



Planning and Environmental Statement

Ballyteige Solar Farm (Amendment Application)

28/01/2026



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1. INTRODUCTION

Background

- 1.1. This Planning & Environmental Statement forms part of an amended planning application submitted to Offaly County Council (OCC/the Council) as the Local Planning Authority, on behalf of Ballyteige Solar Limited (the "Applicant"), for a Proposed Amendment to a previously consented solar photovoltaic (PV) development (the "Proposed Amendment") within the townlands of Ballyteige Little, Ballyteige Big and Colehill, Tullamore, Co. Offaly (the "Application Site").
- 1.2. The Proposed Development will consist of an amendment to a previously consented development (Planning Reference: 2198) comprising of; the removal of the 38kV substation and infrastructure within the most northern field (Field 1), the internal access tracks have been slightly re-aligned and some turning areas added, string inverters and transformer solution replaces the central inverters, table layout has been updated as the tables are larger, though the table area has reduced, PV angle reduced from 10° and 40° to 10° and 30°, increased separation area from OHL towers, an additional badger sett buffer, the temporary construction compound has been relocated, the number of CCTV has increased from 81 to 118 and their location has changed, and adjustment to the lifetime operational period from 35 to 40 years.
- 1.3. These alterations are considered non-material in nature and do not alter the overall design, intent, or scale of the development.
- 1.4. The Application Site was initially deemed an acceptable location for solar development in 2022 when Offaly County Council ('OCC') provided a grant of permission for a solar PV development proposed by the Applicant on 60.53 hectares of land in the townlands of Ballyteige Little, Ballyteige Big and Colehill, Tullamore, Co. Offaly.
- 1.5. The original development (planning reference: 2198) was granted permission following a comprehensive planning and environmental assessment process. The consented scheme comprised the construction of a solar PV energy development with a total site area of 60.53 hectares, to include a single storey electrical substation building, inverter substations, modules, solar PV ground mounted on support structures, a temporary construction compound, internal access tracks, security fencing, electrical cabling and ducting, CCTV and other ancillary infrastructure, drainage, additional landscaping and habitat enhancement as required and associated site development works relating to the access of the site. The operational lifespan was 35 years.

- 1.6. The site and its immediate surroundings remain as previously assessed. The environmental, visual, and technical context of the site has not changed, and the conclusions of the original application's assessments remain valid for the purposes of this amendment.
- 1.7. This Statement outlines the planning merits of the Proposed Amendment within the context of best practice guidance, relevant legislation, and National and County-level Planning Policy. The amendment application should be read in conjunction with the following documentation:

- **Planning Forms**
 - Cover Letter
 - Appendix A: List of landowners involved
 - Appendix B: Confirmation of Offaly County Council holding planning fee - €2,646.10
 - Newspaper Notice and Site Notice
 - Landowner Consent Letters
 - Applicant Consent to Agent Letter
 - **Volume 1**
 - Planning and Environmental Statement
 - **Volume 2 - Infrastructural Drawings**
 - Figure 201 – Site Location Plan
 - Figure 202 – Site Boundary
 - Figure 203 – Site Layout
 - Figure 204 – Typical Transformer Station
 - Figure 205 – Typical PV rack detail
 - Figure 206 – Track Details
 - Figure 207 – Deer fence and gate details
 - Figure 208 – CCTV detail
 - Figure 209 – Temporary Construction Compound

- **Volume 3 –**
 - Natura Impact Statement
 - Figure 4.4: Outline SuDs Design
 - Figure 1.11a-f: LEMP
 - Technical Appendix 2: Ecological Impact Assessment and appendices
 - Technical Appendix 6: Glint and Glare Assessment and appendices

Technical Appendix 7: Assessment of Acoustic Impact

EIA Development

- 1.8. The Proposed Amendment of a solar farm does not comprise or relate to a class of project specified by EIA Directive Annex I or II, or by the Planning and Development Regulations 2001, as amended, Schedule 5, Parts 1 or 2.
- 1.9. Accordingly, the obligations under the EIA Directives, to carry out EIA or, where required, screening for EIA, do not apply to Solar Farms. Please refer to the High Court Decision¹ in relation to Highfield Solar Farm. 1.18.
- 1.10. It should be noted that an EIA Screening Report was submitted as part of the extant permission and subsequently agreed by the Planning Authority confirming that Offaly County Council is satisfied that solar farms are not a development class for which an Environmental Impact Assessment Report (EIAR) is required. The determination in the extant permission also confirmed that no part of the Proposed Development is a development class for which an EIAR is required.

¹ James Kavanagh v An Bord Pleanála & Ors, [2020] IEHC 259; Sweetman v An Bord Pleanála [2020] IEHC 39

2. SITE DESCRIPTION

- 2.1. The area of the proposed amendment (the “Application Site”) covers a total area of c. 60.53 hectares (ground disturbance will only occur over approximately 3.69% of the site (1.87ha)).
- 2.2. The Application Site is located in a rural setting, approximately 4.8km east of Tullamore and 3.9km northwest of Ballinagar. The main Grand Canal runs in a general east to west direction, circa 150m to the south of the Proposed Development (at its closest point). A narrower section of the canal runs northwest to southeast to the east of, and paralleled to, the Wood of O road circa 350m to the east of the main application site.
- 2.3. The Application Site is relatively flat and lies at an elevation of approximately 68 – 74m above ordnance datum (AOD), covering a total area of circa 60.53ha.
- 2.4. Comprising 16 fields, the Application Site primarily consists of pastureland, with one field to the southwest corner under arable crop. Fields are bound by a mixture of trees, hedgerows and post-and-wire fencing. Access to the Application Site is gained from the Wood of O to the east of the Application Site.
- 2.5. An existing access track, which is accessed off the Wood of O Road provides access to the Application Site.

Planning History

- 2.6. A review of planning applications within Offaly County Council was undertaken in October 2025 to identify any existing, approved or proposed (in planning) solar farm developments or similar developments within a 5km study area since the original grant in 2022.

