



An
Bord
Pleanála

Inspector's Report

ABP-314219-22

Development

Junction & Bend Widening Works comprising road widening and ancillary works. The proposed development will facilitate the delivery of wind turbine blades. This application is accompanied by an Environmental Impact Assessment screening report and an Appropriate Assessment Report (Natura Impact Statement)

Location

Carronahyla and Knocknaglogh Upper townlands, Dungarvan, County Waterford

Planning Authority

Waterford City and County Council

Planning Authority Reg. Ref.

22407

Applicant(s)

Knocknamona Windfarm Limited

Type of Application

Permission

Planning Authority Decision

Grant permission (10 no. conditions)

Type of Appeal

Third Party (4 no.)

Appellants

Niamh and Mark Kuhne

Tom and Moya Power
Niamh and John Reynolds
Michael and Giancarla Alen Buckley

Prescribed Bodies

TII

Date of Site Inspection

27/09/2022

Inspector

Conor McGrath

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Appendix 1: EIA Screening Determination

1.0 Description of Site and Proposed Development

The proposed development is located approx. 7km southwest of Dungarvan, Co. Waterford and relates to junction and local road widening at four locations. The works are required to facilitate the transport and delivery of turbine components to a windfarm permitted originally under PA ref. 14/600109, ABP ref. PL93.244006 (Knocknamona Windfarm). The stated site area is 3.3ha, occurring at the following locations:

- HR2: At the junction of L2024 and L2022, approx. 4.5km west of Pulla Crossroads on the N25. Works in this area comprise a new temporary road through 3rd party / Coillte lands to the south of the L2024 to facilitate large delivery vehicles turning north onto the L2022. Forestry on these lands was felled in recent years and the lands are at early stages of regeneration.
- HR3: Approx. 1.4km north of HR2, junction widening and provision of a load bearing surface is required to facilitate large delivery vehicles turning west from the L2022 onto the L6077. This will involve the removal of a number of semi-mature trees on the roadside boundary and incursion into an area of improved grassland / grazing.
- HR3: Approx. 100m west of the junction with the L2022, some widening along the southern side of the L6077 into an area of improved grassland and provision of a load bearing surface is required.
- HR4: Approx. 280m west of the junction with the L2022, some widening on the southern side of L6077 into an area of improved grassland and provision of a load bearing surface is required.

It is indicated that a total of 24 no. extra-long loads / deliveries will be accommodated by the works, which will take a number of days to complete. Following completion of deliveries, the hardcore areas at HR2 and at the HR3 junction will be covered with topsoil and reseeded. In bend widening areas, hardcore areas will be left in-situ.

The application was accompanied by an Environmental Impact Assessment screening report and an Appropriate Assessment Report (Natura Impact Statement).

2.0 Planning Authority Decision

The planning authority decided to grant permission for the proposed development on 05/07/2022 subject to 10 no. conditions, including the following:

2. The mitigation and monitoring measures identified in the EIA Screening Report – Section 2.4 and the Natura Impact Statement – section 6.3, and other plans and particular submitted with the planning application shall be implemented in full.
3. The appropriate period of this permission during which the authorised development may be carried out shall not exceed the period granted under PA Ref. 14/600109 and ABP Ref. 244006. This permission shall expire on 13/12/2026.
4. The authorised accommodation works permitted herein, and the occasional use of same shall operate for not more than 25 years from the date on which electricity is first exported from the windfarm development permitted under PI. Ref. 14/600109 and ABP Ref. 244006, except where limited by any applicable separate permission or unless a separate permission is granted. Upon expiry of the period, the sites delineated in red shall be fully reinstated.
6. Prior to the commencement of development, a final Construction and Environmental Management Plan shall be submitted to the PA for written agreement. This plan shall provide details for the development authorised herein and for the larger wind development authorised under PI. Ref. 14/600109 and ABP Ref. 244006.
9. A condition survey of roads and bridges along the haul route shall be carried out before and after construction of the development. The survey shall include a schedule of required works to enable the haul routes, and in particular, regional and local roads to cater for construction related traffic.

2.1. Planning Authority Reports

Planning Reports: WCCC is satisfied that the proposal does not represent project splitting and that a full EIAR is not required. The permitted development could be carried out without a requirement for further consents and any potential impacts should be considered in that context. Necessary (landowner) consents for the works

accompany the application. The application refers to works to accommodate the permitted blade length and not the development currently on appeal. The proposed works are along a section of the haul route considered as part of the earlier EIS.

The works themselves are minor. There are no concerns regarding impacts on visual or residential amenities. Subject to the mitigation measures set out in the NIS and EIS Screening document, the development will not result in adverse impacts on the receiving environment or represent a risk to any Natura 2000 site. In respect of development contributions, the development relates to temporary accommodation works / civil works for haulage of extraordinary loads only.

Permission recommended by the SEP and endorsed by the Senior Planner.

Other Technical Reports

Transportation / District Engineer: No objection (described as a verbal report).

Heritage Officer: The site locations are of low ecological value. Due to separation, and subject to identified mitigation measures, the development will not give rise to effects on Natura 2000 Sites. The cumulative assessment might consider whether the works are adequate to deal with the current proposal for larger turbine blades.

2.2. Prescribed Bodies

Transport Infrastructure Ireland: No observations.

2.3. Third Party Observations

The planning authority received 6 no. observations on the application, the content of which are generally reflected in the third party appeals in this case.

3.0 Planning History

PA ref. 14/600109 ABP ref. PL93.244006: Permission granted on appeal for a windfarm development comprising 8 no. turbines, met mast and associated works, at Knocknaglogh Lower / Barranastook Upper / Knocknamona / Woodhouse or Tinakilly

/ Monageela / Killatoor, Dungarvan, County Waterford. This is referred to hereafter as Knocknamona Windfarm.

Following a request for further information by the Board, a revised EIS was submitted for consideration in 2015. This revised EIS provided an assessment of the environmental impacts of the development including potential grid connections and a haul route via the N25 and Pulla crossroads (c.8km to the southeast) on local roads L-2024 and L-6077 to the windfarm site access. Conditions attaching to the grant of permission included the following:

10. (a) Prior to commencement of development, details of the following shall be submitted to, and agreed in writing with, the planning authority:
 - (i) a Transport Management Plan, including details of the road network / haulage routes, vehicle types to be used to transport materials on and off-site, and a schedule of control measures for exceptionally wide and heavy delivery loads,
 - (ii) a condition survey of the roads and bridges along the haul routes and grid connection route, including a schedule of required works to enable the haul routes to cater for construction-related traffic.
 - (iii) detailed arrangements for the rectification of any construction damage which arises to be completed to the satisfaction of the planning authority,
 - (iv) detailed arrangements for temporary traffic arrangements/controls on roads,
 - (v) a programme indicating the timescale within which it is intended to use each public route to facilitate construction of the development.
 - (b) All works arising from the aforementioned arrangements shall be completed at the developer's expense, within 12 months of the cessation of the use of each road as a haul route or grid connection route for the proposed development.
14. Construction shall be managed in accordance with a Construction Environmental Management Plan, which shall provide details of intended construction practice for the development, including:-
- (c) measures providing for access for construction vehicles to the site, including the timing and routing of traffic to and from the construction site and directional signage, to include, the delivery of over-sized loads.

15. Security / bond to secure the reinstatement of public roads which may be damaged by the transport of materials to the site or by works carried out in relation to the grid connection.

PA ref. 19/369 **ABP ref. ABP-306497-20:** Permission granted by the Planning Authority, and upheld on appeal, for the development of a grid connection to serve the Knocknamona Windfarm (PL93.244006). The proposed grid connection route is via the existing Woodhouse windfarm substation located at Keereen Upper, to the north of the Knocknamona Windfarm site. The development also proposed an alternative haul route to that previously presented in the Knocknamona Windfarm Revised EIS (2015).

This alternative route ran via the constructed Woodhouse windfarm access roads, with construction access coming from the R671 via Clogh Crossroads to the north and west of the site. This was referred to as Haul Route Option B and identified as the preferred option. The haul route described under PL93.244006 was identified as Haul Route Option A.

This permission is currently the subject of judicial review proceedings.

PA ref. 20/845 **ABP ref. ABP-309412-21:** In September 2022, the Board decided to grant permission for amendments to the permitted windfarm development (14/600109, ABP ref. PL93.244006), comprising an increase in turbine height and amendments to the met mast. The EIAR examined each of the alternative turbine component haul routes to Knocknamona previously proposed under PL93.244006 and ABP-306497-20.

