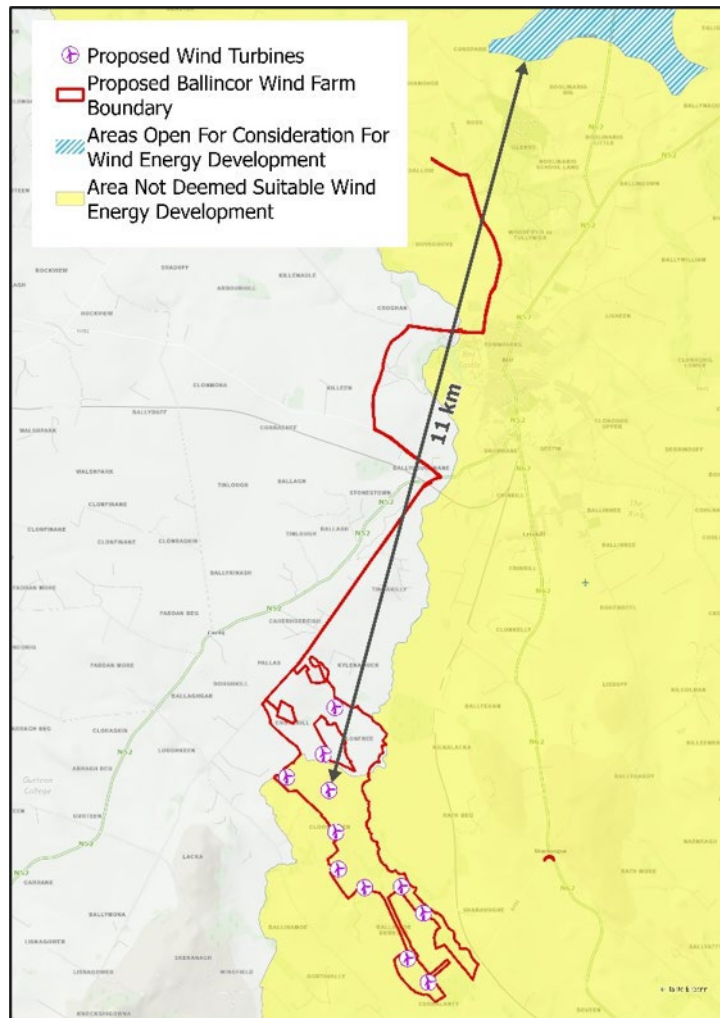


Figure 20: Location of subject site and turbines relative to ‘Open for Consideration for Wind Energy Development in Offaly County Wind Energy Strategy

The proposal advocates a piece meal and opportunistic approach to the location of renewable energy developments undermining Co. Offaly’s established, plan led, spatial and strategic approach to wind energy development since its first County Wind Energy Strategy in 2009. Offaly has promoted and delivered wind energy developments in appropriate locations through a coherent, transparent and robust County Wind Energy Strategy, an approach in line with National Policy Objective 70 of the Revised NPF to “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”.

Undesirable precedent for developers to bypass the ‘plan-led’ County Wind Energy Strategy process

The preparation of the Offaly County Wind Energy Strategy was evidence based in line with the ‘Step-by-Step Guide to the Analysis of Suitable areas for Wind Energy by the Planning Authority’ as outlined in Section 3.5 of the Wind Energy Guidelines 2006. It also significantly involved extensive community and stakeholder engagement which in turn has built community confidence in Co. Offaly’s support of and contribution to Ireland’s renewable energy targets.

As referred to above, the County Wind Energy Strategy is delivering at scale with public sentiment which has by and large supported this plan-led approach to date.

In this context, to grant permission for the proposed development in an area outside and peripheral to ‘Areas Deemed Open for Consideration for Wind Energy Development’ and for a project which is not a product of the detailed analysis which occurred in the County Wind Strategy, undermines the County’s strategic spatial planning approach (which has been very effective to date) and sets an undesirable precedent for developers to bypass the ‘plan-led’ County Wind Energy Strategy process, constituting a piecemeal speculative approach to wind energy development.

Consistency with national planning, environmental, and climate objectives and targets

It is noted that the applicants in Section 4.1 of their Planning Report which accompanies their application state that; *“the operative basis for granting this application is the statutory jurisdiction of An Coimisiún Pleanála under Section 37G(6) of the Planning and Development Act 2000, as amended, to grant permission in material contravention of the development plan where, as here, the proposed project is consistent with national planning, environmental, and climate objectives”*.

The Planning Authority notes that Section 15(1) of the Climate Action and Low Carbon Development Act 2015 requires relevant bodies to perform their functions in a manner consistent with climate objectives, including mitigating greenhouse gas emissions and adapting to climate change effects;

“(1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—

(a) the most recent approved climate action plan,

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

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

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

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

The National Climate Objective as contained in the Climate Action and Low Carbon Development Act 2015 states; *“The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy (in this Act referred to as the ‘national climate objective’)”*

The Planning Authority considers that the performance of the Offaly County Wind Energy Strategy is consistent with Section 15(1) of the Climate Action and Low Carbon Development Act 2015. Offaly, noting that it has exceeded the target of 466MW contained within the operative County Development (2021-2027) since early 2026. Indeed, it should be noted that the county’s wind energy ‘pipeline’ (i.e.

operational, granted, with planning or at pre-planning in the public domain) within the Areas Open for Consideration would represent c.11% of the National Climate Action Plan 2025 target, and over 40% of the NPF target for the EMRA area.

Considering a piecemeal approach such as that put forward in this SID application would undermine the plan-led approach which continues to make County Offaly the number 1 renewable electricity producer nationally for the months of January, March, May & June of 2026.

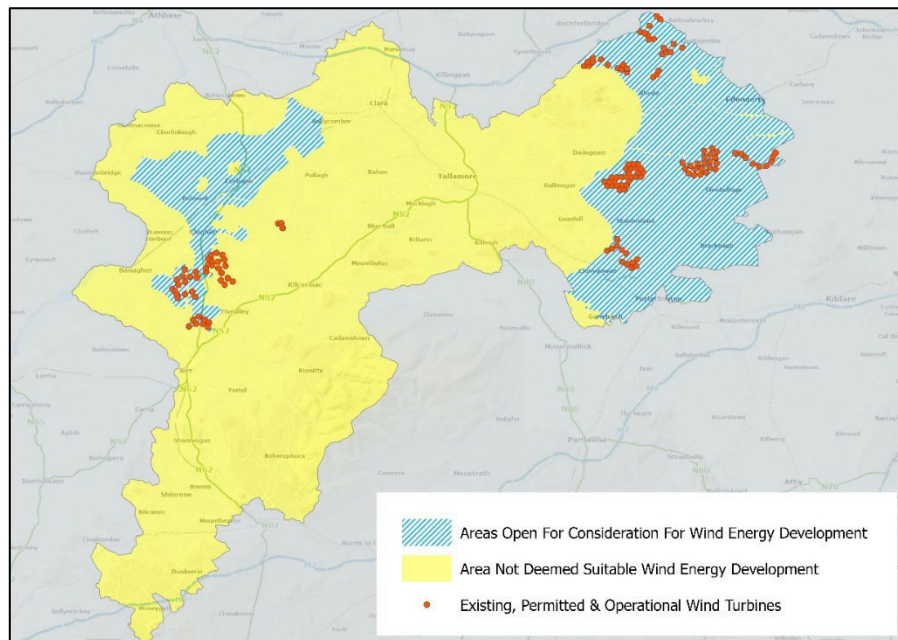


Figure 22: Existing, permitted and operational wind turbines in Co. Offaly

It should be noted in this regard that there is currently 520MW of operational wind energy developments within Co. Offaly which has been delivered over a short period of time in the context of such developments nationally i.e. the first windfarm was energised in 2014. In addition, it is submitted that 300MW alone has been energised since 2024, with a further 85MW permitted and awaiting construction imminently and along with a further 247MW currently in the planning system (excluding the subject application) within the County.

The above, when combined represents 9% of the entire country's Climate Action Plan / National Planning Framework 2030 wind energy target of 9,000MW and yet Co. Offaly represents only 2.3% of the country's landmass.

Further, it is noted that the total 'pipeline' of wind energy development within Co. Offaly would represent 11% of the entire country's wind energy target. It is advised that a number of applications or pending applications for further wind development located outside the Wind Development Areas in the County Development Plan are not included in these figures. Please also note that a significant portion of adjoining Counties' wind energy 'pipelines' (Offaly has 7 neighbouring counties) are located contiguous or close to the Offaly county boundary, with at least five projects crossing / sharing the county boundary. None of the turbines located in the adjacent counties are counted in the above. The cumulative impact on such large industrial developments within a County with a predominantly flat landscape must be given close consideration, to ensure that proper planning and sustainable development principles are adhered to and that an over-saturation of one such landuse does not prevail, with the overall focus to be on achieving a reasonable balance.

County Offaly is listed as the number 1 producer of renewable electricity nationally in January, March, May and June 2026 and number 2 in February, having been in third place for much of the latter part of 2025. (Source: Green Energy Collective based on Eirgrid & SONI data). Until offshore wind energy

ramps up in the early 2030s and in given due cognisance to the future wind and solar ‘pipeline’ in the county, it is predicted that this position will be retained into the 2030’s.

The Commission is requested to note that Co. Offaly’s solar energy ‘pipeline’ is similarly large and would represent approximately 14% of the entire country’s Climate Action Plan / National Planning Framework 2030 target. It should also be noted that the battery and other electricity storage ‘pipeline’ in Offaly is over 1GW, with approx. 50% of this already installed or nearing the construction stage. Conventional generation eg. gas-fired, biomass fired and distillate ‘peaking’ plants will total approx. 1.2GW once the recently permitted gas plant in Derrygreenagh is operational.

In light of the above, the piecemeal approach put forward in respect of the proposed SID development is deemed to be wholly inappropriate and warrants refusal.

13 PLANNING AUTHORITY’S VIEW ON COMMUNITY GAIN

It is noted that Section 2.3 of the EIAR states that; *“A significant annual community benefit fund of €378,000 to €472,000 per year for the first 15 years of the project will be established in line with Government policy which will include funding for both wider community initiatives and a Near Neighbour scheme focused on houses in close proximity to the project. Therefore, over the expected 15-year of RESS 5, the Community Benefit Fund will be in the order of €5.7 to €7.1 million.”*

The applicant states that they will form a benefit fund development working group that clearly represents both the closest neighbours to the proposed project as well as nearby communities which will then work on designing the governance and structure of a community entity that will administer the Community Benefit Fund. The fund will be based on the Government of Ireland’s Good Practice Principles Handbook for Community Benefit Funds.

14 DEVELOPMENT CONTRIBUTIONS

In accordance with the Council’s adopted Development Contribution Scheme, the below **development** contribution is applicable to the proposed development;

Proposed Turbines:

Extract from Table 2 – Levels of Contributions – Other Categories of Development

	<i>Category</i>	<i>Amount of Contribution</i>
<i>G</i>	<i>Wind Turbines*</i>	<i>€20,000 per MW of capacity, where tip height < 175m and €25,000 per MW capacity where tip height >=175m</i>

**Any new buildings associated with projects will be charged at the commercial rate.*

As the height of each turbine is 180 metres, the level of contribution applicable is €25,000 per turbine.

Substation and BESS Control Buildings:

The level of contribution applicable to the subject buildings is €6.50 per m² as per Table 1a below.

Extract from Table 1a: Level of Contribution – Residential & Industrial / Commercial Development in all other areas

	<i>Class of Infrastructure</i>	<i>€ per m² of floor area industrial / commercial development</i>
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<i>A</i>	<i>Open spaces, cultural, recreational and community facilities, playgrounds, school sites, libraries, arts, amenities and landscaping works, town and village improvement, sports facilities – including land acquisition.</i>	<i>€6.50</i>
<i>B</i>	<i>Roads, flood relief work, infrastructure including public lighting, footpaths, cycle, public transport and pedestrian facilities, bus corridors and lanes, bus interchange facilities (including car parking for these facilities), car parking, traffic calming measures and land acquisition, drainage, high-capacity telecommunications infrastructure and traffic management.</i>	<i>€12.50</i>
	Total	€19.00 per sqm

15 BONDS

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

16 PLANNING AUTHORITY'S VIEW ON CONDITIONS

It is made clear that the views of the PA in respect of the proposed SID application is that permission should be refused. In the event that An Coimisiún Pleanála, as the Competent Authority, grant planning permission for the above development, the Planning Authority recommend that the attachment of planning conditions include the following:

- Reappraisal of Site and Reduced Scale of wind farm
- 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 and NIS to be applied.
- Surface water monitoring and management.
- Development contributions.
- Special Development Contributions – Roads. See suggested conditions in report from Birr District Engineer.
- Community Benefit Scheme.
- Bonds.
- Colour – standard off-white / light grey

- Standard condition in relation to telecom tower
- Conditions on environment and water. See suggested conditions in report from Environment and Water Services
- 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. See suggested conditions in report from Birr District Engineer.

17 RECOMMENDATION

Offaly County Council requests that An Coimisiún Pleanála refuse permission for the proposed Strategic Infrastructure Development (SID) as;

1. Having regard to the subject sites location within an 'Area Not Deemed Suitable for Wind Energy Development' in the Wind Energy Strategy Designations Map from the Offaly County Wind Energy Strategy within the Offaly County Development Plan 2021-2027, the proposed wind energy development would materially contravene the following objective from the County Development Plan;

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".*
2. To grant permission for the proposed development in an area outside and peripheral to 'Areas Deemed Open for Consideration for Wind Energy Development' and for a project which is not a product of the detailed analysis which occurred in the County Wind Strategy, undermines the county's strategic spatial planning approach, sets an undesirable precedent for developers to bypass the 'plan-led' County Wind Energy Strategy process and constitutes a piecemeal speculative approach to wind energy development.
 3. The applicants have not satisfactorily demonstrated that a robust assessment has taken place in relation to;
 - a) the functional importance of habitats within the subject site in supporting SPA-associated wading bird species, including Golden Plover and Lapwing, has not taken place;
 - b) Ruling out the potential roosting use of the subject site by Hen Harriers, an Annex I species;
 - c) The predicted impact of the proposed development on Marsh Fritillary are likely to be profoundly negative and permanent, an Annex II species.



James Condrón

Senior Executive Planner

13 July 2026



Paula Hanlon

A/Director of Services

14 July 2026



Mr. Eoghan Ryan

Chief Executive

14 July 2026

APPENDIX A

INTERNAL REPORTS

Birr MD

Conservation and Heritage Section

Chief Fire Officer

Environment & Water Services

Road Design



To: OCC Planning Department
File Reference: SID 028 Ballincor Wind Farm_ACP-324279-26
Applicant: RWE Renewables Ireland Ltd
Site Address: Ballincor and surrounding townlands.
Date of Memo: 5/6/2026
Subject Matter: Area Engineer's Report - Municipal District of Birr

Request from OCC's Planning Department to Birr MD was as follows:

An Coimisiún Pleanála has received an application for permission under section 37E for the 10-year planning permission for the proposed development of Ballincor Wind Farm and all associated infrastructure located within the townlands of located within the townlands of Cloonaheen, Ballincor Demesne, and Curralanty, County Offaly, and Clonfree, Castletown and Cronekill, County Tipperary.

As part of the planning process, OCC is asked to submit to An Coimisiún a report setting out the views of the local authority within a 10-week period.

Before submitting this report to An Coimisiún, Planning will present their draft report to the Councillors at the Council meeting on the **15th June 2026, however, this must go to the CPG meeting the Monday before for agenda approval.**

Therefore, can you please review the submitted documentation (link below) and **provide your comments on the proposal by Wednesday 3rd June 2026.**

All submitted documentation can be viewed at [324279 | An Coimisiún Pleanála](#) -

If you wish to discuss this further, please contact James Condron.