Table 2-1: Planning Applications within 5km of the Proposed Amendment

Planning Reference	Planning Status	Description	Direction and Distance from the Application Site
N/A	N/A	A 110kV substation, access road, interconnection cables and grid route. The Proposed Development is to facilitate the connection of Ballyteige (PA Ref: 2198) and Derrygrogan (PA Ref: 22378 and ABP 318041-23) solar farms to the national grid. The method of	0.00km north

		connection to the national grid for the new substation will be a 110kV tail-fed connection into the existing Thornsberry Substation.	
N/A	N/A	Solar PV development with a total site area of 28.10 hectares, to include solar PV ground mounted support structures, transformer stations, electrical cabling and ducting, internal access tracks and hardstanding areas, perimeter fencing and access gate, CCTV, a temporary construction compound and other ancillary infrastructure.	1.8km northeast
2198	Approved (Conditional)	5 YEARS TO CONSTRUCT AND COMPLETE A SOLAR PV ENERGY DEVELOPMENT WITH A TOTAL SITE AREA OF 60.53 HECTARES, TO INCLUDE A SINGLE STOREY ELECTRICAL SUBSTATION BUILDING, INVERTER SUBSTATIONS, MODULES, SOLAR PV	(application site)
22378 and ABP: 318041	Approved (Conditional)	10 YEARS TO CONSTRUCT AND COMPLETE A SOLAR PV ENERGY DEVELOPMENT WITH A TOTAL SITE AREA OF 73.9 HECTARES, TO INCLUDE A CONTROL BUILDING, INVERTER SUBSTATIONS, MODULES, SOLAR PV	0.75km North-east
218	Approved (Conditional)	A DEVELOPMENT CONSISTING OF A 52.75 HECTARE SOLAR FARM AND BATTERY ENERGY STORAGE SYSTEM AND 9.32 KILOMETRE UNDERGROUND	2.70km North
2460514	Approved (Conditional)	SUBSTATION BUILDING WITHIN THE EXISTING CAR PARK TO CATER FOR 5NO. ELECTRIC CAR	4.10km West

		CHARGING POINTS FOR 10NO. ELECTRIC CAR PARKING SPACES	
2460002	Approved (Conditional)	A 10 YEAR PLANNING PERMISSION. THE DEVELOPMENT WILL CONSIST OF A GRID SYSTEM SERVICES FACILITY WITHIN A TOTAL SITE AREA OF 3.5 HECTARES	3.55km West
22523	Approved (Conditional)	LARGE-SCALE RESIDENTIAL DEVELOPMENT (LRD). THE PROPOSED DEVELOPMENT WILL CONSIST OF 102 NO. DWELLINGS IN A MIX OF HOUSES, DUPLEX AND APARTMENT DWELLINGS. A TOTAL OF 62 NO. HOUSES	3.85km West
2033	Approved (Conditional)	ERCTION OF A 48-METRE-HIGH LATTICEWORK COMMUNICATIONS TOWER	1.35km East
20663	Approved (Conditional)	CONSTRUCTION OF A 36 METER LATTICE MOBILE AND BROADBAND TOWER	3.25km Southwest
21596	Approved (Conditional)	15-METRE-HIGH FREE-STANDING COMMUNICATIONS STRUCTURE WITH ITS ASSOCIATED ANENNAE, COMMUNICATION DISHES, GROUND EQUIPMENT AND ALL ASSOCIATED SITE DEVELOPMENT WORKS WITHIN A 2.4M HIGH PALISADE FENCE COMPOUND	3.50km East
18167	Approved (Conditional)	GRID SYSTEM SERVICES FACILITY WITHIN A TOTAL SITE AREA OF 0.84 HECTARES, TO INCLUDE 1 NO. SINGLE STOREY ELECTRICAL SUBSTATION BUILDING, 1 NO. CUSTOMER SWITCHGEAR CONTAINER, 17 NO. 2MW ELECTRICAL INVERTER/TRANSFORMER STATION	3.75km West
EX25008	Approved (Conditional)	CONSTRUCTION OF A MAINTENANCE DEPOT WITH	3.40km West

		WAREHOUSES, ON SITE CAR/TRUCK PARKING AREA,	
19425	Approved (Conditional)	CONSTRUCTION OF A 24-METRE-HIGH MULTI-USER LATTICE TELECOMMUNICATIONS STRUCTURE,	3.45km West
30148	Granted	Construction of 12 two storey dormer semi-detached houses, 1 detached two storey dormer house and 7 terraced two storey dormer houses	4.70km West
311101	Granted	Development of 4 storey nursing home, step down facility and rehabilitation and convalescence unit to accommodate a total of 244 bedrooms, communal spaces, dining areas, administration, ancillary service spaces and meeting and consulting rooms. Site to accommodate 197 car park spaces	4.56km West
311741	Live Case	349 no. residential units (196 no. houses, 153 no. apartments	4.70km West
317318	Granted	A large-scale residential development (LRD). Construction of 102 dwellings in a mix of houses, duplex and apartments.	3.65km West
317341	Granted	Construction of 95 houses.	4.75km West
318339	Granted	Construction of Large-Scale Residential Development (LRD) comprising 148 residential units	4.45km North

3. THE PROPOSAL

3.1. The Proposed Development will consist of an amendment to a previously consented development (planning reference: 2198). The proposed amendment seeks minor modifications to the Consented Development including the following:

- Removal of the 38kV substation and infrastructure within the most northern field (Field 1),
- Internal access track reduced from c.3.4km to c. 3.2km, relocated and tweaked to include turning areas,
- String inverters are used instead of combined central inverters and MV transformers. The central MV transformers remain, and increase from 11No. to 12 No., however there will be a reduction in their associated hardstanding areas,
- The number of string inverters is 128,
- Table layout updated (reduced),
- PV angle tilt reduced from 10° and 40° to 10° and 30°,
- Separation area between infrastructure and OHL towers increased,
- An additional badger sett buffer added (due to new sett found during updated Fossitt Habitat Survey),
- Temporary Construction Compound has been relocated from Field 1 to Field 4,
- Alter Condition No. 10 to increase the boundary fencing from 1.8m-2m high to 2.4m high and reduce in the perimeter fence length,
- CCTV number increase from 81 to 118 and their locations have been amended,
- Adjustment of the development period from 5 years to 10 years, and
- Alter Condition No. 11 to change the operational lifetime from 35 years to 40 years.

