



An
Bord
Pleanála

Inspector's Report

ABP-314886-22

Development	198 lodges and new facilities and extensions/alterations to buildings and all associated site works.
Location	Longford Forest, Newcastle Road, Newcastle, Ballymahon, Co. Longford
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	22189
Applicants	Centre Parcs Ireland Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellants	PJ Walsh Sustainability 2050
Date of Site Inspection	23 rd February 2023
Inspector	Dolores McCague

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1.0 Site Location and Description

- 1.1.1. The site is located in Longford Forest, Newcastle Road, Newcastle, Ballymahon, Co. Longford, in the townlands of Newcastle and Forgney within Newcastle Wood. It is c4.8 km east of Ballymahon, c25km south of Longford town, c27km west of Mullingar and c26km north of Athlone. The M6 is located c16km to the south, the N55 c3.8km to the east, and the N4 c16.5km to the north.
- 1.1.2. To the southwest the site is bounded by the Newcastle Road L1119 from which access is gained, and which has been improved as far as the site access, from its junction with the R392, which bounds the site to the south. The L1119 (Abbeyshrule Road) bounds the site to the southeast.
- 1.1.3. Land in the area is relatively flat and in the immediate vicinity is characterised by forestry. There is little evidence of the presence of the existing holiday village except for the road improvements and signage.
- 1.1.4. The site is occupied by the Centre Parcs Longford Forest Holiday Village which opened in 2019. Forestry, planted during its former ownership by Coillte, largely coniferous species, remains within the site mainly around the outer perimeter.
- 1.1.5. The site is given as 160ha including 118ha of forestry, of which 12.4% (9.02ha) will need to be felled and planted elsewhere.

2.0 Proposed Development

- 2.1.1. The proposed development is an extension to the existing development within the existing 160 hectare Centre Parcs Longford Forest Holiday Village.
- 2.1.2. The development will consist of:
 - i) 198 no. new lodges located in 3 no. zones (comprising of 56 no. 2 bedroom lodges, 105 no. 3 bedroom lodges, 32 no. 4 bedroom lodges, 1 no. 5 bedroom lodge, and 4 no. 6 bedroom lodges),
 - ii) External sauna / Pods associated with specific lodges (151m²),
 - iii) coffee shop (282m²),
 - iv) lakeside restaurant (902m²),
 - v) energy centre (235m²),

- vi) staff welfare and storage building (611m²),
- vii) 2 no. remote housekeeping stores (35m² each),
- viii) extensions and alterations to existing commercial retail and leisure buildings, including:
 - a) extension to housekeeping/technical services (HKTS) building (157m²) to provide increased storage,
 - b) extension to existing Aqua Sauna spa facility (453m²) to include new treatment rooms and treetop sauna,
 - c) extension to existing Sub-Tropical Swimming Paradise (STSP) including a new pool (875m²), and
 - d) extension to existing Sports Hall (735m²),
- ix) extensions to existing Village Centre restaurants:
 - a) Huck's restaurant (128m²),
 - b) Cara's restaurant (105m²),
 - c) Sports Café restaurant (104m²) and
 - d) Bella Italia restaurant (222m² - internal extension only),
- x) installation of Solar PV on the roof of the existing Sports Hall and Sports Café building and on the roof of the proposed Sports Hall extension,
- xi) installation of District Heating System within the site,
- xii) upgrades to existing Wastewater Treatment Plant and associated infrastructure,
- xiii) new car park to provide 313 no. car parking spaces for staff,
- xiv) provision of electrical vehicle charging points,
- xv) provision of new cycle parking within the site,
- xvi) associated civil infrastructure works including all internal roads, hardstanding and all foul and surface water drainage works,
- xvii) creation of landscape screening bunds,
- xviii) erection of security perimeter fencing,
- xix) all new landscaping and hard landscaping, and
- xx) all ancillary and associated site works.

2.1.3. The application was accompanied by the following documents:

NIS

EIAR
Planning Report
Construction & Environmental Management Plan
Technical Note: Peat Management Strategy
Ground Investigation Report
External Lighting Assessment
Energy Statement
Lodge Outline Energy Statement – Part L Submission
Design Statement
Public Utilities Report
Arboricultural Impact Assessment
Arboricultural Method Statement
Holiday Village Travel Plan
Transport Assessment
Flood Risk Assessment and Drainage Study
Tourism Benefit Statement
Statement of Community Engagement
Sustainability Statement
Operational Waste Management Plan
Construction & Demolition Waste Management Plan
Bat Report
Environmental & Woodland Management Plan
Economic Impact Assessment
Standard Details (book of detailed drawings), and
Drawings

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority decision, dated 16th March 2022, was to grant permission subject to 20 conditions, including:

2) short term accommodation only

3) road design. Road safety audit

Public roads excluded from construction use listed

Construction traffic management plan

road opening licences

4) Construction and operational traffic excluded from listed public roads

5) IFI requirements.

6) ecological / environmental conditions.

7) environment

8) Irish Water (IW)

9) archaeology

10 Environmental Health Officer (EHO)

11) advertising signage

12) nuisance

13) Construction Management Plan (CMP)

14) construction hours

15) noise limits

16) waste management

17) surface water

18) existing drainage

19) alterations to increase energy efficiency

20) development charge.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The planning report, 26th September, recommending permission includes:

Newcastle House Demesne once extended to approximately 38,616 acres and currently operates as a hotel. The avenue which originally provided private access to Newcastle House was severed during the realignment of the R392 in 2010.

Tourism – Centre Parcs invested some €233 million in the initial development of Longford Forest holiday village which opened in July 2019, representing the largest ever single investment in Irish tourism, and now plans to invest a further €100 million.

Development Plan is quoted.

Infrastructure – water supply – as set out in chapter 13 of the EIAR, a single combined potable water and fire main was delivered by Irish Water under the operational existing centre parcs facilities. Irish Water have undertaken their own network analysis and concluded that an upgrade to their water supply is needed. The proposed development will increase the water use up to 850m³ per day and 15 litres / second, average flow rate. This will result in a new water supply being brought in from IW Ballymahon, Co Longford. A confirmation of feasibility from IW has been provided.

Wastewater treatment – a new pumping station will be required.

Surface Water drainage – will follow the same principles as phase 1, the design will mitigate the risk of surface water flooding on the site and avoid increasing flood risk elsewhere through control at source.

Traffic – the access off Newcastle Road, constructed as part of the original development, has sufficient capacity for the proposed development. It is proposed to access the site during the construction phase via this entrance. This existing vehicular access was designed as a high-quality junction, as part of the existing development, to prevent traffic right-turning onto Newcastle Road or left turning from Newcastle Road, to limit the impact on Newcastle Road Bridge and N55 Toome crossroads.

The Transport Assessment – includes an Access and Movement Strategy, Vehicular Trip Generation, Distribution and Assignment; Traffic Impact Analysis, etc. It provides for a range of ‘hard’ and ‘soft’ measures to be incorporated to encourage positive travel patterns from the outset of development; and details of monitoring, management, and review.

In line with the connectivity and movement principles of the existing Centre Parcs Longford Forest Facilities, the village remains free of vehicles outside of arrival and departure days. In keeping with Centre Parcs ambitions for Longford Forest to be an exemplar development in the field of sustainability, the travel demand management measures have been tailored to meet the needs of staff and visitors travelling to the site given its location, the scale of development, the existing transport network and in line with the travel demand management mechanisms adopted by other CP Villages.

3.2.3. Other Technical Reports

3.2.4. Road Design – 23rd September 2022 – a stage 1/2 Road Safety Audit shall be carried out prior to commencement. Actions arising shall be agreed with the PA and implemented. A stage 1/2 Road Safety Audit shall be carried out on completion of the project.

Public roads excluded from construction use are listed:

Cloncalow Road (L-5216),

Newcastle Bridge to N55 at Toome Criss (L-1121), and

Ballymulvey Road (Ballymahon to Newcastle Bridge) (L-5218).

The applicant shall provide a Construction Traffic Management Plan dealing with the following issues as a minimum:

- The applicant shall agree all significant haul routes to be used for the purposes of the construction of Centre Parcs with the Municipal Area Engineer.
- Pre works survey to be carried out (agreed with the Municipal Area Engineer) of existing road network (including any bridges or culverts) likely to experience significant HGV traffic from the development.
- Post works survey of all affected roads.
- Any damage caused to the public road network to be rectified to Municipal Area Engineer’s satisfaction and the cost shall be borne by Centre Parcs.

- No parking shall be permitted on public roads surrounding the site.
- No queuing of deliveries on public roads.
- The following roads shall be excluded from use by construction traffic:
 - Cloncalow Road (L-5216)
 - Newcastle Bridge to N55 at Toome Criss (L-1121)
 - Ballymulvey Road (Ballymahon to Newcastle Bridge) (L-5218).
- Public roads shall be kept clean of mud and debris from the site during construction. A road sweeper shall be provided and wheel wash to be provided inside the site.
- Centre Parcs shall liaise with the Municipal Area and Gardai on the works programme and its impacts, at regular intervals throughout the construction period.
- Abnormal loads to be by permit and notified separately to the Municipal Area.
- The applicant shall provide a noise management plan and a dust management plan.
- Road opening licenses, sightlines, impact on roads verges etc, and repair of any damage.

3.2.5. Environment Section -23rd Sept 2022, noting documents submitted. Where topsoil and / or subsoil are to be re-used or recycled or where waste materials to be disposed of elsewhere are stored on site, they shall be stored separately and in a manner and location such as will not give rise to undue nuisance or cause adverse impact on any watercourse.

- All necessary measures shall be taken by the developer during the course of the proposed works to prevent any deposition of clay, dust, rubble or other debris, whether arising from vehicle wheels or otherwise, on the public road network.
- All necessary measures shall be taken by the developer during the course of the proposed works to prevent any spillage of fuel into watercourses. While proposed works are in progress any fuel tanks shall be bunded and fuel lines contained in stoppered pipes. Fuel tanks and fuel lines shall be protected from accidental damage by vehicles and equipment.

- The waste water treatment plant must continue during and after construction to conform with the discharge parameters in its discharge licence as issued by Longford County Council Environment Section.
- The facility shall be operated so that noise levels at one metre from the façade of noise sensitive locations do not exceed 55 dB(A) LAeq,T between 0700 hours and 2300 hours and 45 dB(A) LAeq,T between 2300 hours and 0700 hours.