Conditions attaching to the decision of the Board included the following:

2. All conditions attached to An Bord Pleanála Ref. PL93.244006 shall be complied with in the development except as may otherwise be required in order to comply with the following conditions.
4. The developer shall ensure that all construction methods and environmental mitigation measures set out in the Environmental Impact Assessment Report

dated February 2021, Natura Impact Statement dated February 2021 and associated documentation are implemented in full.

6. Prior to commencement of development, a transport management plan for the construction stage shall be submitted to, and agreed in writing with, the planning authority. The traffic management plan shall incorporate details of the road network to be used by construction traffic, including over-sized loads, and detailed arrangements for the protection of roads, bridges, culverts or other structures to be traversed, as may be required. The plan should also contain details of how the developer intends to engage with and notify the local community in advance of the delivery of oversized loads. Any works, including reinstatement works, to existing junctions on the national road network shall comply with Transport Infrastructure Ireland (TII) standards as outlined in TII Publications and shall be subject to Road Safety Audit as appropriate.

Woodhouse Wind Farm

PA ref. 04/1788 – Permission granted to Hibernian Wind Power for the development of an 8 no. turbine wind farm at Woodhouse. The permitted turbines had a tower / hub height of 70 metres and blades of 42 metres in length, with an overall structure height of 112 metres. This application was accompanied by an EIS.

PA ref. 09/642 – Permission granted to ESB Wind Development Limited for a 110kv electrical transformer station adjacent to the approved wind farm development (04/1788). This substation is the Woodhouse substation to which the Knocknamona Wind Farm (consented) is proposed to connect under ref. 19/369, ABP-306497-20.

PA ref. 10/45 – Permission granted to ESB Wind Development Limited for modifications to the wind farm permitted under Ref. 04/1788 comprising an increase in permitted tower height to 80m and blade length 45m, minor re-alignments of internal access tracks, and relocation of four turbines.

PA 10/175 – Permission granted to ESB Wind Development Limited for an extension of duration of permission Ref. 04/1788 up to 23rd May 2015.

PA ref. 11/355 – Permission granted for alterations to the permitted Woodhouse substation.

4.0 Policy Context

4.1. National and Regional Policy

4.1.1. National Planning Framework 2018

National Strategic Outcome (NSO) 8 refers to: Transition to a Low Carbon and Climate Resilient Society.

NPO 52: The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.

Ireland must reduce greenhouse gas emissions from the energy sector by at least 80% by 2050, while ensuring security of supply of competitive energy sources.

Requirements for the transition to a low carbon energy future are noted to include:

- A shift from predominantly fossil fuels to predominantly renewable energy;
- Decisions around development and deployment of new technologies such as wind, smartgrids, electric vehicles, buildings, ocean energy and bio energy; and
- Legal and regulatory frameworks to meet demands and challenges in transitioning to a low carbon society

National Policy Objective 55 promotes renewable energy use and generation.

4.1.2. National Development Plan 2021-2030

The National Development Plan sets out strategic investment priorities underpinning the implementation of the National Planning Framework.

Sectoral Strategies – Energy: Public capital investment choices over the next 10 years must contribute to a 51% reduction in greenhouse gas emissions by 2030 and the national climate objective of net-zero greenhouse gas emissions by 2050.

Renewable Energy: Regular Renewable Electricity Support Scheme (RESS) auctions will deliver competitive levels of onshore wind and solar electricity generation of up to 2.5 GW of solar and up to 8 GW of onshore wind by 2030.

4.1.3. **The Climate Action and Low Carbon Development (Amendment) Act 2021**

The Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade and is binding on the state. S.4 refers to the annual update to the Climate Action Plan and the five yearly production of a long-term climate action strategy. Section 17 amends the principle act such that Section 15(1) requires that

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

- (a) the most recent approved climate action plan,
- (b) the most recent approved national long term climate action strategy,
- (c) the most recent approved national adaptation framework and approved sectoral adaptation plans,
- (d) the furtherance of the national climate objective, and
- (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

“Relevant body” means a prescribed body or a public body.

4.1.4. **Climate Action Plan 2021-2030**

This provides a detailed plan to achieve a 51% reduction in greenhouse gas emissions by 2030 and to reach net-zero emissions by 2050. The Plan lists the actions needed to deliver on our climate targets and sets indicative ranges of sectoral emission reductions. Sustained efforts across sectors will be required to meet targets.

Chapter 11, notes that Electricity accounted for 16.2% of Ireland’s greenhouse gas (GHG) emissions in 2018. We will continue to decarbonise the electricity sector by taking advantage of our significant renewable energy sources and decrease our dependence on imported fossil fuels. Climate targets will be delivered through a set of enabling targets by 2030, including increasing the share of electricity generated from renewable sources to up to 80% where achievable and cost effective, without compromising security of electricity supply.

4.2. Regional and Local Policy

4.2.1. Regional Spatial and Economic Strategy (RSES) for the Southern Region

RPO 95: It is an objective to support implementation of the National Renewable Energy Action Plan (NREAP)

RPO 99: It is an objective to support the sustainable development of renewable wind energy (on shore and offshore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.

4.2.2. Waterford City and County Development Plan, 2022-2028

Policy Objective UTL 13 Renewable Energy promotes and facilitates a culture of adopting energy efficiency / renewable energy technologies and energy conservation and to reduce dependency on fossil fuels, enhancing the environmental, social and economic benefits. The identified actions to achieve this include:

- Facilitating and encouraging, where appropriate, proposals for renewable energy generation, transmission and distribution and ancillary support infrastructure facilities in accordance with the Waterford Renewable Energy Strategy, the Waterford Landscape and Seascape Character Assessment undertaken to inform this Development Plan, and the National Wind Energy Guidelines.

Chapter 10 relates to Landscape and includes a Landscape and Seascape Character Assessment in Appendix 8.

Policy Objective L 02 Protecting our Landscape and Seascape: to protect the landscape and natural assets of the County by ensuring that developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area and ensuring that such proposals are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the uplands, along river corridors, coastal or other distinctive landscape character units.

Landscape Objective LS 04 Scenic Routes and Protected Views: to protect scenic routes and specified protected views identified in our Landscape Character Assessment (Appendix 8), including views to and from the sea, rivers, landscape

features, mountains, landmark structures and urban settlements from inappropriate development that by virtue of design, scale, character or cumulative impact would block or detract from such views.

Volume 2 relates to Development Management Standards and includes:

5.24 Renewable Energy Developments

The Council will support wind energy proposals, provided such developments would not have an adverse effect on residential and rural amenities, special landscape character, views or prospects, Natura 2000 sites, protected structures, aircraft flight paths, or by reason of noise or visual impact.

Appendix 7 of the Plan contains the Renewable Energy Strategy up to 2030.

Appendix 2 notes that the new Landscape and Seascape Character Assessment supersedes the previous landscape designations for wind energy development.

Appendix 8 Landscape Character Assessment: The proposed works occur within an area of Low Sensitivity - *A common character type with a potential to absorb a wide range of new developments*. The L2024, west of Pulla Crossroads, is identified as a scenic route.

5.0 The Appeal

5.1. Grounds of Appeal

Four no. third-party appeals against the decision of Waterford City and County Council to grant permission for the proposed development have been received, from the following parties:

- Niamh and Mark Kuhne
- Tom and Moya Power
- Niamh and John Reynolds
- Michael and Giancarla Alen Buckley

The matters raised in the appeal submissions are summarised together below:

Compliance with regulations

- The description of development is misleading and fails to acknowledge its purpose in accommodating longer turbine blades, not previously assessed.
- The length of turbine blades to be transported is not identified.
- The drawings do not adequately describe the development and lack measurements of the works or details of temporary site compound or settlement ponds, in accordance with articles 22 and 23.
- The judgements in *Balscadden v ABP (2020)* and *Sweetman and Others v ABP and Bord na Mona Powergen Ltd* are relevant in this regard.

Roads, Slope and Stability

- Potential soil erosion and stability impacts of works on sloping ground, and impacts on adjoining properties, were not properly assessed.
- The suitability of the gradient of local roads for such loads has not been assessed.

