



Title of Report:	Planning Committee Report – LA01/2025/0533/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22 April 2026
For Decision or For Information	For Decision
To be discussed In Committee YES/NO	NO

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	NO
Capital/Revenue	N/a
Code	N/a
Staffing Costs	N/a

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	No	Date:

	EQIA Required and Completed:	No	Date:
Rural Needs Assessment (RNA)	Screening Completed	No	Date:
	RNA Required and Completed:	No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	No	Date:
	DPIA Required and Completed:	No	Date:

App No: LA01/2025/0533/F **Ward:** Limavady and Benbradagh

App Type: Full Planning

Address: Lands Extending Between The East Of 10A - 16 Ballyleagry Road, To The North Of 23 Ballyleagry Road And To The West Of 112 – 122 Edenmore Road, Limavady.

Proposal: Proposed solar farm and associated infrastructure including ground mounted solar PV panels on support frames, inverters/transformer cabins, substation, fencing, CCTV cameras, temporary construction compound, access works, internal service track, landscaping and ancillary site works.

Con Area: N/A

Valid Date: 30.05.2025

Listed Building Grade: N/A

Target Date: 26.12.2025

Agent: Bell Rolston, 183 - 185 Ballyclare Road, Newtownabbey, BT36 5JP

Applicant: Ballyleagry Solar Farm Limited, Unit 1 Wallace Studios, Wallace Avenue, Lisburn, BT27 4AE

Objections: 0 Petitions of Objection: 0

Support: 0 Petitions of Support: 0

Executive Summary

- The proposal is for the installation and operation of a 29.9mw solar farm and associated infrastructure including ground mounted solar PV panels on support frames, inverters/transformer cabins, substation, fencing, CCTV cameras, temporary construction compound, access works, internal service track, landscaping and ancillary site works.
- As a major application this proposal was subject to the Proposal of Application Notice (PAN) process and the public consultation laid out within that before the application was submitted.
- An EIA determination was carried out under Regulation 8 of the Planning (Environmental Impact Assessment) Regulations (NI) 2017. It was not considered that the proposal would have any significant adverse environmental effects, therefore, an Environmental Statement was not required.
- The application was submitted further to a favourable Pre-Application Discussion (PAD) application.
- No objections or letters of support have been received regarding the proposed development.
- The proposal has been assessed against the relevant policy, mainly the Strategic Planning Policy Statement, Edition 2, and has been found acceptable in terms of the principle of development, impact on the public, safety, human health, residential amenity, visual amenity, landscape character, biodiversity, nature conservation, and local natural resources.
- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- Approval is recommended subject to the proposed conditions.

Drawings and additional information are available to view on the Planning Portal-

<https://planningregister.planningsystemni.gov.uk/simple-search>

1.0 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located on lands approx. 2.3km to the south of the town of Limavady, with the countryside. The site abuts Ballyleagry Road along its southern boundary and is set back from Ballyquin Road, to the west and Edenmore Road, to the east. The nearest settlement is the hamlet of Ardgarvan which is located approx. 1.1 km to the north west. The surrounding area is rural in character with dispersed single dwellings and farm buildings.
- 2.2 The site itself comprises circa 31 ha of agricultural fields, seven in total. Access to the site is proposed via an existing gated laneway off Ballyleagry Road. The site is relatively flat with some local undulations. The existing field boundaries comprise a mixture of mature hedgerows, trees and post and wire fence. There is a small area of woodland to the north of the site, part of which falls within the redline boundary of the site. It is proposed to retain the woodland.
- 2.3 There are several dwellings in proximity to the site. The nearest dwelling to the site is 16 Ballyleagry Road which sits approx. 60m to the south west of the site and shares a physical boundary with the site. There is a dwelling under construction which also abuts the site boundary to the west of the site.
- 2.5 The site is not located within the boundary of any statutory or non-statutory designated sites of international, national or local nature conservation importance. The site however, is hydrologically linked to the River Roe and Tributaries Special Area of Conservation (SAC), Lough Foyle Special Protection Area (SPA), and Lough Foyle RAMSAR site, which are designated sites of

international (and European) importance, and River Roe and Tributaries and Lough Foyle Areas of Special Scientific Interest (ASSI), which are designated sites of national importance.

3.0 RELEVANT HISTORY

3.1 LA01/2024/1371/DETEIA - Proposed Solar Farm and ancillary development at Lands east of 10A-16 Ballyleagry Rd, north of 23 Ballyleagry Rd and west of 112-122 Edenmore Rd, Limavady – Environmental Statement not required 18.02.2025

3.2 LA01/2024/1372/PAD - Proposed Solar Farm and ancillary development at Lands east of 10A-16 Ballyleagry Rd, north of 23 Ballyleagry Rd and west of 112-122 Edenmore Rd, Limavady – PAD Acceptable 14.03.2025

3.3 LA01/2024/1421/PAN - Installation and operation of a solar farm and all associated infrastructure at Lands extending between the East of 10a-16 Ballyleagry Road to the North of 23 Ballyleagry Road and to the West of 112-122 Edenmore Road, Limavady – PAN Acceptable 14.01.2025

4.0 THE APPLICATION

4.1 The proposal is for the installation and operation of a solar farm with a Maximum Export Capacity (MEC) of up to 29.9MW, and associated infrastructure including:

- ground mounted solar PV panels on support frames with a max. height of between 2.8 and 3.5m, angled at approx. 25 degrees above horizontal (depending on site topography) and spaced between 2.8m and 3.7 apart (depending on ground conditions);
- 6 inverters/transformer cabins measuring 6.4m by 2.4m, and 2.7m high;
- single storey substation building measuring 25.9m by 7.8m and 5.1m high located within the southern section of the site;
- Perimeter post and wire “deer” fencing (2m high);
- 3 pole mounted CCTV cameras (4m high);
- temporary construction compound which will be removed when the development is complete;
- access works off Ballyleagry Road;
- gravel internal service track;

- landscaping and ancillary site works including attenuation ponds.