3.3. Prescribed Bodies

3.3.1. HSE, EHO, 12th September 2022, including:

They refer to the third party submission in which concern was raised regarding water supply volumes for the local community. It is noted that a single combined potable water and fire main was delivered by Irish Water under the existing Centre Parcs Facilities works and will be increased for the proposed development. The EHO emphasise the importance of maintaining a constant and adequate potable water supply to residential and commercial dwellings in the vicinity of the Centre Parcs Holiday Village, throughout both the construction and operational phases of the proposed development.

The EHO is satisfied that, if the dust mitigation measures are implemented in full, the impact on sensitive receptors (the local community and guests) should not be such as to present a risk to public health.

- Dust mitigation measures outlined in chapter 9.2.3.2 and CEMP (Appendix 4-2) are to be implemented in full.
- Noise mitigation measures outlined in chapter 10 of the EIAR and chapter 12 of the CEMP be conditioned.

3.3.2. IFI 8th September 2022, including:

The Rath River flows in proximity to the site and two salmonid tributaries known as Herdman's hut tributary and Rath River tributary flow within the site and enter the Rath River downstream of the site. Wild brown trout spawning takes place in both these tributaries, with juvenile trout habitat within the site; and brook lamprey are found in the Herdman's Hut tributary

The Rath River is one of the largest tributaries within the Inny system and holds good stocks of wild brown trout, juvenile salmon and coarse fish: pike and perch. The stretch of the Rath River close to this development is an important nursery area for juvenile brown trout and salmon.

Significant time and resources have been invested by IFI and the local angling community to develop Rath River to maximise its productivity as spawning and nursery habitat. The River Inny and many of the associated lakes are renowned trout fisheries. Capital Enhancement Programmes and other in stream rehabilitation projects have been undertaken to restore fisheries habitat which may have been impacted by drainage. Spawning gravel and low-lying stone features were inserted into parts of the Rath River, as part of these programmes.

The proposed lodges are adjacent to the Rath River; riparian zone to be maintained. Buffer zones, in the main 10m, are proposed and are acceptable. It is important that only planting of native tree and plant species takes place within these buffer zones; ref IFI's Urban Watercourse Riparian Zone document.

In-stream works on the Rath River tributary will be subject to the closed season; no work from 1st October to 30th April. Any works likely to give rise to high suspended solids in close proximity to the Rath River tributary will also be subject to the closed season.

Consideration must be given to and measures, including mitigation and settlement, put in place, to ensure that forest drains do not become a vector for pollution during construction.

The methodology proposed in the application would only be suitable for dry forest drains (subject to approval from other bodies e.g. NPWS) which would need to be blocked to contain the material and allow for settlement, alternatively ponds should be constructed off line. All settlement measures will need to be sized according to calculations to show anticipated volumes, flow rates and chemical properties i.e. likely concentrations of silt.

Under no circumstances would such measures be acceptable in the Herdman's hut or Rath River tributaries to capture general construction silt, however, if instream enhancement or silt removal works are to take place in these streams, such mitigation measures may be allowable on a localised and temporary basis, with a method statement in place and agreement and monitoring from IFI. IFI would support

the removal of silt from the lower reaches of the Rath River tributary and the replacement of gravels, as this would result in improved fisheries habitat.

IFI require that all details of stockpiling, dewatering excavations, settlement measures, concrete pours for foundations, watercourse crossings, and other activities likely to impact on water quality in the Rath River and its tributaries, be included in the CEMP for the site which should be agreed with IFI and the Local Authority Environment Section before any on site works commence.

The final peat management plan and drainage of these areas should be agreed with IFI before works commence, the Emergency Response Plan for pollution should also be agreed with IFI and the Local Authority Environment Section before works commence.

Detailed designs for all watercourse crossings and method statements will need to be agreed with IFI in advance of works. Any watercourse crossings on the Rath River must be clear span (preferable) or box culverts embedded at 500mm. Watercourse crossings should be kept to a minimum.

Submissions to IFI should allow for at least 3 weeks consultation.

Lighting of areas in the vicinity of the river should be diffuse and angled away from the river.

3.3.3. Irish Water, 8th September 2022, conditions.

3.3.4. TII, 7th September 2022 – junction improvements to N55 / Athlone road and N55 / Mostrim Road, the council are progressing improvement to these national road junctions and should address the appropriateness of applying a contribution to the overall costs to the subject development, as it will benefit.

3.4. Third Party Observations

3.4.1. Third party observations have been read and noted. Issues raised include:

High court case re. asbestos contaminated waste (ACW) and EPA license.

Traffic at junction of L52122 and L52123 with R392, restricted view; high traffic volumes on the R392 / information from bookings; the section between Forgney Church and Abbeyshrule Road is not fit for purpose; speed calming needed, signage is poor, traffic overshoot and turn on the road.

Traffic travels north, in breach of planning conditions.

'No turn' signs on N55 at Newcastle Road, are being ignored, in breach of planning conditions.

IW need to upgrade the water supply to Ballymahon for all users, rather than taking a supply from Abbeyshrule and digging up the narrow roads.

Impact of traffic on protected structures.

Visitors to Centre Parcs are breaking security of 'Newcastle', who want a security fence.

Need to maintain water supply.

4.0 Planning History

PA Reg Ref **20-72** inflatable floating play area and pre-fabricated changing facilities, granted.

19 310 36m multi-user free-standing telecommunications structure, granted.

246336 PA Reg Ref **15-174** Forest Holiday Village including 500 accommodation units (470 lodges and 30 apartments), granted.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Longford County Development Plan 2021-2027 is the operative plan. Relevant provisions include:

Rural Regeneration – County Policy Objectives – to support the development of Longford as a tourism hub having regard to its accessibility to key tourist destinations in the Region, including Center Parcs, and proximity to natural amenities and recreational opportunities.

Economic Development Strategy - facilitate and support sustainable growth of the economy (County Policy Objective) CPO 8.1.

Tourism - Tourism Economic Development - it is the County Policy Objective to promote tourism as an integral part of County Longford's overall economic profile (CPO 8.85)

General Tourism Development Policy - objectives are set out in section 10.5.3 and include ensure the potential environmental effects of a likely increase in tourists/tourism-related traffic volumes in particular locations / along particular routes shall be considered and mitigated as appropriate. Such a consideration should include potential impacts on existing infrastructure (including drinking water, wastewater, waste and transport) resulting from tourism proposals, (CPO 10.16). Support the development and expansion of tourism/recreation facilities including forest-based tourism accommodation at appropriate locations while ensuring minimum impact on the natural environment, biodiversity and public recreation, (CPO 10.56).

Chapter 5.11 dealing with Transport, Infrastructure, Energy and Communications - Climate Context and Associated Actions

Transport - travel is a source of unwanted noise, emissions, and energy use, accounting for 42.2% of Ireland's Total Final Energy Consumption in 2018, the largest take up of any sector, when compared to Energy, Industry, Residential and Agriculture. Transport has also been the only sector that has not reduced its CO₂ emissions since 1990, continuing to account for nearly 30% of Ireland's total emissions – 72% of which come from road transportation alone; with passenger cars accounting for 61% of same.

The Eastern & Midlands Regional Assembly (EMRA) Regional Spatial and Economic Strategy (RSES) 2019 – 2031 has prioritised reducing the 'need' for travel over economically 'efficient' travel, reinforced by the Climate Action Plan 2019 (CAP) in its ambition to make growth less transport intensive through better planning, remote and home-working and modal shift to public transport.

5.2. Climate Action Plan (CAP) 2021 – Securing our Future

- 5.2.1. A roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. It includes:

Transport

The plan calls for a significant cut in transport emissions by 2030 through measures including:

- 500,000 extra walking, cycling and public transport journeys per day by 2030,

- Increasing the proportion of kilometres driven by passenger electric cars to between 40 and 45% by 2030, in addition to a reduction of 10% in kilometres driven by the remaining internal combustion engine cars,
- All replacements for bus and commuter rail vehicles and carriages to be low or zero carbon by 2030,
- Increased rollout of rural public transport through Connecting Ireland. [42-50% reduction in emissions by 2030].

5.3. **Climate Action Plan (CAP) 2023 - Changing Ireland for the Better**

5.3.1. This update includes:

This plan, which outlines the actions required to 2035 and beyond, will guide our joint efforts over the coming years. It will be updated annually and will be improved and strengthened when required, allowing us to learn from our experiences in what is a very significant and complex undertaking. While we have yet to see the large emissions reductions that will be required to achieve our goals, we will continue to put in place the policies and measures that will allow these reductions to be achieved over the remainder of the decade and beyond. We will also continue to deal with the climate change that is already upon us and strengthen our resilience to the adverse impacts of extreme weather events that are becoming increasingly frequent.

The plan implements the carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050, as we committed to in the Programme for Government.

Transport:

The plan calls for a significant cut in transport emissions by 2030 in order to meet the sectoral emission ceiling. Meeting our 2030 transport abatement targets will require transformational change and accelerated action across all key decarbonisation channels. Climate Action Plan 2021 targets have been revised to meet this higher level of ambition, including a 20% reduction in total vehicle kilometres, a reduction in fuel usage, and significant increases to sustainable transport trips and modal share. Fleet electrification and use of biofuels will continue to provide the greatest share of emissions abatement in the medium term, and vehicle targets, while unchanged,

have been reframed as a percentage share of total fleet and new registrations, to better embed our vehicle strategy within our wider Sustainable Mobility Policy.

In recognition of the OECD report's findings that the Irish transport system embeds car-dependency and increased emissions by design, the Avoid-Shift-Improve framework for transport sustainability has been applied to categorise all actions, emphasising the crucial role of spatial and land-use planning in designing transport systems that can support our net-zero ambition.

5.4. Natural Heritage Designations

- 5.4.1. Lough Ree SPA (site code 004064) and Lough Ree SAC (site code 000440), c7 km straight line distance to the west, (also downstream), are the closest Natura sites.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. Two third party appeals have been received against the planning authority's decision to grant permission:

Environmental Management Services, on behalf of Mr PJ Walsh, have submitted an appeal.

Sustainability 2050 have submitted an appeal.

- 6.1.2. The issues raised in the appeals include:

- 6.1.3. Ballymulvey landfill (nearby) has been classified as high risk.