Landscape and visual amenities

- The development will impact on this sensitive, scenic landscape, along a scenic route and no landscape assessment or VIA was undertaken.
- Development plan landscape policies suggest that permission should be refused.
- There will be cumulative visual impacts with adjacent windfarms, which were the basis for previous refusals.
- The loss of trees and hedgerow along the entire haul route is not assessed in the context of the loss of forestry as part of the windfarm project, with no compensatory planting.
- Impacts on trees and landscape would contravene the policies of the Waterford County Development Plan 2022.
- The climate and landscape impacts of such loss have not been assessed.

Archaeology

- There may be impacts on previously unrecorded archaeological material and no archaeological impact assessment was undertaken.

Community and residential amenities

- The application fails to address the issue of safe access to the local school.

- The works will facilitate Knocknamona windfarm which will have a cumulative effect on the local community and residents with Woodhouse Windfarm in terms of health, noise and shadow flicker.

EIA

- There is a failure to comply with the requirements of the EIA Directive.
- A haul route has not been identified for the Knocknamona Windfarm and EIA would be required for any road widening or habitat impacts.
- The various amendments and revisions to the permitted windfarm constitute project splitting and inhibit public participation.
- The 2016 EIS in respect of the parent permission is out of date and the identified mitigation measures cannot be implemented
- There is a lack of comprehensive assessment given the current undecided status of the appeal ref. 20/845, ABP-309412-21.
- An updated EIA and AA, assessing all changes and cumulative effects, including the entire haul route is therefore required.
- The need for EIA of the overall project voids the extant planning permission.
- The EIA screening assessment does not consider the project as part of a larger, windfarm cluster or the true impacts of the proposal.
- In previous JR proceedings, the developers undertook to submit a planning application for the entire haul route associated with the EIA under PL93.244006.
- This grant of permission is inconsistent with the PA refusal under 20/845.
- There was no basis for a revised EIAR and NIS in respect of ABP-309412-21 and there is no basis to argue that the haul route was included in the revised EIAR.
- The 2021 EIAR identified but did not assess works along the entire haul route.
- Their inclusion in the revised 2021 EIAR indicates that the works are designed to facilitate the longer turbine blades and were not assessed in the 2016 EIA.

Basis for application

- The works are predicated upon the parent permission and the current appeal (20/845, 309412-21) for increased turbine height, and should have been integrated into the parent permission.
- The parent permission was granted on the basis of a grid connection and haul route which did not form part of the development, but which were subject to EIA.

- This application is premature as it facilitates the delivery of longer turbine blades which do not have planning permission.
- Section 2.8 of the NIS confirms that these works are required to facilitate the larger turbine blades and comprise only part of the required haul route works.
- Severing the works from the entire route inhibits a comprehensive assessment.
- Permission is required for the entire haul route identified in the 2016 EIS, which was not described as facilitating extra-long loads and required significantly less work than currently proposed.
- The additional works now required were not assessed in the 2016 EIA.
- The remainder of works along the haul route, including works at Pulla Crossroads, do not have permission and are not addressed.
- The PA have erroneously applied conditions no. 6 and 9 which refer to the entirety of the haul route and which grant permission for works not applied for.
- The requirements of condition no. 6 with regard to slope stability should have been fully assessed in advance of granting planning permission.
- The PA only considered the works and not the use of the haul route for delivery of extraordinary loads nor impacts on residents or on local school access.

Habitats, Surface Water Drainage, Ground Water and Hydrology

- The NIS does not include any additional biodiversity or ecological survey work since the original AA in 2016.
- The PA did not consider potential pathways to Dungarvan Harbour SPA and Blackwater SAC via adjoining watercourses.
- Severance of a continuous biodiversity corridor / network, linked to downstream European Sites, will impact on bats, otter and other protected species.
- The NIS does not acknowledge the significance of this interconnected network or the value of adjoining streams.
- The NIS fails to properly assess cumulative and in-combination effects.
- The screening conclusion is based on the limited scale of the works which highlights the issue of project splitting and failure to assess the whole haul route.
- The potential impact of imported aggregate on the baseline environment in terms of chemical characteristics / PH is not assessed.
- Ecological impacts also impact on landscape and scenic amenities.

- Trenching for the proposed grid connection has not been considered in the context of the proposed haul route works.
- No adequate assessment of impacts on habitats and protected (annex iv) fauna was undertaken and there is a failure of compliance with the Habitats Directive.
- There is no assessment in terms of the Water Framework Directive, and the maintenance or improvement of the status of surface water bodies.

5.2. First Party Response

In their response to the third-party appeals, Knocknamona Windfarm Limited makes the following points:

- The proposed works are required irrespective of the turbine blade length.
- The haul route was considered in the revised EIS in 2015 but permission for these works was not sought at that time.
- Minor haul route works on the on national and regional roads do not require planning permission. Deliveries will be undertaken in consultation with the roads authority and the Gardai.
- At this time, due to developments in the design of specialist delivery trailers, no haul route works other than those included in this application are now required.
- There is therefore no requirement to provide plans of the overall haul route nor to consider biodiversity impacts over the entire haul route.
- Class 13 of Part 2 of the fifth schedule expressly provides for such applications, which do not necessarily require EIA.
- Direct, indirect and cumulative effects are clearly examined in EIA Screening Report and the NIS.
- Works locations are relatively level and no steep embankments. Works will comprise shallow excavations, immediately backfilled with hardcore, minimising any risk of slippage.
- GSI mapping shows no peat at these locations and classifies the area as being of low risk in the landslide susceptibility classification.
- The local road network regularly carries fully laden forestry trucks with no incidents of failure cited.

- Construction deliveries will conform to legal axel laden weights and will be managed through a Traffic Management Plan.
- The public notices and submitted drawings meet the requirements of the planning and development regs.
- There will be no “diversion” of the public road at HR2. Works are temporary and the existing public road will not be permanently changed.
- While it is appropriate to have regard to previous assessments, new EIA Screening and AA evaluations were undertaken.
- The site compound is already authorised as part of the windfarm permission.
- Settlement ponds are clearly identified. No specifics are required for the temporary ponds which are part of standard construction methodologies.
- Survey work to inform the NIS was undertaken in February 2021.
- Impacts on downstream Natura Sites are not likely, given the minor nature of works adjacent to a public road with no watercourses or major drainage on-site.
- The appellants have not identified what pathways should have been assessed.
- The expert authors and WCC Heritage Officer did not concluded that adverse effects on the integrity of European Sites were not likely.
- Mitigation measures are subject to condition in the PA decision.
- The spread of invasive species was considered in the NIS and the design and management of topsoil will address risks to water quality.
- No culvert works are envisaged at this stage for the overall haul route.
- Works do not occur within or upstream of freshwater pearl mussel catchments and are not proximate or hydrologically connected to any mapped location of white clawed crayfish.
- Impacts on otter are excluded due to separation from watercourses and the limited scale and duration of works.
- Appellants do not identify what in-combination effects with other windfarms are envisaged, given the limited nature of works and separation distances arising.
- There are no likely noise or shadow flicker impacts from the proposed development or cumulative impacts with permitted windfarms.
- The windfarm was previously assessed and granted permission in 2015 and previous applications have set out the in-combination effects of the whole wind energy project.

- The closest watercourse is 170m from the works and there is no discharge to downstream waters.
- Given the scale of works and proposed mitigation measures, assessment under the WFD is not required.
- Locally sourced imported stone will be compatible with this environment.
- Five semi-mature willow trees to be removed are of local importance only and this is not a significant effect.
- No other works or hedgerow loss is required along the haul route and the additional cumulative effect with felling for the windfarm will be negligible.
- Appellant references to impacts on a biodiversity corridor are not supported.
- The works are limited and occur on lands of low ecological value. No trees suitable for roosting or foraging bats will be removed.
- The 2022 Development Plan does not impact on landscape policy relating to the development.
- While HR2 occurs on a scenic route, there will be no impacts on landscape or visual amenities following reinstatement of the lands.
- There will be no cumulative visual impact with the Woodhouse and Knocknamona windfarms.
- While unrecorded archaeological features are unlikely, condition no. 10 of the PA decision addresses concerns in this regard.
- The works will not interact with St. Declan's Way or associated archaeology.
- Glenbeg national school is 2km west of HR3. Works will not directly affect access thereto and no health and safety concerns arise.
- Construction traffic will not pass or impact on the residence of third-party appellants, Niamh and Mark Kuhne.
- Construction work will be managed to avoid impacts on the road network.
- This application relates only to the works along the haul route, previously assessed in 2015.