3.2. An updated Glint and Glare Assessment (G&G) and Assessment of Acoustic Impact (AAI) has been submitted with this application.

3.3. The site area remains at 60.53 hectares, with ground disturbance limited to c. 1.87 hectares (3.69% of the site), and the proposed infrastructure continues to be confined to 15 of the 16

agricultural fields comprising the site. The proposed access arrangements via the Wood of O Road to east of also remain unchanged.

- 3.4. A Strategic Infrastructure Development (SID) application for a 110kV AIS tail feed substation and underground grid connection within field 1 and the access track will be submitted to An Coimisiún Pleanála concurrently with this amendment application.
- 3.5. As with the original application, the proposed design is based on informed assumptions of the most likely option for the PV panels and their positioning. However, solar PV technology is continually evolving, and the final specifications will reflect the most efficient and commercially available technology at the time of construction. Any variations in configuration, table panel size, panel angles or spacing are expected to remain within the envelope of the approved development and will not give rise to any materially different environmental effects.
- 3.6. It is considered that the minor nature of the Proposed Amendment does not alter the original conclusions regarding environmental, visual, or technical impacts. Updated environmental documentation, including revised layout drawings and a Glint and Glare Assessment and Assessment of Acoustic Impact, accompany this application to reflect the proposed changes considered to be in accordance with relevant environmental and planning standards of the Offaly County Development Plan 2021-2027.

4. PLANNING POLICY AND CONSIDERATIONS

- 4.1. It is important to set out in the first instance, that the principle for development for the solar farm has been established by virtue of the extant permission. At the time of submitting the original application on 3rd March 2021, the Offaly County Development Plan 2014-2020 and the Draft Offaly County Development Plan 2021-2027 were the relevant plans to use. However, the Offaly County Development Plan 2021-2027 came into effect on 22nd October 2022 and therefore the extant permission was granted under it instead.
- 4.2. An assessment of the Proposed Amendment having regard to the updated policy context is outlined below.

Regional and Local Planning Policy Context

- 4.3. Whilst the National climate change and energy policy provide the landscape within which the planning system is set, it is against Regional and Local Planning Policy that the specifics of the Proposed Development are to be considered and the most applicable documents are:
 - Regional Spatial and Economic Strategy for the Eastern and Midland Region
 - Offaly County Development Plan 2021-2027

Regional Spatial and Economic Strategy for the Eastern and Midland Region

- 4.4. Prior to the establishment of the Eastern and Midland Regional Assembly on 1st January 2015, the three previous Regional Authorities within Eastern and Midland Region produced individual Regional Planning Guidelines (RPG's), which the original application these were replaced by the Regional Spatial and Economic Strategy (RSES) on the 28th June 2019, in accordance with section 24 (9) of the Planning and Development Act 2000.

“The objective of regional spatial and economic strategies shall be to support the implementation of the National Spatial Strategy 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 for which the strategies are prepared which shall be consistent with the National Spatial Strategy and the economic policies or objectives of the Government.”
(sec23 Planning and Development Act 2000).

- 4.5. The Strategy recognises in section 7 (page 178) of the report that;

“The Region will need to shift from its reliance on using fossil fuels and natural gas as its main energy source to a more diverse range of low and zero-carbon sources, including renewable energy and secondary heat sources. Decentralised energy will be critical to the Region’s energy supply and will ensure that the Region can become more self-sufficient in relation to its energy

needs.....The Strategy supports an increase in the amount of new renewable energy sources in the Region. This includes the use of wind energy – both onshore and offshore, biomass, and solar photovoltaics and solar thermal, both on buildings and at a larger scale on appropriate sites in accordance with National policy and the Regional Policy Objectives outlined in this Strategy”.

4.6. The relevant Regional Policy Objectives are as follows;

RPO 7.35: EMRA shall, in conjunction with local authorities in the Region, identify Strategic Energy Zones as areas suitable for larger energy generating projects, the role of community and micro energy production in urban and rural settings and the potential for renewable energy within industrial areas. The Strategic Energy Zones for the Region will ensure all environmental constraints are addressed in the analysis. A regional landscape strategy could be developed to support delivery of projects within the Strategic Energy Zones.

RPO 7.38: Local authorities shall consider the use of heat mapping to support developments which deliver energy efficiency and the recovery of energy that would otherwise be wasted. A feasibility assessment for district heating in local authority areas shall be carried out and statutory planning documents shall identify local waste heat sources.

4.7. It is clear that The Strategy supports an increase in the amount of new renewable energy sources in the Region, including solar power.

Offaly County Development Plan 2021 – 2027

4.8. The extant permission was assessed under the Offaly County Development Plan 2021–2027 which was adopted on 10th September 2021 and came into effect on 22nd October 2021.

4.9. The Offaly CDP guides the sustainable development of County Offaly over the six-year period. The plan provides a strategic vision and policy objectives to shape the County's physical, economic, social, and environmental development, ensuring that growth is managed in line with national and regional planning policies.

4.10. Section 3.2.4: Solar Energy, states that:

“There are a range of technologies available to exploit the benefits of the sun, including solar panels, solar farms, and solar energy storage facilities, all of which contribute to a reduction in energy demand. Solar technologies can be designed into buildings or retro fitted. Larger solar farms have potential to be built on agricultural land and leave room for dual land use so that farm practices, such as grazing, can co-exist with the ground mounted solar panels.”

