



An
Bord
Pleanála

Inspector's Report

ABP-315424-22

Development	Increase of waste acceptance at existing compost facility
Location	Ballynalurgan, Kilmainhamwood, Kells, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	22/1305
Applicant(s)	Padraig Thornton Waste Disposal Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	George Williams Peter Brittain
Observer(s)	None
Date of Site Inspection	18 th September 2023
Inspector	Elaine Power

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1.0 Site Location and Description

- 1.1. The subject site is located in Ballynalurgan, Kilmainhamwood, c. 4 kms south-east of Kingscourt and c. 6km north-west of Nobber. The surrounding area is rural in character with a number of detached dwellings.
- 1.2. The site has a stated area of 4.6ha and forms part of a larger (13.2 ha) site within the ownership of the applicant. The subject site currently accommodates an existing composting facility (6,460sqm), administration building (135sqm) and internal access roads while the larger site comprises greenfield lands. There are a variety of trees and shrubs within the overall landholding. It is noted that the subject site was previously used for commercial forestry, which was partially cleared in 2006 to facilitate the existing facility.
- 1.3. Access to the site is from a private road via the R162. The composting facility is set back from the public road by c. 700m. The site is locally elevated. However, the composting facility is not visible from the public road.
- 1.4. There is an existing culverted stream at the sites entrance, under the R162 and an open drainage ditch runs along the north eastern boundary of the subject site.

2.0 Proposed Development

- 2.1. It is proposed to increase the quantum of waste accepted at the existing composting facility, from the currently permitted 40,000 tonnes per annum to 50,000 tonnes per annum. The waste types proposed to be accepted at the facility would remain as per the currently permitted waste types, namely biodegradable waste for composting. No additional waste handling or treatment infrastructure is required to support the proposed development.
- 2.2. The proposed development includes the provision of additional odour control infrastructure in the form of a new biofilter with an area of c. 385sqm and a vertical emissions stack with a height of c. 15m, and improvements to existing odour control infrastructure.

2.3. An Industrial Emissions Licence Review Application will be submitted to the Environmental Protection Agency (EPA) in respect of the proposed development.

3.0 **Planning Authority Decision**

3.1. **Decision**

Grant permission subject to 8 no. standard conditions.

3.2. **Planning Authority Reports**

3.2.1. ***Planning Reports***

The planners report dated 17th November 2022 raised no objection in principle to the proposed development and recommended that permission be granted subject to conditions.

3.2.2. ***Other Technical Reports***

Transportation: Report dated 14th November 2022 had no objection to the proposed development.

Architectural Conservation Officer: Email dated 11th November 2022 – no comments.

Fire Officer: No objection subject to conditions.

Environment Department: No objection from a flood risk perspective.

Water Services: No objection subject to conditions.

3.3. **Prescribed Bodies**

Uisce Eireann: No objection subject to standard conditions.

Health and Safety Authority: No observations

Inland Fishers Ireland:

- The site is located in the upper reaches of the River Dee catchment. The River Dee is a valuable salmonid fishery and supports stocks of Atlantic salmon, trout, European eel and lamprey among other species.
- On-site surface water management should not lead to contamination of the receiving waterbodies. It is recommended that monitoring of surface water outfalls is carried out regularly. This should include physio-chemical monitoring and daily visual inspections.
- It is important to ensure that the proposed development would not negatively impact on aquatic habitats and their ecological status.

Health Service Executive:

The report provides a summary of the EIAR Screening report submitted with the application. The report notes the following:

- During the composting process the activity of the microbes breaking down organic material generates heat. There does not appear to be any proposals to utilise heat from this process for energy recovery. It is recommended that the applicant exam all operations at the facility for opportunities to extract or utilise heat or gas from the process for the generation of power.
- There was a big increase in odour complaints regarding the facility in 2021. The applicant should consider engaging the services of an independent entity for odour monitoring.

3.4. Third Party Observations

5 no. third party submissions were received. The concerns raised are similar to those outlined in the appeal.

4.0 Planning History

ABP. PL17.236333, Reg. Ref. KA/901007: Permission was granted in 2011 for an extension to an existing composing facility from 20,000 to 40,000 per annum and an

extension to the front and rear of the existing facility. An EIAR was submitted with this application and an EPA licence was required.