5.3. Planning Authority Response

No response to the third-party appeals has been received from the planning authority.

5.4. Third Party response to Other Appeals

Third Party appellants Michael and Giancarla Alen Buckley make the following comments on other appeal submissions:

- Support the other third-party grounds of appeal.
- The PA decision:
 - Fails to properly consider the issue of project splitting.
 - Confuses the scope of conditions attached to the decision.
 - Fails to assess the suitability of the road network for abnormal loads.
 - Fails to consider impacts on amenities, traffic, access to schools or residents.
 - Fails to consider landscape impacts and impacts on scenic routes.
 - Did not consider slope stability or landslide.
- Works will impact on a Scenic Route contrary to CDP policy LO4.
- The application severs the works from the entirety of works required along the haul route and ignores the requirement for a planning application therefor.
- The description of development is deficient and should not facilitate longer blades which are not permitted and which were not considered in the 2016 EIA.
- There is a failure to assess cumulative impacts of entire development and undertake adequate EIA in accordance with the Directive.
- Proposed works are more extensive than assessed in 2015, and cannot be seen as part of that EIA.
- The drawings fail to meet the requirements of art 22 and 23.
- The planning authority is required to consider the status of affected waterbodies.
- There is a risk of sediment release to watercourses impacting on downstream European Sites and freshwater pearl mussel.
- The site is part of a biodiversity corridor forming a pathway to European Sites.
- There will be adverse impacts on trees, hedgerows and Annex iv species, including otter, and lack of compliance with the Habitats Directive.
- No archaeological assessment was undertaken.
- The application fails to identify the location of the local school or ensure safe local safe access thereto.

6.0 EIA Screening

The proposed development relates to minor road widening and other works to facilitate the deliveries to a permitted windfarm development. The permitted windfarm development was previously subject to EIA. A subsequent application for modifications to the wind turbines has been granted permission following the decision of the planning authority in this case, which was also subject to EIA.

The subject application was accompanied by an EIA Screening Report, which identifies the haul route as the route identified under PA ref. 14/600109, ABP ref. PL93.244006. The Screening Report cumulative assessment considers of following projects:

- Knocknamona Windfarm, 14/600109, PL93.244006.
- Proposed modification to turbines under 20/845, ABP-309412-21.
- Grid connection and revised haul route (B) under 19/369, ABP-306497-21.
- Other works associated with proposed haul route option A, including temporary removal of signage, replacement of culverts and surfacing works. An existing piggery unit at Knocknaglogh Upper, between HR2 and HR3 and the existing Woodhouse windfarm and substation are scoped out of further consideration.

The Screening Report concludes that the proposed works are not likely to give rise to a significant impact on the environment or human health, and do not have the potential for significant cumulative effects with other elements of the Knocknamona Windfarm project. It concludes that EIA is not required.

The works proposed as part of this development are not of a category identified in Part I or II of Schedule 5 of the planning and development regulations. Furthermore, I note that the proposed development would not meet the criteria set out in paragraph 13 of Part 2 of Schedule 5. I refer to the Screening Determination set out in Appendix 1 to this report, which concludes as follows:

Having regard to

- i. The limited nature and scale of the proposed development which is not of a development class identified in Schedule 5 of the Planning and Development

Regulations 2001, as amended, and which would not meet the criteria set out in paragraph 13 of Part 2 of Schedule 5 thereof;

- ii. The location of the site at a remove from any sensitive location identified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended, and the absence of any likely significant effects thereon.
- iii. The guidance set out in “Environmental Impact Assessment Guidelines for Consent Authorities regarding sub-threshold Development”, Dept of the Environment, Heritage and Local Government (2003), and
- iv. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended

It is not considered that the proposed development would be likely to have any significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

7.0 Assessment

Having regard to the nature and extent of the proposed development, relevant planning history and the submissions received, it is proposed to consider the appeal under the following broad headings:

- Adequacy of documentation.
- Rationale for the proposed works
- Scope of the Application.
- Landscape and ecological impacts.
- Other Environmental Impacts.
- Conditions no. 6 and 9
- Development Contributions

Appropriate Assessment is considered under a separate heading.

7.1. Adequacy of documentation

The proposed development relates to certain road and junction widening works to facilitate the delivery of wind turbine components associated with an adjoining wind

energy development permitted originally under PL93.244006. Appellants argue that the plans and details submitted do not meet the requirements of the planning and development regulations.

I consider that the development description adequately describes the nature and scope of the proposed development and the location of works, and meets the requirements of the planning and development regulations. The description refers to the purpose of the works being to facilitate the delivery of wind turbine blades, and it has been confirmed that the proposed works are required regardless of the length of turbine blade being transported. I do not consider that there is a requirement for this to be included in the public notices.

Having reviewed the drawings, I am satisfied that the requirements of art. 22 and 23 are satisfied and that there is sufficient information before the Board to describe the development and make a determination in respect of the appeal. The application provides for the installation of surface water drains and a number of settlement ponds. While these are not specifically dimensioned in the application, I note that no specific objection with regard to the siting or design of such measures has been raised by the third parties. Having regard to the limited scale of development proposed, I consider that a condition requiring compliance with accepted industry guidance such as CIRIA Report C532 *Control of Water Pollution from Construction Sites*, would provide adequate certainty in this regard.

The application indicates that the construction compound associated with the permitted Knocknamona Windfarm development will be used for the duration of the proposed works. I note that this does not comprise part of the proposed development works and the application is not regarded as deficient in this regard.

Appellants have suggested that the works are not minor and include the diversion of a local public road. This does not accurately reflect the works proposed at HR2, however, which do not divert / reroute the existing public road but which provide a temporary alternative route for use by longer delivery vehicles to make the right-hand turn at the junction. Significant effects on the public road network are not therefore likely to arise.

7.2. Rationale for the proposed works

Appellants argue that the proposed works are required to facilitate proposed longer turbine blades, not permitted at date of appeal, and are greater in extent than those identified for the purposes of EIA in 2015. In response, the first party have confirmed that the same works would be required regardless of the length of turbine blade being transported.

I note that the revised 2015 EIS (PL93.244006) in respect of the original windfarm included swept path analysis of required works along the haul route, based on the transport of a 45m turbine blade. In respect of HR2, HR3 and HR4, I can identify no material difference between the works identified in 2015 and the current proposals and conclude that the proposed works reflect those identified for the purposes of EIA in 2015.

Notwithstanding this finding, I note that since the lodgement of the appeal, the Board have decided to grant permission for an increase in the length of turbine blades in the Knocknamona Windfarm. I do not therefore consider that a question of prematurity would arise in this regard.

7.3. Status of the proposed turbine component haul route

Notwithstanding submissions from third parties, neither the extant permission for Knocknamona Windfarm, nor the issues already determined therein, is subject to review as part of this application and appeal. Furthermore, having regard to the appellants submissions, it is important to be clear with regard to the terminology used and distinguish between the proposed haul route and “haul route works”. This current application relates to the required junction and bend widening works to facilitate the delivery of turbine components. This is to be distinguished from the use of the road network for delivery of components to the wind energy site.

The proposed works occur along the haul route identified in the EIS submitted in respect of PL93.244006. That EIA identified a number of areas where works were required to facilitate delivery of turbine components, identified as HR2, HR3 and HR4 therein. In response to the third-party appeals and notwithstanding comments contained in the original application, the first party have stated no other works are required along the haul route, including previously identified works at Pulla Crossroads / N25, referred to as HR1. It is stated that all required works along this

route are addressed in the subject application. There is no basis to conclude that this statement is not correct. I do not consider that other minor works identified, including the temporary removal of signage to facilitate the movement of over-sized components along the N25 require assessment herein.

An alternative haul route for the KWF development was considered as part of the planning application under ref. 19/369, ABP-306497-20 and subject to EIA as part thereof. The application and revised 2021 EIAR submitted under ABP-309412-20 indicated that a final decision on haul route had not been made and that both haul route options were assessed. It is considered therefore that both routes are available to serve the development.

Notwithstanding third-party comments, I do not consider that this application results in project splitting with the intention of avoiding EIA. The application for Knocknamona Windfarm was subject to EIA, as was the subsequent application for the grid connection and haul route and the application for modifications to turbine blade length. EIA of those projects included an assessment of the likely significant cumulative impacts with other plans and projects, including and assessment of the turbine component haul routes.