- 6.1.4. Deficient EIAR – the Board has no option but to refuse or to delay making a decision until the legally required Certificate of Authorisation has been obtained from the EPA; and until the certificate states clearly that there is no cumulative risk, or a negligible cumulative risk, from the buried asbestos contaminated material.

- 6.1.5. Wastewater, although within emissions limit of 885m³/day of treated effluent, it involves a 30-35% increase. It will add a very significant quantity of dissolved phosphorus and nitrogen to the Inny River.

- 6.1.6. The development must be assessed in accordance with the Planning & Development (P&D) Regs 2001 – 2022; the P&D Act 2000 as amended; the Habitats Directive; the

Energy Efficiency Directive, as recast in 2018 so far as it is transposed into Irish Law and in accordance with the direct effect of the directive in relation to elements not transposed into Irish Law; the Waste Framework Directive in so far as it is transposed into Irish Law and in accordance with the direct effect of the directive in relation to elements not transposed into Irish Law; and the Recast Renewable Energy Directive.

- 6.1.7. The application was lodged on the same day as the site notice was erected; stated to be in breach of regulations.
- 6.1.8. The use of typical drawings is stated to be in breach of case law.
- 6.1.9. There is uncertainty regarding the exact depth of bog, uncertainty regarding the types of foundation, and the need for further site investigation. This is stated to be in breach of case law.
- 6.1.10. The presentation of the EIAR report online is part of the grounds of appeal. It is stated to be a series of jumbled, un-indexed chapters; there is too much detail to be determined after consent, such as to impair the process in terms of mitigation; the non-technical summary is not labelled on the Council web portal; and the alternatives set out in the non-technical summary are not adequate, following case law (C-461/17 – Holohan and Others).
- 6.1.11. The energy statement should consider that the EU have by law adopted new 2030 targets which have revised the 2030 targets upwards from 40% to 55% CO₂ emission reduction, and leaves the Irish 2030 target of 51% deficient. In addition the EU have adopted a Solar Strategy which targets rapid deployment of Solar PV. Irish building regulations are not adequate and the new 2030 measures which have also increased energy efficiency and renewable targets are no longer adequate. The new targets are subject to direct effect. The development should upgrade to A+ standard and any grant of permission should condition compatibility with EU Solar Strategy.
- 6.1.12. There is insufficient consideration of the use of low carbon concrete or alternatives. Locating the development on a site without so much soft clay would reduce considerably the amount of materials, and the carbon footprint.
- 6.1.13. Both the Renewable Energy Directive and the Energy Efficiency Directive are under review and are likely to be enacted by the time this appeal is determined. The Board is requested to embrace all measures in the Directives being recast.

- 6.1.14. The Board are requested to have regard to the new EU Climate Law published 9th July 2021, sections of which are quoted.
- 6.1.15. The application documents are not sufficiently detailed to define the development, to allow it to be assessed in terms of EIA and the Habitats Directive and should be refused.
- 6.1.16. The proposal is not sufficiently ambitious in regard to the latest EU Climate Objectives: for emissions reductions, energy efficiency and renewable energy targets.
- 6.1.17. A path to net zero by 2050 is not identified.
- 6.1.18. Questions of law that arise should be referred to the High Court under section 50.1 of the Planning and Development Act.

6.2. Applicant Response

- 6.2.1. MKO have responded on behalf of the applicant to the appeals.
- 6.2.2. The response to the PJ Walsh appeal under the headings - The historic Ballymulvey landfill, wastewater treatment plant, and sustainability, includes:
- Historic Ballymulvey Landfill
 - The appellant appears to conflate the purpose of the EIAR for the proposed development (ie the assessment of likely significant effects of the proposed development on the environment) with the environmental risk that the historic Ballymulvey landfill site may have on the environment.
 - Wastewater Treatment Plant
 - The proposed development will not deteriorate the water quality status of the Rath River or Inny River and will not prejudice achievement of the Water Framework Directive (WFD). This is reiterated in Section 8.5.2.8 of the EIAR where the potential impacts on surface water and groundwater WFD status has been assessed.
 - In the absence of mitigation the indirect effect of water pollution on aquatic receptors during the operational phase is considered to be negative, long-term and moderate with a likely probability of occurring.

- In the absence of mitigation and following the precautionary principle there is potential for the proposed development to result in significant indirect effects on the identified aquatic habitats and species at a local geographic scale in the form of pollution during the operational phase.
- Mitigation – foul sewage is being treated in the on-site wastewater treatment plant before being discharged into the River Inny to the west of the site under licence number WP 01/15. As the increase in flows will be within the maximum permit limits and standards, there is no need to appraise the impacts of water quality or flood risk downstream as these impacts were considered at the time of permitting (EPS, June 2021). Given the high level of treatment of the proposed WWTP the overall impact of the proposed discharge will be negligible. Mitigation has been provided by design and as such no further mitigation is required other than appropriate monitoring and maintenance of the operation of the wastewater treatment plant.
- Sustainability
 - The following measures are proposed:
 - A reduction in carbon emissions by 30% from the baseline (financial year of 2019/2020).
 - A reduction of the amount of energy used by 5% from the baseline year consumption.
 - Source 50% of energy from renewable sources by 2030.
 - Operate 100% of fleet as electric or hybrid vehicles by 2030.
 - Reduction in water use by 10% by 2030.
 - Reduce the amount of waste generated by 20% and increase recycling by 10%.
 - Eliminate all single use plastics from lodges & from guest facing areas in central buildings by 2030.
 - 500kWe Solar PV Roof Array

- District Heating Systems designed for low grade heat (ie 55/35 flow and return temperatures to ensure the air source heat pumps operate effectively and efficiently).
- An Energy Centre Compound containing – Central Low Carbon Air source Heat Pumps (ASHP) to serve proposed lodges via a district heating system.
- Combined Heat & Power (CHP) to be installed alongside central ASHP to serve proposed lodges via a district heating system.

Economic Sustainability - EIAR appendix 5-2 employment and payroll. The proposed development will support long-term sustainable economic growth.

Social Sustainability: The quality of engagement. Chapter 5 assesses the impact on population and human health.

'Environmental Sustainability', John Morelli 2011, is quoted for a definition of sustainability: as 'meeting the resource and service needs of current and future generations without compromising the health of the ecosystems that provide them... and more specifically, as a condition of balance, resilience, and interconnectedness that allows human society to satisfy its needs while neither exceeding the capacity of its supporting ecosystems to continue to regenerate the services necessary to meet those needs nor by our actions diminishing biological diversity.' The EIAR submitted is comprehensive.

Re the appellant's comments regarding the generation of a large number of vehicle miles:

The nature of the activity inevitably results in some car use, but this is not a reason, in itself, to suggest that the proposed development is wholly unsustainable. The site is a site that is currently existing and located at near equidistance from three of Ireland's major cities: Dublin Galway and Belfast.

The Sustainability Statement in Appendix 9-1 of the EIAR identifies transport as a key sustainability target area and identifies key objectives including promoting travel by means other than single-user private cars and targets the promotion of public transport, encouraging staff to car share or use a bicycle, together with the provision of bicycle parking and maintenance facilities for staff and guests choosing to cycle.

The Travel Plan in Appendix 9-1 of the EIAR seeks to influence travel behaviour for staff and visitors, providing information on – ‘hard’ and ‘soft’ measures, monitoring, management and review of the Travel Plan.

The existing facility operates:

A staff coach service – a bus service facilitating five local routes for the housekeeping team on changeover days (twice a week).

Shuttle bus service – daily shuttle bus service to Ballymahon for staff.

It is proposed to consider the following measures:

Prioritising of local suppliers within a 40km radius or similar to the site, to be agreed with Longford County Council and identified within pre-qualification criteria within all tendering documentation.

Consideration of common procurement arrangements with single suppliers across a range of products where possible to reduce the purchase price to the site through economies of scale and in so doing, reduce the number of service trips generated.

Prioritisation of delivery slots outside the traditional networks AM 0800-0900 and PM 2700-2800 peaks to further mitigate any residual impact of the development in network peak capacity terms.

6.2.3. The response to the Sustainability 2050 appeal includes:

The mandatory legal criteria under section 37(4)(e) of the P&D Act as amended, must be complied with / satisfied.

It is not a body 37(4)(c) – EIAR

(d) The body or organisation mentioned in paragraph (c) is a body or organisation (not being a State authority, a public authority or a governmental body or agency)—

(i) the aims or objectives of which relate to the promotion of environmental protection,

(ii) which has, during the period of 12 months preceding the making of the appeal, pursued those aims or objectives, and

(iii) which satisfies such additional requirements (if any) as are prescribed under paragraph (e).

There is no definition in the Act as to what constituted 'a body or organisation'. The Collins Dictionary for 'an organisation' is an official group who deal with something officially. It is not a group. There is no evidence of a group.

It is not registered as a NGO.

There is no online presence, listing members.

There is no online presence allowing members of the public to join, etc.

Mr Callaghan does have an online presence.

The EU Directive refers to 'members of the public concerned', having a sufficient interest, or alternatively; maintaining the impairment of a right, where administrative procedural law of a Member State requires this as a precondition, have access to a review procedure before a court of law or another independent and impartial body established by law to challenge the substantive or procedural legality of decision, acts or omissions subject to the public participation provisions of this Directive.

The public concerned means the public affected or likely to be affected by, or having an interest in...NGO's promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest.

Document size EIAR volume 1 is 355mb, volume 2a is 387mb and volume 2b is 158mb, total almost 1gb.

A sewer strategy was included in the Engineering Layout Plan drawings.

Primary foul drainage proposals, typically following road alignments while a strategy for foul drainage from lodges to the primary drains is also provided. Below ground services and drainage local to the lodges will be detailed to suit local topography, vegetation, and the lodge foundation option. They will be adequately supported and designed with flexibility to mitigate any potential differential settlement and damage that could cause leakage.

The proposed development will act in accordance with the Climate Action and Low Carbon Development Act 2015 (as amended) where required, and with any future potential amendments to this Act relative to, for example, the implementation of the EU Climate Law, Energy Efficiency Directive and Renewable Energy Directive. Both the EU Climate Law and Act elaborate a climate governance framework imposing obligations on, in the case of the former, EU institutions and Member States and, in

the case of the latter, the State and various State bodies including Departments and Ministers. The appellant has not identified any way in which the proposed development (PD) has breached obligations under these instruments. Similarly, the carbon budget and sectoral emissions ceiling are outworkings of the domestic climate governance framework. The obligation imposed by the Act is that each Minister, in so far as practicable, must (a) perform their functions in a manner consistent with the carbon budget, and (b) in the performance of their functions comply with the sector emissions ceiling for the sector for which they have responsibility. The appellant has not identified obligations under the Act that are imposed on or breached by the PD.