Please also keep a note of the hours spent compiling your reports.

Report from Birr Municipal District is as follows:

No objection to the proposed development, subject to the following Planning Conditions, which for clarity have been categorised as follows:

Section 1 - Planning Conditions of a generic nature.

Section 2 - Planning Conditions with respect to haulage routes.

Section 3 - Planning Conditions with respect to light-duty road maintenance by Municipal Districts.

Section 4 - Planning Conditions with respect to road survey and road surface remedial works.

Section 5 - Planning Conditions with respect to a bond for haulage routes.

Section 6 - Planning Conditions with respect to the grid connection cable route.

SECTION 1 - PLANNING CONDITIONS OF A GENERIC NATURE.

Planning Condition: – Visibility and Safe Sight Distances:

The safe sight distances as detailed on the submitted entrance drawings shall be implemented and maintained free of obstruction throughout the lifecycle of the project/development.

Reason: In the interest of public safety.

Planning Condition: – Surface Water:

All surface water generated within the site shall be collected and disposed of on site, and in accordance with the submitted surface water management documentation. No surface water shall be allowed to run out onto the public road.

Reason: In the interest of preservation of the public road, in the interest of keeping surface water off the public road in accordance with Section 76 of the Roads Act 1993, and in the interest of public safety.

Planning Condition: – Ground Water:

The development shall not be permitted to bring about an increase in the elevation of the pre-existing ground water levels adjacent to public roads. Water shall be managed in accordance with the submitted water management documentation.

Reason: In the interest of preservation of the public road and public safety.

Planning Condition: – Wheel-wash:

Each site exit shall be serviced with a wheel-wash facility. Each wheel-wash shall use a **pressurised water system** to effectively remove undesirables from the undercarriage, sides, and wheels of vehicles. Wastewater and silt from each wheel-wash shall be managed in an environmentally appropriate manner. Each wheel-wash shall be situated at least 50m from its associated site entrance, so that the washed vehicle will traverse a 50m stretch of bound macadam driveway prior to exiting onto the public road network, in accordance with a separate planning condition entitled "Surface of Site Access Lanes." A wheel-dip alone shall not be deemed to be an acceptable wheel-wash facility.

Reason: In the interest of preservation of the public road and public safety.

Planning Condition: – Pre-construction – Surfacing of Site Access Lanes:

Prior to the main HGV delivery phase of the development, each site entranceway and site access laneway shall be surfaced in a bound macadam material for a distance of 50m from the metalled edge of the public road. The macadam surface shall be kept washed and brushed by a vacuum-sweeper truck. Surface dressing will not be deemed acceptable.

Reason: In the interest of keeping a wet limestone-based slurry (and dust in dry weather) from exiting vehicles being deposited on the trafficable surfaces and verges of the public road network, which is a known issue from developments of this nature.

Planning Condition: – Post-construction resurfacing of Public Roads at Site Entrances:

Following completion of civil and structural stage of the development, the developer shall resurface the public road adjacent to each site entrance. In the case of the site entrance onto the R-492, the public road shall be resurfaced from the site entrance as far as the junction with the N-62 at Sharavogue, a distance of approximately 2.5km. This shall be carried out in close consultation the Offaly County Council's Roads Department and the Birr Municipal District office.

Reason: It is known that deterioration of the public road network at site entrances is likely to occur during a development of this nature, due the turning and braking of heavy goods vehicles.

Planning Condition: – Housekeeping:

All public roads affected by the development shall be kept free of loose materials, dust, mud, spillages, and debris. Any necessary measures to control this matter shall be put in place by the developer.

Reason: In the interest of public safety and orderly development.

Planning Condition: – Wildlife Act and Bird Nesting Season:

The planned removal of any trees, hedges, or other vegetation as part of this development shall only be permitted take place in accordance with the provisions of the Wildlife Act and in consideration of the Bird Nesting Season.

Reason: Preservation of natural heritage and compliance with the Wildlife Act.

Planning Condition: – Road Opening Licence:

No excavation of, or alterations to the public road network (which includes the metalled surface, roadside verges, hard shoulders, entrances, roadside drains, kerbs, footways, road-signs, lamp-posts, barriers, etc.) shall take place without having obtained a valid Road-Opening Licence through the online MapRoad system in advance.

Reason: Preservation of the integrity of the public road and public safety.

Planning Condition: – Temporary Traffic Management (TTM) for Construction Phase:

The applicant shall ensure that site-specific Temporary Traffic Management (TTM) Plans are designed and installed to cater for the various phases of the project that have an impact upon or interaction with the public road network. Items that may be considered along with the General Principles of Prevention, could include, but not exclusively, some of the following:

- The prevailing traffic speeds and traffic volumes. Busy commuter routes.
- Horizontal and vertical alignments of the road(s). Visibility. Obstacles. Undulations.
- Presence of existing entrances in the vicinity/ existing turning movements/ existing slow-moving traffic areas.
- Grass verges – shall be kept in check by the developer to ensure that TTM signage is visible at all times.
- Appropriate TTM Plan and risk assessments shall be in place for all activities on the public roads.
- Housekeeping: All public roads affected by the development shall be kept free of loose materials, dust, mud, spillages, and debris.
- For excavation works at site entrances – the safety zone requirements and available residual road widths shall be considered as part of the Temporary Traffic Management Design Process.
- 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.
- The Provision of Variable Message Signs (VMS) for the duration of the project, or at specific phases of the project.

Reason: Public safety and compliance with Chapter 8 of the Traffic Signs Manual 2019.

Planning Condition: – Road Safety Audit:

The development shall be in accordance with the recommendations of the submitted Road Safety Audit and subsequent stages of the Road Safety Audit process.

Reason: Public safety.

Planning Condition: – Restricted Routes:

Heavy goods vehicles to and from the site shall primarily use the National Secondary road network followed by the Regional Road network. HGV deliveries to and from the site shall not be permitted to use any public roads or bridges which have a weight restriction.

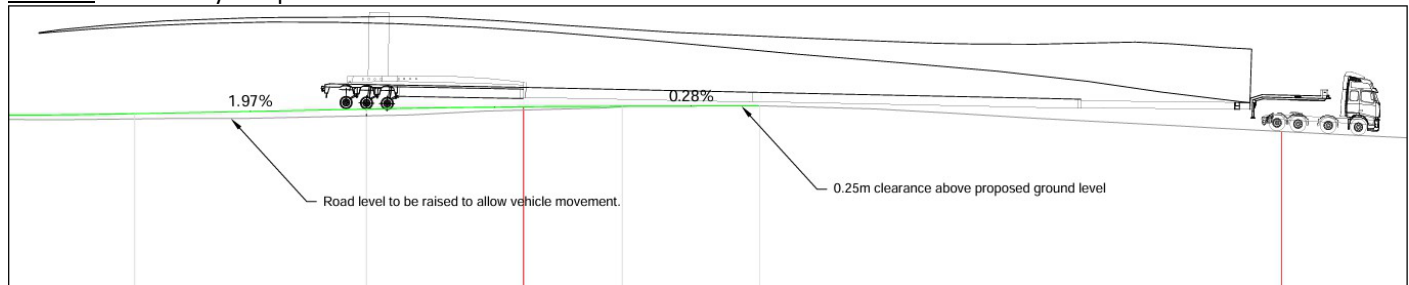
Reason: In the interest of preservation of the public road network and public safety.

SECTION 2 - PLANNING CONDITIONS WITH RESPECT TO HAULAGE ROUTES

Planning Condition: – Undulations in Road Surface to be Filled:

The submitted documentation identifies a hollow in the R-492 which will require filling in order to accommodate delivery of the wind turbine blades. Where raising of road levels are required, the developer shall provide structural details to Offaly County Council in advance, to include the use of bound macadam materials instead of granular materials, and to include measures for providing side-support to the metalled edges of the public road.

Reason: Road safety and preservation of the road structure.



Planning Condition: – Timing of Large Concrete Pours:

Two national secondary roads, the N-52 and the N-62 overlap through Birr town. There is a secondary school which caters for over 1000 students, six local primary schools, and a number of creches in the town. It can be congested at times in the town as a result.

It shall be a condition of the planning permission that large concrete pours be planned in consultation with Offaly County Council so as to avoid the most congested times in Birr town so that concrete delivery trucks are not adding to an existing problem. Any resulting decisions by Offaly County Council regarding the timing of concrete pours shall be deemed to be final and binding.

Reason: In the interest of public safety.

Planning Condition: – Proposed slip-road at Sharavogue:

The proposed slip-road at Sharavogue shall only be used for accommodating the transport of over-sized structural components such as sections of wind-turbine tower and/or blades which cannot otherwise be physically accommodated by the R-492/N-62 junction due to the geometric restrictions of the junction.

The slip-road shall not be used for any of the following: Accommodating the passage of other vehicular traffic to or from the site; Vehicular parking of any description; Temporary pulling-in or queuing; Storage of goods or materials.

The slip-road shall be secured against entry by the general public at all times, except for the movement of large structural components.

Surface water from the slip-road shall be attenuated and catered for appropriately so that no such surface water is permitted to flow onto the R-492 or N-62, or in to adjacent properties.

The surface of the slip road shall be finished in a bound macadam material so that loose aggregates are not carried by wheels onto the public road network.

Reason: In the interest of orderly development and public safety.

Planning Condition: – Road Safety:

The recorded average width of the R-492 from Sharavogue to the site entrance is 6.30m, however it can be evidenced on the ground that the road width is in several locations narrower than the optimal width required for two HGVs to comfortably pass each other. Prior to commencement of any construction works, the developer shall carry out detailed road survey identifying opportunities to create passing bays which accommodate the safe passage of all road users for the duration of the project. Survey details and design proposals shall be submitted for the review and approval of Offaly County Council.

Reason: In the interest of public safety and preservation of the public road structure.

Planning Condition: – R-491 Roscrea town to Shinrone village:

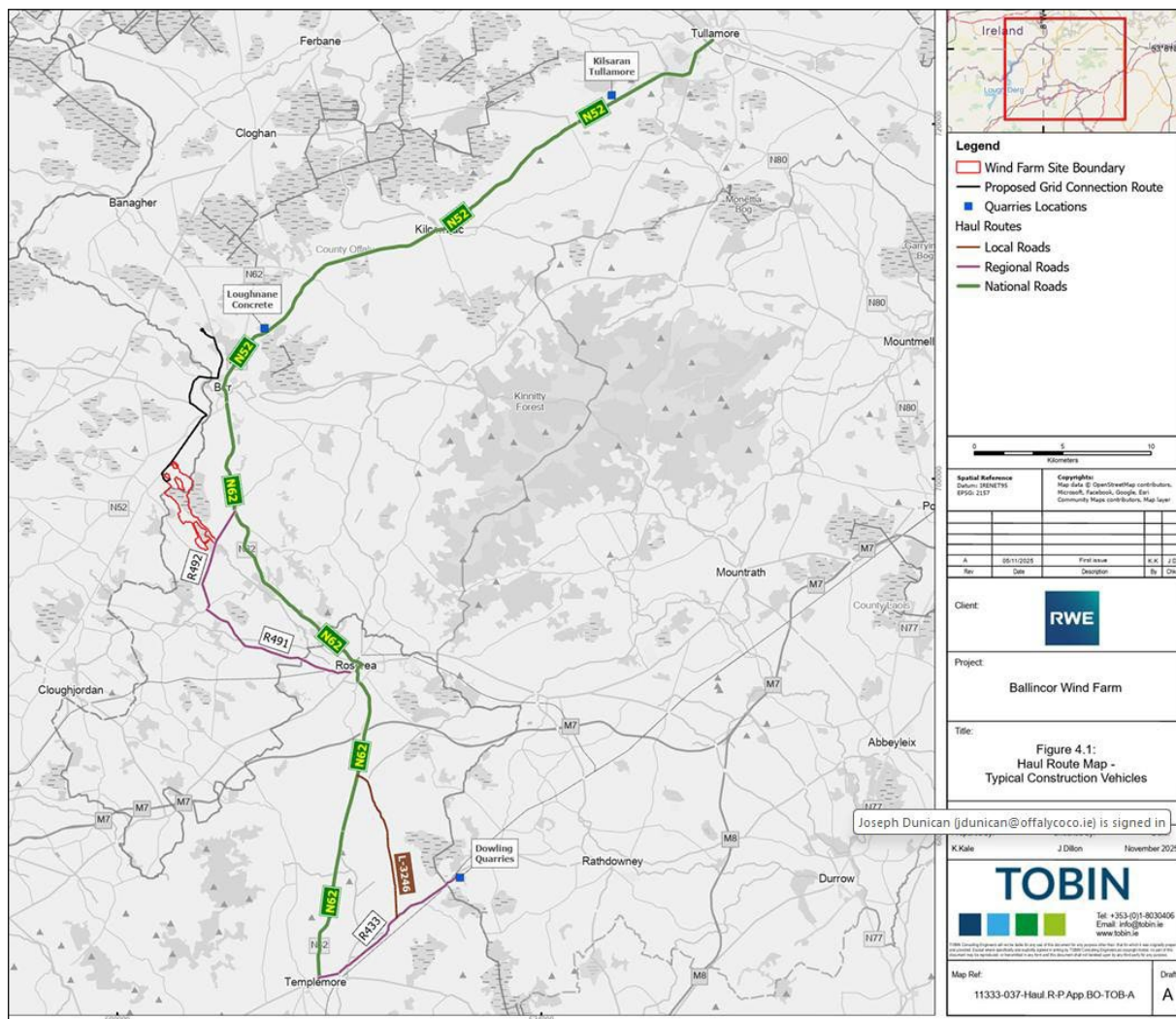
The submitted documentation identifies the R-491 from Roscrea town to Shinrone village, and the R-492 from Shinrone village to the site entrance, as a planned haulage route.

The R-491 Roscrea to Shinrone and R492 Shinrone to the site entrance are **under no circumstances to be used for HGV traffic of any description for this development**. This route is not suitable to cater for the level of HGV traffic that would be generated from the proposed development, on the following grounds:

- The R-491 road is narrow and would therefore suffer from structural damage from high levels of HGV traffic.
- The R-491 is a known cyclist route, and there has been a number of cyclist fatalities on this road in recent years.
- The geometry of the tee junction on Main Street in Shinrone village where the R-491 from Roscrea meets the R-492 (Shinrone to Sharavogue) is not of a suitable standard to safely accommodate the introduction of additional HGV traffic.
- The largest business in the locality – Liffey Mills – is also located near the tee junction. Liffey Mills already accommodates HGVs and agricultural traffic, and it is a known issue that traffic queuing occurs from time to time in the village as a result. Additional HGV traffic would further aggravate an existing traffic safety issue.
- Village amenities such as Shinrone primary school, Shinrone GAA grounds, and Shinrone RC Chapel are all situated along the proposed haulage route. Additional HGV traffic would be unsatisfactory with respect to pedestrian safety at school drop-off and collection times, church masses and funerals, and GAA events.

HGV traffic from Roscrea shall use the N-62 National Secondary Road from Roscrea to Sharavogue, and the R-492 from Sharavogue to the site entrance.

Reason: Public safety and preservation of the public road network.