Permission for the Knocknamona Windfarm is not being revisited as part of this application. The works now proposed relate to the route previously assessed as part of that permission. I do not concur with the argument that permission for a development requiring EIA cannot be revised without revisiting the whole development, or principle of the development. In this regard I note that Class 13 of Part 2 of the Fifth Schedule of the regulations expressly anticipates and provides for such applications. I refer to the conclusion of the EIA Screening Determination accompanying this report in this regard.

7.4. Landscape and Ecological Impacts

The works are relatively minor in nature and occur within a landscape identified in the 2022 Waterford County Development Plan as being of low sensitivity. Following completion of deliveries to the windfarm development, the more substantial works areas are to be covered with topsoil and reseeded. It is not considered that the

proposed development will have any long-term significant impacts on the visual or landscape amenities of the area.

Appellants have raised concerns regarding the removal of a number of trees in works area HR3 and elsewhere along the proposed haul route. Commercial forestry in area HR2 has previously been harvested and current vegetation on the site is limited and immature. In respect of area HR3, I would generally concur with the applicant's assessment of this as a slight negative impact. Significant ecological or landscape impacts are not considered to arise, having regard to the nature of the subject trees and the relatively robust nature of the landscape which includes extensive areas of commercial forestry. Similarly, given the limited extent of works and separation from the windfarm site (approx. 2km), significant cumulative landscape and visual impacts from the removal of trees are not considered likely. This application does not result in any other areas of hedgerow loss and no significant impacts are anticipated in this regard.

Reinstatement of the roadside boundary would present difficulties given the stated intent to reopen the hard-core areas to facilitate future replacement / decommissioning of turbines. It would, however, be possible to provide replacement planting on adjacent lands within the red line boundary of the site and a condition in this regard is recommended in the event of a decision to grant permission.

I note the appellants comments with regard to the assessment of potential ecological impacts of the development. Notwithstanding such commentary, no evidence been presented to question the findings of the professionally prepared AA screening report in terms of impacts on otter, bat or other species of conservation interest. I note that notwithstanding the appellant's submissions, the NIS states that a multi-disciplinary survey of the works areas was undertaken in February 2021, which is appropriate in respect of otter. While not optimal for habitat surveys, having regard to the relatively robust nature of the habitats identified these findings are generally regarded as satisfactory.

Habitats within the site are generally of lower value and works areas are not directly connected with each other either through watercourses or habitats. I would query the appellants description of the development as severing a continuous biodiversity

corridor / network, linked to downstream European Sites. This is not supported by the findings of the AA report or observations on-site.

The proposed works areas are to be excavated and provided with a hard-core cover. It is indicated that the crushed stone will be sourced either from windfarm borrow pits or imported from a local quarry, approx. 5km north of HR3. The volume of rock to be used on the site is not significant, described as 433m³. Having regard to the nature of the receiving habitats and the absence of watercourses or open drains, any effects arising from the use of such materials on the lands are likely to be localised and significant effects are not anticipated.

I refer to section 8.0 below in relation to potential impacts on European sites.

7.5. Other Environmental Impacts

In terms of impacts on local residents and school traffic, I note that the proposed works are limited in extent and duration. The works will not facilitate traffic movements in the vicinity of Glenbeg School and having regard to separation from residential properties, it is not considered that construction activity will give rise to any significant or extended impacts on road safety or disruption to other road users. The transport of over-sized components to the windfarm development will be subject to the traffic management requirements of the permission granted under ref. PL93.244006 and ABP-309412-21.

In terms of slope stability and risk of slippage, I note that there are no significant slopes in the proposed works areas which are the subject of this application and there is no basis on which to consider that the proposed development would give rise to any risk in this regard. I note that there are no residential properties in the immediate vicinity of the proposed works.

Appellants have also referred to impacts on amenity routes in the area, in particular St. Declan's Way, however, I note that the proposed development occurs at a significant remove therefrom and will not impact on the visual or cultural characteristics of this route. While there are no recorded archaeological features in the vicinity of the proposed development sites, there will always remain some potential for previously unidentified remains to be identified during excavation works.

I note that condition no. 10 of the planning authority decision adequately addresses concerns in this regard.

7.6. Conditions no. 6 and 9

Third parties have raised concerns with regard to the validity of conditions no. 6 and 9 of the planning authority decision. Conditions no. 6 refers to a CEMP, which is to contain details of the overall windfarm development, while condition no. 9 requires a condition survey of roads and bridges along the overall haul route including a schedule of required works to cater for construction related traffic.

I note that these matters were addressed under conditions no. 10 and 14 attaching to the decision to grant permission for the windfarm development under PL93.244006. During judicial review proceedings in respect of that decision, such conditions were not found to be impermissible, and these conditions remain valid and applicable to the development permitted therein.

The subject development relates to road and junction widening works. It is the parent permission, PL93.244006 as amended, which gives rise to the transport of materials and components, and it is appropriate to rely upon the conditions attaching to that permission. There is no requirement to revisit these requirements as part of the current application. I would therefore recommend that condition no. 6 be amended in the event of a decision to grant permission in this case and that condition no. 9 be omitted. In respect of condition no. 6, I would consider it appropriate that any CEMP be required to be consistent with that provided in respect of PL93.244006.

7.7. Development Contributions

The planning authority decision to grant permission does not attach any development contribution condition, based on the temporary nature of the works.

I note that section 6(b) of the Waterford City and County Development Contribution Scheme identifies development contributions payable in respect of specified classes of non-residential development. This includes a category of "*Development not in any of the above classes*" at a rate of €40 per sqm.

Section 6(c)(2) provides for a reduction in contributions payable in respect of temporary permissions, calculated as follows:

- 33% or normal rate for permissions of up to 3 years
- 50% of normal rate for permissions of up to 5 years
- 66% of normal rate for permissions of up to 10 years.
- Full contributions applicable for permissions of 10 years or over

Based on the wording of the scheme, it would appear that the proposed development is of a class which is subject to development contributions under the scheme, and that there is no exemption in respect of development of a temporary duration.

8.0 Appropriate Assessment

8.1. Appropriate Assessment - Screening

8.1.1. Compliance with Article 6(3) of the Habitats Directive

The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under Part XAB, Section 177U of the Planning and Development Act, 2000 (as amended) are considered in this section.

The application was accompanied by an Appropriate Assessment Report, which includes the following sections:

Section 2.0 provides a description of the proposed development.

Section 3.0 outlines the information sources informing the report.

Section 4.0 describes the receiving environment.

Section 5.0 sets out the Screening Evaluation.

Section 6.0 contains the Natura Impact Statement.

8.1.2. Proposed development:

The proposed development is described in section 1.0 of this report above and in more detail in the submitted Appropriate Assessment Report, and relates to junction and local road widening at four locations as follows:

- HR2: Works at the junction of L2024 and L2022 comprise a new temporary road through 3rd party / Coillte lands to the south of the L2024 to facilitate large delivery vehicles turning north onto the L2022. Coniferous forestry on these lands was felled in recent years and the lands are at early stages of regeneration. The area along the L2024 frontage is described as comprising wet heath. There are no evident watercourses or open drains in this area.
- HR3: Approx. 1.4km north of HR2, junction widening works including the provision of a load bearing surface are proposed to facilitate large delivery vehicles turning west from the L2022 onto the L6077. This will involve the removal of a number of semi-mature willow trees along the roadside boundary and incursion into an area of improved grassland / grazing. A shallow channel inside the roadside boundary does not appear to drain the area or connect to watercourses or drains downgradient of the site.
- HR3: Approx. 100m west of the L2022 / L6077 junction, some widening on the southern side of the L6077 and provision of a load bearing surface in an area of improved grassland is proposed. There is no drain or watercourse in this area.
- HR4: Approx. 280m west of the L2022 / L6077 junction, some widening on the southern side of the L6077 and provision of a load bearing surface in an area of improved grassland is proposed. There is no drain or watercourse in this area.

The HR3 works area lies on the mapped boundary between two river sub-basins, the Bricky to the north and the Goish to the south. The Ballycullane Beg stream is identified 171m to the north of the site at HR3, within the Bricky River catchment which flows to Dungarvan Harbour SPA. The AA report states that the Ballycullane Beg stream is not hydrologically connected to the proposed development site and this is supported by on-site observations of topography and drainage patterns in the area.