The government of Ireland are currently implementing the carbon budget road map, and associated policies, measures and targets per sector to achieve the emissions targets as set out in the Act, which the proposed development will comply with. Should the Act, and relevant carbon budgets and sectoral emissions ceilings be amended such as to impose obligations or duties on the PD, the PD will comply with these amendments where applicable.

Similarly the Energy Efficiency Directive and Renewable Energy Directive set out targets for the elaboration of regulatory frameworks by Member States to, in the case of the former, reduce energy consumption including by increasing the efficiency of energy usage and in the case of the latter, increase the share of final energy consumption from renewable energy, including by empowering final customers.

Nearly zero energy building requirements (NZEB):

As set out in the latest Building Regulations Part L and the Technical Guidance Document L 2021 - Conservation of Fuel and Energy in Dwellings and Buildings other than Dwellings, as a minimum to ensure energy consumption is minimised for the scheme and in turn to reduce carbon emissions, are as detailed in Edmond Shipway Energy Statement section 3.0.

This equates to a 70% improvement in energy efficiency and 70% reduction in CO₂ (proposed phase 2).

Current building regulations, Part L, do not transpose EU regulation 2021/1119, however this response shows how the development will be in line with the Climate Action Plan 2021, which support this, the latest EU climate regulations.

As set out in section 3.02, the development is capable of adapting to future energy targets and directives by utilising district heating which can accommodate future renewables technologies, enabling emissions to be further reduced over time.

There is no legislation for A+ building standard, NZEB will be used.

- 6.2.4. In relation to the applicant's response that the appeal should be dismissed, a letter stating appeal complies with 37(4) (c), was issued by Board 5th December 2022.

6.3. **Planning Authority Response**

- 6.3.1. The Planning Authority has not responded to the grounds of appeal.

7.0 **Assessment**

- 7.1.1. I consider that the main issues which arise in relation to this appeal are appropriate assessment, environmental impact assessment, and other issues, and the following assessment is dealt with under those headings.

8.0 **Appropriate Assessment**

- 8.1. A document titled 'Natura Impact Statement' was submitted with the application. It includes an appropriate assessment screening report.

Description of the Development

- 8.1.1. The applicant provides a description of the project in section 2.3 of the report, as previously outlined in paragraph 2.1.2 of this report.

Appropriate Assessment - Screening

- 8.1.2. I concur with the screening report that six European sites are within a possible zone of influence of the proposed works by virtue of their immediate proximity or location downstream via a hydrological connection:

Ballymore Fen SAC (site code 002313),

Lough Ree SAC (site code 000440),

Mount Jessop Bog SAC (site code 002202),

Lough Ree SPA (site code 004064),

Glen Lough SPA (site code 004045) and

Lough Iron SPA (site code 004046).

- 8.1.3. I am satisfied that no other protected sites need to be considered.
- 8.1.4. There is potential for contaminants to enter surface water and to impact protected downstream sites.
- 8.1.5. The site-specific conservation objective of the Ballymore Fen SAC is to maintain the favourable conservation condition of the habitat 'transition mires and quaking bogs', which is a terrestrial habitat and not hydraulically connected to the subject site. The likelihood for any significant effects can be excluded with confidence.
- 8.1.6. The site-specific conservation objectives of Lough Ree SAC are to maintain the habitats and species, for which the SAC has been designated at favourable conservation condition. Many of the qualifying interests are water dependent and the protected site is downstream of the subject site, therefore there is potential for impact. The likelihood of significant effects cannot be excluded. Appropriate Assessment, stage 2, is therefore required.
- 8.1.7. The conservation objectives of Mount Jessop Bog SAC are to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected: 'degraded raised bogs still capable of natural regeneration', and 'bog woodland', a priority habitat. These are terrestrial habitats and not hydraulically connected to the subject site. The likelihood for any significant effects can be excluded with confidence.
- 8.1.8. The site-specific conservation objectives of Lough Ree SPA are to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA (Little Grebe, Whooper Swan, Wigeon, Teal, Mallard, Shoveler, Tufted Duck, Common Scoter, Goldeneye, Coot, Golden Plover, Lapwing and Common Tern); and to maintain or restore the favourable conservation condition of the wetland habitat at Lough Ree SPA as a resource for the regularly-occurring migratory waterbirds that utilise it. The qualifying interests are water dependent, and the protected site is downstream of the subject site, therefore there is potential for impact. The likelihood of significant effects cannot be excluded. Appropriate Assessment, stage 2, is therefore required.
- 8.1.9. The conservation objectives of Glen Lough SPA are to maintain the species 'Whooper Swan' at favourable conservation condition. This is a water dependent

species but the protected site is not hydraulically connected to the subject site. The likelihood for any significant effects can be excluded with confidence.

8.1.10. The conservation objectives of Lough Iron SPA are to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA (Whooper Swan, Wigeon, Teal, Shoveler, Coot, Golden Plover and Greenland White-fronted Goose); and to maintain or restore the favourable conservation condition of the wetland habitat as a resource for the regularly-occurring migratory waterbirds that utilise it. The protected site is not hydraulically connected to the subject site, and, although the protected species are water dependent, the likelihood for any significant effects can be excluded with confidence.

Table 1 Screening summary

European Site	Site Code	Relevant QI & SCI	Distance	Potential for significant effects on conservation objectives
Ballymore Fen SAC	002313	Transition mires and quaking bogs	C7km straight line (SL) distance to south-east.	No, not hydraulically connected.
Lough Ree SAC	000440	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation Semi-natural dry grasslands and scrubland facies on calcareous substrates * Active raised bogs Degraded raised bogs still capable of natural regeneration Alkaline fens Limestone pavements Bog woodland Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i>	7.7km SL distance, and further downstream	Yes, hydraulically connected.

		Otter		
Mount Jessop Bog SAC	002202	Degraded raised bogs still capable of natural regeneration Bog woodland*	13.3km SL distance	No, not hydraulically connected.
Lough Ree SPA	004064	Little Grebe Whooper Swan Wigeon Teal Mallard Shoveler Tufted Duck Common Scoter Goldeneye Coot Golden Plover] Lapwing Common Tern Wetland and Waterbirds	7.7km SL distance and further downstream	Yes, hydraulically connected.
Glen Lough SPA	004045	Whooper Swan	12.4km SL distance	No, not hydraulically connected
Lough Iron SPA	004046)	Whooper Swan Wigeon Teal Shoveler Coot Golden Plover Greenland White-fronted Goose Wetland and Waterbirds	13.8km SL distance	No, not hydraulically connected

* important orchid sites

+denotes a priority habitat

8.2. Screening Conclusion

- 8.2.1. Having carried out AA Screening I am satisfied that in the absence of mitigation the potential for significant effects cannot be excluded for Lough Ree SAC & SPA and

that AA is required, no additional sites need to be brought forward for inclusion in the AA.

8.3. Appropriate Assessment of implications of the proposed development:

8.3.1. Appropriate Assessment: integrity test:

8.3.2. The main issue as identified through AA screening is that the development may result in decreased water quality. Protective measures are required to ensure that the risk of adverse effects on the conservation objectives of Lough Ree SAC & SPA are excluded.

8.4. Submissions and Observations

8.4.1. A number of submissions on the proposed alteration have been received, including concerns in relation to surface water.

8.5. Mitigation measures.

8.5.1. Mitigation measures are set out in the NIS. The NIS text includes copies of chapters from the EIAR and supporting documents, notably chapter 8 Water, and Appendices.

8.5.2. Likely significant effects and mitigation measures during the construction phase are in section 8.5.2:

Potential impacts on surface water quality from tree felling, and proposed mitigation measures, are detailed in section 8.5.2.1.

Potential impacts on surface water quality from earthworks, site landscaping and spoil storage, and proposed mitigation measures, are detailed in 8.5.2.2.

Potential impacts on surface water quality from excavation de-watering, and proposed mitigation measures, are detailed in 8.5.2.3.

Potential impacts on groundwater and surface water quality from potential release of hydrocarbons / chemicals, and proposed mitigation measures, are detailed in 8.5.2.4.

Potential impacts on groundwater and surface water quality from wastewater disposal / chemicals, and proposed mitigation measures, are detailed in 8.5.2.5.

Potential impacts on groundwater and surface water quality from release of cement based products, and proposed mitigation measures, are detailed in 8.5.2.6.

Potential impacts on local surface water drainage regime, and proposed mitigation measures, are detailed in 8.5.2.7.

Potential impacts on surface water and groundwater water framework directive status, and proposed mitigation measures, are detailed in 8.5.2.8.

Potential impacts on downstream designated sites, and proposed mitigation measures, are detailed in 8.5.2.9; where mitigation measures are summarised as:

- Avoidance of instream works at watercourse crossing locations (ie using bottomless culverts/clear span bridges);
- Pre-construction drainage control measures;
- Robust and proven drainage SuDs control measures (ie. interceptor drains, swales, settlement ponds and bio-retention areas) will ensure that the quality of runoff from proposed development areas will continue to be very high standard; and
- Best practice measures with regard to use of oils, fuels and cement based compounds.

8.5.3. Likely significant effects and mitigation measures during the operational phase are in section 8.5.3:

Potential impacts on surface water from higher run-off rates due to increased roof areas and hardstanding areas, and proposed mitigation measures, are detailed in section 8.5.3.1.

Potential impacts on surface water from wastewater discharges, and proposed mitigation measures, are detailed in section 8.5.3.2.

8.5.4. In my opinion the implementation of the proposed mitigation measures referred to above will ensure that the potential for the project to impact on surface water and groundwater, such as to have adverse effects on the qualifying interests of the downstream protected sites: Lough Ree SAC & Lough Ree SPA, is excluded. With the application of the proposed measures, the proposed development will not affect the attainment of the conservation objectives of these protected sites, or any other European site, and adverse effects on site integrity can be excluded with confidence.

8.6. In-Combination Effects:

Potential cumulative effects, are detailed in section 8.5.6. The potential for cumulative impact, with the existing development on site is considered. No significant effects on downstream waters were reported during the construction or operation of the existing facilities. There will be no increase in wastewater discharge

volumes above the licensed discharge limits which have already been thoroughly assessed with regard to assimilative capacity and effects on receiving waters.