SECTION 3 - PLANNING CONDITIONS WITH RESPECT TO LIGHT-DUTY ROAD MAINTENANCE BY MUNICIPAL DISTRICTS

Planning Condition: – Light-duty Road Maintenance by Municipal District of Birr - Annual Contribution:

To facilitate the expected extra light-duty road maintenance by the Municipal District of Birr (in the form of pothole repairs by the patching-unit crew and water-cut repairs by the JCB crew) which will be required as a result of additional HGV traffic on the public roads servicing the development, the developer shall pay to the Planning Authority a Financial Contribution as a Special Contribution under Section 48(2)(c.) of the Planning and Development Act 2000, as amended, in respect of light road maintenance of these roads.

The contribution shall be paid annually, with the first payment within 3 months from the date of this grant of planning permission or in such payments as the Planning Authority may facilitate.

The amount of the contribution shall be €20,000 per annum.

The figure of €20,000 is calculated as follows:

Expected additional site visits to the concrete and granular materials haulage routes within the Municipal District of Birr would equate to a visit every fortnight for a full-day (8 hours) by either the JCB crew or the Patching-unit crew. Say 25 visits per year.

4 Men on the crew for 8 hours = 32 man-hours per visit.

32 man-hours @ €25/hr = €800 per visit.

€800 per visit x 25 visits per annum = €20,000 per annum

Note:

Traffic Management supply and install – no charge. Patching-unit equipment hire – no charge. JCB hire – no charge. Van hire – no charge. Materials supply (tar, chippings, broken stone) – no charge.

Reason: In the interest of preservation of the public road condition.

SECTION 4 - PLANNING CONDITIONS WITH RESPECT TO ROAD SURVEY AND ROAD SURFACE REMEDIAL WORKSPlanning Condition: – Road **Pre-Condition** Survey:

Prior to commencement of any construction work on the development, a Road Condition Survey of the public road network in Offaly which is affected by the development shall be carried out by a suitably qualified professional organisation and submitted to the Planning Authority for written approval. The survey shall include a Video Survey, Photographic Survey, Road Condition Survey, and a Falling Weight Deflectometer (FWD) Survey.

Reason: To establish the condition of the public road along the main haulage routes before being impacted by the development.

Planning Condition: – Road **Post-Condition** Survey:

Within 3 months of completion of the development, a Road Condition Survey of the public road network in Offaly which was affected by the development shall be carried out by a suitably qualified professional organisation and submitted to the Planning Authority for written approval. The survey shall include a Video Survey, Photographic Survey, Road Condition Survey, and a Falling Weight Deflectometer (FWD) Survey.

Reason: To establish the condition of the public road along the main haulage routes after being impacted by the development.

Planning Condition: – **Post Construction Stage** - Major Road Deterioration and Full-width Restoration:

Where the Local Authority determines that a significant deterioration has occurred in the condition of public road network as a result of the traffic to/from the development, as evidenced by comparison of the “before” and “after” Road Condition Surveys, the developer shall be held accountable for the costs of the necessary full-width road restoration repairs in accordance with the relevant Department of Transport and Transport Infrastructure Ireland design guidelines. Such full-width restorations on Local and Regional roads would typically entail road recycling, addition of new materials with or without bituminous materials, and double surface dressing, whilst on National secondary roads the restorations may include removal via road-planer of the deteriorated material and the application of new layers of bituminous materials.

Reason: In the interest of preservation of the public road condition.

Planning Condition: – **During Construction Stage** - Road Deterioration and Restoration:

Where the Local Authority determines that deterioration has occurred in the condition of public road network as a result of the traffic to/from the development, the developer shall when instructed by Offaly County Council carry out remedial works to the satisfaction of the Council without delay.

Reason: In the interest of preservation of the public road condition.

SECTION 5 - PLANNING CONDITIONS WITH RESPECT TO A BOND FOR HAULAGE ROUTES

Planning Condition: - Bond for Haulage Routes:

In the event that Offaly County Council is required to intervene and carry out repair works to the haulage routes, it is reasonable that a bond be in place to cover same. The bond shall be in place prior to commencement of construction works on the development. The value of such a bond is €3,176,800. Calculated as follows:

Haulage Routes for Concrete and Granular Stone Materials:

- (i) Kilsaran Bunaterin, Blueball, Co. Offaly, R35 Y688 to Site Entrance on R-492, via N-52, N-26, and R-492:
N-52 Kilsaran to Birr: Distance 29.0km. Road Width 14m. Area of Road 406,000m².
N-62 Birr to Sharavogue: Distance 6.5km. Road Width 10m. Area of Road 65,000m².
R-492 Sharavogue to Site Entrance: 2.0km. Road Width 6.3m. Area of Road 12,600m².

- (ii) Loughnane Concrete Ltd. Ballinaguilsha, Birr, Co. Offaly, R42 P592:
N-52 Loughnane Concrete to Birr: Overlaps the Kilsaran route.
N-62 Birr to Sharavogue: Overlaps the Kilsaran route.
R-492 Sharavogue to Site Entrance: Overlaps the Kilsaran route.

- (iii) Dowling's Quarries Ltd. Lisduff, Errill, Co. Laois R32 KX43:
N-62 County boundary at Drumakeenan to Sharavogue. Distance 9.4km. Road Width 10m. Area of Road 94,000m².
R-492 Sharavogue to Site Entrance: Overlaps the Kilsaran and Loughnane Concrete route.

Total area of road affected by the haulage of concrete and granular materials:

406,000m² + 65,000m² + 12,600m² + 94,000m² = 577,600m².

Expected defective area:

It may be reasonable to expect that 10% of the haulage route could become defective as a result of the development. Therefore, the area of road for calculation proposes is 57,760m²

Road resurfacing treatments and applicable rate:

National-Secondary Roads and Regional Roads: Base-course macadam and Surface Course Macadam in urban areas, with the addition of Road recycling in rural areas in advance of resurfacing. Cost of €55/m².

Total Value of Bond:

€3,176,800. i.e. 57,760m² * €55/m².

Reason: Preservation of the public road network.

SECTION 6 - PLANNING CONDITIONS WITH RESPECT TO THE GRID CONNECTION CABLE ROUTE

Planning Condition: – Road Opening Licences for Cable Routes:

No excavation of, or alterations to the public road network for the purposes of installing the proposed power cables (Note: the public road includes the metalled surface, roadside verges, hard shoulders, entrances, roadside drains, kerbs, footways, road - signs, lamp-posts, barriers, etc.) shall take place without having obtained a valid Road-Opening Licence through the online MapRoad system in advance.

Reason: Preservation of the integrity of the public road and public safety.

Planning Condition: – Reinstatement of Public Roads affected by cable route:

Irrespective of the final cable route agreed, full-width reinstatement shall be provided on all public roads affected by cable installation works.

Reason: Preservation of the integrity of the public road network.

Planning Condition: – Timing of Cable Installation works on Public Roads:

All excavation and reinstatement works for the cable route in the vicinity of “Croghan Road” in Birr town and “Banagher Road” in Birr town shall only be permitted to take place during the school summer holidays i.e. the months of July and August.

Reason: Public safety.

Planning Condition: – Futureproofing of buried services along Cable Routes:

The applicant shall ensure to install additional buried services along the cable route (which may include power conduits, telecoms conduits, drinking water pipes, and wastewater pipes) in consultation with relevant stakeholders such as Uisce Eireann, ESB, Eircom, and national Broadband Ireland. There is also an unfinished housing estate on Killeen Lane that may require service infrastructure.

Reason: Preservation of the integrity of the public road network.

Planning Condition: – Proposed Cable Route:

The submitted documentation indicates that a section of the proposed cable is to be installed from a local road tee-junction in Croghan townland County Tipperary, heading due east towards Birr town, and then north from Birr towards Banagher to its destination at Dallow sub-station. The distance in question is approximately 4.08 kilometres.

Birr Municipal District has the following observations to make:

- The section of Croghan Road in County Offaly (road number L-70065-6) has an average width of 3.70m.
- There is a 900mm concrete sewer pipe, **which serves all of the Birr urban area, along 200m of Croghan road.**
- There is a 525mm concrete stormwater pipe, and a 100mm PVC watermain already in Croghan Road.
- There are also 2 x 100mm buried Open-Eir telecommunications conduits along Croghan road.
- The limestone boundary wall of Birr Castle along Croghan Road is listed as a protected structure, with NIAH ID: 14819279.

Birr Municipal District is opposed to the installation of the cable from Croghan Road Tee junction to Birr town on the following grounds:

- The combination of the road narrowness (3.70m) and the presence of several existing buried services (as outlined above) already in the road, means that it is not only unfeasible to fit the proposed cable infrastructure in the road, but there is a risk of disrupting the main sewer pipe servicing the entire town.
- The works could create issues for residents on Croghan road and Banagher Road with respect to access, noise, dust, and public safety.
- Excavating in close proximity to the limestone boundary wall of Birr Castle along Croghan Road (NIAH ID: 14819279) could be problematic. Ground movements from construction activities could inadvertently damage the wall.
- There is already a cable from the Meenwaun Wind farm which is laid along the Banagher-Birr road (R-357) and along the (L-70152-2) into the Dallow substation site. It is believed that this cable zig-zags the public road. There are already cable-jointing pits at strategic locations such as entrances, junctions, or bends in the road. It may prove difficult to install the currently proposed cable for the Ballincor Wind farm along the same section of the L-70152-2 into the Dallow substation site.

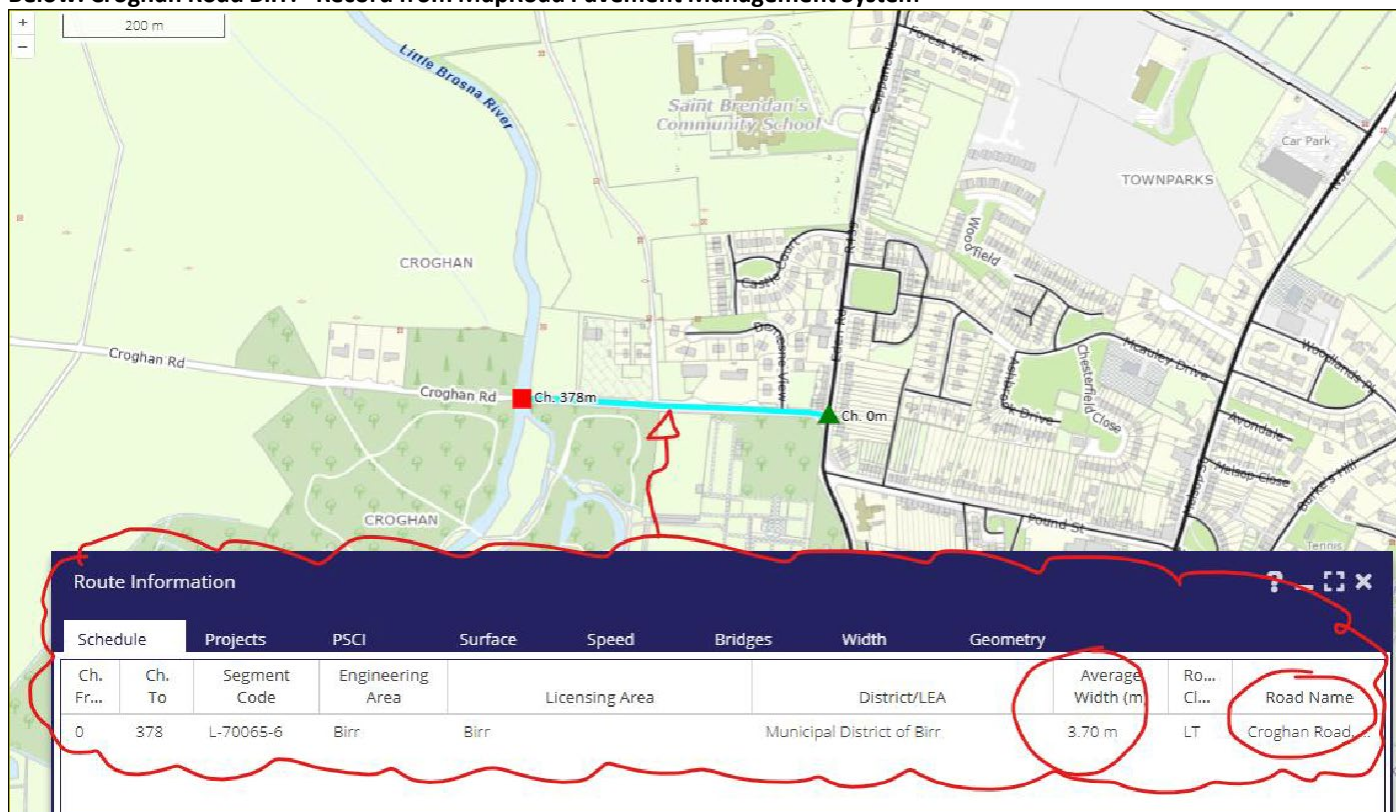
Birr Municipal District recommends the following alternative:

It shall be a condition of this planning permission that the grid connection cable route heads west from Croghan tee junction, to Derrinsallow, and on to Dallow substation, a distance of approximately 5.68 kilometres. This is 1.6km longer than what has been proposed, however the following benefits would be evidenced:

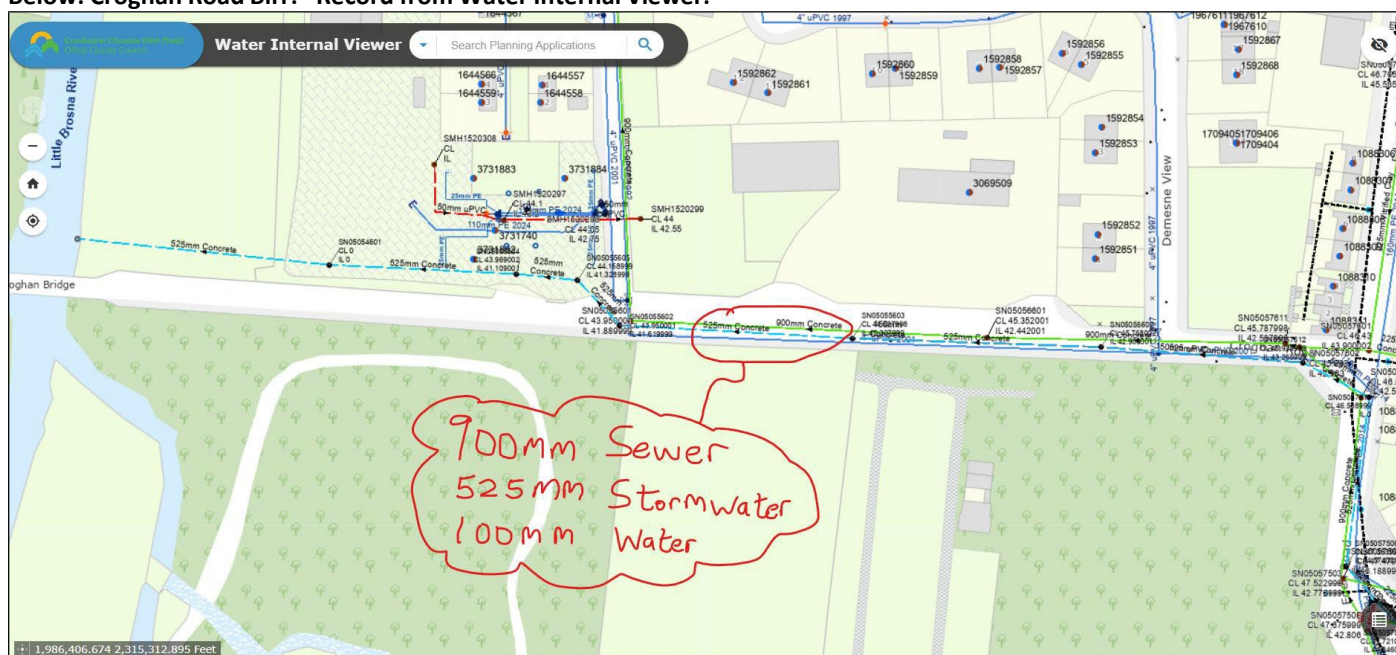
- There would be no existing buried services in the road that could create the same level of obstructions to installing the cable conduits which would otherwise be encountered on the section of Croghan Road in Birr town.