The Goish River flows west, approx. 570m south of HR4. The Monagally East Stream flows west toward the Goish River, at a point 641m from works area at HR2. The Goish River discharges into the River Blackwater SAC, west of Aglish, approx. 11km downstream of the proposed development. I note also that the Clashbrack

Stream, within the Lickey Catchment, flows south approx. 700m southeast of HR2, however, there is no hydrological connection to the works proposed area.

Section 4.1.1 of the applicants Screening Statement notes that multi-disciplinary site surveys were undertaken in February 2021. It is reported that no signs of otter were identified on the lands during surveys and no birds of special conservation interest were identified during surveys carried out between 2010 and 2021.

8.1.3. **Likely Significant Effects**

The project is not directly connected with or necessary for the management of a European site and it therefore needs to be determined if the development is likely to have significant effects on a European site(s). Taking account of the characteristics of the proposed development in terms of its location and scale of works, it is considered that the possibility of significant effects arises during the construction phase only and the following issues are considered for examination

- Potential for construction activity to result in discharge of silt or other contaminants to surface or groundwaters.
- Spread of invasive species.

8.1.4. **European Sites**

The development is not located within or immediately adjacent to any European Site. The closest European site is the Blackwater River (Cork / Waterford) SAC which is located c. 2.5 km southeast of the proposed development at the closest point via the Lickey River, however, there is no pathway from the works area to this watercourse. The area is instead drained to the west / southwest via the Goish river and its tributary streams.

A summary of European sites that occur within the potential zone of influence of the proposed development is set out in below.

Table 1 – Screening Assessment Initial Summary.

European Site	Distance from Appeal Site	Potential Connections (source-pathway-receptor)	Further Consideration in Screening
Blackwater River (Cork / Waterford) SAC	2.5km at closest point. c.11km via the Goish River	Potential hydrological connection via watercourses (Goish River) that would facilitate potential impacts on habitats and species that are QIs of this site.	Yes
Blackwater Estuary SPA	c.6km direct and c.19km via the hydrological connection.	Given the very significant separation between the proposed development and the SPA site and the scale and duration of works, significant effects on the conservation objectives arising from a reduction in water quality are not considered likely to arise.	No
Blackwater Callows SPA	C.17km upstream	Given the separation distance and absence of a pathway for effects, likely significant effects on the qualifying interest can be screened out.	No
Dungarvan Harbour SPA	c. 4km		No.
Helvick Head SAC	c. 9km		No.
Helvick Head to Ballyquin SPA	c. 10km		No
Ardmore Head SAC	c. 11km		No.

Having regard to the characteristics of the proposed development and the absence of pathways or impact mechanisms, other European Sites within the wider area are screened out from further assessment.

Blackwater River (Cork / Waterford) SAC (site code 002170)

There is potential for indirect pathways between the proposed development and the River Blackwater SAC via tributaries of the River Blackwater, notably the Goish River and its tributaries. The development has the potential to give rise to the release of silt, hydrocarbons or other contaminants from the works areas, however, having regard to the limited scope and scale of the proposed development and its separation from European sites, significant direct effects are not considered likely. There is potential for in-combination effects with the wider KWF project, however, arising from a potential reduction in water quality from construction activity.

The Qualifying interests of this site are as follows:

- Estuaries
- Mudflats and sandflats not covered by seawater at low tide
- Perennial vegetation of stony banks
- Salicornia and other annuals colonising mud and sand
- Atlantic salt meadows
- Mediterranean salt meadows
- Water courses of plain to montane levels with the ranunculion fluitantis and callitricho-batrachion vegetation
- Old sessile oak woods with Ilex and Blechnum in the British Isles
- Alluvial forests with Alnus glutinosa and Fraxinus excelsior
- Margaritifera margaritifera (Freshwater Pearl Mussel)
- Austropotamobius pallipes (White-clawed Crayfish)
- Petromyzon marinus (Sea Lamprey)
- Lampetra planeri (Brook Lamprey)
- Lampetra fluviatilis (River Lamprey)
- Alosa fallax fallax (Twaite Shad)
- Salmo salar (Salmon)
- Lutra lutra (Otter)
- Trichomanes speciosum (Killarney Fern)
- Taxus baccata woods of the British Isles (under review)

The stated conservation objectives are to maintain or restore the favorable conservation condition of the above listed species and habitats having regard to specified attributes and targets.

The Goish River discharges to the River Blackwater downstream of identified Freshwater Pear Mussel catchments, and significant effects are therefore not considered likely. Use of the haul route was previously considered for Stage II assessment due to the potential for impacts as it crosses the catchment of the River Licky wherein FPM has been identified as being present. Similarly, aquatic species (otter, shad, salmon and lamprey species) which are QIs of this site may be impacted by a reduction in water quality.

Habitat surveys recorded no invasive species on the site. Construction activity could, however, potentially introduce invasive species to the area on vehicles or in materials. I note the provisions of the 2011 European Communities (Birds and Natural Habitats) Regulations with regard to the dispersal, spread or otherwise of listed invasive species. Failure to comply with the legal requirements set down can result in either civil or criminal prosecution and adherence with these requirements is a mandatory requirement irrespective of proximity to any European Site, and is not therefore regarded as a mitigation measure.

The applicant's Screening Assessment considers the qualifying interests of the SAC and potential pathways and effects of the project and identifies the following qualifying interests to be brought forward to Stage II AA.

- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]
- Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]
- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]
- Petromyzon marinus (Sea Lamprey) [1095]
- Lampetra planeri (Brook Lamprey) [1096]
- Lampetra fluviatilis (River Lamprey) [1099]
- Alosa fallax fallax (Twaite Shad) [1103]
- Salmo salar (Salmon) [1106]
- Lutra lutra (Otter) [1355] Twaite shad

The NIS screens out potential impacts on other QI's from Stage II assessment for the reasons set out in Table 5-5 of the applicant's AA Report.

8.1.5. **Screening Determination:**

The proposed development has been considered in light of the requirements of Section 177U of the Planning and Development Act, 2000 as amended. Having carried out screening for appropriate assessment of the project, it has been concluded that the project individually or in combination with other plans or projects could have a significant effect on the Blackwater River (Cork / Waterford) SAC having regard to the conservation objectives of the sites, and appropriate assessment is therefore required.

8.2. **Appropriate Assessment – Stage 2**

The requirements of Article 6(3) as related to appropriate assessment of a project under Part XAB, Sections 177U and 177V of the Planning and Development Act, 2000 (as amended) are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive.
- Screening the need for appropriate assessment,
- The Natura Impact Statement and associated documents,
- Appropriate assessment of implications of the proposed development on the integrity of the European site.

8.2.1. **Compliance with Article 6(3) of the EU Habitats Directive**

The Habitats Directive deals with the conservation of natural habitats and of wild fauna and flora throughout the European Union. Article 6(3) of the directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the sites conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

The proposed development is not directly connected to or necessary for the management of any European site and therefore is subject to the provisions of Article 6(3).

8.2.2. **Screening Determination**

Following the screening process, it has been determined that appropriate assessment is required as it cannot be excluded on the basis of objective information that the proposed development either individually or in combination with other plans or projects will not have a significant effect on the Blackwater River (Cork / Waterford) SAC.

The possibility of significant effects on other European sites has been excluded on the basis of objective information. Measures intended to reduce or avoid significant effects have not been considered in the screening process.

8.2.3. **The Natura Impact Statement**

The application was accompanied by a Stage II Natura Impact Statement (April 2022), prepared by *Inis Environmental Consultants Limited*, which considers the potential effects of the development on the integrity of the Blackwater River (Cork / Waterford) SAC. This assessment is stated to be based on surveys undertaken in connection with the KWF development over the period 2010 to 2021, with the most recent site surveys undertaken in February 2021.

The applicant's NIS provides an assessment of the impact of the proposed development on the above European site and concludes that, *"Given the application of prescribed protective measures for the avoidance of impacts and the implementation of the required mitigation measures, the proposed junction and bend widening works either alone or in combination, will not give rise to adverse effects on the integrity of any of the Natura 2000 sites evaluated herein, in circumstances where no reasonable scientific doubt remains"*.