4.11. The Offaly County Development Plan 2021-2027 lists a number of Climate Action and Energy Policies. Those of particular relevance include;

CAEP-10 It is Council policy to support local, regional, national and international initiatives for climate change adaption and mitigation and to limit emissions of greenhouse gases through energy efficiency and the development of renewable energy sources which make use of all natural resources, including publicly owned lands, in an environmentally acceptable manor.

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.

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.

CAEP-34 It is Council policy to promote the development of solar energy infrastructure for on-site energy use, including solar PV, solar thermal and seasonal storage technologies subject to environmental safeguards and the protection of **natural or built heritage features, biodiversity views and prospects.**

CAEP-35 It is Council policy to ensure that the assessment of solar farm proposals will have regard to:

- site selection, by focusing in the first instance on developing solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value.
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. Decommissioning and site rehabilitation plans will be required providing for the land to be restored to its previous use.

4.12. In consideration of the aforementioned objectives, a comprehensive suite of environmental and technical assessments was submitted as part of the previously approved application.

These assessments were deemed acceptable, subject to a number of conditions imposed at that time. While it is acknowledged that the previous application was assessed under the provisions of the draft 2021–2027 OCDP, it is important to note that the overarching policy direction remains broadly consistent with the strategic objectives and policy framework set out in the adopted plan.

- 4.13. In this regard, the Proposed Amendment is supported by updated information, specifically addressing glint and glare considerations within the revised Glint and Glare Assessment, noise considerations within the revised Assessment of Acoustic Impacts as well as relevant design and layout refinements to ensure alignment with current best practices and policy requirements.
- 4.14. The Offaly CDP 2021–2027 explicitly supports the development of local renewable energy resources, including the maximisation of electricity generation from solar energy. The plan acknowledges the critical role of renewable energy in achieving a sustainable energy future and highlights the necessity of transitioning away from fossil fuel dependency. In this regard, the CDP recognises that overcoming Ireland’s reliance on non-renewable energy sources requires significant investment in renewable energy technologies, with solar energy playing a key role in this transition.
- 4.15. National, regional, and local planning policy frameworks provide strong and consistent support for renewable energy development, particularly for solar energy projects. Solar energy is widely acknowledged as a low-impact and sustainable means of energy generation that significantly reduces reliance on fossil fuels while contributing to emissions reductions. The positive attributes of solar energy are reflected in planning policy, which seeks to facilitate its deployment in appropriate locations while ensuring compliance with principles of proper planning and sustainable development.
- 4.16. Furthermore, the Offaly CDP 2021–2027 aligns with key national strategies, such as the Climate Action Plan and the National Development Plan, which set ambitious targets to achieve 80% renewable electricity generation by 2030. These national policies provide a robust framework to drive the transition to green energy through strategic funding, planning support, and technological innovation. The policy objectives outlined in the CDP support the county’s efforts to reduce its carbon footprint while actively contributing to Ireland’s national renewable energy and emissions reduction targets.
- 4.17. In this context, it is considered that the Proposed Amendment, which represents a relatively minor revision to the Previously Consented Development, does not give rise to any conflict within the updated policy framework. The fundamental policy tests applicable to the Proposed Amendment remain largely unchanged from those applied during the extant permission. As such, the Proposed Amendment remains consistent with the prevailing planning policy context and continues to align with the principles of sustainable development as outlined in the Offaly CDP 2021 – 2027 and wider planning frameworks.

- 4.18. In the context of the Proposed Amendment, it is also relevant to acknowledge the Renewable Energy Directive (EU) 2018/2001, as amended by the revised Directive (EU) 2023/2413 (REDIII), which strengthens the EU's renewable energy framework. REDIII establishes binding targets to achieve a minimum 42.5 percent share of renewable energy in the EU's overall energy consumption by 2030, with an ambition to reach 45 percent. It also introduces provisions to accelerate permitting processes for renewable energy projects, designating such developments as being in the overriding public interest and requiring Member States to streamline assessment procedures. These measures reinforce the positive policy presumption in favour of renewable energy projects, including solar, and align directly with Ireland's national policy objectives and the Offaly County Development Plan 2021–2027. In this regard, the Proposed Amendment remains consistent with both EU and national renewable energy obligations, further supporting its compliance with the wider planning and policy framework.
- 4.19. The Proposed Amendment is supported by updated documentation including a revised G&G, AAI, Planning and Environmental Statement, and design refinements. The extant permission was underpinned by a comprehensive suite of technical assessments, and in this context the updated material ensures the amendment meets the completeness test and is sufficient for determination.

5. PLANNING MERIT

5.1. This section of the Planning & Environmental Statement seeks to evaluate the Planning Merit and potential impacts associated with the Proposed Amendment by looking at the key planning considerations on an individual basis below and establishing how they align with relevant planning policy contained within the Offaly County Development Plan 2021–2027.

Principle of Development

5.2. The Council has already accepted the principle of Solar development at this location via the granting of the original consent Ref: 2198. This proposal seeks permission for minor modifications which are not considered to materially alter the overall scheme.

5.3. Accordingly, it is considered, that the scope of this assessment is confined to the specific modifications proposed including the removal of the 38kV substation and infrastructure within the most northern field (Field 1), the internal access tracks have been tweaked with some turning areas, string inverters replace the central inverters, table layout has been updated as the tables are larger, though the table area has reduced, PV angle reduced from 10° and 40° to 10° and 30°, increased separation area from OHL towers, an additional badger sett buffer, the temporary construction compound has been relocated, the number of CCTV has increased from 81 to 118 and their location has changed, and adjustment to the lifetime operational period from 35 to 40 years.

Appropriate Assessment Screening

5.4. The extant planning application included a screening for Appropriate Assessment using a 15km radius study zone around the Application Site, the findings of which concluded:

"Connectivity only exists between the Application Site and Charleville Wood SAC and River Barrow and River Nore SAC...no significant effects were considered likely.