- The urban area of Birr town would be avoided. This would alleviate issues for the general public and in particular residents on Croghan road and Banagher Road with respect to access, noise, dust, and public safety.
- The rural nature of the roads would mean quicker, safer, more cost-effective conduit installation, and more cost effective final road reinstatements.
- Interaction with the cable from Meenwaun Wind Farm on the L- 70152-2 would be avoided altogether.
- It is known that cable-jointing chambers can require future re-excavation. Having these located in rural as opposed to urban areas means less disruption for the public into the future.
- Imagery below in support of this recommendation.

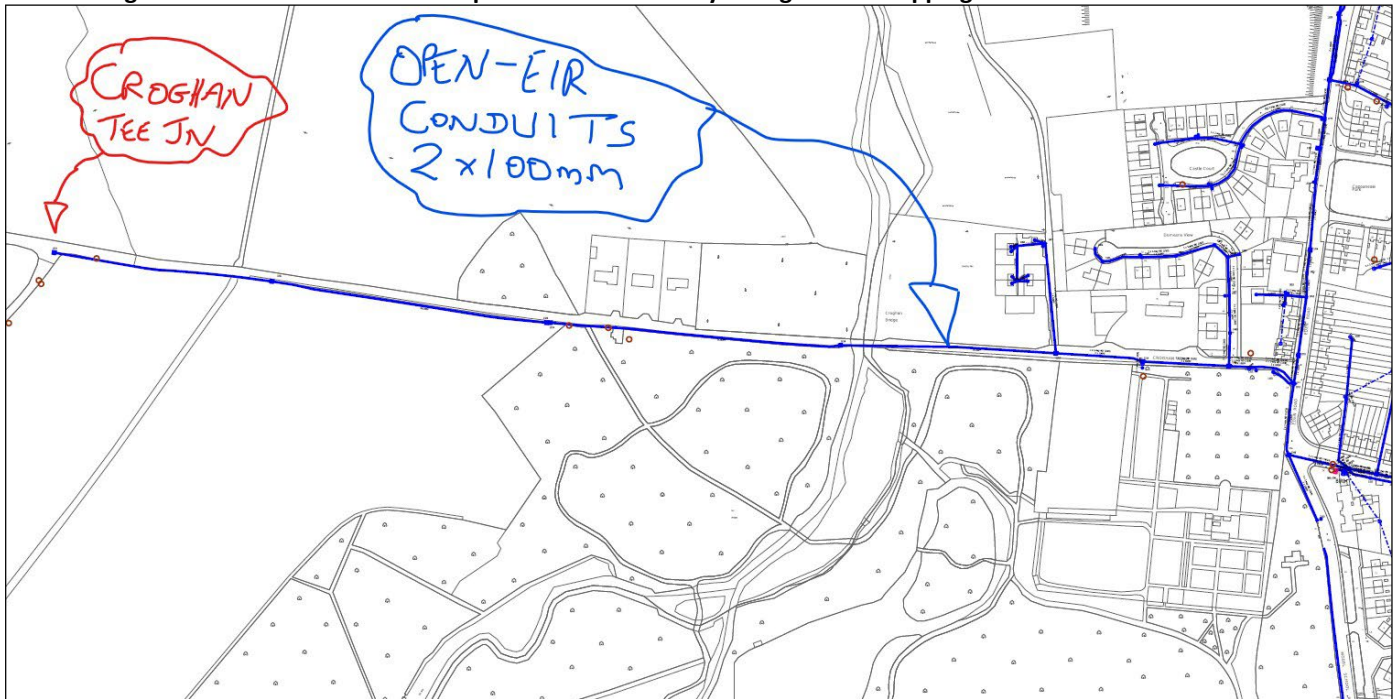
Below: Croghan Road Birr: - Record from MapRoad Pavement Management System



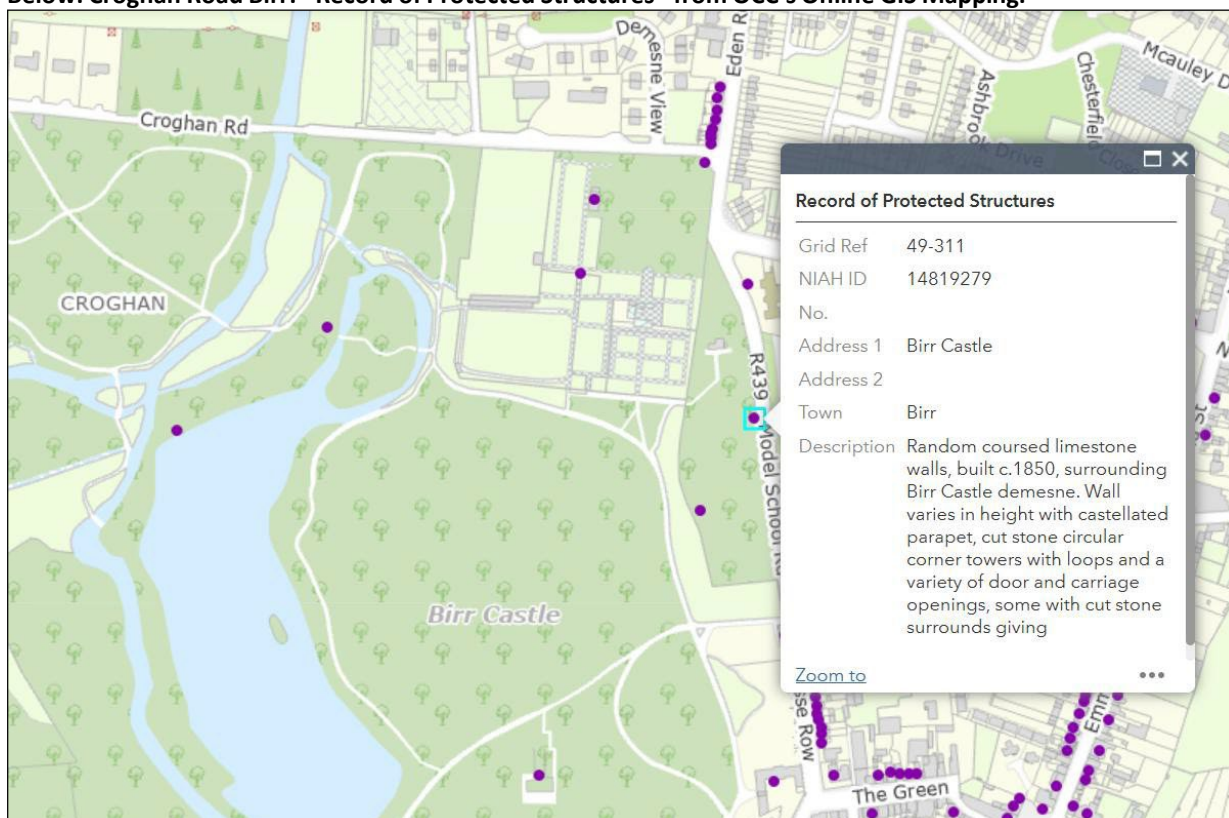
Below: Croghan Road Birr: - Record from Water Internal Viewer:

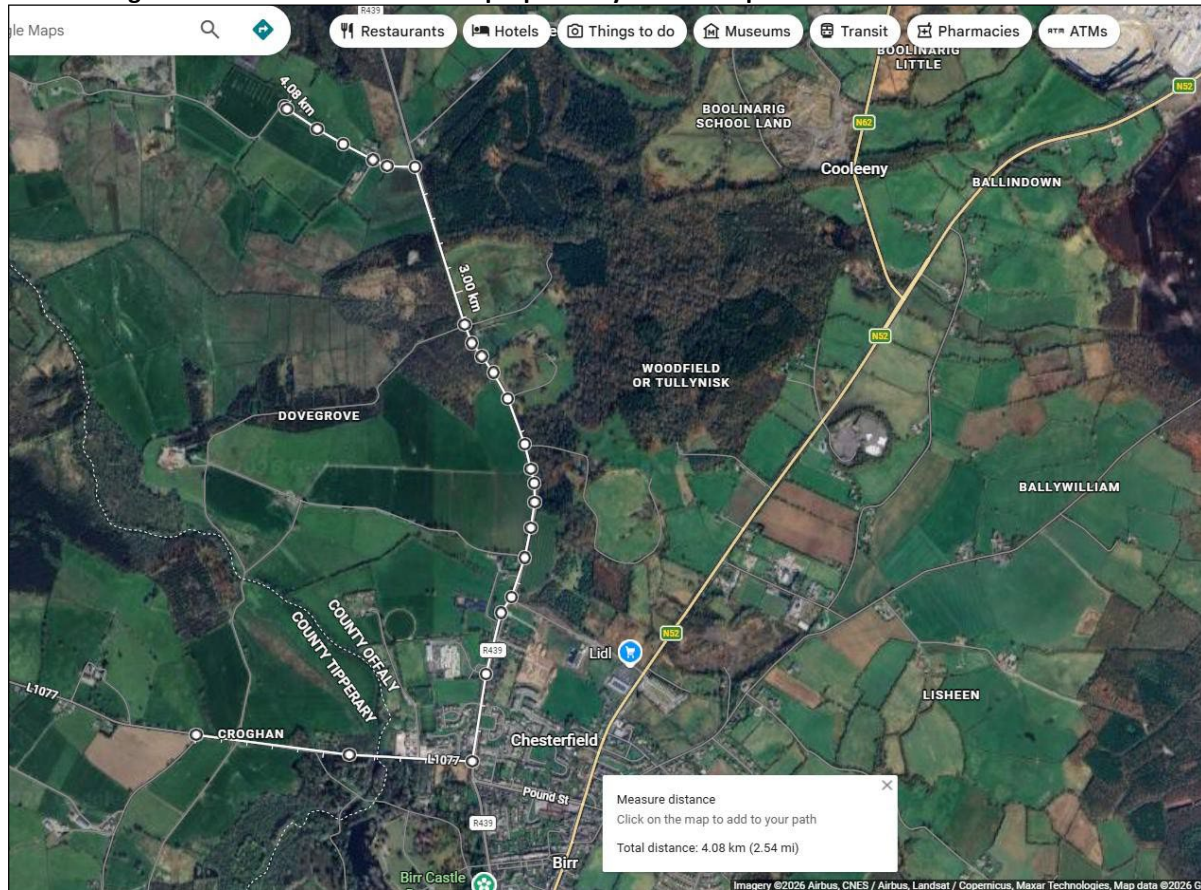
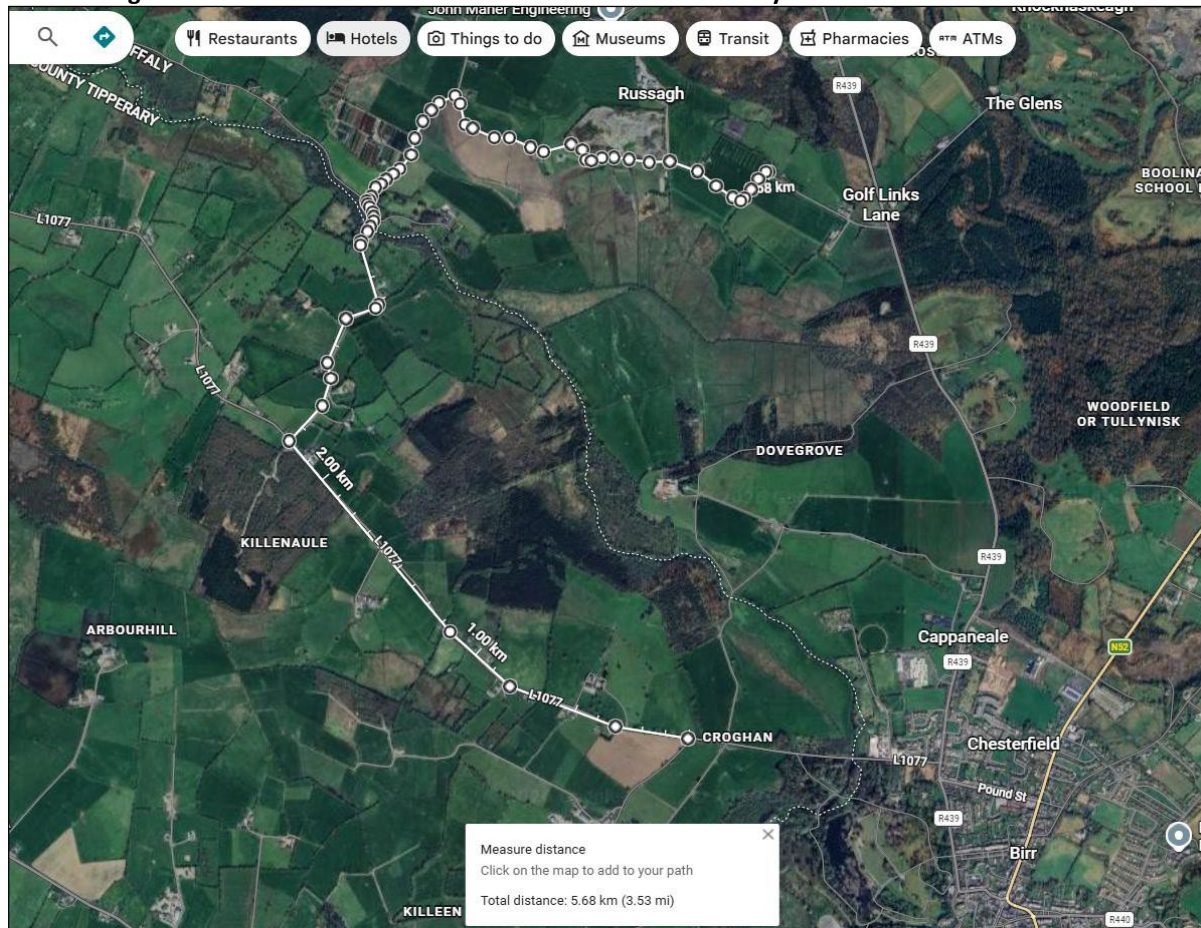


Below: Croghan Road Birr: - Record from OpenEir's Click-before-you-Dig Online Mapping:



Below: Croghan Road Birr: - Record of Protected Structures - from OCC's Online GIS Mapping:



Below: Croghan Road Birr - Cable Route as proposed by the Developer:**Below: Croghan Road Birr - Alternative Cable Route Recommended by Birr MD**

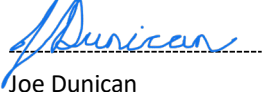
----- End of Proposed Planning Conditions -----

Important Notes to Planning Department:

Please also refer to reports from:

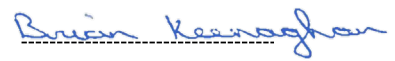
- OCC's Roads Department – in relation to the impact of the development on the public road network; and
- Environment and Water Services Department – in relation to Water Supply, Wastewater Management, and other environmental matters.
- Transport Infrastructure Ireland – in relation to the impact of the development on National Secondary roads.

