



Board Direction

Ref: 19.245295

The submissions on this file and the Inspector's report were considered at a further board meeting of all available board members held on 17th June 2016.

The Board decided to defer consideration of this case and to issue a Section 132 notice to the applicant regarding the following:

The Board notes that the Natura Impact Statement (NIS) submitted in support of the planning application defines the 'project' in this instance as the continued operation of the Edenderry power plant only. While the NIS does consider the potential effects of peat harvesting on Natura 2000 sites, this is only in relation to potential in-combination effects with the power station, and only in relation to one Natura 2000 site, namely the River Barrow and River Nore SAC. The peat harvesting areas so considered extend to 73% of the overall peat harvesting areas, and do not include all of the peat harvesting sites.

In view of the decision of the high court in the case *An Taisce v. An Bord Pleanála* [2014 No.38 J.R.] - whereby the judgement requires the scope of the Environmental Impact Assessment to include the environmental effects of extracting the peat fuel source - the Board considers it necessary, in the interests of completing the appropriate assessment of this case in accordance with the requirements of the EU Habitats Directive, that more complete information be submitted in relation to peat harvesting and Natura 2000 sites.

You are therefore invited to submit a revised AA Screening Report, that encompasses all of the peatlands supplying peat to the Edenderry Power Station, and examines whether significant effects on any Natura 2000 sites arises owing to peat harvesting activities. If the revised screening concludes that significant effects on any Natura 2000 sites are likely, a revised NIS should also be submitted.

(Allow 6 weeks)

Board Member: _____ Date: 23rd June 2016
Conall Boland