5.5. Therefore, the next stage of the Appropriate Assessment was not required as it could be stated that the Proposed Development would not result in any significant effects for Natura 2000 site.

5.6. The listed changes outline in the description of the Proposed Amendment will not change the outcome and conclusions of the extant permission. Further to this, an updated Natura Impact Statement was produced and is submitted with this application. The reason for this was to ensure the findings were valid given the original AA Screening report was submitted in 2020.

Ecological Impact Assessment

- 5.7. An Ecological Impact Assessment (EclA) – Technical Appendix 2 was undertaken and submitted as part of the original planning application and has been since been revised to include the results of the second phase 1 habitat survey undertaken in October 2024. Baseline information within the ecological assessment comprised of an initial desk-based assessment and a phase 1 habitat survey. As the extended phase 1 habitat survey was carried out in June 2020, a revised phase 1 habitat survey was then undertaken in October 2024 to ensure the information was accurate.
- 5.8. A total of eleven habitat types were noted during the Fossitt habitat survey undertaken in June 2020 and the same number and type were recorded in October 2024. The one new thing of note found was an additional badger sett. The appropriate 30m buffer was added around the badger sett within the design of the Proposed Amendment.
- 5.9. The EclA states that:

"Within 15km of the Application Site boundary there are six Special Areas of Conservation (SACs) and no Special Protection Areas (SPAs). There is one Natural Heritage Areas (NHA) and three non-statutory sites within 5km of the Application Site, consisting of three Potential Natural Heritage Areas (pNHAs).

To minimise potential effects on local wildlife, ecological measures have been incorporated into the Proposed Amendment as part of the iterative design process. These include buffers from potentially sensitive ecological receptors. Standard best practice pollution prevention measures for the construction stage have also been outlined and considered as part of the impact assessment stage, prior to mitigation.

*The habitats proposed for removal are broadly of low intrinsic ecological value and are abundant within the wider area. The loss of small amounts of these is considered **not significant** in terms of effects on nature conservation.*

*It is considered that the disturbance from the Proposed Amendment will **not be significant**, if the recommended measures are implemented. With the implementation of the Biodiversity Management Plan (BMP), the potential of the site to support local wildlife will increase. This will result in a **net gain for biodiversity**."*

- 5.10. The Proposed Amendment does not alter the conclusions of the original EclA which was part of the consented application and therefore it can be stated that there will be **no significant adverse effects**.

Access to the Site

- 5.11. As outlined in this document and Technical Appendix 5 – Construction Traffic Management Plan (CTMP) of the extant planning application, the Application Site will be accessed from an existing entrance point via Wood of O Road to the east of the Application Site.
- 5.12. Swept path analysis showing the largest construction vehicle entering and exiting the site access shows that the design is suitable with no remedial works needed. The visibility splay is also achievable with no remedial works. All new internal tracks will be unpaved and constructed from local stone. Geosynthetic reinforcement or soil stabilisation may be used to reduce the depth of track construction. The surface will be a compacted granular material (crushed rock) up to an approximate thickness of 0.3m, dependent of the ground conditions.
- 5.13. As part of the Proposed Amendment, the route of the internal access tracks has been slightly amended to avoid certain hydrological and ecological buffers and also some turning areas have been added. This amendment does not result in any alteration to the conclusions of the original CTMP. Accordingly, the findings of the original CTMP and associated reports remain valid and unchanged.
- 5.14. It should be noted that as referenced in the extant consent a number of conditions were attached pertaining to traffic and access associated with the proposed development which state;

Condition 2

(a) A pre connection survey of the proposed haul route, to include the canal side verges, shall be submitted for the Planning Authority's written agreement prior to commencement of development

(b) The developer shall liaise and agree with the relevant MD Office, as Roads Authority, on the extent and nature of the works required regarding strengthening works at the site entrance and 20m either side of the entrance (L5007-2). The developer shall submit details of the strengthening works for Planning Authority's agreement prior to commencement of development. The works shall be carried out in accordance with the agreed particulars. All works at the developer's expense.

(c) The developer shall liaise and agree with the relevant MD Office, as Roads Authority on the extent and nature of works regarding strengthening works at the Junction of the L60051-1 and L1025-2 and along haul routes. The developer shall submit details of the agreed strengthening works for the Planning Authority's written agreement prior to commencement of the development. The works shall be carried out in accordance with the agreed particulars. All works at the developer's expense.

(d) The final traffic management plan shall be submitted for the Planning Authority's written agreement at the detailed design stage prior to the commencement of works

(e) The developer shall submit a detailed programme of deliveries to Offlay County Council in advance of commencement of deliveries. Details to include dates and times, number of loads, weights, road closures and diversion routes, support vehicles etc. Where Offlay County Council consider a proposed delivery route is not in a suitable condition, the developer shall upgrade the road or junction in advance of delivery operation and as agreed with the relevant MD Area Engineer. All works at the developer's expense.

(f) The developers are to consult with An Garda Siochana emergency services and bus operators in relation to the Traffic Management during the construction process as well as close liaising with the public residents, businesses and schools.

(g) Pre-condition and post-condition surveys of delivery routes, bridges and culverts consisting of a video survey and photographs to be completed to the satisfaction of Offlay County Council, Edenderry and Tullamore MD Offices and then submitted to the Planning Authority.

(h) 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.

(i) Lines of sight at entrance to the site shall be provided strictly in accordance with the requirements of the Design Manual for Roads and Bridges in the interest of traffic safety.

(j) The developer shall submit a detailed Construction Programme to Offlay County Council for approval prior to commencing works on site.

(k) The developer shall submit detailed drawings showing the locations of any Passing Bays to Offlay County Council for written approval prior to construction.

(l) Surface water from the site shall not be allowed to run onto the public road or other properties

(m) Any consequential damage to the public road and / or footpath shall be made good to the satisfaction of Offlay County Council, prior to the operation of any part of the development.