Design & Access Statement

- 4.2 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is a major application. The application falls within the major category due to the 29.9MW generation capacity of the solar farm.
- 4.3 The Design and Access Statement provided is to provide details of the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with.
- 4.4 The Design and Access Statement states how the site was selected and how the layout of the solar farm was considered giving regard to proximity to dwellings (noise, glint/glare and visual amenity), avoidance of protected ecological features and species, avoidance/minimisation of hydrological impacts and landscape and visual impacts.
- 4.5 The statement demonstrates that the Applicant undertook significant consideration of the siting and layout of the development. It sets out that a preliminary layout was initially identified and assessed in light of required buffers from known environmental constraints at that time. This layout was revised to account for further investigation of in-site ground conditions, protected priority species and landscaping to aid visual integration. The final proposed layout ensures that all environmental, technical and engineering concerns have been addressed.
- 4.7 The development is not proposed to be open to access by the general public. For security and operational reasons, there will be no permitted access to persons other than for the purposes of maintenance or monitoring the facility.

5.0 PUBLICITY & CONSULTATIONS

External

- 5.1 Initial neighbour notification was carried out on 6 June 2024. The application was initially advertised on 6 June 2024 in the local papers.

5.2 There were no objections or letters of support submitted in relation to this proposal.

Internal

5.3 See appendix 1 for details of consultations carried out and the responses provided. All consultees were content with the proposal subject to conditions.

Proposal of Application Notice

5.4 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.

5.5 A Proposal of Application Notice was submitted on 19 December 2024 under LA01/2024/1421/PAN. The Applicant advised that they intended to undertake the following forms of consultation:

- Public event;
- Project website;
- Press notice of the public event and the website;
- Letter drop to properties within 500m of the development site;

5.6 The PAN was considered to be acceptable as it met the requirements of Section 27 of the Planning Act (Northern Ireland) 2011.

Community Consultation Report

5.7 The community consultation report was submitted as part of the planning application, received on 30 May 2025 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.

5.8 Copies of the following have been provided in the report:

- Screen shots taken from the project website;
- Copy of the newspaper adverts;
- Copy of the invitation letter which was posted out to properties within 500m of the site;
- Copy of invitation sent to elected members;

- Map of properties and list of elected members who were sent the invitation;
- Copy of feedback form;
- Copy of event registration form;
- Copies of the information boards displayed at the event;
- Photos taken at public event;
- A table showing feedback received and ABO Energy's response.

5.9 The report states that public notices advertising the event and the website were placed in the Limavady Constitution/Chronicle and the Londonderry Sentinel on 6 February 2025 and the Derry Journal on 7 February 2025. An invitation letter was issued on 5 February 2025 to 41 properties located within 500m of the development site. An email was issued to elected members on 11 February 2025 informing them of the event. The dedicated website went live on 20 February 2025 and provided information on the development, contact details and how to provide feedback. The website also provided a facility for online feedback. A public event was held on 20 February 2023 at Balteagh Presbyterian Church Hall, 199 Drumsurn Road, Limavady where information about the proposal was displayed and the development team were on hand to answer questions.

5.10 Overall, sufficient evidence has been provided to demonstrate that appropriate consultation has been carried out to show compliance with section 27 of the Planning Act (Northern Ireland) 2011.

5.11 Approx. 15 people attended the public event, 2 feedback forms were submitted at the event with 2 further submissions returned by email. Verbal feedback was also given at the event.

5.12 Issues raised by respondents, both verbally and in writing, are set out in the report. Issues raised included visual impact, traffic impact, noise, environmental and ecological impact, proximity to dwellings, impact on house prices, human health, glint and glare and grid connection route. All comments raised have been considered in the report.

6.0 MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as

material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 6.2 The development plan is the Northern Area Plan 2016 (NAP). The site is within the countryside.
- 6.3 The site is within Roe Basin Landscape Character Area (LCA 37).
- 6.4 The site is not within any European designations. However, it has potential hydrological links to the River Roe and Tributaries SAC/ASSI and Lough Foyle SPA/ASSI/RAMSAR.
- 6.5 The Regional Development Strategy (RDS) is a material consideration.
- 6.6 The Strategic Planning Policy Statement, Edition 2 (2025) (SPPS Edition 2) is a material consideration. As set out in the SPPS Edition 2, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.7 Due weight should be given to the relevant policies in the development plan.
- 6.8 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement, Edition 2 (SPPS Edition 2)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6: Planning, Archaeology and The Built Heritage

Planning Policy Statement 15: Planning and Flood Risk

Planning Policy Statement 18: Renewable Energy – Best Practice Guidance

PPS 21: Sustainable Development in the Countryside

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of development, impact on the public, safety, human health, residential amenity, visual amenity, landscape character, biodiversity, nature conservation, and local natural resources.

