



An
Bord
Pleanála

Board Order ABP-303108-18

Planning and Development Acts, 2000 to 2019

Planning Authority: Offaly County Council

Application for permission under section 37E of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Bord Pleanála on the 26th day of November, 2018 by the Electricity Supply Board care of Electricity Supply Board International of One Dublin Airport Central, Dublin Airport, Cloghran, County Dublin.

Proposed Development: West Offaly Power Station currently has planning permission to operate as a peat-fuelled electricity generating station under Offaly County Council register reference 01/187/An Bord Pleanála appeal reference number PL19.125575. The Station has a nominal total electrical rating of 150 megawatts and contains a number of structures and buildings with a combined gross floor area of c. 27,073 sq.m. These include: a c. 20,165 sq.m. generating station [including a boiler, steam turbine, electrostatic precipitators, stack (max. height 80m), workshops and stores, control and administration buildings, cooling water system, minor ancillary buildings]; miscellaneous plant and equipment including water treatment facilities; oil and water storage facilities; electrical plant including transformers; peat and ash storage facilities and handling plant (including elevated/overhead conveyors); electrical switchgear, site access ways, yards, areas of hardstanding and site fencing. West Offaly Power Station is accessed from the

R357. The ash disposal facility - in which the ash from the West Offaly Power Station is landfilled, is currently permitted to accommodate up to 825,000 tonnes of dry ash in engineered cells. The ash disposal facility site is accessed by a dedicated access road. Under the current planning permission, the permitted activities on both the West Offaly Power Station and ash disposal facility sites are required to cease on, or before, the 31st December 2020. The proposed development will enable the continued operation of West Offaly Power Station and the associated ash disposal facility; and the phased transition of West Offaly Power Station from being fuelled by peat, to biomass. The development will consist of:

i. the continued and on-going operation of the existing generating station and the associated ash disposal facility beyond the previously permitted date of 31st December 2020, including the continued use of all structures, plant, hard-surfaced areas, boundary treatments and access ways on the existing sites – comprising structures with a combined gross floor area of c.27,073 sq.m. and other existing development on the 35.5 Ha West Offaly Power Station site; and existing development (including c.43 sq.m. of buildings, a c. 84 sq.m. wash slab, a c.1,491 sq.m. leachate lagoon (4,200 cubic metre capacity) and other infrastructure associated with the existing operational landfill (c.128,780 sq.m. in area) located on the 59.2 Ha ash disposal facility site;

ii. the phased transition of the West Offaly Power Station from peatfiring to firing exclusively on renewable biomass – the term ‘biomass’ describing a range of non-waste materials such as non-pelleted woody biomass; products, co-products, by-products and residues from energy crops and agricultural industries; and manufactured wood pellets. It is anticipated that from early 2020 (subject to planning being granted by that date) West Offaly Power Station will be fuelled by reducing volumes of peat and increasing volumes of biomass, with an associated reduction in carbon dioxide emissions. By the end of 2027, the station will be fuelled exclusively by biomass;

iii. the development of fuel management and handling facilities on the West Offaly Power Station site to facilitate the change in fuel type – including the development of

two biomass storage slabs (c. 3,924 sq.m. and c. 6,331 sq.m.) flanked by boundaries up to 5m and 3.6m high respectively; a 61 sq.m. pellet intake building (overall height 17.2m); a pellet storage silo (c. 28 sq.m. in area, 260 cubic metre capacity, maximum height 14.7m); and the re-organisation of surface storage, circulation and car parking areas – including new internal fencing and access gates, and associated development works within the West Offaly Power Station site;

iv. the development of additional landfill capacity (c.929,200 cubic metres over an area of c. 173,130 sq.m.) at the existing dedicated ash disposal facility, to facilitate the disposal of an additional c. 880,000 tonnes of ash from the West Offaly Power Station, and associated ancillary development on that site including a new leachate lagoon (surface area c. 1,400 sq.m, storage capacity 4,500 cubic metres) and associated boundary treatment, on lands located at the existing West Offaly Power station, Shannonbridge, Co. Offaly in the townland of Cloniffeen, Eircode N37 C840; and at an existing ash disposal facility located in the townlands of Clonfinlough, Clondelara, Leitra, and Derrylahan, Co. Offaly.

Decision

REFUSE permission under section 37G of Planning and Development Act, 2000, as amended, for the above proposed development based on the reasons and considerations set out below.