Condition 3

(a) Any connection to existing services in the public road shall be subject to grant of licences by Offlay County Councils Municipal District Offices. All openings in the public roads shall be reinstated in accordance with latest edition of DTTAS Guidelines for Managing Opening in Public Roads (Purple Book).

(b) Wheel washing facilities are to be provided for construction vehicles exiting the site, prior to entry onto the public roadway. If the public roadway is being contaminated by site

material being drawn off site, the developer must address immediately to the standard required by the District Engineer.

- (c) *All necessary measures shall be taken by the development contractor to prevent any spillage or deposition of clay, dust, rubble or other debris, whether arising from vehicle wheels or otherwise, on the adjoining and / or adjacent public road and footpath network during the course of the constriction works.*
- (d) *The applicant shall apply to Offlay County Council for an Abnormal Load permit where heavy of wide loads, laden weight, dimensions etc exceed allowed limits.*

Condition 4

- (a) *Any alterations affecting the width of the existing road shall be reinstated to the original width, unless otherwise agreed with Offlay County Council, Edenderry and Tullamore MD. Where roads are widened, the specification shall be that of the existing road at a minimum.*
- (b) *Road Safety Audit Stages 1 & 2 with a Stage 3 on completion of construction and associated audits on modified junctions (if required) are to be undertaken as part of this proposal in accordance with TII document GE-STY-01024, December 2017 and submitted for the Planning Authority's written agreement*
- (c) *Road side drainage is not to be inhibited by new site entrance. If required, suitably designed pipe/culvert to be constructed in accordance with the recommendations for Site Development Works for Housing Areas, Section 3.4 Modified Rational Method. Drainage pipe to extend across entire front boundary. Headwall to be formed each end of drainage pipe to be constructed in accordance with TII RCD 500/53 to allow roadside drainage to flow undisturbed.*

Condition 6

All of the environmental construction and ecological mitigation measures as set out in the Ecological Impact Assessment and Appendices , Construction Traffic Management Plan and other plans, reports, assessment drawings and particulars submitted with the application shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with planning conditions.

- 5.15. Having regard to the above, the applicant acknowledges that several conditions pertaining to access arrangement and construction management of the development must be satisfied to the agreement of the local authority prior to commencement of development.
- 5.16. In conclusion, The CTMP plan conforms to the policies and objectives of the Offaly County Development Plan 2021-2027, and the Design Manual for Roads and Bridges published by the National Roads Authority (NRA).

Traffic

- 5.17. The proposed amendment aligns with the extant planning permission, as the following elements have already been established and accepted.
- 5.18. In terms of Traffic, the Construction Traffic Management Plan (CTMP) submitted with the extant application provides a framework for managing the movement of traffic to and from the Application Site, and to minimise the impact on the local road network during the construction period of the Proposed Amendment.
- 5.19. The proposed amendment proposes a minor adjustment to the internal access track which has been realigned resulting in additional turning areas. It is considered that this minor amendment improves the safety and servicing arrangements particularly for HGV movements to and from the application site. Furthermore, these movements are expected to reduce due to the removal of the substation and infrastructure in Field 1.
- 5.20. All mitigation measures as recommended in the CTMP associated with the extant permission remain valid.

Landscape and Visual Impact

- 5.21. A **Landscape and Visual Appraisal (LVA) – Technical Appendix 1** was undertaken as part of the original planning application. It states that:
- 5.22. With regards to the issue of 'Landscape', the LVA confirms:

*"The introduction of the Proposed Development will locally alter the existing agricultural land use of the Application Site to a landscape comprising a solar farm with associated infrastructure, mixed agricultural land use and improved hedgerows. During operation the Proposed Development will initially have a **Moderate to Moderate/Minor adverse** landscape effect on the characteristics of the Application Site, which will reduce to a **Minor adverse** effect by c. year 5 as proposed mitigation planting starts to become established and fills out."*

- 5.23. With regards to 'Visual Impact', the LVA confirms:

"Potential views of the Proposed Development within the local landscape will be limited to a small number of the nearest residential receptors and passing transient receptors on the Grand Canal. The visibility of the solar farm structures will be largely contained by the mix of hedgerows and trees within the boundaries of the Application Site and surrounding farmland, along with screening by built elements and local topographical variations. Any such views of the Proposed Development will be limited to parts of the overall development. The potential changes to the existing views of these receptors have been determined from the viewpoints in the above assessment."

*The potential visual effects of the Proposed Development during operation upon these assessed viewpoint receptors range from **Moderate** to **Moderate/Minor adverse**, to **No change** with all of these reducing to **Minor adverse** to **No change** as the mitigation planting becomes established by c. year 5, limiting the visibility of the solar farm structures.”*

- 5.24. In summary, the LVIA concluded that the low elevation of the Application Site, low heights of the various proposed structures, and presence of existing mature vegetation across the landscape of the study area all help to screen potential inward views of the Proposed Amendment from the majority of visual receptors.
- 5.25. Mitigation measures proposed under the previous consent, which remain applicable, include reinforcement of field boundaries through new hedgerow and infill planting. The current land use will transition to renewable energy with pasture maintained by light grazing or cutting. Biodiversity opportunities will be enhanced through mitigation planting and the establishment of species-rich grassland and wildflower mixes.
- 5.26. It is noted that as stipulated in condition no. 7a and b;

“a) All proposed landscaping works and planting shall be carried out in accordance with the details permitted. All landscaping and planting shall be completed no later than the next planting season following the connection of the proposed development to the national grid. The developer shall inform the Planning Authority in writing of the completion by this planning permission.

b) Any plantings that fails within three years of planting shall be replaced by the developer.”

- 5.27. The mitigation measures previously set out for Field 1 under the extant permission are now to be removed, in this regard an updated Landscape and Ecological Management Plan (LEMP) has been prepared to reflect the revised layout and current site conditions. Accordingly, Conditions 7(a) and (b) from the previous permission are superseded by the updated LEMP. It is therefore recommended that any forthcoming approval include a new condition requiring full compliance with the updated LEMP to ensure appropriate delivery and maintenance of landscaping and ecological measures.