Principle of development

- 8.2 The SPPS Edition 2 advises that the Council must give appropriate weight to climate considerations (including the target to generate 80% of electricity consumption from renewable resources by 2030) and to supporting efforts to protect and enhance biodiversity. It sets out that planning authorities must help facilitate delivery of the necessary increase in appropriate renewable and low carbon energy developments (electricity and heat) so that the contribution of this sector to the transition to a net zero energy is optimised. This requires careful balancing of the local impacts with the wider environmental, economic, and social benefits.
- 8.3 Paragraph 6.228 of the SPPS Edition 2 states that planning authorities should facilitate suitable solar farms in appropriate countryside locations.
- 8.4 An appropriate assessment was carried out by Shared Environmental Services under Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (NI) 1995 (as amended) as the site has potential hydrological links to the River Roe and Tributaries SAC/ASSI and Lough Foyle SPA/ASSI/RAMSAR. Causeway Coast and Glens Borough Council in its role as the competent authority has adopted the HRA report, and conclusions therein. The test of likely significance concluded that the proposal would not have a significant effect on the integrity of any European site.
- 8.5 A pre-application Environmental Impact Assessment was carried under Regulation 8 of the Planning (Environmental Impact Assessment) Regulations (NI) 2017 as the proposed development falls within Schedule 2, Category 3(A) of the Regulations. The determination was negative and an Environmental Statement was not requested.

- 8.6 The Northern Area Plan 2016 is silent on the matter of solar farm development in this area.
- 8.7 The Applicant submitted a Pre-Application Discussion Application (PAD) on 19 December 2024 for 'Installation and operation of a solar farm and all associated infrastructure'. The outcome of the PAD was favourable and the scheme submitted under this application aligns with that considered acceptable under the PAD.

SPPS Edition 2 Development in the Countryside and PPS 21 Sustainable Development in the Countryside

- 8.8 Planning Policy CTY 1 of PPS 21 allows for renewable energy projects in accordance with PPS 18. The new SPPS Edition 2, published on 11 December 2025, revoked and replaced PPS 18. However, the guidance contained in Best Practice Guidance to PPS 18 - Renewable Energy will continue to have effect. Planning applications for renewable projects are now assessed against the new policy provisions within SPPS Edition 2.
- 8.9 Policy CTY 13 of PPS 21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. Also, CTY 14 of PPS 21 states that a planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.
- 8.10 The proposal includes 1 permanent building, which is the sub-station building. The sub-station building will measure 25.9m by 7.8m and will be 5.1m high. It is proposed that the building will be finished in smooth white render, grey dash or grey facing block with artificial roof tiles in grey/black. It is to be located in the southern section of the site and tree planting has been proposed to enclose the building to help to screen it.
- 8.11 The southern site boundary will be set back from Ballyleagry Road and the land between the boundary and the road will be retained as agricultural lands (grassland corridor) which will be managed along with field boundary hedges. Boundary landscaping proposed along Ballyleagry Road will be managed to a height of 1.2m to 1.5m to tie in with the existing hedgerow which is to be retained and managed to an appropriate standard. Further

landscaping is proposed on the other site boundaries as well as retaining existing boundary vegetation and existing internal field boundaries.

- 8.12 Due to the proposed planting, existing field boundary vegetation, existing development and the topography of the landscape, views of the substation will be limited from the public road network, with no significant visual impact. The design and materials are considered acceptable and the building will not be a prominent feature in the landscape and will not cause a detrimental change to the rural character of the area.
- 8.13 The SPPS Edition 2 also states that all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed. Given the nature of a solar farm, it is difficult for it to integrate into the countryside. However, the proposal, including the solar panels and the associated infrastructure, has been sensitively designed so as to respect rural character as much as it can and is therefore acceptable.

SPPS Edition 2 Renewable and Low Carbon Energy

- 8.14 The SPPS Edition 2 requires planning authorities to give appropriate weight to climate considerations (including the target to generate 80% of electricity consumption from renewable sources by 2030) and to supporting efforts to protect and enhance biodiversity. It states that planning authorities must help facilitate delivery of the necessary increase in appropriate renewable and low carbon energy developments (electricity and heat) so that the contribution of this sector to the transition to a net zero energy is optimised.
- 8.15 Paragraph 6.223 of the SPPS Edition 2 requires that all renewable and low carbon energy development, any associated buildings and supporting infrastructure will be permitted where the proposal will not result in an unacceptable adverse impact (alone or in combination with other developments) on the following planning considerations:
- **public safety, such as roads, rail, and aviation safety (including communications interference);**
- 8.16 The proposal is not located in proximity to any railway lines. The site is approximately 15.5km east of City of Derry Airport (CoDA).

The Federal Aviation Administration (FAA) provides guidance to address the potential hazards that solar developments may pose to aviation. FAA protocol sets a 15km radius study area for identification of aerodromes which might be impacted by glint and glare. CoDA is just outside the study area and were scoped out of any further analysis by the Applicant. CoDA confirm that they have no objection to the proposal.

8.17 The solar farm will be fenced which will restrict access to site personnel only. No hazardous substances will be stored on site.

8.18 The site bounds Ballyleagry Road, it is set one field back from Edenmore Road and Ballyquin Road sits approx. 500 to the west. Ballyquin Road is a main route from Limavady to Dungiven and is a protected route. Existing development and mature vegetation between the Ballyquin Road and the site screens the proposed development, and the southern orientation of the site will minimise the impact of glint and glare on traffic using the Ballyquin Road. Ballyleagry and Edenmore Roads are lightly trafficked. However, to limit the impact of glint and glare on these roads, landscaping is proposed on the site boundaries to supplement the existing vegetation. The panels have also been set back along the Ballyleagry Road.

- **human health;**

8.19 There is no evidence to demonstrate that solar farms have a negative impact on human health. Environmental Health was consulted on the proposal, as the competent authority on human health, and they have not raised any objections on these grounds.