Report by:



Joe Dunican
Executive Engineer
Birr Municipal District

Approved by:



Brian Keenaghan
Senior Executive Engineer
Birr Municipal District

Ballincor Wind Farm comprising of no. 11 wind turbines

SID 028 –Conservation Report May 2026

26062_N01 SID028_Ballincor Wind Farm ACP-324279-26.Docx

27 May 2026 Options Report – Architectural Comments

Commentary on SID 028 Submission

This Architectural Conservation Report considers the potential effects of the proposed Ballincor Wind Farm on the architectural heritage resource, including Protected Structures, recorded monuments and wider cultural heritage assets within the study area spanning Counties Offaly and Tipperary.

The assessment focuses primarily on indirect impacts on setting, visual amenity and heritage assets, as no direct physical works to the fabric or curtilage of Protected Structures are proposed.

The development comprises 11 wind turbines (up to approx. 180 m tip height), associated infrastructure, substation, Battery Energy Storage System (BESS), and a grid connection route. The site is located within a rural landscape of agricultural land, peatland, forestry and dispersed settlement, between Birr and Shinrone.

This report has regard to the EIAR, in particular Chapter 13 (Archaeological, Architectural and Cultural Heritage).

From an architectural conservation perspective, it is noted that the planning application confirms that the proposed development does not involve works to any Protected Structures or their curtilage. The EIAR further indicates that no structures included in the Record of Protected Structures (RPS) or listed within the National Inventory of Architectural Heritage (NIAH) are located within the footprint of the proposed turbine bases or primary associated infrastructure.

Notwithstanding the absence of direct impacts, the scale and verticality of the proposed turbines (with a blade tip height of up to approximately 180 m) has the potential to introduce new visual elements into the landscape, thereby affecting the wider setting of heritage assets. As such, the principal consideration of this report is the extent to which the development may influence the character, context and appreciation of these assets, particularly within open or sensitive landscapes and views.

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			x
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			x
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			x
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.			x
Does the application relate to work within or close to a European Site or a Natural Heritage Area?	No works are proposed within a European Site or Natural Heritage area. However, there are hydrological link to		x

Application Form for Permission / Approval
in respect of a Strategic Infrastructure Development

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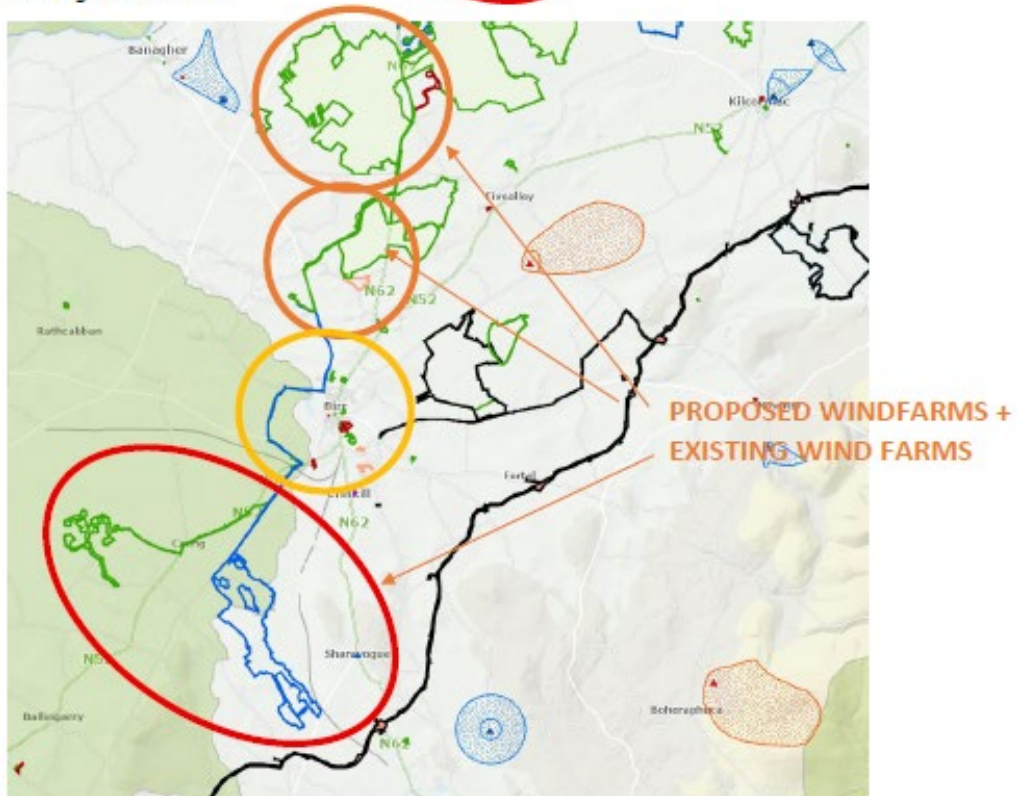
The assessment is undertaken in the context of the project's designation as Strategic Infrastructure Development under the Planning and Development Act 2000 (as amended), and its stated contribution to national renewable energy targets and climate policy. The interaction between these strategic policy objectives and the protection of architectural heritage forms an important part of the overall planning balance.

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Cumulative Impact of Wind Energy Development in the Wider Midlands and Birr Hinterland



Planning Internal Viewer



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It is considered necessary that the assessment of the proposed development gives full and explicit consideration to the cumulative impact of existing, permitted and proposed wind energy developments within the wider Midlands region, and particularly within the hinterland of Birr.

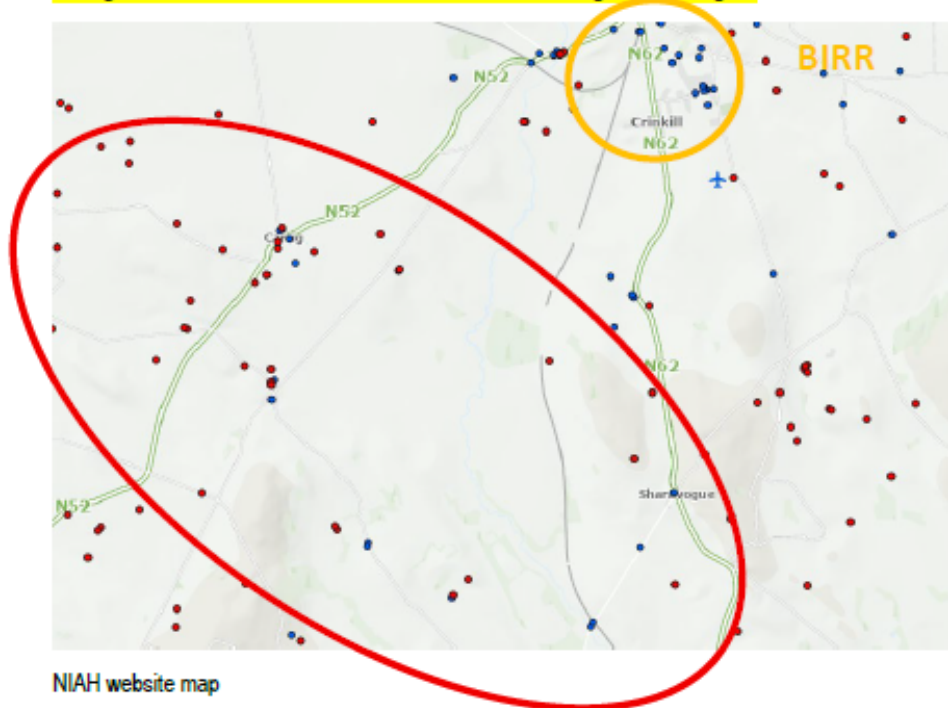
The Ballincor Wind Farm is located within a landscape that is already subject to increasing wind energy development pressure, including operational and proposed schemes in relatively close proximity. This raises concerns in relation to the incremental intensification and spatial clustering of large-scale turbine development across the area.

The Birr hinterland represents a highly sensitive cultural landscape, characterised by a rich assemblage of Protected Structures, including country houses, demesnes, ecclesiastical sites, and vernacular farmsteads. The significance of many of these assets is intrinsically linked not only to their physical fabric but also to their designed settings, landscaped demesnes, historic views, and visual relationships with the surrounding countryside. Many such historic properties were designed by family members availing of shared, extended views across their demesnes to distant landscape features.

The introduction of additional large-scale vertical elements such as turbines of up to 180 m in height has the potential, when considered cumulatively with other existing and permitted developments, to alter the perceived character of this landscape. There is a risk that the balance between historic landscape patterns and contemporary infrastructure may shift towards a landscape increasingly defined by energy development, thereby diminishing the legibility, coherence and appreciation of existing, local historic features.

In this context, a more strategic and holistic evaluation of cumulative landscape capacity within the Midlands is warranted. Such an approach should consider not only individual project impacts, but also the broader pattern of wind farm distribution, spacing and visibility, particularly in areas of recognised heritage sensitivity.

A precautionary, conservation-led approach is therefore recommended, ensuring that the cumulative extent of wind energy development does not result in the erosion of the distinctive landscape character and cultural heritage values that define the Birr hinterland and surrounding Midlands region.



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Location of the development site in relation to the landscape and the nearest protected structures.

Based on EIAR Chapter 13, the proposed development is located within a heritage-rich rural landscape comprising agricultural land, forestry and raised bog, with high archaeological potential, particularly associated with peatland and the Little Brosna River.

The EIAR (Chapter 13) identifies:

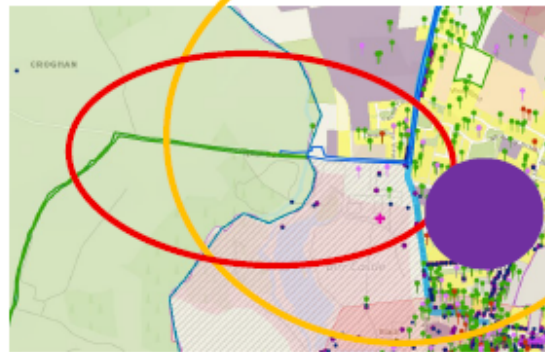
- 109 archaeological sites within 5 km (RMP/SMR)
- 70 protected structures (RPS/NIAH)
- 53 designed landscapes (demesnes)
- 36 non-designated cultural heritage sites
- One recorded archaeological monument within the wider site (tower house AH97)

It also identifies Birr Castle Demesne and the Great Telescope (~5 km away), included on the UNESCO Tentative List, as a receptor of very high sensitivity.

In addition to Chapter 13, further review highlights a notable concentration of heritage assets in close proximity to the development site, including:

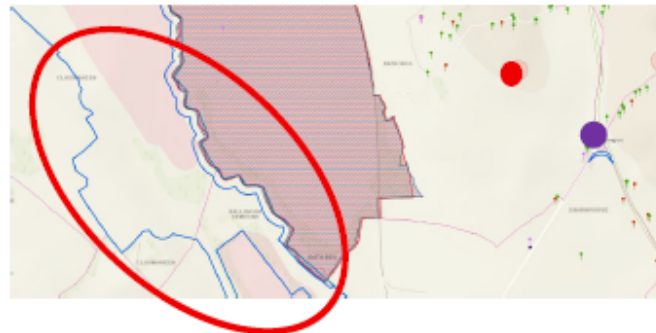
Protected Structures (RPS / NIAH)

- **Ballincor Demesne cluster:**
 - Ballincor House (RPS 56-003 / NIAH 14938019)
 - Farmhouse (56-001 / 14938016)
 - Ballincor National School (56-002 / 14938017)
- **Nearby residences and estate structures:**
 - Corolanty House (57-005 / 14942001)
 - Ballyeighan House (53-017 / 14938012)
 - Ballyeighan Lodge (53-019 / 14938014)
 - Post Box (53-018 / 14938013)
 - Ballyegan house (53-020 / 14938015)
- **At or immediately adjoining site boundary:**
 - Sharavogue Bridge (57-004 / 14938021)
 - Sharavogue structure (57-003 / 14938010)
 - Black Bull Public House (57-001 / 14938007)
- **Birr (wider setting):**
 - Multiple RPS including terraces (49-313–320), estate buildings and structures within Birr Castle Demesne



Archaeological Sites (SMR / Zones)

- Ringfort (R141211 / OF01701)
- Fortified house (R141159 / OF01815)
- Enclosure / probable fort (R141140 / OF01816)
- Fulacht fia (R141335 / OF01717)



- Crinkill complex (R141390 / OF01523)
- Bridge (R141413 / OF04794)
- Bullaun stone (R190001 / OF05156)

Natural Heritage Context

- Sharavogue Bog pNHA (000585) adjacent to the development
- This reinforces both:
- Landscape sensitivity
 - Archaeological preservation potential



Assessment of Effects

According to the EIAR, no direct impacts on recorded monuments or protected structures are predicted. However, the report clearly acknowledges that the site has high archaeological potential, and that unknown subsurface remains may be present.

Groundworks associated with turbines, access roads and infrastructure may therefore result in direct negative impacts, potentially of moderate to very significant magnitude prior to mitigation.

In addition, the construction phase will result in:

- Direct disturbance to Ballincor demesne (DL29)
- Removal of part of a demesne wall at Sharavogue
- Intervention in historic townland boundaries
- Potential impacts in proximity to a motte and bailey (AH109) along the grid connection route.

The EIAR states that no direct impacts occur during operation; however, it identifies a range of indirect (visual and setting) impacts. A number of moderate negative impacts are predicted on:

- Archaeological sites (including ringforts and tower houses)
- Protected structures (houses, lodges and farm complexes)
- Designed landscapes (demesnes)
- Vernacular heritage sites

These impacts arise due to the visibility and scale of the turbines, which alter the character and setting of the historic landscape. Following mitigation, the EIAR states that:

- Archaeological impacts will be resolved through testing and monitoring
- Residual impacts on setting will remain, but are considered not significant

However, these impacts are inherently permanent, as they arise from the presence of turbines within the landscape.

While the EIAR ultimately concludes that impacts are not significant, this position is not fully supported by its own findings.



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The report:

- clearly identifies moderate adverse impacts on multiple heritage assets
- acknowledges high archaeological potential
- confirms that visual impacts cannot be mitigated

Despite this, the conclusion downplays the overall significance, which appears to reflect the applicant's position rather than the sensitivity of the receiving environment.



Professional Assessment and Planning Considerations

Notwithstanding the conclusions reached in the EIAR, a detailed review of the baseline environment and predicted effects indicates that the proposed development must be considered within a broader and more sensitive context. The site is located within a highly sensitive historic landscape characterised by a dense concentration of Protected Structures, recorded archaeological sites, and an extensive network of demesnes and designed landscapes. This landscape is not only of local importance but also forms part of the wider setting of Birr town and Birr Castle Demesne, a site of international significance currently included on the UNESCO Tentative List. Birr Castle Demesne is included in a joint bid for UNESCO World Heritage status as part of Ireland's Historic Astronomical Observatories, alongside Dunsink and Armagh Observatories. As with all such UNESCO applications, the success of the bid depends on every participating site—if one element fails to meet the requirements, the entire nomination is at risk. The proposed wind farm, due to its proximity to Birr Demesne, could therefore undermine the bid and jeopardise the effort to achieve UNESCO World Heritage designation.

The proximity of the proposed turbines to this concentration of heritage assets is a key concern.

Numerous Protected Structures, including houses, lodges, bridges and estate features, are situated within a relatively confined geographic area surrounding the development. In addition, Birr itself represents a historic urban centre with a high proportion of protected buildings, whose significance is closely tied to their wider landscape setting. While the EIAR identifies that no direct physical impacts on these assets will occur, it also acknowledges that the development will result in a number of moderate adverse impacts arising from changes to setting and visual context. These impacts are directly related to the scale, height and prominence of the proposed turbines, which would introduce substantial vertical elements into an otherwise relatively low-lying and coherent rural landscape.