8.6.1. When other projects are considered along with the proposed development there will not be any in-combination effect on European sites.

8.7. Conclusion and Appropriate Assessment Determination in relation to Site Integrity:

8.7.1. Having carried out screening for Appropriate Assessment of the project, it was concluded that in the absence of mitigation the development may have a significant effect on European sites. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of these sites in light of their conservation objectives.

8.7.2. 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 the European site No, 000440 Lough Ree SAC or European site No 004064 Lough Ree SPA or any other European site, in view of the sites' Conservation Objectives.

8.7.3. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

8.7.4. This conclusion is based on:

- the location outside of a European site,
- a full and detailed assessment of all aspects of the proposed project including proposed mitigation measures,
- detailed assessment of in-combination effects with other plans and projects,
- no reasonable scientific doubt as to the absence of adverse effects on the integrity of Lough Ree SAC or Lough Ree SPA.

9.0 Environmental Impact Assessment

9.1.1. The proposed development requires environmental impact assessment falling under Class 12 (c) of Schedule 5 of the Planning and Development Regulations 2001, as amended.

- 9.1.2. An EIAR was submitted. It includes a non-technical summary, to provide a summary of the EIS in non-technical language. Alternatives considered are for the location and design of the proposed additional facilities within the site. The EIAR is presented in 2 volumes: Volume 1: Non Technical Summary and Main Report and Volume 2 :(in two bound booklets) Appendices 2-1 to 6-7 and 7-1 to 13-5.

Volume 1

Non Technical Summary

- Chapter 1 Introduction
- Chapter 2 Background to the Proposed Development
- Chapter 3 Consideration of Reasonable Alternatives
- Chapter 4 Description of the Proposed Development
- Chapter 5 Population and Human Health
- Chapter 6 Biodiversity
- Chapter 7 Land, Soils and Geology
- Chapter 8 Water
- Chapter 9 Air, Climate
- Chapter 10 Noise & Vibration
- Chapter 11 Landscape & Visual
- Chapter 12 Archaeology & Cultural Heritage
- Chapter 13 Material Assets
- Chapter 14 Interaction of Effects
- Chapter 15 Schedule of Mitigation and Monitoring Proposals

Appendices

Volumes 2a Appendices:

- Appendix 2-1 Scoping Responses
- Appendix 2-2 Statement of Community Engagement
- Appendix 4-1 Site Layout Planning Drawings
- Appendix 4-2 Construction and Environmental Management Plan
- Appendix 4-3 Energy Statement
- Appendix 4-4 Drainage Design Drawings and Construction Detail

Appendix 4-5 Peat Management Strategy
Appendix 4-6 Landscape Masterplan
Appendix 4-7 Forest Service Technical Approvals for Afforestation
Appendix 5-1 Tourism Benefit Statement
Appendix 5-2 Economic Impact Assessment
Appendix 6-1 Bat Survey Report
Appendix 6-2 EcoÉireann Wintering and Breeding Birds Survey 2018/2019
Appendix 6-3 EcoÉireann Aquatic Assessment January 2021
Appendix 6-4 EcoÉireann Annual Ecological Monitoring Report April 2020
Appendix 6-5 Results of Vegetation Relevés
Appendix 6-6 Badger Survey Briefing Note
Appendix 6-7 Confidential Appendix

Volumes 2 Appendices:

Appendix 7-1 Geotechnical Investigations Report
Appendix 8-1 Flood Risk Assessment and Drainage Strategy
Appendix 8-2 Water Quality Laboratory Reports
Appendix 9-1 Sustainability Statement
Appendix 10-1 Glossary of Acoustic terminology
Appendix 12-1 Illustrative Report of the Archaeological Findings at Centre Parcs
(Courtney Deery, 2018)
Appendix 13-1 Transport Assessment
Appendix 13-2 Holiday Village Travel Plan
Appendix 13-3 Mechanical & Electrical Site Utilities Report
Appendix 13-4 Construction & Demolition Waste Management Plan
Appendix 13-5 Operational Waste Management Plan

Many of the appendices are copies of documents previously listed in paragraph 2.1.3 as separate documents accompanying the application.

9.2. Adequacy of the EIS

- 9.2.1. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR and supplementary information provided by the developer, adequately identifies and describes the direct, indirect and cumulative effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2000, as amended.
- 9.2.2. I consider that the information available to the Board, which includes: information submitted with the application, information in written submissions, and various other sources of information, such as the NPWS web site, is adequate for the carrying out of Environmental Impact Assessment in this case.
- 9.2.3. Issues are addressed below under the relevant headings, and as appropriate in the reasoned conclusion and recommendation, including conditions.

9.3. Population and human health

- 9.3.1. The proposed development will expand the overnight accommodation by 198 lodges to 694, and bednight capacity from 2,736 to 3,902: 1,166 additional beds. The existing / proposed development is of significance locally, regionally and nationally. Both the construction and operational phases will provide employment.
- 9.3.2. For the construction phase, the use of machinery and traffic are identified as potential safety risks. Mitigation proposed is adherence to Health and Safety legislation. The potential for noise impact is identified. Mitigation proposed is restricting hours of operation, plant maintenance, and the use of flat spectrum alarms rather than 'beeper' reversing alarms, if plant is operated between the hours of 0700-0800. Potential dust and air quality impact is identified and various mitigation measures proposed (at 5.6.2.7). Mitigation measures for traffic impact are proposed to be set out in a Traffic Management Plan. Contractors deliveries (and staff) will be restricted through their respective construction contracts. Routing of deliveries will be along the trunk roads and major distributor roads in the area, with the aim of accessing the site from the R392.
- 9.3.3. Operational impacts on population and human health, as identified, are largely beneficial.

- 9.3.4. Observations to the planning authority and one of the appeals, raise the issue of Ballymulvey landfill. The grounds states that the Board has no option but to refuse or to delay making a decision until the legally required Certificate of Authorisation has been obtained from the EPA, and until the certificate states clearly that there is no cumulative risk, or a negligible cumulative risk, from the buried asbestos contaminated material.
- 9.3.5. Ballymulvey is an historic landfill site to the north-west of the subject site. The most recent correspondence recorded in the licence application by Longford County Council to the EPA for a licence for the historic landfill, ref. no. H0296-01, states that the Agency intends to complete the consideration of the application on or before 12/05/2023. Other issues raised in the appeal in relation to the landfill include the legality of the acceptance and deposit of asbestos contaminated material some decades ago; legal actions which were taken in that regard; and delay in regularising the licence status.
- 9.3.6. The historic landfill in question is well removed from the subject site being as close to the town of Ballymahon as it is to the subject site. It is not upwind from the prevailing wind (from southwest), of the subject site, and it is separated from the subject site by the Inny River, which is a significant hydrological divide.
- 9.3.7. I consider that no significant effect on population and human health, related to the historic landfill, arises in relation to the proposed development.
- 9.3.8. Traffic – (5.6.3.8) the access will be via the existing vehicular entrance. The Newcastle road between the Centre Parcs site entrance and the R392 is forecast to experience an increase in traffic to / from the proposed development site. The increase in flow, in the context of sensitive receptors along the route, is considered to be imperceptible. Junction capacity in the wider area is forecast to operate beyond practical capacity at two junctions at network peak periods. Maximum delays of up to 18.44 seconds for drivers at peak hours is considered a negligible impact. No mitigation will be required. Traffic is also addressed in section 13.1 of the EIAR (Transport Assessment). During the am peak the traffic on Newcastle road will increase by 36.98% and the pm peak traffic will increase by 40.63%. The information is also presented in tabular form, and graphically on maps, where roads impacted by the increase in traffic are shown.

- 9.3.9. Traffic impact is a concern raised in observations to the planning authority, and in the grounds of appeal, with reference to sustainability. Traffic impact is further dealt with in this report under the heading climate.
- 9.3.10. Vulnerability of the project to natural disasters and major accidents is referred to (5.5) – there are no significant sources of pollution on site during construction or operation. The proposed development site is not regulated by SEVESO or connected or close to a SEVESO site.
- 9.3.11. In terms of impact on population and human health, the increased traffic on the public roads is not such as to require modification or refusal of the proposed development although this matter is further under the heading climate.
- 9.3.12. I consider that no significant effect on population and human health arises in relation to the proposed development.

9.4. **Biodiversity**

- 9.4.1. Most of the development area comprises conifer plantation and other woodland habitats as well as buildings and artificial surfaces and other modified habitats associated with the existing Centre Parcs Facilities. There are drainage ditches and lowland depositing rivers, hydrologically connected with downstream Salmonid rivers and designated European sites, within the site. There will be permanent loss of 6.9ha of conifer plantation (9% of this habitat within the site); 3.6ha of mixed broadleaf / conifer woodland (14.7% of this habitat within the site); and 3.8 ha of immature woodland planted on wet grassland or a mosaic of wet grassland and marsh habitat. Of the 14.47ha of trees to be lost (including 4.7ha mixed broadleaf woodland, of which 2.83ha is saplings), approx. 5.45ha will be replanted on site (20% broadleaf). The remaining 9.02ha will be replanted elsewhere, off-site (at least 4.32ha will be broadleaf).
- 9.4.2. Detailed surveys of badger, otter, bats, birds and aquatic species, (including white clawed crayfish / habitat), are provided. Of 36 records in the winter bird survey, three are red listed: Meadow Pipit, Grey Wagtail and Woodcock. Kingfisher (annex I) was also sighted. Woodcock and Grey Wagtail are recorded as probable breeders.
- 9.4.3. The Herdsman's Stream, Rath Tributary and Rath River provide good habitat for juvenile salmon, juvenile lamprey and juvenile coarse fish (table 6.17). Sections of

The Herdsman's Stream, Rath Tributary and Rath River were surveyed for white clawed crayfish, none were recorded, although surveyed watercourses within the site, and the Rath River adjacent, provide considerable areas of potentially good quality habitat.

9.4.4. Key ecological receptors are listed in table 6.19, where potential effects are stated.

9.4.5. Construction phase likely significant effects include:

Loss of habitats of local importance (higher value), listed in table 6.20, with mitigation included in table 6.21.