- **residential amenity and impacts on other such sensitive receptors (communities and individuals, including future occupants of committed developments);**

8.20 There are several residential properties in proximity to the site boundary. The nearest dwelling to the site is 16 Ballyleagry Road which sits approx. 60m to the south west of the site and shares a physical boundary with the site. There is a dwelling under construction which also abuts the site boundary to the west of the site. There are no specific policy requirements within SPPS edition 2 in relation to separation distances between residential receptors and solar farms.

- 8.21 Potential impacts on residential amenity arise from glint and glare, noise, visual impact and nuisances such as lighting and loss of privacy from the use of CCTV cameras.
- 8.22 The proposal includes 3 pole mounted CCTV cameras (4m high) which will be located within the site and positioned so that they are directed into the site and not into any neighbouring properties. Therefore, there will be no impact on residents privacy. The proposal does not include any external lighting and the Applicant confirms in the supporting statement that no external lighting is planned.
- 8.23 A Glint and Glare Assessment, which was prepared by Macro Works, a Chartered Landscape Architect, has been submitted with the proposal. The assessment indicates that glint and glare is geometrically possible at 19 dwellings. Taking account of the existing screening between the site and the dwellings, 10 of these dwellings are likely to have the potential to be materially affected by glint and glare prior to mitigation. The Applicant has proposed mitigation in the form of planting along the proposed development boundaries. This vegetation is predicted to reduce the visibility of the reflective area for the dwellings. Post mitigation establishment, 8 of these dwellings have the potential to incur residual glint and glare effects. However, the impact on these 8 dwellings has been assessed by the Glint and Glare Assessment to be very low to negligible within a worst-case scenario, and it is not considered that the predicted impact on these dwellings will materially impact the enjoyment of the properties.
- 8.24 With regard to noise, Environmental Health (EHO) has assessed the proposal and has no objection to the predicted noise levels at any of the receptor locations. EHO is content with the proposal, subject to conditions being applied in the event of an approval.
- 8.25 With regard to the visual impact on residential properties, a Landscape and Visual Impact Assessment (LVIA) was submitted as part of the application. This assessment was prepared and reviewed by a chartered landscape architect at Macro Works Ltd. The assessment considered the impact of the proposed development on residential properties in proximity to the site. It notes that there are 26 properties within 500m of the site boundary which are likely to be influenced by the proposed development. Beyond this distance views of the site are restricted by the

landform and vegetation or the development becomes difficult to discern in the content of the wider panoramic views available.

8.26 The proposal has been designed with panels setback from the surrounding roads and proposed landscaping including the retention and augmentation of existing site boundaries. The planting will help to screen the proposed development for nearby residents. The impact on these residents is considered to be moderate but not unacceptable.

- **visual amenity and landscape character, including cumulative impact;**

8.27 Paragraph 6.228 of SPPS Edition 2 states that “solar farms which are well planned and well screened can have an acceptable visual impact if located sensitively in the local landscape”. Consideration needs to be taken of “the impact on the character and quality of the landscape, its sensitivity, and the level to which the proposed development will become a significant or dominant character of the landscape’ as set out in paragraph 6.233 of the SPPS Edition 2.

8.28 The LVIA was prepared by a Chartered Landscape Architect with the Landscape Institute (UK) who has over 15 years’ experience preparing LVIA reports for a broad range of development types, including numerous solar farm projects.

8.29 The site is not located within any sensitive landscapes. Binevenagh AONB is located approx. 4km to the north of the site. The LVIA has established that given the expansive nature of elevated views and the wider context, the development is not considered to be visible to any discernible extent and will therefore have no impact on the AONB.

8.30 The site is located within Roe Basin Landscape Character Area (LCA 37). The site is not located within an area described as having particular Key Landscape and Visual Characteristics and Values. Landscape features such as boundary hedgerows and trees will be retained as part of the development proposals, with effects being limited to a change in land use for those portions of the site being utilised for the proposed development. The wider LCA will remain unaltered.

- 8.31 A total of 10 viewpoints have been assessed in the LVIA. These are close range critical viewpoints located on the roads immediately encircling the site as they were considered to be the most important to the consideration of the proposal. This is because views of the site from further distances are well screened or indiscernible.
- 8.32 Given their proximity and relative lack of vegetation, the site is most visible from Ballyleagry Road, along the site frontage and Edenmore Road, to the east of the site, see viewpoints (VP) 1 to 6, these are considered to be the critical views. In other locations on the nearby road network, the site is substantially screened by intervening vegetation. Views will be possible from Terrydremont Road and Ballyquin Road, although these views would be more partial and intermittent in nature, and experienced transiently. Views would also be possible from locations in the wider elevated landscape to the east and west of the site. From here, due to distance and the successional layers of vegetation in the intervening landscape, the development will be difficult to discern. Views from the north and south will not be possible due to existing development and landform.
- 8.33 As stated above, the site is most visible from Ballyleagry Road, along the site frontage and Edenmore Road. This is due to the proximity of the site to these roads and the lack of intervening development and vegetation.
- 8.34 VP 1 is located on Edenmore Road. From here, the landscape has an open nature with poorly vegetated field boundaries. However, part of the site is screened by an existing woodland and the roadside vegetation helps to provide partial screening. Given the set back from the Edenmore Road, views will be middle distant and will not dominate the landscape. Mitigation planting is proposed which will provide a level of screening which will help to assimilate the development into its landscape setting and improve the framework of vegetation in the view.
- 8.35 VP 2 is also located on Edenmore Road. From here, the site lacks any natural screening from either boundary or roadside vegetation. Given the proximity of the receptor at this point, the proposal will occupy a comparatively large proportion of the view to the west. Again, mitigation planting is proposed which will provide screening. Once the screening vegetation is established, the panels will

remain visible. However, they will be contained within a framework of vegetation that reduces their influence on the overall view.