Archaeology and Architectural Heritage

- 5.28. Archaeology and heritage matters have been comprehensively assessed as part of the consented application. The parent application was accompanied by an **Archaeology and Architectural Heritage Impact Assessment, Technical Appendix 3**, which evaluated the potential direct and indirect effects of the development upon cultural heritage assets and archaeological remains.
- 5.29. As part of the previous assessment baseline information was also obtained through a site walkover survey, map regression analysis, placenames analysis, aerial photography and

consultation with relevant records and databases. There are no recorded sites within the RMP, RPS and NIAH that are within or near to the Application Site that could be physically impacted by the Proposed Development. The only features of archaeological interest within the site boundary are the townland boundaries identified within the map regression analysis and recorded during the site inspection. The AAHIA stated that;

*"Direct effects upon the townland boundaries at the southeast boundary of Field 4 (Ballyteige Little/Ballyteige Big) and the boundary between Fields 11 and 12 (Ballyteige Big/Colehill) are anticipated to be **Low**.*

*Due to the absence of any recorded archaeological or architectural features within or in close proximity to the Application Site, it is regarded as having **Low** overall potential for archaeological remains of significance and a **Low** potential for the Proposed Development to encounter or disturb hitherto-unknown sub-surface remains.*

The implementation of an archaeological programme of works is recommended in order to outline a system of archaeological monitoring (watching brief) during any geotechnical investigations and construction work associated with the proposed solar farm...such monitoring would also allow for the on-site archaeologist(s) to be present during any construction impacts upon the townland boundaries, in order to provide guidance and record details of the affected areas and features of the townland boundaries themselves.

*Indirect effects upon the surrounding heritage assets have been assessed as overall **Low**. Therefore, no specific mitigation is considered to be required for the reduction of any visual impacts. Additional planting will help ensure that indirect effects throughout the operational phase of the Proposed Development will be maintained at this level or under."*

Condition 8 states:

A suitably qualified Archaeologist shall carry out an archaeological assessment of the proposed development. No sub surface work shall be undertaken in the absence of the Archaeologist without his/her express consent.

The Archaeologist shall carry out relevant documentary research and inspect the site. Test trenches may be excavated at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-1994) having consulted the site drawings.

Having completed the work, the Archaeologist shall submit a written report to the Department of Housing Local Government and Heritage. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

No site preparation work or construction work shall be carried out until after the Archaeologists Report as been submitted and written consent to proceed has been

obtained from the Planning Authority, who shall consult with Department of Housing Local Government and Heritage DAU.

- 5.30. The Applicant is happy to accept condition 8a-d set out in the Final Grant of the extant application.
- 5.31. The Proposed Amendment does not affect or alter the conclusions of the original archaeological assessment.

Glint and Glare

- 5.32. A detailed **Glint and Glare (G&G) Assessment – Technical Appendix 6** was undertaken as part of the extant permission. The changes that are being proposed for the amendment include a larger dimension PV panel tables, re-arrangement of panels as well as a change to the angle tilt from 10 and 40 degrees to 10 and 30 degrees. Due to these changes to the design, a revised Glint and Glare Assessment has been produced and can be found in **Volume 3** of this application.

- 5.33. The revised G&G assessment concluded that:

*Solar reflections are possible at 10 of the 33 residential receptors assessed within the 1km study area. Initial impacts were **Medium** at four receptors, including one residential area, **Low** at six receptors and **None** at the remaining 23 receptors, including three residential areas. Upon reviewing the actual visibility of the receptors, glint and glare impacts reduce to **None** at all receptors, including four residential areas.*

*Solar reflections are possible at 10 of the 12 road receptors assessed within the 1km study area. Initial impacts were **Low** at 10 receptors and **None** at the remaining two receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts reduce to **None** at all receptors.*

No impact on train drivers or railway infrastructure is predicted.

No impact on the Grand Canal boat drivers is predicted.

*Only green glare is predicted to impact upon the Runway 27 approach path at Clonbullogue Airfield. Green glare is an **acceptable impact** when pilots are approaching runways/helipads, according to FAA guidance. No glare impacts are predicted upon the Runway 09 approach path at Clonbullogue Airfield. Therefore, the impact on aviation assets is **Low** and **Not Significant**.*

- 5.34. Mitigation measures are not required due to all impacts upon ground-based receptors being **None**.

- 5.35. The effects of glint and glare and their impact on local receptors has been analysed in detail and there is predicted to be only **Low** and **None** impacts, and therefore **No Significant Effects**.
- 5.36. In this regard, the alterations to the design and layout of the solar arrays under the Proposed Amendment represent only minor changes to the reflective elements of the scheme. Accordingly, the conclusions of the original Glint and Glare Assessment remain valid.

Flood Risk and Drainage Impact Assessment

- 5.37. Flood risk and drainage matters have been thoroughly assessed as part of the extant permission, with appropriate mitigation measures incorporated into the approved design as outlined in the **Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA), Technical Appendix 4**.
- 5.38. The FRA-DIA stated:

"According to PFRA map, there is a risk of fluvial flooding from the Puttaghan Stream which flows along the southern boundary of the Application Site. Puttaghan Stream is a designated Arterial Drainage Scheme (ADS) (Scheme Ref: C10/5) as part of the Arterial Drainage Act (ADA). The PFRA mapping did not account for flood defences, channel structures or channel works and therefore it is likely to be contained within the banks of the watercourse, whilst the previously flooded area is known as 'benefitted land' and therefore the Application Site has been classed as Flood Zone C."
- 5.39. In summary the FRA-DIA confirmed that 'Water Compatible Development' infrastructure (panels and access track) and 'Highly Vulnerable Development' (inverters) are both appropriate for Flood Zone C.
- 5.40. In addition to fluvial and coastal flood risk, the PFRA map also indicated areas of flood risk due to pluvial sources. This did not indicate any areas of potential surface water flooding within the Application Site.
- 5.41. Due to the removal of the 38kV substation and infrastructure within field 1, a revised Outline SuDs design was produced and can be found within **Volume 3** of this application. The new storage is 84.1m³ (1,681.6m length of infiltration drains which are 0.5m wide, 0.5m deep and have 20% void ratio) which is more than the needed storage (13m³).
- 5.42. Notwithstanding the minor panel reconfiguration, repositioning of the inverters and access track, the Proposed Amendment does not introduce any further substantive changes that would materially alter the flood risk or drainage considerations previously assessed. The mitigation measures outlined in the FRA / DIA remain applicable and continue to ensure the resilience of the development against flood events. The associated changes will not result in any increased risk of flooding on-site or elsewhere, thereby confirming the continued appropriateness of the approved drainage strategy and flood mitigation measures.