Determine under section 37H(2)(c) the sum to be paid by the developer in respect of costs associated with the application as set out in the Schedule of Costs below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Stage 1 - Appropriate Assessment Screening:

In completing the screening for Appropriate Assessment, the Board considered the identification of the European sites in the area which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the sites' Conservation Objectives. The Board was not satisfied that the proposed continued harvesting of peat associated with the supply of fuel to the power plant, either individually or in combination with other plans or projects, would not have potential for significant effects upon the European sites of the River Shannon Callows Special Area of Conservation (000216), the Middle Shannon Callows Special Protection Area (004096), Pilgrim's Road Esker Special Area of Conservation (001776), River Suck Callows Special Protection Area (004097), Fin Lough Special Area of Conservation (000576), River Boyne and River Blackwater Special Area of Conservation (002299) and River Barrow and River Nore Special Area of Conservation (002162), in view of the sites' Conservation Objectives and that a Stage 2 Appropriate Assessment was required.

Stage 2 - Appropriate Assessment:

The Board adopted the report of the Inspector and agreed with his conclusions in relation to the Stage 2 Appropriate Assessment that, with the implementation of the proposed mitigation measures, the proposed development of the power station and the ash disposal facility would not, either alone or in combination with other projects and plans, adversely impact the integrity of any European site. However, the Board concluded that the indirect effects on European sites, arising from the continued sourcing of peat fuel from the supply bogs, cannot be conclusively determined on the basis of the information provided with the application.

Environmental Impact Assessment:

The Board completed an Environmental Impact Assessment and agreed with the Inspector in his assessment of the likely significant effects of the proposed development, which include climate impacts by means of continued burning of peat, transportation impacts, impacts on water from continued harvesting of peat to fuel the plant during the transition phase and nuisance to residents in the vicinity of the power plant due to increased traffic through the village and the extended delivery times for the biomass fuel. Furthermore, given the lack of information regarding the source of the biomass to be used as a fuel, the Board concluded that it cannot reasonably be determined that the main direct and indirect effects of the proposed development on the environment would be mitigated.

1. It is considered that the provision of a regionally significant power generating facility, dependent primarily upon the burning of a fuel imported into the facility, needs to be associated and aligned with strategic energy management, planning and renewable energy policies and plans in order to achieve balanced, orderly and sustainable development. Furthermore, it is considered that the development of such energy infrastructure, pursuing optimal sustainable utilisation of renewable energy emanating from the power production process, is required in order that such development positively contributes to the environment and that the siting of such development is appropriately located, with accessibility to the supply network of the intended fuel sources. Finally, it is considered that the cessation of the use of peat as a fuel is a key component within national climate and energy policy in helping to reduce the generation of excessive greenhouse emissions from the established facility to assist in meeting the State's domestic, EU and international climate change obligations in the energy sector.

Having regard to:

- (a) the national requirements under the European Union Renewable Energy Directive 2009/28/EC relating to the share of energy from renewable sources and to the increased obligations under the (recast) Renewable Energy Directive EU 2018/2001,

- (b) national policy provisions supporting the cessation of the burning of peat as a fuel source for electricity generation,
- (c) the dependence of the proposed development on the continuance of peat burning and its ongoing contribution to greenhouse gas emissions, notwithstanding any transition period proposed,
- (d) the requirement for the alternative fuel to be used to produce renewable energy to be 'sustainable',
- (e) the inadequacy of the indigenous biomass supply in the State to serve the proposed development, and the proposed high dependence on imported biomass which is contrary to European Union and national policy,
- (f) the siting of the existing power plant in the Midlands, away from coastal ports, and its significant dependence on the importation of biomass from global markets, which will result in unsustainably high volumes of Heavy Goods Vehicle (HGV) movements across the State to serve the development, and
- (g) the likely significant impact for the amenity of the village of Shannonbridge and for its residents by way of traffic impact, nuisance and disturbance due to the servicing of the power station by biomass transported by the road network,

it is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to:

- (a) the nature and scale of the proposed development,
- (b) the proposed phased replacement of the fuel type from railway-delivered peat to road-delivered biomass,
- (c) the quantity of biomass proposed to be used at the facility,
- (d) the transportation movements generated in the sourcing of the biomass and in the distribution of end product, both nationally and globally,