- 8.36 VP 3 is located on Edenmore Road. The roadside vegetation is intermittent at this point. The site is set a field back from the roadside and the site benefits from an existing boundary hedge. The northern portion of the development will be screened by existing built development consisting of a derelict dwelling and barns as well as mature trees. It is proposed to augment this boundary with further planting which will aid in integrating the site. When viewed from this direction, the panels will present as a narrow band of alternative ground hugging land cover, and would not substantially alter the character of the view.
- 8.37 VP 4 is located at the junction of Edenmore Road and Ballyleagry Roads. From here the site is set back one field and benefits from a well vegetated eastern site boundary which, along with the nature of the terrain, will act to substantially screen the proposed development from this view. The proposed panels will not be readily visible from this location.
- 8.38 VP 5 is located on Ballyleagry Road along the southern site boundary. The panels will be set back approx. 34m from the roadside boundary at their nearest point. There is no natural boundary at this point and only the existing roadside hedge to offer any screening to the site. The panels will be readily noticeable while travelling along this section of the Ballyleagry Road. However, this view will be restricted to the extent of the roadside boundary given the strong vegetation screening along the eastern and western boundaries on this southern section of site. Consideration has been given to setting the panels back from the roadside to moderate their visual presence, and to help maintain both an open character to the road, and an agricultural foreground context which is considered important to the character of the road. Planting has been proposed both along the existing roadside boundary, to augment the existing hedge, and between the roadside boundary and the line of the panels to screen the development.
- 8.39 VP 6 is also located on Ballyleagry Road at its junction with Terrydremont Road. From here the development will be set back 1 field from the road. Panels will be visible behind the intervening gorse hedgerow, and through the belt of trees present at the

existing site access. The roadside boundary at this point is also well vegetated. The site benefits from good natural screening at this location. The panels will be visible but the extent to which they alter the character and scale of the surroundings is not considered to be notable.

- 8.40 VP 7 is located on Terrydremont Road to the south of the site. The development will be visible in short-middle distant views. From here the development benefits from a backdrop provided by existing vegetation and landform. The site is screened by intervening field boundary vegetation and the roadside vegetation along Terrydremont Road. Views from this point are not significant. Viewpoints VP8 Ballyquin Road, VP 9 Largy Road and VP 10 Terrydo Road have also been assessed as having no significant views.
- 8.41 Both Edenmore and Ballyleagry Roads are minor roads which are lightly travelled meaning there will be a lower number of receptors than would be experienced on a main road. While not well screened by existing vegetation, the site is sufficiently set back from the roadside and views are short distant views, confined to Ballyleagry Road and Edenmore Road.
- 8.42 The proposal includes landscaping along the site boundaries which will assist in minimising views from the critical viewpoints on Ballyleagry Road and Edenmore Road. Even with the proposed landscaping, it is predicted that views of the panels will still be possible. However, given the proximity of the roads to the site, the fact that these roads are lightly trafficked and the views are intermittent and for short distances, the visual impact is not considered to be significant or unacceptable.
- 8.43 The proposal is not prominent or dominant in the landscape and with screening, it will not have a significant impact on the landscape at this location. The proposed planting will have a positive impact both on the visual amenity of the area and the biodiversity of the area. This relatively flat landscape has the ability to absorb the development as views are localised and there will be little impact on the wider area.
- 8.44 The LVIA includes a cumulative impact assessment where the proposal has been considered along with other relevant schemes which are existing, proposed or approved, as required by the

SPPS Edition 2. In the assessment, other solar energy developments were considered the most relevant type of development given their characteristics and the comparable nature of their effects. Although it is understood that other solar schemes are being considered in the wider landscape, there are no other developments, existing, approved or proposed within the locale which can be viewed in conjunction with the proposed development.

- **biodiversity and geodiversity, nature conservation, archaeological or built heritage interests;**

- 8.45 A Preliminary Ecological Appraisal Report (PEA) has been submitted as well as Badger, Bird and Bat surveys to assess the impact of the development on designated sites, habitats and species through conducting extensive survey works. Mitigation measures have been proposed to avoid significant adverse impacts.
- 8.46 The proposed development site does not lie within or close to any designated sites. Due to the scale of the development and the distance from Lough Foyle SPA/ASSI, it is considered unlikely that there will be any significant impacts on feature bird species. There is no direct hydrological link from the proposed development to Lough Foyle and the River Roe, so NIEA Natural Environment Division has no concerns regarding impacts to designated sites.
- 8.47 With regard to NI Priority habitats (NIPH), the site contains Hedgerows. The PEA notes that the hedgerows are degraded. However, it is proposed that no hedges will be removed and 2982m of these existing hedges within the site will be enhanced with under and inter-planting. In addition, it is proposed to plant 1383m of new hedges with trees along site boundaries with a woodland thicket to be planted along part of the southwestern boundary. NED has advised that they welcome this habitat enhancement. The SPPS Edition 2 states that development proposals should protect and, where feasible, seek to enhance biodiversity which could contribute to strengthening existing nature networks and restoring degraded habitats. The retention of, and planting of further hedges meets this requirement.
- 8.48 NED has assessed the submitted bird surveys and are content with the findings. The surveys found no evidence to suggest that

the proposed development area or surrounding lands are used by any other sensitive bird species of conservation concern that would be adversely affected by the proposed development. It is likely that the area holds a range of widespread bird species typical of improved agricultural grassland habitat. Alternative habitat is available for any displaced birds in the wider area and the planting of new hedges and trees will provide additional nesting and foraging habitat if managed sympathetically to wildlife. NED considers it unlikely that there will be significant ornithological issues associated with this proposal, provided that measures within the submitted reports are adhered to. This can be conditioned in the event of an approval.