Having reviewed the documents, submissions and consultations undertaken, I am satisfied that the information allows for a complete assessment of any adverse

effects of the development, on the conservation objectives of the Blackwater River (Cork / Waterford) SAC, alone, or in combination with other plans or projects.

8.2.4. Appropriate Assessment of Implications of the Proposed Development

The following is a summary of the objective scientific assessment of the implications of the project on the qualifying features of the European site using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed. Regard is had to the following guidance documents;

- DoEHLG (2009), Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service, Dublin.
- EC (2002) Assessment of Plans and Projects Significantly Affecting Natura 2000 sites. Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/42/EC.

A description of the Blackwater River (Cork / Waterford) SAC, its qualifying interests and conservation objectives are set out in the submitted Natura Impact Statement and are summarised in the screening assessment above.

8.2.5. Aspects of the Proposed Development.

The proposed development comprises minor works of short duration, which having regard to their separation from European Sites are not considered likely to have significant effects thereon. The first party appeal response indicates that further analysis of the haul route now indicates that no works other than those included in this application are required to facilitate the transport of over-sized deliveries to the permitted windfarm development.

When considered in combination with the permitted KWF and grid connection developments, however, the proposed development has the potential to contribute to a deterioration in water quality in this European Sites, via a number of potential pathways, principally via the Goish River. The main aspects of the development that

could adversely affect the conservation objectives of European sites arise during the construction phase include the release of silt and other contaminants to ground and surface waters. Given the lack of connectivity to the Licky River, no in-combination effects on or via this watercourse are anticipated.

Mitigation Measures:

The applicants NIS identifies the following mitigation measures:

- Management of excavated topsoil and installation of silt fencing.
- The carrying out of works in dry weather.
- Management of waste.
- Management and control of any potential fuel spills or leaks.
- Use of the construction compound for the permitted windfarm for storage and fuelling activities, and welfare services.
- Timing of tree removal works.
- Biosecurity measures required under 2011 Birds and Natural Habitats regs.

The permitted developments in respect of the KWF windfarm development, grid connection and modifications to proposed turbines have previously been subject to EIA and AA, most recently under ABP-309412-21, and are subject to detailed measures to manage and control the release of sediment and other contaminants during works. I note that in those cases it was concluded that those developments would not have an adverse effect on the integrity of any European site.

8.2.6. Summary Of Appropriate Assessment

SUMMARY OF APPROPRIATE ASSESSMENT					
Blackwater River (Cork / Waterford) SAC – Site Code 002170:					
Summary of Key issues that could give rise to adverse effects: Impacts on water Quality and water dependant habitats					
Qualifying Interest	Main relevant	Potential adverse effects	Mitigation measures	In-combination effects	Can adverse effects on

	targets and attributes				integrity be excluded?
Estuaries	Area stable or increasing and maintain the extent and quantity of Mytilus dominant communities.	No direct impacts due to separation and limited extent and duration of works. Potential deterioration in water quality in combination with KWF project.	Separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted development comprising separation from watercourses. Sediment and water control measures.	None predicted.	Yes. Adverse effects on site integrity can be excluded as there is no doubt as to absence of effects on these habitats in view of the conservation objectives.
Mudflats and sandflats	Area stable or increasing and maintain the extent and quantity of Mytilus communities.				
Perennial vegetation of stony banks.	Area stable or increasing.				
Salicornia and other annuals colonising mud and sand.	Area stable or increasing.				
Atlantic salt meadows.	Area stable or increasing.				
Mediterranean salt meadows.	Area stable or increasing.				
Water courses of plain to montane levels.	Area stable or increasing, maintenance of hydrological regime. .				

Old sessile oak woods.	Area stable or increasing.				
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> .	Area stable or increasing.				
Freshwater Pearl Mussel.	Restore water quality, restore substratum quality and hydrological regime. Maintain juvenile salmonids.	No direct impacts due to separation and limited extent of works. Potential deterioration in water quality in combination with KWF project.	There is no clear hydrological connection to recorded locations of pearl mussel within the SAC. Mitigation in the permitted development comprising separation from watercourses and sediment and water control measures.	None predicted.	Yes Adverse effects on site integrity can be excluded given the absence of a direct hydrological pathway to known mussel sites, and mitigation measures identified for permitted developments. There is no doubt as to absence of effects on this species in view of the conservation objectives.
White-clawed Crayfish	No reduction in area. No alien species or disease.	No direct impacts due to separation and limited extent of works.	Recorded in the Awbeg River which is located up catchment from the windfarm site.	None predicted.	Yes Adverse effects on site integrity can be excluded given the

					absence of a hydrological pathway to known crayfish locations. There is no doubt as to absence of effects on this species in view of the conservation objectives.
Sea Lamprey	75% of stream accessible and maintain age / size range.	No direct impacts due to separation and limited duration and extent of works. Potential deterioration in water quality in combination with KWF project.	The main recorded locations for juvenile and spawning Sea Lamprey are upstream of the proposed development site or in the Licky River. Mitigation through separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted development comprising	None predicted.	Yes Adverse effects on site integrity can be excluded due to separation from recorded locations for juvenile and spawning Sea Lamprey and proposed mitigation measures. There is no doubt as to absence of effects on this proposed. There is no doubt as to absence of effects on this species in

			separation of development from watercourses and sediment and water control measures.		view of the conservation objectives.
Brook Lamprey.	100% of stream accessible and maintain age / size range.	No direct impacts due to separation and limited extent of works. Potential deterioration in water quality in combination with KWF project.	The recorded main locations of juvenile Brook Lamprey are upstream of the proposed development site or in the river Licky. Mitigation through separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted development comprising: Separation from watercourses and sediment and water control measures.	None predicted.	Yes Adverse effects on site integrity can be excluded given separation from known lamprey sites and proposed mitigation measures. There is no doubt as to absence of effects on these habitats in view of the conservation objectives.
River Lamprey.	100% of stream	No direct impacts due	The recorded main locations	None predicted.	Yes

	accessible and maintain age / size range.	to separation and limited extent of works. Potential deterioration in water quality in combination with KWF project.	of juvenile River Lamprey are upstream of the proposed development site or in the river Licky. Mitigation through separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted development comprising: Separation from watercourses. Sediment and water control measures.		Adverse effects on site integrity can be excluded given separation from known lamprey sites and proposed mitigation measures. There is no doubt as to absence of effects on these habitats in view of the conservation objectives
Twaite Shad	75% of stream accessible and maintain age range.	No direct impacts due to separation from watercourses and limited extent of works. Potential deterioration in water quality in	Separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted	None predicted.	Yes. Adverse effects on site integrity can be excluded as there is no doubt as to absence of effects on this species in view of the

		combination with KWF project.	development comprising: Separation of development from watercourses Sediment and water control measures.		conservation objectives.
Salmon	100% of river channel accessible and meet targets for spawning fish and fry.	No direct impacts due to separation and limited extent of works. Potential deterioration in water quality in combination with KWF project.	Separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted development comprising: Separation of development from watercourses Sediment and water control measures.	None predicted.	Yes. Adverse effects on site integrity can be excluded as there is no doubt as to absence of effects on this species in view of the conservation objectives.
Otter	No significant decline in distribution, area or couching sites or holts.	No direct impacts due to separation from SAC and watercourses and limited extent of works. Potential	Separation from watercourses, construction management, management of excavations, and timing of works. Mitigation in the permitted	None predicted.	Yes. Adverse effects on site integrity can be excluded as there is no doubt as to absence of effects on this species in

		deterioration in water quality in combination with KWF project.	development comprising: Separation of development from watercourses Sediment and water control measures.		view of the conservation objectives.
Killarney Fern	No decline in areas (2 identified within SAC).	No clear pathway to identified locations within the SAC.	None required.	None predicted.	Yes. Adverse effects on site integrity can be excluded as there is no doubt as to absence of effects on these habitats in view of the conservation objectives.
<p>Overall conclusion: Integrity test</p> <p>Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects.</p>					

8.3. Appropriate Assessment Conclusion

The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act, 2000 as amended. Having carried out screening for appropriate assessment of the project, it was concluded that it may have a significant effect on the Blackwater River (Cork / Waterford) SA and an appropriate assessment was required of the implications of the project on the qualifying features of this sites in light of its conservation objectives.

Following an appropriate assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of any of the above European sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project, including an assessment of in combination effects with other plans and projects, and there is no reasonable scientific doubt as to the absence of adverse effects.