Noise

- 5.43. An **Assessment of Acoustic Impact (AAI)**, **Technical Appendix 7** was previously undertaken as part of the extant permission. The assessment identified and described any likely significant noise effects on key receptors during the operational phase of the development.
- 5.44. In summary, the assessment concluded that relevant limits would be met during both day and nighttime periods.

"The limits recommended by the WHO Guidelines for Community Noise are met by significant margins of 15 dB(A) during the day and 10 dB(A) at night. The limit recommended by the WHO Night Noise Guidelines is met by a margin of 5 dB(A), noting that this is a conservative assessment as the maximum predicted sound level due to the proposed development is being compared to an annual average limit."

- 5.45. As part of the Proposed Amendment, it has been proposed to use string inverters rather than the previous central inverters. Due to this change affecting noise generating infrastructure, a revised Assessment of Acoustic Impact was undertaken and can be found within Volume 3 of this application.
- 5.46. The revised AAI concluded that:

"The limits recommended by the WHO Guidelines for Community Noise are met by significant margins of greater than or equal to 12 dB(A) during the daytime and 21 dB(A) at night-time. The limit recommended by the WHO Night Noise Guidelines is met by a margin of 16 dB(A), noting that this is a conservative assessment as the maximum predicted sound level is being compared to an annual average limit."

The nearby proposed Colehill 110kV substation (Strategic Infrastructure Development application) will be submitted at the same time as this application) and consented Derrygrogan solar farm (Ref: 22378) are to be included in a cumulative assessment.

The main sources of sound are the proposed grid transformers located in Colehill 110kV substation, the string inverters and associated transformer stations at the proposed revised layout of Ballyteige solar farm, and the inverters and associated transformers at the consented Derrygrogan solar farm.

The limits recommended by the WHO Guidelines for Community Noise are met by significant margins of greater than or equal to 11 dB(A) during the daytime and 7 dB(A) at night-time. The limit recommended by the WHO Night Noise Guidelines is met by a margin of 2 dB(A), noting that this is a conservative assessment as the maximum predicted sound level is being compared to an annual average limit.

A qualitative assessment of the acoustic impact associated with the construction of the solar farm has been undertaken with reference to BS 5228-1:20096 in order to predict the likely

impact upon the nearest residential properties and adjacent church during the construction period.

The exact methodology and timing of construction activities have not yet been defined, and a reliable assessment of expected construction noise levels is not possible as a result. Where relatively intense construction activities are expected and/or are to be undertaken near neighbouring residences, specific attention to potential for enhanced mitigation measures to reduce the level of noise from these activities will be considered as and when necessary.

5.47. Although the figures within the findings of the revised AAI are different to those within the original AAI, the results of both indicate that the relevant limits would be met during both daytime and night-time periods.

Summary

5.48. In summary, it is clear that renewable energy projects are supported 'in principle' at national, regional and local policy levels, with a consistent emphasis on the urgent need to reduce greenhouse gas emissions, transition away from fossil fuel dependency, and respond proactively to the challenges of climate change.

5.49. The Offaly County Development Plan 2021–2027 sets out a clear framework for facilitating the development of renewable energy projects, including solar energy, in appropriate rural locations. It contains a range of strategic objectives, policies and development management criteria aimed at encouraging sustainable energy generation, particularly from indigenous resources such as solar, where proposals align with the principles of proper planning and sustainable development.

5.50. This amendment application is supported by updated environmental documentation, including an updated G&G and AAI. These documents confirm that the proposed revisions will not result in any significant environmental effects and that all relevant ecological safeguards and mitigation measures have been retained or enhanced.

5.51. It is therefore concluded that the proposed amendment continues to comply with relevant planning policy at all levels and will contribute positively to the delivery of national renewable energy targets, while supporting Offaly County Council's broader strategic goals for sustainable rural development and climate action.

6. CONCLUSION

- 6.1. The principle of a solar farm development has already been accepted in this locale by way of the extant permission granted under Planning Reference 2198. This confirms a general adherence to relevant local, regional and national policies and objectives, all of which lend support for appropriately sited and designed renewable energy developments.
- 6.2. The design and layout of the Proposed Amendment is broadly similar in nature to that of the Previously Consented Development with some minor amendments and omissions as outlined earlier in this report. The Proposed Amendment has been carefully considered and accompanied with updated technical information where necessary. It is considered that the Proposed Amendment remains in compliance with prevailing planning policies. Particular attention has been given to aligning the development with the updated local policy framework, specifically the Offaly County Development Plan 2021-2027.
- 6.3. The conclusions and recommendations outlined in this assessment remain fully applicable to the Proposed Amendment, as it is situated on the same plot of land and retains a similar design to the extant permission, with only minor modifications as previously detailed including the change in the lifetime operation period from 35 years to 40 years.
- 6.4. To conclude, we would reiterate that the thrust of national, local and regional policy advocate support for renewable energy developments and require positive consideration, subject to development management and environmental considerations. The principle of a Solar Farm development in this locale has previously been deemed to have struck an acceptable balance between renewable energy production and the proposed amendments comply with all relevant planning and environmental considerations.