The receiving environment is defined by traditional settlement patterns, demesne landscapes, agricultural field systems and a strong sense of visual continuity. The introduction of turbines of up to approximately 180 metres in height would represent a significant departure from this established character. **As a result, the development would alter the perception and appreciation of heritage assets, particularly in views to and from Protected Structures and along key landscape corridors.**

It is also important to note that the EIAR acknowledges that such visual and setting impacts cannot be mitigated. Consequently, these effects must be regarded as permanent. In this context, the conclusion that these impacts are not significant is not considered to fully reflect the sensitivity of the landscape or the cumulative influence of such changes on heritage value.

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Furthermore, when considered in combination with existing and proposed wind energy developments within the wider Midlands region, the proposal raises additional concerns in relation to cumulative impact. The increasing presence of large-scale wind farms within this landscape risks shifting its character towards one dominated by energy infrastructure, thereby diminishing the legibility and integrity of the historic environment.

Conclusion

Having regard to the above, the proposed development represents an overly intensive and visually intrusive intervention within a highly sensitive historic landscape. The scale of the turbines, their proximity to a large number of Protected Structures, and their relationship to the wider setting of Birr town and Birr Castle Demesne (on the on the **UNESCO Tentative List**) would result in a significant and lasting change to the character of the area. This would adversely affect the setting, context and appreciation of heritage assets, diminish the historic and cultural value of the landscape, and contribute to an increasing perception of industrialisation within a currently coherent rural environment.

While the EIAR identifies these impacts, it does not fully acknowledge their permanent and cumulative nature. The evidence presented indicates that the location of the proposed development is not appropriate in heritage terms. It is therefore considered that the development would have an unacceptable impact on the architectural, archaeological and cultural heritage of the area and would be unduly invasive in this sensitive context.

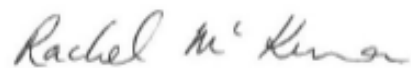
Accordingly, it is recommended that permission should not be granted. The protection of the historic landscape and the cultural heritage of the Birr hinterland should be prioritised over further intensification of wind energy infrastructure in this location.

Let me know if you require additional information.



Wiktoria Stepczynska-Motyl, MSc ArchEng

Architectural and Planning Technician



Rachel Mc Kenna, MRIAI

Senior Executive Architect



Chief Fire Officer



Our Ref: EOC/NS

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

RE: SID 028 -

AT: Ballincor Wind Farm, Cloonaheen, Ballincor Demesne and Curralanty, Co. Offaly

APPLICANT:

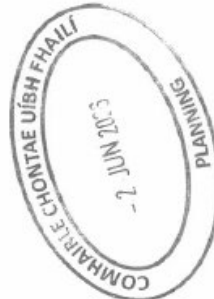
A Chara,

With reference to yours received on the concerning the above, I have no objections to the GRANTING of planning permission to this development, subject to compliance with the conditions set out hereunder:-

The applicant shall obtain a Fire Safety Certificate, and a Disability Access Certificate and lodge a Commencement Notice in accordance with the requirements of the Building Control Act, 2009 BEFORE the development commences

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

Nick Smyth
SENIOR ASSISTANT CHIEF FIRE OFFICER



Central Fire Station
Tullamore

Tel: 057 - 9327410
Fax: 057 - 9351524

29 May 2026

Environment and Water Services

Offaly County Council
Water Services

Planning Conditions

To: Planning
Planning Ref: SID 028
~~Ballincor~~ Wind Farm
Date: 2nd June 2026



Application for: 10 YEAR PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT AND ALL ASSOCIATED INFRASTRUCTURE-11 NO. TURBINE WINDFARM, 110KV SUBSTATION, BATTERY ENERGY STORAGE SYSTEM, GRID CONNECTION ROUTE AND TURBINE DELIVERY ROUTE.

Applicant: RWE RENEWABLES IRELAND LTD.

Location: CLOONAHEEN, BALLINCOR DEMESNE, AND CURRALANTY, COUNTY OFFALY.

I refer to the documentation received in relation to the above application and comment as follows:

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

General

1. All mitigation measures as outlined in the submitted planning documentation shall be implemented for the construction & operational phase of the proposed development.
2. 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.
3. 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.
4. All mitigation measures as outlined in of the submitted Appropriate Assessment Screening Report and Natura Impact Statement shall be implemented by the applicant/developer for the construction & operational phase of the development.
5. All mitigation measures as outlined in the submitted Environmental Impact Assessment Report shall be implemented by the applicant/developer for the construction, operational phase & decommissioning phase of the development.

6. 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 shall be managed in accordance with a Surface Water Management Plan incorporating attenuation, settlement, and controlled discharge systems. No surface water shall be discharged to the public road or adjoining lands. Any discharge to watercourses shall be subject to appropriate treatment and control measures.
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.

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. No. 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. No. 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:

~~L_{Aeq}~~ (60 minutes)	55dB(A)	8am to 8pm
~~L_{Aeq}~~ (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.

Report by:



Vivian O'Brien,
Executive Engineer,
Environment, Climate Action &
Rural Water.

Approved:

Mark Mahon,
Senior Engineer,
Environment, Climate Action &
Rural Water.

ROAD DESIGN COMMENTS

To:	Planning
From:	Celine Greaney, Executive Engineer
Date:	5th June 2026

Planning Ref. No.	Road Class: R439 and L1077.
SID 028 - Ballincor	
Wind Farm ACP-324279-26	
Applicant:	RWE Renewables Ireland Ltd.
Agent:	Tobin
Proposed Development:	SID - Proposed development of 11 Wind Turbine Generators, Works along the public road and private land for a 12.23 km grid connection to the existing Dallow 110 kV substation including installation of 17 joint bays, and associated infrastructure.
Site Address:	Ballincor and surrounding townlands - Townparks, Dovegrove, Woodfield or Tullynisk, and Clondallow in Co. Offaly and extending into Co. Tipperary.

In reference to the above application, I have reviewed all documentation submitted and comment as follows:

General Requirements

- A Construction Management Plan shall be submitted to Offaly County Council (OCC). Contents to include implementation of planning conditions and EIS requirements.
- OCC shall be advised of details of PSDP, PSCS and contractors involved in the development prior to commencement.
- Any required road opening licences will be applied via RMO/OCC.
- Contractor insurance details shall be provided to OCC for reference.
- Performance bond in place prior to commencement of works. Refer to the below bond calculation.
- A dedicated liaison engineer shall be appointed by the developer and all associated costs covered by the developer.
- Long term damage fee or works in lieu.
- Developer shall consult with An Garda Síochána, emergency services and bus operators in relation to each stage of the works and any traffic management measures.
- Developer shall liaise with all affected Planning Authorities
- Developer shall arrange for liaison with the public, residents, businesses and schools.
- Allow for briefing of Elected Members in the affected Municipal District at dates determined by OCC.

- The developer shall allow for the accommodation of local events, such as charity walks and cycles in the works programme.

Turbine Delivery Routes

- Developer shall liaise with Birr Municipal District & Offaly County Council in relation to deliveries.
- Detailed programme of deliveries shall be submitted to OCC in advance of commencement of deliveries. Details to include dates and times, number of loads, weights, road closure and diversion routes, support vehicles, etc.
- Identification of landowners at all nodes and entry/exit points requiring temporary or permanent works. If OCC consider that the land used for any temporary or permanent works would be beneficial for the improvement of the existing road, then the developer shall carry out a design for the improvement and implement same.
- Pre-condition and post-condition surveys of delivery routes, consisting of a video survey and photographs, and a detailed survey of all node locations shall be carried out and a copy submitted to OCC. Survey at nodes to include drainage, landscaping, surfacing, boundary fences/hedges/gates and signage.
- 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.
- Any damage caused to the public road shall be repaired to its previous condition, to the satisfaction of OCC.
- Developer shall consult with all service providers (including Uisce Éireann) in relation to turbine delivery routes. OCC to be advised of any alterations required.
- Developer shall consult with An Garda Síochána and emergency services in relation to the turbine deliveries.
- Design and construction details for temporary modifications at node points to be submitted for approval by OCC. Details to include arrangements for both delivery phases and operational phases. Road Safety Audits in accordance with TII Road Safety Audit Guidelines, GE-STY-01027 shall be undertaken.
- Amendments to access points from the R439 shall be designed and constructed in line with all relevant TII design standards.
- Abnormal load permits will be required.
- Any alterations affecting the width of the existing roads shall be reinstated to the original width, unless otherwise agreed with OCC. Where roads are widened, the specification shall be that of the existing road as a minimum.
- An emergency plan shall be submitted to OCC.
- Developer shall liaise with local groups such as Tidy Towns, etc.
- Developer shall liaise with OCC for transportation on the Regional Road Network.
- All 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.

Materials Delivery Routes:

- Developer shall liaise with Birr Municipal District & Offaly County Council in relation to deliveries.
- Detailed programme of deliveries to be submitted to OCC for prior approval in advance of commencement of deliveries. Details to include number of movements per day, weights.
- Traffic management plans shall be submitted for haulage of materials, including at entry/exit points.
- Pre-condition and post-condition surveys of delivery routes, consisting of a video survey and photographs, a Road Condition Survey, and an FWD Survey where required, shall be carried out and a copy submitted to OCC.
- Where OCC consider a proposed haul route is not in a suitable condition, the developer shall upgrade the road or junction in advance of haulage operations.
- Any defects that appear during the haulage period shall be rectified by the developer.
- Any damage caused to the road shall be repaired to its previous condition, to the satisfaction of OCC. A defects liability period of 2 years shall apply. This shall commence when written notification has been given that the permanent reinstatement/overlay has been completed (where applicable).
- 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.

Culvert Construction:

- Details of Culvert Extension shall be submitted to OCC in advance of commencement of works. Details to include works programme, construction details, cross-sections for each aspect of the works.
- If a road or lane closure is required, an application must be submitted to OCC at least 8 weeks in advance.
- Where road works speed limits are required, an application shall be submitted to OCC at least 8 weeks in advance. Signs to be erected by the developer.
- Traffic management plans to be submitted for each stage of the works.
- Pre-condition and post-condition surveys of the culvert location, consisting of a video survey of the area and photographs at every entrance and boundary structure to be carried out and a copy submitted to OCC. Any damage caused to the road or adjacent properties shall be repaired to its previous condition or to the satisfaction of OCC and/or landowner.
- All works shall be in accordance with the relevant TII design standards and specifications.

Bond Calculation:

The calculation of the Bond is based on the areas of all road classifications used to facilitate the development (National Secondary /Regional /Local Roads).

The rates below are extracted from our most recent tender rates and are indicative only and we have endeavoured to be fair and reasonable in applying same. Obviously, costs associated with any works that require the application of the Bond will be based on the outcome of a procurement process at the time of the works.

The information below is solely for calculating the Bond amount and does not assign a specific treatment ethos to specific parts of the road. Therefore, the need for the bond and the application of the Bond if required shall be for any section of the affected road network within County Offaly. The treatment measures applied at said location will be based upon the requested requirements of the Municipal District Engineer and must be sufficient so as to return the road to a standard that meets the technical requirements and specifications for same and mitigates all issues and failures.

Given that the haul routes have not been identified in the application, the calculation of the Bond will be calculated upon receipt of this information. The basis of the calculation will be the rate for approximately €25/m² for typical strengthening intervention (based on recent tendered rates).

Please also refer to the Municipal District report in relation to the proposed development.



Celine Greaney
Executive Engineer
Roads Section

Date: 5th June 2026

END



**Views of the Elected Members
at the July Meeting of Offaly County Council
held on the 20th of July 2026**

Ballincor Wind Farm Chief Executive Report - Strategic Infrastructure Development

Views of the Elected Members

Cllr P. Ormond:

Please refer to the attached addendum, which outlines the expressed views as presented by Cllr Ormond at the July Council Meeting . The addendum is representative of the views of all elected members of Offaly County Council, as agreed by resolution at the July Council Meeting 2026.

Cllr A. Hennessy: Cllr Hennessy acknowledged the great work done by the group on behalf of their community. She noted the community submission of over 90 pages which demonstrates the level of research, commitment and determination shown by the group.

Cllr Hennessy expressed concern with the apparent disregard to the County Development Plan in relation to wind energy and noted that it demonstrated a lack of respect to those who have contributed to its development. One main concern raised by residents was what they described as a contradiction between the climate policy and environmental protection. She noted that many local farmers are participating in agri-environmental schemes to protect the river and surrounding habitats. She also discussed the impact of shadow flicker on homes within the community and the ongoing concerns regarding noise.

Flood Risk is another significant issue. Farmers are concerned that the surrounding land is already prone to flooding. There is a concern that the construction of turbines and associated infrastructure could worsen drainage patterns and increase flooding. Concerns were also raised regarding the protection of water quality and diversity. She noted the importance of protecting local wildlife like barn owls, bats, butterflies, otters and many other protected species.

Cllr Hennessy also raised serious concerns regarding agricultural and equine enterprises. She made reference to a local stud farm and noted that, within the planning application, it was referred to only as a local residence when, in fact, the enterprise is home to an internationally protected horse breed.

Cllr Hennessy concluded by emphasising her support for the Greater Birr Wind Action Group and all the work undertaken on behalf of the community.

Cllr S. Maher: Cllr Maher acknowledged the work of the Action Group. He agreed with the Chief Executive's report that the site is deemed unsuitable for the proposed development. Cllr Maher expressed his support towards the expressed views of Cllr Ormond on this SID application.

Cllr Maher also referred to concerns regarding the RED III legislation, noting that the process appears to be top-heavy and can make it difficult for local communities to challenge proposed developments.

Cllr E. Clendennen: Cllr Clendennen supported the views expressed by Councillors.

Cllr Clendennen also expressed her support for the local Action Group and for the Chief Executive's recommendation to refuse the proposed development. She added that, as a county, "we have done our bit". She made it clear that she supports renewable energy, but that this does not mean every proposal should be supported in every location. She emphasised the importance of ensuring that developments align with the County Development Plan.

She stated that the proposed development is not considered suitable for the area and highlighted the significant environmental concerns that have been raised. She concluded by noting that the decision is not about opposing renewable energy but about upholding the County Development Plan.

Cllr H. Egan: Cllr Egan acknowledged the CE report and the considerable work that had gone into its preparation.

He noted that the success of the renewable energy sector has been based on a plan-led approach. He stated that the lands in question are not located within the 30% of the county deemed suitable for wind energy development. He respectfully requested that the adopted policy framework be applied in determining this application.

Cllr J. Leahy: Cllr Leahy welcomed representatives of the local Action Group.

Cllr Leahy spoke about the cost, time, anguish and stress experienced by community groups, Councillors and management teams in responding to such applications, while developers are still able to submit applications directly to An Coimisiún Pleanála. He described the process as unfair and stated that the Minister needs to be mindful of policies that could allow County Development Plans to be superseded by decisions which are contrary to the Development Plan.

He noted that the county is currently at approximately 80% capacity under its wind energy strategy. He stated that applications are increasingly being submitted for areas not designated for wind energy development, resulting in significant anger and stress within affected communities.

Cllr Leahy stated that the matter should be considered at SPC level and that proposals should be brought forward for consideration as part of the County Development Plan process. He reiterated that the County Development Plan must be respected.

Cllr C. Murray-Smale Cllr Murray-Smale outlined that since being elected, she has been very vocal about her concerns regarding the level of renewable energy development in Offaly. She welcomed the recommendation to refuse the proposed development and expressed her support for Cllr Ormond and the members in their report.

Cllr S. O'Brien: Cllr O'Brien expressed his support for the Chief Executive's report and also for Cllr Ormond's addendum. He stated that, if the application was granted, it would set a

precedent. He thanked the planning staff and the local community for their submissions and the work undertaken in preparing their reports.