- 8.49 The Bat Roost Potential Survey of trees on the site indicates that there is no bat roost potential. NED is content with this assessment but has advised that if roosting bats are found during works, all works must stop and advice sought from NIEA Wildlife Team. The habitats on site were assessed as having Low bat foraging potential. Bat activity surveys comprising static surveys and transect surveys found no areas of concentrated foraging and no commuting routes. Low numbers of bats were detected across the site. As no external lighting is planned, no lighting plan is required by NED. NED welcomes the proposed erection of bat boxes and hedge planting works which will have the potential to improve the suitability of the site for foraging, commuting and roosting bats.
- 8.50 NED notes that evidence of badgers was found on site during the Preliminary Ecological Appraisal and that mitigation is proposed in the PEA and CEMP to minimise impacts to this protected species. NED has advised that, provided a condition is included in any decision notice to require implementation of the proposed badger mitigation measures, it has no concerns regarding badgers.
- 8.51 NED notes that no evidence of newts was found on site during the Preliminary Ecological Appraisal, but that suitable habitat along the northern edge of the site, so mitigation is proposed in the PEA and CEMP to minimise impacts to this priority species. Again, NED is content provided a condition is included in the event of an approval requiring implementation of the proposed mitigation measures.
- 8.52 DAERA NED and Shared Environmental Services have considered the impacts of the proposal on the designated sites

and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions being imposed on any planning approval.

8.53 With regard to built heritage, an Archaeological Impact Assessment has been submitted. Historic Environment Division has advised the site is in proximity to a souterrain and enclosure. However, HED is content that the proposal satisfies the SPPS Edition 2 and PPS 6 policy requirements, subject to conditions. This is discussed in more detail below.

- **local natural resources, such as air quality, water quality or quantity;**

8.54 Solar energy is a clean and green energy. The proposal relates to photovoltaic panels which convert light directly into electrical energy. The proposal will not involve the use of any non-renewable resources during its operation and will not generate any waste or emissions.

8.55 An outline Construction Environmental Management Plan (oCEMP) has been submitted with the planning application setting out pollution prevention measures to protect ground water and the water environment on site during the construction phase of the development. NIEA Water Management Unit has advised that due to the proximity to watercourses, it requires further detail within the Construction Environmental Management Plan to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. The submission of a final CEMP can be conditioned as a negative condition in the event of an approval.

- **The capacity of and effects on the transportation network;**

8.56 Given the nature of the development, the site will be unmanned and occasionally accessed for maintenance or servicing as and when required. It is therefore anticipated that there will be no impact on the transportation network for the proposed development. DfI Roads confirmed that it has no objection to the proposal subject to conditions.

- **Impacts on tourism, recreation, and public access to the countryside.**

8.57 The lands within the application site boundary are owned by a private landowner, and subsequently leased by the Applicant, and used primarily for agricultural use. There are no Rights of Way within the site therefore public access to the site upon the construction of the proposed development will be no different than before, that is, access to the land will depend on the landowner's consent. Furthermore, there are no tourism amenities or recreation activities within proximity to the site. The proposed development will have no impact on tourism, recreation, and public access to the countryside.

Decommissioning

8.58 Paragraph 6.239 of the SPPS Edition 2 requires proposals to include details on future decommissioning, including proposals for site restoration. A Decommissioning Statement has been submitted with the application. The statement sets out that at the end of the project's operational life, the solar farm will be responsibly decommissioned. All infrastructure not required for ongoing utility or land management purposes will be dismantled and removed from site, with materials recycled wherever practicable. Any residual waste generated during this process will be collected, managed, and transported offsite by licensed waste contractors in full compliance with regulatory requirements. With regards to restoration, as the land is to remain in active agricultural use through managed sheep grazing during the operational phase, following decommissioning, the land will be reinstated to a condition suitable for grazing, to the reasonable satisfaction of the landowner. A condition is included to ensure that decommissioning and site restoration are carried out when the solar farm reaches the end of its design life.

Economic, Environmental and Social Consideration

8.59 The SPPS Edition 2 requires planning authorities to give appropriate weight to climate considerations (including the target to generate 80% of electricity consumption from renewable sources by 2030) and to supporting efforts to protect and enhance biodiversity. It states that planning authorities must help facilitate delivery of the necessary increase in appropriate renewable and low carbon energy developments (electricity and heat) so that the contribution of this sector to the transition to a net zero energy is optimised. This requires careful balancing of the local impacts with the wider environmental, economic, and social benefits.