Reg. Ref. KA60349: Permission was granted in 2006 for the permanent retention of extensions and elevational variations to previously approved composting facility and also for permanent retention of ancillary ESB Sub-station, firewater storage tank and revised access road.

ABP. PL208236, Reg. Ref. KA/30304: Permission was granted in 2004 for a compost manufacturing facility, office and fuel tank store. An EIAR was submitted with this application and EPA Licence was required.

5.0 Policy Context

5.1. Meath County Development Plan 2021 – 2027

The subject site is located in an area zoned RA – Rural Area with the associated land use objective *‘to protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage’*.

Chapter 6 of the development plan sets out the councils Infrastructure Strategy. Policies INF POL 61, INF POL 62, INF POL 63, INF POL 65, INF OBJ 54, INF OBJ 55.

5.2. Other Relevant Documents

- Council Directive (Landfill Directive), 1999/31/EC
- Waste Framework Directive-European Commission- 2008/98/EC
- Waste Management Acts-Environmental Protection Agency- 1996-2013
- European Union (Household food waste and bio-waste) Regulations 2015
- The National Waste Action Plan for a Circular Economy, 2020
- The Eastern Midlands Region Waste Management Plan-Eastern Midlands Regional Waste Management Office- 2015 -2021

5.3. Natural Heritage Designations

The following designated sites are within 15km of the subject site.

- Killyconny Bog (Cloghbally) SAC (000006), c. 14km south west of the subject site
- Breakey Loughs pNHA (001558), c. 5km west of the subject site.
- Ballyhoe Lough pNHA (001594), c. 5km north west of the subject site
- Corstown Lough pNHA (000552), c. 9.3km east of the subject site.
- Ardee Cutaway Bog pNHA (001454), c. 13km east of the subject site.
- Reaghstown Marsh pNHA (001828) c. 9.5km north west of the subject site.
- Mentrim Lough pNHA (001587), c. 12km south east of the subject site.
- Killyconny Bog (Cloghbally) pNHA (000006), c. 14km south west of the subject site.
- Newcastle Lough, private Nature Reserve, c. 1.2km south of the subject site.

6.0 The Appeal

6.1. Grounds of Appeal

2 no. appeals were received from George Williams and Peter Brittain. The grounds of appeals are similar and are summarised below:

- The applicant and the planning authority failed to recognise the designation of Newcastle Lough as a Nature Reserve and, therefore, failed to address the impact that the proposed development would have on the Nature Reserve, located c. 1.2km from the subject site.
- The identification of impacts on the nature reserve, significant adverse effects and mitigation measures in terms of direct, indirect and cumulative effects are fundamental requirements of an EIAR. This has not been carried out.
- No EIA has been prepared as required under the EIA directive. The proposed extension to the facility involves a 25% increase in the level of waste to be processed from the site (40,000 tonnes to 50,000 tonnes per annum). It is clear that an EIA is required given the nature and scope of this development.

- The applicant is reliant on a previous EIAR prepared in 2020 which was prepared for an alternative purpose and is therefore inappropriate and inadequate to properly identify the likely significant effects of the development.
- Concerns raised that the issue of water has not been adequately addressed as the southern site boundary adjoins the R162, which is bordered by a stream which runs to Newcastle Lough. In addition, surface water from the site drains to the River Dee, upstream of Newcastle Lough. The River Dee contains valuable salmon spawning and nursery.
- Concerns raised regarding public participation and lack of availability of the full planning file within the planning authorities offices or online.
- Concerns are also raised that the structure on site may not be in accordance with previous planning decisions. This should be clarified before any planning permission is granted.

6.2. Applicant Response

The applicant submitted a response to the 2 no. third party appeals and included Ecology and Hydrology Repose as Appendix 1. The response is summarised below: -

Requirement for Proposed Development

- There is a requirement for Ireland to comply with the requirements of the Landfill Directive (1999/31/EC) in terms of diversion of biodegradable municipal solid waste (MSW) from landfill and to find alternative solutions. There is preference for the recycling of suitable waste in facilities such as the existing facility. It should be noted that the treatment of source segregated organic waste is considered a recycling activity.
- The proposed development is in compliance with the provisions of the National Waste Action Plan for a Circular Economy (2020).
- The EPA National Waste Statistics indicate that 1.2 million tonnes of MSW was exported from the state in 2019. There is a need for indigenous treatment of organic waste.