9.0 Recommendation

Having regard to the above, it is recommended that permission be granted based on the following reasons and considerations and subject to the conditions set out below.

9.1. Reasons and Considerations

Having regard to:

- (a) The nature and scale of the proposed development and the planning history and pattern of existing and permitted development in the area,
- (b) National and regional policies promoting renewable energy use and generation,
- (c) The policies and objectives of the Waterford County Development Plan 2022-2028, including the landscape designations,
- (d) The separation between the proposed development and dwellings or other sensitive receptors,
- (e) The contents of the Environmental Impact Assessment Screening Report and the Appropriate Assessment Report submitted by the applicant,
- (f) The separation of the sites from any European Sites and the nature of the connections between them,
- (g) the topography and landscape character of the area,
- (h) the submissions made in connection with the application, and
- (i) the report and recommendation of the inspector.

9.2. Proper planning and sustainable development:

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, national, regional and local planning, renewable energy and other and related policies, would not have an unacceptable impact on landscape or ecology, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.3. **Appropriate Assessment:**

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the Blackwater River (Cork / Waterford) SAC Site Code 002170, is the only European sites for which there is a possibility of significant effects and must therefore be subject to Appropriate Assessment.

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the site's Conservation Objectives for the Blackwater River (Cork / Waterford) SAC Site Code 002170. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's conservation objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

- (i) The site specific conservation objectives for this European Site,
- (ii) Current conservation status, threats and pressures of the qualifying interest features,
- (iii) Likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (iv) The mitigation measures which are included as part of the current proposal,

In completing the AA, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the implications of the proposed development on the integrity of the aforementioned European Sites, having regard to the site's Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of European sites in view of the site's Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects.

9.4. **EIA Screening:**

The Board completed an environmental impact assessment screening of the proposed development and concluded as follows:

Having regard to

- i. The limited nature and scale of the proposed development which is not of a development class identified in Schedule 5 of the Planning and Development Regulations 2001, as amended, and which would not meet the criteria set out in paragraph 13 of Part 2 of Schedule 5 thereof;
- ii. The location of the site at a remove from any sensitive location identified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended, and the absence of any likely significant effects thereon.
- iii. The guidance set out in "Environmental Impact Assessment Guidelines for Consent Authorities regarding sub-threshold Development", Dept of the Environment, Heritage and Local Government (2003), and
- iv. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended

The Board concluded that the proposed development would not be likely to have any significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

9.5. **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement

of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All conditions attached to An Bord Pleanála Ref. PL93.244006 and ABP-319412-21 shall be complied with in the development, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interests of clarity.

3. The developer shall ensure that all construction methods and environmental mitigation measures set out in the EIA Screening Report and the Appropriate Assessment report (April 2022) and associated documentation are implemented in full, save as may be required by conditions set out below.

Reason: In the interest of protection of the environment.

4. Reinstatement of the site shall be completed within 12 months following decommissioning of the windfarm permitted under 14/600109, PL93-244006. Details in this regard shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity and orderly development.

5. Construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be consistent with any construction management plans agreed with the planning authority in respect of the associated wind energy development under PL93.244006 and ABP-319412-21.

Matters to be addressed in the plan shall include details of intended construction practice for the development including the treatment of stockpiled materials, the timing of works and hours of working.

Reason: In the interests of public safety and residential amenity.

6. Silt traps shall be provided on all surface water drainage channels. Details in relation to the design of settlement ponds and silt traps shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and shall accord with the guidance provided in CIRIA Report C532, *Control of Water Pollution from Construction Sites*.

Reason: To prevent water pollution.

7. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

8. Trees to be removed from the site shall be felled in late summer or autumn.

Reason: In the interest of nature conservation.

9. Prior to the commencement of development, planting proposals to replace trees to be removed from works area HR3 shall be submitted to and agreed in writing with the planning authority. Such planting shall be undertaken within 12 months of the date of completion of site development works.

Reason: In the interest of landscape and visual amenity and nature conservation.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Conor McGrath

Senior Planning Inspector

04/10/2022

Appendix 1: EIA Screening Determination

A. CASE DETAILS	ABP-314219-22	
Development Summary	<p>Junction & Bend Widening Works comprising road widening and ancillary works. The proposed development will facilitate the delivery of wind turbine blades. This application is accompanied by an Environmental Impact Assessment screening report and an Appropriate Assessment Report (Natura Impact Statement)</p> <p>Carronahyla and Knocknaglogh Upper townlands, Dungarvan, County Waterford</p>	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	EIA not required
2. Has Schedule 7A information been submitted?	Yes	Yes
3. Has an AA screening report or NIS been submitted?	Yes	NIS submitted
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	No	<p>No, however, the grant of permission for the windfarm development was subject to EIA under PA ref. 14/600109, ABP ref. PL93.244006.</p> <p>Related environmental impact assessments were undertaken under ref. ABP-306497-20 and ABP-319412-21</p>

B. EXAMINATION	Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)		
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No. The development comprises temporary minor widening and realignment of public roads and associated works.	No
1.2 Will construction, operation, decommissioning or demolition works causing physical changes to the locality (topography, land use, waterbodies)?	Minor changes will arise, however, the lands will be generally reinstated on completion of development / component deliveries.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes, minor land take required. Some import of hardcore material will be required.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Limited potential for release of pollutants or production of waste, which will be managed through standard measures and addressed through the construction environmental management plan.	No

<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>There is limited potential for release of sediments to surface waters given separation from watercourses and proposed management measures. Construction works will be temporary and short-term in nature.</p>	<p>No</p>
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Temporary construction works may give rise to short-term noise or vibration emissions.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Standard construction activities may give rise to minor emissions but risk is not considered high given limited nature and duration of works, separation from receptors and proposed management measures.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>Given the limited scale of development, there is not considered to be a risk of major accidents.</p>	<p>No</p>
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>No significant changes arising from the proposed amendments</p>	<p>No</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>The project will facilitate delivery of large components to a permitted windfarm development, which was previously subject to EIA.</p>	<p>No</p>
<p>2. Location of proposed development</p>		
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA c) Designated Nature Reserve d) Designated refuge for flora or fauna e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an 	<p>Not on or within any designated sites.</p> <p>Separation from watercourses providing a pathway to designated sites is such that impacts on such sites are not likely.</p>	<p>No</p>

objective of a development plan/ LAP/ draft plan or variation of a plan		
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?	No. Site surveys identify no species of interest likely to be affected by the project and the scale of works is limited in scale and duration.	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No features of interest have been identified on the lands.	No
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	There will be some limited loss of forestry lands (0.2ha) which have been harvested in recent years. No loss of rare or important resources is anticipated.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	The site is not traversed by or immediately adjacent to any watercourses, and is not at risk of flooding. Temporary works potential give rise to sediment release, however, given separation from water course, scale of works and proposed management measures, significant impacts are not anticipated.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No. There are no significant gradients affecting the area of the proposed works.	No
2.7 Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	The works are remote from sensitive receptors.	No

3. Any other factors that should be considered which could lead to environmental impacts

3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?

The development will facilitate a wind energy development, which was previously subject to EIA.

It was concluded that the effects on the environment would be acceptable by itself and cumulatively with other development in the vicinity, including other wind farms and the proposed grid connection route, subject to the implementation of the mitigation measures proposed and to compliance with the conditions as set out below.

Having regard to the limited effects of the proposed development it is not considered that significant cumulative effects on the environment are likely in this case.

No

3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?

No

No

3.3 Are there any other relevant considerations?

No

C. CONCLUSION

No real likelihood of significant effects on the environment.

EIAR Not Required

Real likelihood of significant effects on the environment.

EIAR Required

D. MAIN REASONS AND CONSIDERATIONS

Having regard to

- i. The limited nature and scale of the proposed development which is not of a development class identified in Schedule 5 of the Planning and Development Regulations 2001, as amended, and which would not meet the criteria set out in paragraph 13 of Part 2 of Schedule 5 thereof;

- ii. The location of the site at a remove from any sensitive location identified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended, and the absence of any likely significant effects thereon.
- iii. The guidance set out in “Environmental Impact Assessment Guidelines for Consent Authorities regarding sub-threshold Development”, Dept of the Environment, Heritage and Local Government (2003), and
- iv. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector

Conor McGrath

Date 04/10/2022

Approved (DP/ADP)

Date