- 8.60 In this case, the provision of a sustainable supply of energy from a renewable resource must be given significant weight due to the considerable environmental benefits that provision of energy in this way provides. This proposal also positively contributes to regional and national targets for provision of energy from renewable sources.
- 8.61 While the local impacts of the development, including visual impact, are considered to be acceptable, the development also provides environmental, economic, and social benefits as set out in the Planning Statement. These include:
- Provide energy for 9,510 homes within NI annually;
 - Reduction of CO2 emissions by 12,052 tonnes per annum;
 - More than £23 million invested and retained in the NI economy;
 - Approx. 50 temporary jobs will be directly created through the construction phase, and up to 25 workers during the decommissioning phase.
 - £2.9m paid to landowners over 35 years which will be tax payable and result in a multiplier effect, benefitting the economy.
 - Community fund to help local community groups in the area
 - Business rates payments of circa £58,353 per annum to the Executive and local Council (circa £1m across the lifetime of the solar farm directly to the local Council).
- 8.62 The environmental benefits outlined go towards the target to generate 80% of electricity consumption from renewable sources by 2030 and to the reduction of greenhouse gases. The production of jobs is a social benefit and the economic benefits come in the form of the generation of rates and investment. The proposal will therefore deliver significant environmental, economic and social benefits to Northern Ireland and will contribute towards the renewable energy targets imposed by the Climate Change Act.

SPPS Edition 2 Natural Heritage and PPS 2 Natural Heritage

- 8.63 The SPPS Edition 2 and policies NH1, NH2, NH3, NH4, NH5 and NH6 of PPS 2 require consideration of the impact of the proposal on European and National sites, protected species, sites on nature conservation importance, habitats, species or features of natural heritage importance and AONBs.
- 8.64 These issues have all been addressed under the consideration of the SPPS Edition 2 Renewable and Low Carbon Energy above.

The proposal satisfies all policy requirements of the SPPS Edition 2 Natural Heritage and PPS 2.

SPPS Edition 2 Transportation and PPS 3 Access, Movement and Parking

- 8.65 A Transport Assessment was submitted with the application as required by the SPPS Edition 2. Policy AMP2 of PPS 3 'Access to Public Roads' states that permission will only be granted for development involving direct access onto a public road where it will not prejudice road safety or significantly inconvenience the flow of traffic.
- 8.66 The proposed access to the solar farm is to be located on Ballyleagry Road, which is not a Protected Route, at the point of an existing gated laneway. Traffic will access Ballyleagry Road via the Ballyquin Road. All parking will take place within the site and will not block the Ballyleagry Road. The appropriate visibility splays have been provided. During the construction and decommissioning phases, it is anticipated that there will be a maximum of 20 car/light van and 2 HGV visits per day over a 10 month period. However, during the operational phase, there will only be occasional visitors to the site. DfI Roads has assessed the likely impact on traffic and has confirmed that it has no objection to the proposal subject to condition.
- 8.67 Policy AMP7 'Car Parking and Servicing Arrangements' requires that development proposals provide adequate provision for car parking and appropriate servicing requirements. The Transport Assessment states that all parking will take place within the site during both construction and operational phases. The provision of a temporary construction compound will facilitate the service arrangements and parking during construction. Given the nature of the development, the site will be unmanned and occasionally accessed for maintenance or servicing as and when required. Notwithstanding, the development has been suitably designed and is sufficiently large to allow HGVs and cars to turn within the site, entering and leaving in a forward gear. Again, DfI Roads has no objection.

SPPS Edition 2 Archaeology and Built Heritage and PPS 6 Planning, Archaeology and the Built Heritage

- 8.68 An Archaeological Impact Assessment was submitted with the proposal which assesses the impact of the proposal on archaeological and cultural heritage assets.
- 8.69 Historic Environment Division (HED) has reviewed the assessment and note that the application site is in proximity to several archaeological sites and monuments which indicate a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site.
- 8.70 HED has reviewed the assessment and advise that it is content that the proposal satisfies SPPS Edition 2 and PPS 6 policy requirements, subject to conditions. HED require a programme of archaeological works, in the event of an approval, to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

SPPS Edition 2 Flood Risk and PPS 15 Planning and Flood Risk

- 8.71 The published Flood Hazard Map (NI) indicates that the proposed site does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. Therefore, FLD 1 does not apply.
- 8.72 DfI Rivers confirm that there are no designated watercourses within the site but that there are a number of undesignated watercourses. Policy FLD 2 requires a 5m maintenance buffer around watercourses to be retained. Information submitted by McCloy Consulting demonstrates that maintenance responsibilities rest with the neighbouring riparian landowner. As such, DfI Rivers are content that FLD 2 and SPPS Edition 2 are satisfied.
- 8.73 As the development site exceeds 1ha, a Flood Risk and Drainage Assessment (FRDA) has been submitted as required by FLD 3. DfI Rivers has reviewed the FRDA and has indicated that flood risk to and from a portion of the development will be managed using SuDS. DfI Rivers has advised that commenting on SuDS is outside their area of knowledge and expertise. Consequently, DfI Rivers cannot provide advice on potential flood risk.

- 8.74 The FRDA by McCloy Consulting, was prepared and reviewed by qualified professional civil engineers, specialising in the fields of hydrology, drainage and flood risk. The Planning Department would have no reason to doubt their findings. The assessment states that the indicative surface water flood map indicates that the site is partly affected by the 0.5%+CC AEP surface water flood extents. However, it also confirms that no aspects of the proposal are sited in areas where surface water flood risk is proposed.
- 8.75 Mitigation of surface water flood risk to adjacent lands shall be by provision of an adequate drainage system to intercept runoff from the development and contain/release in a controlled manner up to an appropriate flood protection standard. Discharge is limited to an appropriate greenfield rate up to the 100 year (1% AEP) return period, including a 20% allowance for climate change. The discharge mimics natural hydrology, and is designed such that it causes no concentration or re-routing of surface water from its present pathway. The restriction of runoff to a greenfield equivalent ensures that there will be no new or increased flood risk elsewhere.
- 8.76 The FRDA demonstrates that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere. The proposal therefore complies with FLD3.