Potential effects on water and sensitive aquatic faunal species, listed with proposed mitigation in table 6.22. This is supplemented by chapter 8 'Water' of the EIAR, and appendix 4-2 of the EIAR, the Construction & Environmental Management Plan and its appendix 'G Technical Note: Peat Management Strategy'. Any in-stream works will be undertaken outside the spawning season and in accordance with the IFI guidelines on Protection of Fisheries During Construction Works in and Adjacent to Water (IFI 2016).

Effects on fauna: potential effects on badger, listed with proposed mitigation in table 6.23; potential effects on otter, listed, with proposed mitigation in table 6.24; potential effects on bats, listed, with proposed mitigation in table 6.25; potential effects on other mammals, listed, with proposed mitigation in table 6.26; and potential effects on birds, listed, with proposed mitigation in table 6.27.

Following mitigation there will be no significant residual effects from construction.

9.4.6. Operational phase likely significant effects:

While there will be an increase in visitor numbers, the Rath and Inny Rivers will still be separated from any lodge by blocks of conifers with no improved access for the public to either. Local fauna is likely habituated to human activity in the area. Disturbance during the operational phase is not considered to be significant at any geographic scale.

Wastewater will be discharged under the existing licence.

Surface water discharge will be managed and monitored.

Potential effects on bats are listed, including mitigation, in table 6.29.

The potential for the introduction or spread of invasive alien plant species, is considered, and mitigation for same is given.

Cumulative impact takes account of plans (table 6.30) and projects. No significant cumulative effects are envisaged.

Conclusion – the proposed development will not result in any significant negative effects on key ecological receptors.

- 9.4.7. I am satisfied that with mitigation as proposed there will be no significant residual effects on biodiversity from the proposed development.

9.5. Land, soil, water, air and climate

9.6. Land, soils and geology are considered in chapter 7 of the EIAR.

- 9.6.1. The site comprises topsoil or peat over glacial subsoil, over limestone. Peat covers 40% of the site. Peat depths vary from 0-3m (most of the area) to in excess of 6m (a small area south of the village centre). The key elements that have been considered, in terms of potential impacts on the land soils and geology, are:

- pre-commencement works such as tree protection fencing, creation of access routes, brash mat installation;
- a total of 14.62 hectares of forestry to be felled within and around the footprint of the proposed development, 9.02ha of which will be permanently felled;
- shallow earthworks and levelling (car parks, lodge building foundations, access roads, service trenching and drainage pipe networks and landscaping;
- deeper earthworks (piled foundation for lakeside restaurant, sub-tropical swimming paradise building, and the treetop sauna at the Aqua Sana);
- construction of permanent surface water attenuation (by drain widening) and constructed designated bio retention areas (8 no.)
- all excavated material (soils and peat) will be reused or stored on site as screening bunds;
- permanent development footprint of 4.57ha; chemical and fuel usage; and
- general waste / materials management.

- 9.6.2. The quantities of peat and soft silt, and of non-peat material, to be excavated for each part of the project, are given in table 7-5. In total there will be excavation of 53,130m³ of peat and soft silt (comprising 49,875m³ of peat and 3,255m³ soft silt) and 10,973m³ of non-peat / spoil; 64,103 m³ of material, managed on site. The intended uses are listed in tables 7-6 and 7-7. There is capacity for all excavated material to be reused within the site.
- 9.6.3. Detailed measures for excavation, and re-use or excavated material, are set out in the Construction & Environmental Management Plan and Technical Note: Peat Management Strategy (included in appendix 4-2 of the EIAR).
- 9.6.4. I am satisfied that with mitigation as proposed there will be no significant residual effects on land, soils or geology from the proposed development.
- 9.7. Water is considered in chapter 8 of the EIAR.
- 9.7.1. The site is in the catchment of the Rath River which flows into the Inny River 0.6km northwest of the site, which in turn flows into Lough Ree 8km to the southwest. Watercourses are shown in Figures 8-1 and 8-2. There are natural drains from the subject site flowing in two directions to the Rath River: at the eastern end of the site, and at the north-western end of the site. Surface water from the existing development similarly drains in two directions. The village centre drains to the sports lake, with controlled discharge to a tributary of the Rath River. Runoff from roads is collected by grassed roadside swales, with bases which incorporate a gravel trench filter-drain with flow conveyance to the network of open drains, to manage residual run-off. These drains discharge into a number of in-line bio-retention areas / attenuation areas. Drainage from roads / parking areas is treated by filtration through the roadside grassed (dry) swales and gravel filter drains, as well as in-line open drains, attenuation features and bio-retention areas. Sensitive areas are further protected with a biofilter geotextile, designed to further trap and break down hydrocarbons in a natural biofilm.
- 9.7.2. The drainage for the proposed development is divided into 6 catchments, in a similar manner to that existing. At the new staff car park, an area of approximately 7ha, which is located in an area of deep peat deposits, all surface water run-off will infiltrate through the parking area construction, to sustain the moisture content of the peat sub-soils below. The small service / delivery yard to the rear of the new Lakeside restaurant, with potentially higher risk of pollution, will be drained via

trapped gullies and channel drains into a pollution interceptor fitted with high level alarms. Chambers with isolation valves will be sited downstream of interceptors to facilitate emergency shutoff.

- 9.7.3. The design strategy seeks to minimise disruption to the existing water environment, especially the S50 (OPW managed) watercourses. A tributary of the Rath River runs through Lodge zones 1 and 2 and is sensitive; with existing and potential fish habitats. Some crossings and interactions with this watercourse are inevitable to facilitate access but a risk-based approach has been adopted for least impact and focused mitigation including buffer areas. Road crossings have been kept to a minimum and will allow for ample flow and clearance. Footbridge crossings will be clear-span to maximise light penetration. Only minor works are proposed on these watercourses, which includes the construction of outfalls and amendment to flow controls from phase 1 where necessary. Diversion of key drains has been avoided. Some dredging of silts and replacement with gravel bed material has been identified as a betterment for fish habitat. Similar constraints and mitigation are proposed on the secondary watercourses, but some re-grading locally, to restore flow continuity, and some very localised diversion to re-establish a run-off buffer, may be necessary. Some integration with the bio-retention areas may also be considered, where it enhances environmental benefit. All culverts that are subject to approval by OPW under Section 50 of the Arterial Drainage Act, 1945, will be designed to their standards.
- 9.7.4. Measures to mitigate potential construction impacts include those set out in the Construction & Environmental Management Plan and the Technical Note: Peat Management Strategy.
- 9.7.5. The IFI submission to the PA states that the methodology proposed in the application would only be suitable for dry forest drains (subject to approval from other bodies e.g. NPWS) which would need to be blocked to contain the material and allow for settlement, alternatively ponds should be constructed off line. All settlement measures will need to be sized according to calculations to show anticipated volumes, flow rates and chemical properties i.e. likely concentrations of silt. The final peat management plan and drainage of these areas should be agreed with IFI before works commence, the Emergency Response Plan for pollution should also be agreed with IFI and the Local Authority Environment Section before works commence. They state that detailed designs for all watercourse crossings and

method statements will need to be agreed with IFI in advance of works. Any watercourse crossings on the Rath River must be clear span (preferable) or box culverts embedded at 500mm. Watercourse crossings should be kept to a minimum.

- 9.7.6. All the additional mitigation measures, recommended by IFI should be included in any grant of permission.
- 9.7.7. Potential operational effects on water
- 9.7.8. The wastewater treatment plant is located to the north-west of the site and discharges treated effluent to the Inny River under discharge licence WP01/15. The proposed discharge will be within the licence limits.
- 9.7.9. Foul water from the extension at the pool zone will require pumping and will be designed with sufficient emergency storage.
- 9.7.10. Flood risk is considered in chapter 8 and in the document Flood Risk Assessment and Drainage Study which is included as Appendix 8-1. The majority of the development is in flood zone A, with only a small part of lodge zone 2 in flood zone B. Attenuation to the 1:100 year event will be provided.
- 9.7.11. Likely operational phase impacts and proposed mitigation measures are considered in section 8.5.3. Cumulative impacts are considered in section 8.5.6.
- 9.7.12. Subject to implementation of the mitigation proposed in the EIAR and the additional mitigation recommended by IFI, I am satisfied that there will be no significant residual effects on water from the proposed development.

9.8. Air and Climate

- 9.8.1. Air and Climate are considered in Chapter 9 of the EIAR.

9.9. Air Quality (9.2)

- 9.9.1. Baseline air quality is detailed. Dust, as a likely effect during the construction phase, is considered and mitigation proposed. The likely effect of traffic during the operational phase is considered and the mitigation proposed is that vehicles and plant, brought onto the site, should be in good operational order; engines will be turned off when stationary, and, as detailed in Appendix 13-2 Holiday Village Travel Plan, a number of measures are proposed for the use of sustainable modes of transport to the site by staff, contractors and guests, thereby minimising any emissions that arise.

9.9.2. Cumulative impacts on air are considered unlikely.

9.9.3. Subject to implementation of the mitigation proposed in the EIAR, I am satisfied that there will be no significant residual effects on air from the proposed development.

9.10. Climate (9.3)

9.10.1. The policy setting in relation to climate is outlined in the EIAR, including the Climate Action Plan (CAP) 2021 and the emissions reductions by 2030 by sector:

- Electricity: 62-81%
- Transport: 42-50%
- Buildings: 44-56%
- Industry/Enterprise: 29-41%
- Agriculture: 22-30% reduction
- Land Use, Land Use Change and Forestry (LULUCF): 37-58%

Key actions:

Buildings:

Government has already committed to retrofit 500,000 homes by 2030 (including increased funding through the National Development Plan particularly for free upgrades for low-income households) and will install 680,000 renewable energy heat sources in both new and existing residential buildings. They recognise that they will need to work out ways to assist broader society with the costs of retrofitting. The new National Retrofit Plan will drive demand, make retrofitting more affordable, and expand the capacity of the industry including training of workers. A further 3 specialist training centres will be established. Other measures include increased targets for district heating and the public sector, and strengthening building standards for all buildings, (44-56% reduction in emissions by 2030).

Transport:

The plan calls for a significant reduction in transport emissions by 2030 through measures including:

- 500,000 extra walking, cycling and public transport journeys per day by 2030.

- Increasing the proportion of kilometres driven by passenger electric cars to between 40 and 45% by 2030, in addition to a reduction of 10% in kilometres driven by the remaining internal combustion engine cars. All replacements for bus and commuter rail vehicles and carriages to be low or zero carbon by 2030.
- Increased rollout of rural public transport through Connecting Ireland, (42-50% reduction in emissions by 2030).