Cllr D. Harvey (Cathaoirleach): Cllr. Harvey thanked and congratulated the community group.

Resolution

The elected members of Offaly County Council at the July Monthly Meeting which took place on 20 July 2026, by resolution respectfully requested that An Coimisiún Pleanála duly consider all the issues raised within the Chief Executive report along with the expressed views of the elected members and that the proposed Strategic Infrastructure Development – Ballincor Wind Farm permission be refused by the Commission as per the recommendations in the Chief Executive report.

-END-

Advisory Note

Please refer to the Addendum Attached which outlines the expressed views of Cllr Ormond. These views were fully endorsed by the elected members of Offaly County Council at the July Council meeting.

From: Elected Members of Offaly County Council

Subject: Formal Submission and Request for Refusal of Planning Permission for the Proposed Ballincor Wind Farm (Case Ref: PAX92.324279)

Introduction:

While we fully support the Chief Executive's report and strong focus on County Development Plan (CDP) compliance, as well as the robust arguments presented on Archaeology and Visual Impacts, we would like to address some critical points, around local impacts that we feel will strengthen the submission. History has repeatedly shown that relying solely on high-level County Development Plan zoning arguments is sometimes not enough to secure a refusal.

This submission is not a stand against climate action. Rather, it is a clear demonstration that this development actively goes against the very climate, water, and ecological restoration commitments the state has legally bound itself to achieve and deliver in terms of renewable energy.

While the project is presented under the banner of climate action, the developer's own documentation reveals that the project would:

- Strip out thousands of cubic metres of carbon-storing peat and soil.

The proposed project involves heavy civil engineering, including constructing foundations for 11 turbines (up to 180m tip height), access tracks, and crane hardstands.

- Press down on an active floodplain at precisely the moment climate resilience demands its safeguarding.

The Ballincor site is situated immediately adjacent to and shares hydrological connections with the Little Brosna River.

- Disrupt a State-funded raised-bog restoration project.

The proposed development boundary sits a mere 10 meters away from the Sharavogue Bog Special Area of Conservation (SAC). Sharavogue Bog is a critically important, priority European habitat under active State-funded hydrological restoration.

- Load unmitigable construction pressures onto a river catchment already classified at Poor and "at risk" status.

Under the EU Water Framework Directive (WFD), the Little Brosna River, which drains the entire local catchment area, is officially classified as having a "Poor" ecological status.

This environmental degradation is not a price that must be paid for renewable energy. Offaly already produces roughly 11% of Ireland's renewable electricity from just 2% of its landmass, representing approximately 40% of the total output for the Eastern region. The additional yield from this specific site is marginal and readily obtainable elsewhere at a fraction of the environmental cost.

A development that directly undermines the State's own climate, water, and ecological restoration goals cannot be evaluated as if renewable output superseded all other planning priorities. The central question is whether this project has proven compliance on this specific site. We believe that it has fundamentally failed to do so.

We wish to place on the record our profound appreciation to the local community and the immense burden placed on them. Operating with zero professional budget, balancing full-time jobs, and acting without specialist planning or engineering consultants, residents came together to painstakingly work through all the planning documents and in the process unearthing many technical omissions. The residents had 6 weeks to put their submissions together while the developer had 4/5 years to put their application together.

Pre-Emptive Grounds for Refusal:

Offaly County Development Plan

- **Explicit Spatial Conflict:** The site is explicitly designated as an "Area Not Suitable for Wind Energy Development" across two successive County Development Plans (Offaly and Tipperary).
- Rather than proving compliance, the applicant launches a collateral attack on the Council's statutory framework—dismissing the Wind Energy Strategy as "outdated" and "broad-brush," while downgrading the statutory High/Moderate landscape sensitivity classification to "Moderate and Low."
- **Multi-Factorial Designation:** The applicant claims this restriction is "solely peatland" related. The designation is multi-factorial, based on an intersection of environmental, heritage, landscape, and settlement constraints.
- **Disregard for DMS109 (Noise):** The applicant acknowledges the requirement to align with World Health Organization (WHO) guidelines under Development Management Standard DMS109, yet proceeds to argue against, dismiss, and ultimately ignore them.

Habitats and Water Framework Directives:

The applicant has explicitly waived the path of derogation:

- **Article 6(4) IROPI (Habitats Directive):** Expressly waived.
- **Article 4.7 (Water Framework Directive):** Expressly waived.

There is no overriding public interest case, no balancing test, and no compensatory framework available. The applicant must prove, and the Board must determine—solely on the information submitted—that adverse effects on European site integrity can be excluded beyond reasonable scientific doubt, and that no waterbody deterioration will occur. A single material uncertainty or incomplete assessment requires an outright refusal.

Lack of Evidence Based Conclusions

The application functions as a narrative built toward a predetermined conclusion, rather than an evidence-based scientific case.

- Conclusions of "no significant effect" are repeatedly stated without baseline data, disclosed calculations, or methodologies.
- Where governing guidelines require quantitative modelling, the calculations are absent or impossible to reconstruct. The planning authority is effectively asked to accept the results.

Structural Issues Across the Proposal

Baselines Understated

- **Water Quality:** The primary receiving waterbody is assessed as "Moderate" status, whereas it is officially classified as Poor and At Risk.
- **Landscape:** Statutory High/Moderate landscape sensitivity is rewritten as "Moderate and Low."
- **Noise:** Night-time background noise was derived *below* the testing instrument's 25 dB floor (with values cited as low as 17.8 dB), creating artificially permissive noise compliance limits.
- **Shadow Flicker:** Built on a distant, historical sunshine dataset, ignoring the Gurteen weather station just 4.5 km away, which records 27.5% more sunshine—a metric that narrows or breaks compliance thresholds at every local receptor.
- **Ecology:** Nationally important ecological receptors were downgraded to county-level importance within the impact matrices.

Lack of Evidence at Points of Highest Risk

- Phosphorus—the recognised driver of local water-quality failure—was never baselined or reported. Iron ochre, explicitly visible in the applicant's own site photographs, was entirely omitted from baseline monitoring and trigger metrics.
- The busiest bird corridor (Brosna North), which exhibits flight densities 4.7 to 8.0 times higher than the modelled zone, was completely excluded from collision-risk modelling. Turbine T5 was left entirely outside the viewshed analysis across all seasons.
- Barn Owls: Despite this being one of the highest-density Barn Owl sites, with confirmed breeding 160 metres from a proposed turbine and a carcass recovered at the boundary, no dedicated nocturnal Barn Owl survey was conducted over a six-year period.
- Aquatic surveys were executed completely outside salmon and eel migration windows. The nationally significant Croneen trout sub-population is omitted entirely (the word "Croneen" appears nowhere in the text), and 14 watercourse crossings were never assessed for fish passage.
- Human Receptors: 58 local homes were omitted from the shadow-flicker study, while the settlements of Birr (5,000 residents), Shinrone, and Riverstown were left unassessed for visual impacts.

Unverifiable Compliance Calculations

- Topographical Noise Impacts: The mandatory +3 dB valley/concave-terrain noise correction—essential given the specific geography of this site—is missing across all nine submitted noise documents. Applying this mandatory correction would change compliance from a positive to a negative compliance at numerous homes.
- Traffic Disregard: Broad claims of "ample" road capacity are asserted based on a single week of traffic data that entirely missed the afternoon (PM) peak traffic hours.
- Bat Mortality: No quantitative bat-mortality assessment was undertaken, despite recording 3,675+ nightly registrations including four high-risk species.
- The formulas and calculations underpinning the shadow-flicker and cumulative avian collision models were never disclosed, making independent verification impossible.

Deferred or Contradictory Mitigation

- The Surface Water Management Plan (SWMP) assumes pollution control infrastructure will operate perfectly during heavy rain events. Concurrently, the Flood Risk Assessment (FRA) confirms these exact areas will flood, rendering access roads unusable and preventing maintenance staff from reaching the infrastructure.
- The "Negligible" peat-slide rating relies entirely on temporary works and track designs that do not yet exist, deferred to an unappointed specialist. This mirrors the exact structural governance failure that preceded the Meenbog peat slide in County Donegal.

- Critical bat-mitigation curtailments are deferred to a "maybe, if future monitoring shows high mortality" framework, directly reversing the legal requirement of the Precautionary Principle.

Diluted Cumulative Assessments

- Avian Impact Fragmentation: Four wind developments operating within a shared bird Zone of Influence each treat the others as "the baseline," resulting in a "nil + nil = nil". No combined mortality figure exists.
- Landscape cumulative effects were evaluated only at a broad character-zone level, completely bypassing the actual experiences of homes within the immediate triangle of three wind developments (26 turbines).
- Shadow Flicker assessed strictly on a turbine-by-turbine basis, ignoring the fact that 44 of the 129 local homes sit within the compound zone of two or more turbines.
- The submitted Road Safety Audit has many unresolved actions. The concerns of residents living on the R492 between Sharavogue and the site entrance are not considered. We reject the applicant's final baseline assertion that "the assessment has concluded that the residual effects on the road network will be imperceptible / not significant."
- Development Management Standard DMS109 & WHO Compliance: Policy DMS109 of the Offaly County Development Plan mandates strict noise adherence. The applicant ignored the WHO Environmental Noise Guidelines, which conditionally recommend wind turbine noise remain below 45 dB to prevent sleep disturbance and cardiovascular health impacts. By failing to provide a WHO-2018 calculation, residential amenity protections are completely bypassed.

Environmental Issues:

Floodplain

The site intersects a river system in documented biological decline, sitting directly inside a floodplain that inundates every winter.

- The Little Brosna is confirmed as Poor and At Risk by the applicant's own specialists (Appendix 9-1). Under the European Court of Justice *Weser* ruling, any development causing the deterioration of a single quality element in a Poor-status waterbody is prohibited outright.
- Structural Flood Failures: Turbines T1, T2, T8, and T9 sit directly inside Flood Zone A/B.
- The applicant has made no reference to the Macroinvertebrate Index Scheme (MIS) classification of the local receiving river systems. Without this baseline biological water quality index, we cannot assess the impact of construction-stage runoff on aquatic life.

Sharavogue Bog SAC

The Sharavogue Bog SAC is a priority raised bog. Its conservation objective is expansion and restoration, yet the applicant's Appropriate Assessment treats it as a static, insensitive feature. The insertion of 11 industrial-scale, 180-metre-high turbines and concrete infrastructure directly adjacent to this highly sensitive peatland has the potential to disrupt local hydrology through excavation, drainage and heavy construction traffic. This fragile raised bog ecosystem—which supports critically endangered species like the Curlew may not be able to absorb such structural shock without permanent ecological degradation. We are seeking An Coimisiún Pleanála to enforce the strictest precautionary principles; as adverse impacts on the SAC's integrity and water quality cannot be scientifically ruled out.

- The Natura Impact Statement (NIS) contradicts itself entirely. Table 6-1 records a viable hydrogeological pathway to the SAC and "potential for likely significant effects." Two pages later, Table 6-2 dismisses all adverse hydrological and water quality effects with zero intervening engineering changes or scientific analysis.
- The applicant excludes all groundwater impacts by asserting a generic 100-metre Zone of Influence. It is fundamentally incapable of modelling a shallow, laterally mobile, near-surface peat water table that responds rapidly to drainage.
- Nitrogen deposition at the SAC is already over its critical threshold. The NIS fails to model or calculate the cumulative nitrogen loading from two years of heavy construction traffic, diesel plant operations, and concrete pours.

Community Assets

- Aviation Safety: Turbines 2 and 4 directly overlap the established training circuit for Birr Airfield, a 50-year Irish Aviation Authority (IAA) licensed facility. Placing 180-metre turbines in their airspace without a radar safety net poses an unacceptable risk to trainee pilots.
- Equine Assets: A local stud farm was evaluated merely as a standard residential dwelling. An FAO-endangered native horse breed located within 1.1 km was completely ignored, despite shadow flicker being a well-documented hazard for equine behaviour and safety.
- I-LOFAR Facility Protection: Ireland's premier radio-astronomy facility requires a strict 5 km radio-quiet exclusion zone to function. Turbine T1 is sited at 4.96 km—directly inside this protected perimeter—and the potential impact was dismissed without a rigorous technical audit.
- The masonry arch bridge on the R492 at Sharavogue, constructed in 1850 is a protected structure under the current County Development Plan (57-04). The applicant treats this historic asset as a generic, completely failing to address its structural limitations.

Conclusion and Formal Request to the Board:

As the Elected Members of Offaly County Council, we formally request that this addendum be fully integrated into the Council's submission to An Coimisiún Pleanála, and that the Board **REFUSE PLANNING PERMISSION** for the Ballincor Wind Farm based on clear, unmitigated conflicts with:

1. The Statutory Spatial Strategy of the Offaly County Development Plan.
2. The absolute deterioration prohibitions of the Water Framework Directive.
3. The scientific certainty requirements of the EU Habitats Directive.
4. Fundamental public safety requirements regarding road infrastructure, public health and noise standards.

Meetings Administrator Record

Chief Executive's Report - In accordance with Section 37E(4) of the Planning and development Act 2000, as amended, 10 year planning permission for the proposed development of Ballincor Wind Farm and all associated infrastructure located within the townlands of located within the townlands of Cloonaheen, Ballincor Demesne, and Curralanty, County Offaly, and Clonfree, Castletown and Cronekill, County Tipperary (ACP-324279-26) (SID-028)

Ms. P. Hanlon, A/ Director of Services advised members that Offaly County Council had received notification from An Coimisiún Pleanála regarding the proposed Ballincor Wind Farm Strategic Infrastructure Development, which is located across the Offaly and Tipperary boundary. She noted that the Council is required to submit a report by 22 July 2026 and that members' views would be incorporated as part of the Council's submission. She invited Mr. J. Condrón, A/Senior Planner, to present the Chief Executive's Report.

The report outlined the Strategic Infrastructure Development (SID) process, noting that the application had been made directly to An Coimisiún Pleanála. Members were advised that the application, submitted by RWE Renewables Ireland Ltd., relates to a proposed wind farm consisting of 11 turbines, associated battery storage facilities, a 110kV substation, grid connection infrastructure and ancillary works. The development would have a generating capacity of between 61.6MW and 77MW, with a proposed operational lifespan of 35 years. Nine turbines are located in Offaly and two in Tipperary. Mr. J. Condrón outlined the site location, which extends across lands in Offaly and Tipperary, and is situated adjacent to the Little Brosna River and in close proximity to a number of protected environmental sites, including Sharavogue Bog SAC. He highlighted that the proposed development site is located within areas identified as unsuitable for wind energy development under both the Offaly and Tipperary Wind Energy Strategies.

The presentation summarised the Planning Authority's assessment of the proposal, including concerns regarding the site selection process, compliance with planning policy, biodiversity impacts, impacts on protected habitats and species, landscape and visual effects, archaeological and cultural heritage impacts, and potential effects on designated conservation sites. Concerns were also raised regarding the adequacy of surveys and assessments relating to protected species, watercourse impacts and peatland habitats.

Mr. J. Condrón advised that the Chief Executive's Report considered the proposal inconsistent with Offaly County Council's plan-led approach to wind energy development and stated that granting permission could undermine the County Wind Energy Strategy and set an undesirable precedent for future developments. He further noted that Offaly has already made a significant contribution to national renewable energy targets through developments located within designated areas.

The Chief Executive's Report recommends that An Coimisiún Pleanála refuse permission for the proposed development on the grounds that it materially contravenes the Offaly County Development Plan and Wind Energy Strategy and that concerns remain regarding potential

impacts on biodiversity and protected habitats. He concluded by inviting members to provide their observations for inclusion in the Council's submission to An Coimisiún Pleanála.