Northern Area Plan, SPPS Edition 2 Tourism and PPS 16 Tourism

- 8.76 TSM 8 considers the safeguarding of tourism assets by not granting permission for development which would in itself or in combination with existing and approved development in the locality have an adverse impact on a tourism asset. There are no tourism or recreational assets within the site, or in proximity to the site.

9.0 CONCLUSION

- 9.1 The proposal is acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal is subject to the provisions of SPPS Edition 2 which states that planning authorities should facilitate suitable solar farms in appropriate countryside locations. The application has been submitted further to a favourable pre-application discussion

(PAD) application for the proposal. The principle of development, impact on the public, safety, human health, residential amenity, visual amenity, landscape character, biodiversity, nature conservation, and local natural resources are considered acceptable. The proposal is not located in a sensitive landscape. The proposal was accompanied by a Landscape and Visual Impact Assessment. The visual impact is acceptable subject to the proposed mitigation. The proposal accords with the provisions of SPPS Edition 2. Accordingly, approval is recommended.

10.0 PROPOSED CONDITIONS

1. The permission hereby granted shall be for a limited period of 35 years only and shall expire on INSERT DATE.

Reason: To enable The Council to consider the development in the light of circumstances then prevailing.

2. No development shall take place until the vehicular access, including visibility splays and any forward sight distance have been provided in accordance with drawing no. 10 received on 30 May 2025 (Proposed Access General Arrangement A2). The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The gradients of the access shall not exceed 4% (1 in 25) over the first 10 meters outside the road boundary.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The Landscape Mitigation Plan as shown on drawing no. 10 (Landscape Mitigation Plan) received 30 May 2025 shall be planted in a planting season before the solar panels are positioned on site, and any trees or hedges which, within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To mitigate the visual impact of the development; to minimise the impact of the development on the biodiversity value of the site and to; ensure the impact of glint and glare is kept to a minimum for the safety and convenience of traffic.

5. Within 12 months of the cessation of electricity generation from the approved photovoltaic panels, all structures shall be removed and the land restored in accordance with a scheme to be submitted to and agreed in writing with the Council.

Reason: To restore and maintain the landscape quality of the area.

6. Noise and vibration due to site preparation works shall be controlled by adherence to Best Practicable Means, having regard to BS 5228:2009, Parts 1 and 2 and the approved CEMP.

Reason: In the interest of residential amenity.

7. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the Applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

8. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 7.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

9. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 7. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

10. No development activity, including ground preparation or vegetation clearance, shall take place until a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Council. The CEMP shall include the following:
 - a) Timings of works;
 - b) Pollution Prevention Plan, including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;
 - c) Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;
 - d) Environmental Emergency Plan;
 - e) Details of appropriate mitigation for protected/priority species to be implemented during the site preparation, construction and operational phases, including timing of works, buffer zones and wildlife-friendly fencing;
 - f) Details of the appointment of an Ecological Clerk of Works (ECoW) and their roles and responsibilities

Reason: To protect Northern Ireland priority habitats and species, to ensure implementation of mitigation measures identified within the Preliminary Ecological Appraisal, March 2025.

12. Within 3 months of the facility ceasing to operate and prior to decommissioning works commencing, a final Decommissioning Environmental Management Plan (DEMP) must be submitted for agreement with the Council. The final DEMP must be site specific and include all necessary mitigation measures for the decommissioning phase of the development to avoid any pollutant egress to the adjacent surface water environment. The approved final DEMP shall be adhered to and implemented in full throughout decommissioning in accordance with the approved details, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

13. The site boundary deer style fence, as shown on drawing no. 03A received on 1 July 2025 and 09 received on 30 May 2025, shall be erected prior to the installation of the photovoltaic panels on site. The fence shall be retained over the lifespan of the development.

Reason: In the interest of public safety.

14. Details of the CCTV cameras shall be submitted to the Council, to be agreed in writing, prior to the commencement of development.

Reason: In the interests of public amenity.

15. All storm water from the development site must not be discharged to nearby watercourses unless first passed through pollution interception and flow attenuation measures. Storm water can carry pollutants into watercourses and high volume discharges can alter the prevailing hydrological regime, both of which can impact on fisheries interests.

Reason: To prevent pollution of surface waters which is detrimental to fisheries.

16. In the event of the need for dewatering excavations during construction, all water from these excavations must not discharge directly to nearby watercourses unless first passed through

pollution interception and flow attenuation measures. Site excavations can carry pollutants into watercourses and high volume discharges can alter the prevailing hydrological regime, both of which can impact on fisheries interests.

Reason: To prevent pollution of surface waters which is detrimental to fisheries.

17. No works shall commence until an Aquatic Biosecurity Plan has been submitted to and approved in writing by the Council. The approved Aquatic Biosecurity Plan shall be implemented in full for the duration of the works.

Reason: To reduce the spread of aquatic invasive species.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <https://www.nidirect.gov.uk/articles/finding-planning-application>

Appendix 1: Consultation Responses

Consultee	Date of response	Response
NI Water – Strategic	20/06/2025	No objection
Loughs Agency	27/06/2025	No objection subject to condition
DfI Rivers	19/08/2025	No objection
NIE	19/06/2025	No objection
NIEA	11/12/2025	No objection subject to conditions
SES	14/01/2026	No objection subject to conditions
HED	19/08/2025	No objection subject to conditions
DfI Roads	25/07/2025	No objection subject to conditions
EHD	27/06/2025	No objection subject to conditions
SONI	23/06/2025	No objection

Site location plan