9.10.2. Also referred to are: The Climate Change Performance Index, the Programme for Government, Climate Action and Low Carbon Development (Amendment) Act 2021, Carbon Budgets and Emissions Projections.

9.10.3. The Sustainability Statement (Appendix 9.1 of the EIAR) include as a key target:

To promote travel by means other than single-user private cars including the use of a bicycle for commute; provision of bicycle parking and maintenance facilities for staff and guests choosing to cycle; create, maintain and clearly communicate safe pedestrian and cycle routes and procedures.

Renewable technologies adopted for energy: central low carbon air source heat pumps (ASHP) to serve proposed lodges via district heating system; combined heat & power (CHP) to be installed alongside central ASHP to serve the district heating system; and provision of rooftop solar PV panels on sports hall building to serve electricity.

9.10.4. The Transport Assessment attached as appendix 13-1, includes an access and movement strategy which states, in relation to public transport 'in keeping with the approach at other Centre Parcs holiday villages, the public transport strategy at Longford Forest consists of the provision of dedicated private bus services provided by Centre Parcs for staff, to ensure that staff have a reasonable alternative to private car travel when commuting to and from the site. A hub and spoke private coach service is provided to serve staff population catchments at a regional and national level, including services between local towns such as Longford, Mullingar, and Athlone, as well as larger urban areas such as Dublin and Galway. This currently consists of five local routes for the housekeeping team on changeover days'. The travel demand management strategy in relation to bus services, refers again to the staff coach service. Re. visitor shuttle service it states that consideration can also be given to a visitor bus shuttle service to transport visitors to and from the site on

changeover days, subject to merit and demand for this. This could be provided in partnership with local bus companies and given the number of visitors from the Dublin region, could include collection points between Dublin airport and Dublin city centre as well as potential linkage to nearby railway stations including Edgeworthstown and Athlone to the north and south respectively.

- 9.10.5. The vehicle trip analysis includes table 6.3, Centre Parcs booking information, which gives number of bookings and % of the total by county, for the existing facility (total 26,234 bookings). It shows that 27.2% or 7,127 are from Dublin. Modal share is given in table 6.6 for visitors – 29.3% car drivers and 70.7% car passengers. All forecast visitor trips are car-borne. It is stated that these will be by ‘car-sharing’ and therefore are sustainable by classification. Vehicle trip generation calculations is given in Appendix H and mapped in Appendix I. It can be seen that the largest traffic flow is from nearby Ballymahon where traffic from three directions: Edgeworthstown, Longford and Athlone converge; and the second largest flow is from Mullingar, where the main inflow is from; east, Dublin direction. Appendix 13-2 is the Holiday Village Travel Plan. It includes 100% car use by visitors. In line with National Transport Authority’s (NTA) policy it is proposed that a maximum staff car driver mode of 45% be attained within 5 years of the date of opening. A baseline staff car driver mode of 72.9% has been recorded in 2022, table 3.2 (which shows single occupancy car/van at 72.9% and car share at 21.6%). Car sharing will be encouraged for staff. No measures are proposed for visitors, given the high disposition to car-sharing trips. For deliveries and servicing, prioritising local suppliers, consideration of common procurement arrangements with single suppliers across a range of products, and prioritisation of delivery slots outside the traditional network peaks (0800-0900 am and 1700-1800 pm), are the mitigation measures proposed. Construction contracts for deliveries and staff will restrict access via a list of roads: Cloncalow Road (L-5216); Newcastle Road (L-1121); Abbeyshrule Road (L116); and Ballymulvey Road (L-5218) Ballymahon to Newcastle Bridge.
- 9.10.6. The proposed development includes work to the visitor car park to provide 70 parking spaces with charging points. Provision for charging points is not included in the proposed staff car park, (313 spaces).
- 9.10.7. A Sustainability Statement is included with the application. In relation to transport it includes sustainability targets in tabular form. For energy and climate change it includes the comment – the following renewable technologies to be adopted: Central

Low carbon air source heat pumps (ASHP) to serve phase 2 lodges via district heating system; combined heat & power (CHP) to be installed alongside central ASHP to serve the district heating system; Solar PV panels to be installed where feasible on centre building; cooling only utilised for computer rooms; thermal modelling assessment undertaken to maximise daylight vs cooling loads; heat recovery included on all ventilation systems of appropriate sizes; all lighting controls are motion sensor, daylight LED etc, to maximise efficiency; comprehensive Building Energy Management System (BEMS) system specified. For transport – objectives include - electric vehicle charging points at a rate of 10% of total space numbers; promote sustainability in road use and the reduction of negative impacts on the natural environment including carbon emissions where possible through good design practice, reduce emissions from site vehicles for the operating village – none of which are followed through in the comments column. Drawing number ER60552 ES LF XX DR E2301 shows the alteration of the existing car park to provide electric vehicle charging points at 70 spaces.

9.10.8. The grounds of appeal challenges the Sustainability Statement. The real meaning of sustainability requires that an operation can continue its activities indefinitely without using non-renewable materials and energy. Almost all of the sustainability targets are aspirational eg: promote public transport, encouraging staff to car share, or use a bicycle, bicycle parking provision and maintenance facilities. They are not components of the proposed development's operation.

9.10.9. In relation to climate, the appeal grounds submitted includes that:

The energy statement should consider that the EU have by law adopted new 2030 targets which have revised the 2030 targets upwards from 40% to 55% CO2 emission reduction, and this leaves the Irish 2030 target of 51% deficient.

In addition the EU have adopted a Solar Strategy which targets rapid deployment of Solar PV. Irish building regulations are not adequate and the new 2030 measures, which have also increased energy efficiency and renewable targets, are no longer adequate. The new targets are subject to direct effect. The development should upgrade to A+ standard and any grant of permission should condition compatibility with the EU Solar Strategy.

9.10.10. The applicant's response states that the development includes:

- A reduction in carbon emissions by 30% from the baseline (financial year of 2019/2020).
- A reduction of the amount of energy used by 5% from the baseline year consumption.
- To source 50% of energy from renewable sources by 2030.
- To operate 100% of the fleet as electric or hybrid vehicles by 2030.
- A reduction in water use by 10% by 2030.
- To reduce the amount of waste generated by 20% and increase recycling by 10%.
- To eliminate all single use plastics from lodges & from guest facing areas in central buildings by 2030.
- To provide a 500kWe Solar PV Roof Array.
- A District Heating Systems designed for low grade heat (ie 55/35 flow and return temperatures to ensure the air source heat pumps operate effectively and efficiently).
- An Energy Centre Compound containing Central Low Carbon Air source Heat Pumps (ASHP) to serve proposed lodges via a district heating system.
- Combined Heat & Power (CHP) to be installed alongside central ASHP to serve proposed lodges via a district heating system.

9.10.11. The Board should note that the EU requirement for compulsory rooftop solar energy for all new residential buildings does not commence until 2029; and that deadlines for other new buildings do not commence until 2026 and 2027,

9.10.12. The Climate Action Plan (CAP) 2021, quoted in the EIAR, has been superseded by the Climate Action Plan (CAP) 2023, which calls for a significant cut in transport emissions by 2030 in order to meet the sectoral emission ceiling. 'Meeting our 2030 transport abatement targets will require transformational change and accelerated action across all key decarbonisation channels'. 'Climate Action Plan 2021 targets have been revised to meet this higher level of ambition, including a 20% reduction in

total vehicle kilometres, a reduction in fuel usage, and significant increases to sustainable transport trips and modal share’.

- 9.10.13. In relation to the Climate Action Plan 2023, the reduction in emissions from transport of 42%-50% by 2030 is relevant to the proposed development. The objectives stated in the Plan which include: increasing the proportion of kilometres driven by passenger electric cars to between 40 and 45% by 2030, in addition to a reduction of 10% in kilometres driven by the remaining internal combustion engine cars are of particular note.
- 9.10.14. The main visitor traffic currently to and from the holiday village occurs on changeover days: Mondays and Fridays. There is a small amount of visitor traffic on other days to the day spa on the site. On changeover days guests vacate the lodges by 10am but can remain on site for the rest of the day. Arriving guests may enter the site from 10am but lodges are un-available until 4pm. Therefore most arrivals and departures are likely to take place between 10am and 4pm. Apart from the short distance between the site and Ballymahon, where there is converging traffic to / from the site, the majority of traffic travels along the R392 from Mullingar, and this concentrated traffic flow includes the 27.2% of guests (7,127) currently arriving from Dublin.
- 9.10.15. It is accepted that most visitor cars will carry more people than the driver alone. The more passengers carried, the more unlikely it is that they would choose a public transport alternative. It should also be acknowledged that guests availing of a stay in the holiday village are free to travel to other destinations including by air, and that by travelling by road, to a destination located centrally on the island of Ireland they are availing of a relatively more sustainable alternative. However it is also apparent that a proportion of guests would avail of public transport, if it was presented as a reasonable alternative. A decrease in car-ownership is a feature of urban living, and one likely to grow. This is frequently combined with the use of share car schemes. The nature of these schemes, with payment per hour, would not lend itself to the extended period of use, which a trip to the holiday village would entail.
- 9.10.16. The weekday train service, Dublin to Sligo, stops at Mullingar 3 times between 10am and 4pm (10.18, 12.18 and 14.20) and from Sligo it stops 3 times (10.57, 12.58 and 14.59), which would mean that Mullingar train station could be serviced by a shuttle service running as few as three times daily, on two days a week. It is not readily

apparent why the applicants are not encouraging the use of public transport by making available a collection / delivery service to that train station or other stations.

- 9.10.17. In my opinion the statement in the Transport Assessment that, subject to merit and demand, consideration can be given to a visitor bus shuttle, does not give sufficient weight to the need to address the car-dependent nature of the proposed development, which is not aligned with the direction to the Climate Action Plan 2023. In this regard I agree with the appellant that the proposal is not sufficiently ambitious.
- 9.10.18. The Board may consider that the applicant should be requested to address the provision of a sustainable transport solution for the proposed development, in a more meaningful way than is presented in the Transport Assessment submitted.
- 9.10.19. I consider that this matter can be adequately addressed by condition. A condition should be imposed on any permission requiring at least 10% of all on-site car parking to be provided with electric vehicle charging points, and with ducting to be provided for the future provision of same throughout the remainder of the new parking area. A condition should be imposed on any permission requiring that a shuttle bus service be provided for visitors, initially offering a service 3 times a day on changeover days (Monday and Friday) to / from Mullingar train station. The service should commence prior to the date of opening of the new residential accommodation, with review, within a year of opening, in consultation with the planning authority, to consider the provision of additional shuttle bus service links with high capacity public transport; and further annual review thereafter.
- 9.10.20. Subject to implementation of the mitigation proposed in the EIAR, and the foregoing conditions, I am satisfied that there will be no significant residual effects on climate from the proposed development.