Cllr. P. Ormond - ADDENDUM TO BE ATTACHED TO THE CHIEF EXECUTIVE'S REPORT IN RELATION TO THE BALLINCOR WIND FARM APPLICATION, AN COIMISIUN PLEANALA CASE REFERENCE NUMBER PAX 92.324279

Introduction:

While we fully support the Chief Executive's report and strong focus on County Development Plan (CDP) compliance, as well as the robust arguments presented on Archaeology and Visual Impacts, we would like to address some critical points, around local impacts that we feel will strengthen the submission. History has repeatedly shown that relying solely on high-level County Development Plan zoning arguments is sometimes not enough to secure a refusal.

This submission is not a stand against climate action. Rather, it is a clear demonstration that this development actively goes against the very climate, water, and ecological restoration commitments the state has legally bound itself to achieve and deliver in terms of renewable energy.

While the project is presented under the banner of climate action, the developer's own documentation reveals that the project would:

- Strip out thousands of cubic metres of carbon-storing peat and soil.

The proposed project involves heavy civil engineering, including constructing foundations for 11 turbines (up to 180m tip height), access tracks, and crane hardstands.

- Press down on an active floodplain at precisely the moment climate resilience demands its safeguarding.

The Ballincor site is situated immediately adjacent to and shares hydrological connections with the Little Brosna River.

- Disrupt a State-funded raised-bog restoration project.

The proposed development boundary sits a mere 10 meters away from the Sharavogue Bog Special Area of Conservation (SAC). Sharavogue Bog is a critically important, priority European habitat under active State-funded hydrological restoration.

- Load unmitigable construction pressures onto a river catchment already classified at Poor and "at risk" status.

Under the EU Water Framework Directive (WFD), the Little Brosna River, which drains the entire local catchment area, is officially classified as having a "Poor" ecological status.

This environmental degradation is not a price that must be paid for renewable energy. Offaly already produces roughly 11% of Ireland's renewable electricity from just 2% of its landmass, representing approximately 40% of the total output for the Eastern region. The additional yield from this specific site is marginal and readily obtainable elsewhere at a fraction of the environmental cost.

A development that directly undermines the State's own climate, water, and ecological restoration goals cannot be evaluated as if renewable output superseded all other planning priorities. The central question is whether this project has proven compliance on this specific site. We believe that it has fundamentally failed to do so.

We wish to place on the record our profound appreciation to the local community and the immense burden placed on them. Operating with zero professional budget, balancing full-time jobs, and acting without specialist planning or engineering consultants, residents came together to painstakingly work through all the planning documents and in the process unearthing many technical omissions. The residents had 6 weeks to put their submissions together while the developer had 4/5 years to put their application together.

Pre-Emptive Grounds for Refusal:

Offaly County Development Plan

- **Explicit Spatial Conflict:** The site is explicitly designated as an "Area Not Suitable for Wind Energy Development" across two successive County Development Plans (Offaly and Tipperary).
- Rather than proving compliance, the applicant launches a collateral attack on the Council's statutory framework—dismissing the Wind Energy Strategy as "outdated" and "broad-brush," while downgrading the statutory High/Moderate landscape sensitivity classification to "Moderate and Low."
- **Multi-Factorial Designation:** The applicant claims this restriction is "solely peatland" related. The designation is multi-factorial, based on an intersection of environmental, heritage, landscape, and settlement constraints.
- **Disregard for DMS109 (Noise):** The applicant acknowledges the requirement to align with World Health Organization (WHO) guidelines under Development Management Standard DMS109, yet proceeds to argue against, dismiss, and ultimately ignore them.

Habitats and Water Framework Directives:

The applicant has explicitly waived the path of derogation:

- **Article 6(4) IROPI (Habitats Directive):** Expressly waived.
- **Article 4.7 (Water Framework Directive):** Expressly waived.

There is no overriding public interest case, no balancing test, and no compensatory framework available. The applicant must prove, and the Board must determine—solely on the information submitted—that adverse effects on European site integrity can be excluded beyond reasonable scientific doubt, and that no waterbody deterioration will occur. A single material uncertainty or incomplete assessment requires an outright refusal.

Lack of Evidence Based Conclusions

The application functions as a narrative built toward a predetermined conclusion, rather than an evidence-based scientific case.

- Conclusions of "no significant effect" are repeatedly stated without baseline data, disclosed calculations, or methodologies.
- Where governing guidelines require quantitative modelling, the calculations are absent or impossible to reconstruct. The planning authority is effectively asked to accept the results.

Structural Issues Across the Proposal

Baselines Understated

- Water Quality: The primary receiving waterbody is assessed as "Moderate" status, whereas it is officially classified as Poor and At Risk.
- Landscape: Statutory High/Moderate landscape sensitivity is rewritten as "Moderate and Low."
- Noise: Night-time background noise was derived *below* the testing instrument's 25 dB floor (with values cited as low as 17.8 dB), creating artificially permissive noise compliance limits.
- Shadow Flicker: Built on a distant, historical sunshine dataset, ignoring the Gurteen weather station just 4.5 km away, which records 27.5% more sunshine—a metric that narrows or breaks compliance thresholds at every local receptor.
- Ecology: Nationally important ecological receptors were downgraded to county-level importance within the impact matrices.

Lack of Evidence at Points of Highest Risk

- Phosphorus—the recognised driver of local water-quality failure—was never baselined or reported. Iron ochre, explicitly visible in the applicant's own site photographs, was entirely omitted from baseline monitoring and trigger metrics.
- The busiest bird corridor (Brosna North), which exhibits flight densities 4.7 to 8.0 times higher than the modelled zone, was completely excluded from collision-risk modelling. Turbine T5 was left entirely outside the viewshed analysis across all seasons.
- Barn Owls: Despite this being one of the highest-density Barn Owl sites, with confirmed breeding 160 metres from a proposed turbine and a carcass recovered at the boundary, no dedicated nocturnal Barn Owl survey was conducted over a six-year period.

- Aquatic surveys were executed completely outside salmon and eel migration windows. The nationally significant Croneen trout sub-population is omitted entirely (the word "Croneen" appears nowhere in the text), and 14 watercourse crossings were never assessed for fish passage.
- Human Receptors: 58 local homes were omitted from the shadow-flicker study, while the settlements of Birr (5,000 residents), Shinrone, and Riverstown were left unassessed for visual impacts.

Unverifiable Compliance Calculations

- Topographical Noise Impacts: The mandatory +3 dB valley/concave-terrain noise correction—essential given the specific geography of this site—is missing across all nine submitted noise documents. Applying this mandatory correction would change compliance from a positive to a negative compliance at numerous homes.
- Traffic Disregard: Broad claims of "ample" road capacity are asserted based on a single week of traffic data that entirely missed the afternoon (PM) peak traffic hours.
- Bat Mortality: No quantitative bat-mortality assessment was undertaken, despite recording 3,675+ nightly registrations including four high-risk species.
- The formulas and calculations underpinning the shadow-flicker and cumulative avian collision models were never disclosed, making independent verification impossible.

Deferred or Contradictory Mitigation

- The Surface Water Management Plan (SWMP) assumes pollution control infrastructure will operate perfectly during heavy rain events. Concurrently, the Flood Risk Assessment (FRA) confirms these exact areas will flood, rendering access roads unusable and preventing maintenance staff from reaching the infrastructure.
- The "Negligible" peat-slide rating relies entirely on temporary works and track designs that do not yet exist, deferred to an unappointed specialist. This mirrors the exact structural governance failure that preceded the Meenbog peat slide in County Donegal.
- Critical bat-mitigation curtailments are deferred to a "maybe, if future monitoring shows high mortality" framework, directly reversing the legal requirement of the Precautionary Principle.

Diluted Cumulative Assessments

- Avian Impact Fragmentation: Four wind developments operating within a shared bird Zone of Influence each treat the others as "the baseline," resulting in a "nil + nil = nil". No combined mortality figure exists.
- Landscape cumulative effects were evaluated only at a broad character-zone level, completely bypassing the actual experiences of homes within the immediate triangle of three wind developments (26 turbines).
- Shadow Flicker assessed strictly on a turbine-by-turbine basis, ignoring the fact that 44 of the 129 local homes sit within the compound zone of two or more turbines.

- The submitted Road Safety Audit has many unresolved actions. The concerns of residents living on the R492 between Sharavogue and the site entrance are not considered. We reject the applicant's final baseline assertion that "the assessment has concluded that the residual effects on the road network will be imperceptible / not significant."
- Development Management Standard DMS109 & WHO Compliance: Policy DMS109 of the Offaly County Development Plan mandates strict noise adherence. The applicant ignored the WHO Environmental Noise Guidelines, which conditionally recommend wind turbine noise remain below 45 dB to prevent sleep disturbance and cardiovascular health impacts. By failing to provide a WHO-2018 calculation, residential amenity protections are completely bypassed.

Environmental Issues:

Floodplain

The site intersects a river system in documented biological decline, sitting directly inside a floodplain that inundates every winter.

- The Little Brosna is confirmed as Poor and At Risk by the applicant's own specialists (Appendix 9-1). Under the European Court of Justice *Weser* ruling, any development causing the deterioration of a single quality element in a Poor-status waterbody is prohibited outright.
- Structural Flood Failures: Turbines T1, T2, T8, and T9 sit directly inside Flood Zone A/B.
- The applicant has made no reference to the Macroinvertebrate Index Scheme (MIS) classification of the local receiving river systems. Without this baseline biological water quality index, we cannot assess the impact of construction-stage runoff on aquatic life.

Sharavogue Bog SAC

The Sharavogue Bog SAC is a priority raised bog. Its conservation objective is expansion and restoration, yet the applicant's Appropriate Assessment treats it as a static, insensitive feature. The insertion of 11 industrial-scale, 180-metre-high turbines and concrete infrastructure directly adjacent to this highly sensitive peatland has the potential to disrupt local hydrology through excavation, drainage and heavy construction traffic. This fragile raised bog ecosystem—which supports critically endangered species like the Curlew may not be able to absorb such structural shock without permanent ecological degradation. We are seeking An Coimisiún Pleanála to enforce the strictest precautionary principles; as adverse impacts on the SAC's integrity and water quality cannot be scientifically ruled out.

- The Natura Impact Statement (NIS) contradicts itself entirely. Table 6-1 records a viable hydrogeological pathway to the SAC and "potential for likely significant effects." Two pages later, Table 6-2 dismisses all adverse hydrological and water quality effects with zero intervening engineering changes or scientific analysis.

- The applicant excludes all groundwater impacts by asserting a generic 100-metre Zone of Influence. It is fundamentally incapable of modelling a shallow, laterally mobile, near-surface peat water table that responds rapidly to drainage.
- Nitrogen deposition at the SAC is already over its critical threshold. The NIS fails to model or calculate the cumulative nitrogen loading from two years of heavy construction traffic, diesel plant operations, and concrete pours.

Community Assets

- Aviation Safety: Turbines 2 and 4 directly overlap the established training circuit for Birr Airfield, a 50-year Irish Aviation Authority (IAA) licensed facility. Placing 180-metre turbines in their airspace without a radar safety net poses an unacceptable risk to trainee pilots.
- Equine Assets: A local stud farm was evaluated merely as a standard residential dwelling. An FAO-endangered native horse breed located within 1.1 km was completely ignored, despite shadow flicker being a well-documented hazard for equine behaviour and safety.
- I-LOFAR Facility Protection: Ireland's premier radio-astronomy facility requires a strict 5 km radio-quiet exclusion zone to function. Turbine T1 is sited at 4.96 km—directly inside this protected perimeter—and the potential impact was dismissed without a rigorous technical audit.
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Conclusion and Formal Request to the Board:

As the Elected Members of Offaly County Council, we formally request that this addendum be fully integrated into the Council's submission to An Coimisiún Pleanála, and that the Board **REFUSE PLANNING PERMISSION** for the Ballincor Wind Farm based on clear, unmitigated conflicts with:

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3. The scientific certainty requirements of the EU Habitats Directive.
4. Fundamental public safety requirements regarding road infrastructure, public health and noise standards.

Cllr. P. Ormond thanked Mr. J. Condrón, Ms. P. Hanlon and the Planning Department for the comprehensive report and again expressed support for the Chief Executive's recommendation.

Cllr. S. Maher thanked the Planning Department for its report and expressed concerns regarding the RED III legislation, commenting that the process appeared heavily weighted in favour of developers and made it more difficult for local communities to challenge applications. He supported the Chief Executive's recommendation and the submission proposed by Cllr. Ormond, noting that the proposed development was located in an area identified in the County Development Plan as unsuitable for wind energy development.

Members welcomed and acknowledged the significant work undertaken by the local community group and thanked the Planning Department for the preparation of the report. Members expressed concerns regarding the proposed development's compatibility with the County Development Plan, its potential environmental impacts, including flood risk and noise, and the precedent that approval could set for developments in areas deemed unsuitable for wind energy. They reiterated their support for renewable energy development in appropriate locations through a plan-led, evidence-based approach and supported the Chief Executive's recommendation that permission be refused.

Cathaoirleach, D. Harvey, read the following resolution to the members:

Having considered Proposed Variation No. 1 of the Offaly County Development Plan 2021-2027, the Chief Executive's Report circulated to the members on 9 July 2026, and the proposed minor modifications contained within the Chief Executive's Report together with the additional minor modifications outlined at the Council Meeting of 20 July 2026, and having considered:

- the Strategic Environmental Assessment (SEA) Environmental Report and associated SEA Screening Determination for the proposed variation;
- the Screening for Appropriate Assessment (AA) Report and associated Screening for AA Determination for the proposed variation;
- the final consolidated Screening for AA Report and final Screening for AA Determination;
- the Addendum to the Strategic Flood Risk Assessment (SFRA) for the proposed variation;
- written submissions relating to SEA, AA and SFRA received during the variation preparation process; and
- ongoing advice on SEA, AA and SFRA from the Council's agents,

and in accordance with the provisions of Section 58(12) of the Planning and Development Act 2024 (as amended), the members resolved to make Proposed Variation No. 1 of the Offaly County Development Plan 2021-2027 and to proceed in accordance with Section 58(18) of the Planning and Development Act 2024 (as amended).

On the proposal of Cllr. S. Murray, seconded by Cllr. C. Murray-Smale the members resolved to adopt the Chief Executive's Report - In accordance with Section 37E(4) of the Planning and development Act 2000, as amended, 10 year planning permission for the proposed development of Ballincor Wind Farm and all associated infrastructure located within the townlands of located within the townlands of Cloonaheen, Ballincor Demesne, and Curralanty, County Offaly, and Clonfree, Castletown and Cronekill, County Tipperary (ACP-324279-26) (SID-028).

Name	Position
Brian Keenaghan	District Engineer
Joe Dunican	Exec. Engineer
Niall Hogan	Exec. Engineer
Pat Dermody	Exec. Engineer
Brian Moyles	Assistant Engineer
Wiktora Stepczynska-Motyl	Technician Grade 1
Rachel McKenna	Senior Executive Architect
Celine Greaney	Exec. Engineer
James Condrón	Senior Executive Planner
Andrew Murray	Director of Services
Paula Hanlon	Senior Planner
Vivian O'Brien	Exec. Engineer

Hours Spent	Hourly Rate
8	52.89
24	43.82
4	45.18
4	51.53
4	39.75
10	30.3
2.5	61.33
6	51.53
68	57.48
20	79.83
10	58.47
14	51.53

Total:

TOTAL	
	423.12
	1051.68
	180.72
	206.12
	159
	303
	153.325
	309.18
	3908.64
	1596.6
	584.7
	721.42
€	9,597.51