9.11. Material assets, cultural heritage and the landscape

- 9.11.1. Chapter 12 of the EIAR deals with Archaeology & Cultural Heritage, Chapter 13 deals with Material Assets and Chapter 11 deals with Landscape & Visual.
- 9.11.2. Because the site is surrounded by trees, and the development is low rise, there is virtually no visibility of the existing development, and therefore likely to be little visibility of the proposed development, outside the site.

- 9.11.3. There is no likelihood of impact on protected structures, from the proposed development.
- 9.11.4. Archaeological investigations undertaken as part of the existing development have shown numerous, previously unknown, sub-surface archaeological sites within the site. In section 12.3.1.3-12.3.1.5 it is suggested that there is a high potential for sub-surface archaeological finds and features to be uncovered within the areas proposed for development. Proposed mitigation measures include pre-construction archaeological testing, resolution of such features if uncovered, and construction stage monitoring.
- 9.11.5. Subject to implementation of the mitigation proposed in the EIAR, I am satisfied that there will be no significant residual effects on material assets, cultural heritage or the landscape arising from the proposed development.

9.12. The interaction between the above factors.

- 9.12.1. Interactions are given in a matrix. Nothing of note arises.

9.13. Reasoned Conclusion.

- 9.13.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, and the submissions from the planning authority, prescribed bodies, appellants, and observers in the course of the application,

It is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

Impact on waters and water dependent habitats and species which will be mitigated by the measures set out in the Construction & Environmental Management Plan and the measures set out in the Inland Fisheries Ireland submission.

The increase in private car journeys, which can be avoided by the encouraging the use of public transport, and can be mitigated by facilitating private electric vehicle use.

I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

10.0 Other Issues

- 10.1.1. It is stated that the EIAR is a jumble; that the presentation of the EIAR report online is of concern; that the Non-technical summary is not labelled on the Council's web portal; and that the inadequacy of alternatives raises questions of validity. It is stated the application documents are not sufficiently detailed to define the development, to allow it to be assessed; the use of typical drawings is stated to be in breach of case law. It is stated that there is uncertainty regarding the exact depth of bog, uncertainty regarding the types of foundation, and the need for further site investigation. This is stated to be in breach of case law. It is stated that there is too much detail to be determined after consent, such as to impair the process in terms of mitigation.
- 10.1.2. The fact that this is an extension to existing facilities, necessarily limits the range of alternatives; alternatives are presented. There is ample information presented with the application to describe the development, its potential impacts and proposed mitigation. The non-technical summary is clearly identified. Documents submitted with the application are duplicated in the EIAR, but this does not impair any reasonable effort to read the EIAR or the application. I disagree that the documents are not sufficiently detailed, they describe in detail each element of the proposal. Use of 'typical drawings' does not impede understanding of what is proposed.
- 10.1.3. It is intended that elements of the proposal will be further refined when detailed ground conditions in certain areas is established. I am satisfied that it is acceptable that such final details be agreed with the planning authority, in the context that the details which have been submitted are broadly acceptable.
- 10.1.4. That the application was lodged on the same day as the site notice was erected is not in breach of regulations.
- 10.1.5. I am satisfied that the information presented affords the reader a full understanding of the proposed development and its impacts and that the concerns regarding invalidity are without foundation
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11.0 Recommendation

11.1.1. In accordance with the foregoing I recommend that the proposed development be permitted, for the following reasons and considerations, in accordance with the following conditions.

12.0 Reasons and Considerations

The proposed extension, comprising additional overnight accommodation and facilities at an existing holiday village development, would not unduly impact on the amenities of the area, or unduly impact on traffic congestion, would be adequately provided with infrastructural services and would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be used as a forest holiday village. The proposed lodges shall be used for short-term tourist accommodation only, and shall not be used as a place of permanent residence.</p> <p>Reason: The occupation of the proposed lodges on a permanent basis is unsustainable having regard to their location.</p>

3.	<p>All of the proposed mitigation measures set out in the EIAR shall be complied with in full.</p> <p>Reason: In the interests of orderly development and environmental protection.</p>
4.	<p>The following shall be complied with:</p> <p>A riparian zone of at least 10m shall be maintained between lodges and the Rath River. No planting, other than native tree and plant species, shall be carried out within buffer zones.</p> <p>In-stream works on the Rath River tributary will be subject to the closed season: no work from 1st October to 30th April.</p> <p>Any works likely to give rise to high levels of suspended solids in close proximity to the Rath River tributary, will also be subject to the closed season.</p> <p>Measures shall be put in place, to ensure that forest drains do not become a vector for pollution during construction.</p> <p>The following details shall be submitted to and agreed in writing by the Environment Section of the Planning Authority and IFI, prior to commencement of development.</p> <ul style="list-style-type: none"> • Details showing proposals to ensure that impacted forest drains will be blocked to contain runoff and allow for settlement or alternatively the construction of off-line ponds; • All settlement measures shall be sized according to calculations showing anticipated volumes, flow rates and chemical properties i.e. likely concentrations of silt. • No such measures shall not be implemented in the Herdman's hut or Rath River tributaries. If instream enhancement or silt removal works are to take place in these streams, such mitigation measures may be

	<p>allowable on a localised and temporary basis, with a method statement in place and with the agreement of and monitoring provided by IFI;</p> <ul style="list-style-type: none"> • All details of stockpiling, dewatering excavations, settlement measures, concrete pours for foundations, watercourse crossings, and other activities, likely to impact on water quality in the Rath River and its tributaries, which shall be included in the CEMP; • The final peat management plan and drainage of these areas; • The Emergency Response Plan for pollution; • Detailed designs for all watercourse crossings and method statements. Any watercourse crossings on the Rath River must be clear span (preferable) or box culverts embedded at 500mm. • Lighting of areas in the vicinity of the river, which shall be diffuse and angled away from the river. <p>Reason: To avoid impact on watercourses, water dependent habitats and associated species.</p>
5.	<p>Clooncallow Road (L5216), Newcastle Road (L1121) north of the site entrance, Abbeyshrute Road (L1116) north of the site and Ballymulvey Road (Ballymahon to Newcastle Bridge)(L5218) shall not be used by traffic accessing the site, at either construction or operational stages. The applicant shall include this stipulation as a condition of all contracts undertaken and provide directional information in respect of same.</p> <p>Reason: In the interest of road safety and residential amenity of adjoining properties.</p>
6.	<p>Prior to the commencement of development measures to encourage the use of public transport by visitors shall be submitted to and agreed in writing by the Planning Authority, which measures shall include as a minimum a shuttle bus service to be provided for visitors, initially offering a</p>

	<p>service 3 times a day on changeover days (Monday and Friday) to / from Mullingar train station. The service shall commence prior to the date of opening of the new residential accommodation. The measures shall be reviewed within a year of opening, in consultation with the planning authority, and shall include consideration of the provision of additional shuttle bus service links to high capacity public transport. The measures shall be subject to annual review thereafter.</p> <p>Reason: In the interest of encouraging and facilitating more sustainable visitor transport, to reduce car dependency and to comply with the Climate Action Plan 2023.</p>
7.	<p>At least 10% of all car parking spaces (ie serving both staff and visitors) shall be provided with functioning electric vehicle charging stations / points. Ducting shall be provided for the future provision of same throughout the remainder of the new parking spaces.</p> <p>Reason: In the interest of encouraging and facilitating the use of electric cars and to comply with the Climate Action Plan 2023.</p>
8.	<p>No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the buildings or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.</p> <p>Reason: In the interest of visual amenity.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays.</p>

	<p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
10.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
11.	<p>A Road safety audit (RSA) stages 1 & 2 shall be carried out prior to commencement of development and the actions arising from the RSA shall be agreed with the planning authority and implemented by the applicants at their expense. A stage 3 RSA shall be carried out on completion of the project.</p> <p>Reason: In the interest of traffic safety.</p>

12.	<p>Prior to commencement of development, a construction traffic management plan, which shall include construction routes within the site, shall be submitted for the written agreement of the planning authority.</p> <p>Reason: In the interest of traffic safety.</p>
13.	<p>Prior to commencement of development</p> <ul style="list-style-type: none"> • Pre works survey to be carried out (agreed with the Municipal Area Engineer) of existing road network (including any bridges or culverts) likely to experience significant HGV traffic from the development. • Post works survey of all affected roads. • Any damage caused to the public road network to be rectified to Municipal Area Engineer's satisfaction and the cost shall be borne by Centre Parcs.
14.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall include a Construction Stage Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction / demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
15.	<p>Prior to commencement of development, the developer shall enter into a water connection agreement with Irish Water.</p> <p>Reason: In the interest of public health.</p>

16.	<p>The applicant is required to engage the services of a suitably qualified archaeologist to carry out an Archaeological Assessment of the development site, in relation to archaeological features and deposits previously identified during the geophysical survey. No sub-surface work should be undertaken until the Archaeological Assessment has been completed and commented on by the Department of Housing Local Government and Heritage.</p> <p>The archaeologist should carry out any relevant documentary research and inspect the development site. This assessment shall also define a buffer area or areas contiguous with the archaeology identified during the geophysical survey. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.</p> <p>A programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the National Monuments Service (NMS) section of the Department.</p> <p>Having completed the work, the archaeologist should submit a written report stating their recommendations to the NMS section of the Department of Housing Local Government and Heritage. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.</p> <p>Reason: To ensure the continued preservation, wither in situ or by record of places, caves, sites, features or other objects of archaeological interest.</p>
17.	<p>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</p>

be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Having reviewed the case assigned to me, I hereby declare that to the best of my knowledge I am satisfied that I do not have a conflict of interest in relation to this case and that I am in compliance with the Board's code of conduct.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Planning Inspector

28th March 2023

Appendices

Appendix 1 Photographs

Appendix 2 Longford County Development Plan 2021-2027, extracts

Appendix 3 Climate Action Plan (CAP) 2023, extracts.