Environment

- Newcastle Lough, which is a designated nature reserve is located c. 1.2km south west of the existing composting facility. An AA Screening was carried out and submitted with the application. It is the opinion of the applicant that the proposed development, either individually or in combination with other projects and plans, will not result in likely significant effects on the qualifying interests / special conservation objectives of any European Site. Meath County Council confirmed their agreement with this opinion in granted permission.
- The Planning and Environmental Considerations Report assessed the potential for impacts on the ecological environment and concluded that no significant ecological impacts are anticipated.
- EIA Screening was carried out and was included in Appendix 1.2 of the Planning and Environmental Considerations Report. The proposed development is not of a type of development that falls under Part 1 Schedule 5.
- The proposed development is of a type of development set out in Class 11(b) Part 2, Schedule 5. Installations for the disposal of waste with an annual intake greater than 25,000 tonnes. The proposed development does not meet or exceed this threshold. Nor does it exceed the threshold set out in Class 13(a) in respect to changes, extensions, development and testing. Therefore an EIA is not mandatory.
- An EIA Screening was carried out and submitted with the application. The proposed development is considered to be sub-threshold development under Part 2 Class 11(b) given the nature of the proposed development, its size, location and characteristics and having due regard to the criteria listed in Schedule 7 and the relevant information listed in Schedule 7A .
- The EIA Screening concluded that the proposed development is not likely to result in significant impacts on the environment and, accordingly it was considered that an EIAR was not required. The planning authority agreed with this conclusion.
- The Planning and Environmental Considerations Report acknowledges and makes reference to the previous EIAR submitted with Reg. Ref. KA/901007.

However this current application does not rely on the assessments carried out in the previous EIAR.

Water

- The site is not hydrologically connected to Newcastle Lough. Therefore, no effects from the proposed development on the nature reserve were considered. Nevertheless, mitigation measures in the Planning and Environmental Considerations Report are currently and will continue to be implemented.

Public Participation

- The public notices were in place as per the Planning and Development Regulations requirements.

Previous Permissions

- The applicant confirms that all structures built at the site have valid planning permissions. The planning history for the site is set out in Table 2-1 of the response to the appeal.

Request for an Oral Hearing

- The appellants requested an Oral Hearing is noted. A range of comprehensive documentation compiled by technical experts were submitted with the application. An Oral Hearing would not be likely to add significantly to the understanding of the issues of the appeal.
- The operation of the facility will continue to be licensed by the EPA with regular audits and reporting to ensure appropriate environmental performance. The existing facility has excellent history of compliance with the current environmental licence.

6.3. Planning Authority Response

The planning authority's response is summarised below:

- The planning authority is satisfied that all matters outlined in the third party submissions were considered in the course of its assessment of the application.

- The proposed development is considered to be consistent with the policies and objectives of the Meath County Development Plan 2021-2027.
- It is requested that the Board uphold the decision to grant permission.

6.4. **Observations**

None

6.5. **Further Responses**

None

7.0 **Assessment**

7.1. Having examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, having carried out a site inspection and having regard to relevant policies and guidelines, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Newcastle Lough Nature Reserve
- Odour
- Other Issues

7.2. ***Principle of Development***

7.2.1. The subject site is zoned RA – Rural Area with the associated land use *objective to protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and natural heritage*. Waste Recycling / Composting is not listed as a permissible use or open for consideration for lands zoned RA.

7.2.2. There is an existing compost manufacturing facility on the site. It is proposed to increase the capacity of the facility from 40,000 tonnes per annum to 50,000 tonnes per annum. The incoming waste typically comprises non-hazardous biodegradable waste and is treated in accordance with the requirements of a Waste Licence granted by the EPA (Reg. No. W0195-02) and approved by the Department of Agriculture, Food and Marine. Only minor updates to procedures are required to cater for the

proposed increase in waste volumes including extending the initial mixing period in the reception area and increasing the number of composting bays that are filled each week. The primary output from the facility is high quality compost.

7.2.3. Section 11.4.2 Permissible and Non-Permissible Uses of the development plan acknowledges that *there are instances across the county of established uses that do not conform to the zoning objective for the particular location and states that any proposals for the expansion, improvement or alteration to these uses will be considered on its merits*. This application is to extend an existing non-conforming use. Having regard to the provisions of Section 11.4.2 of the development plan I am satisfied that the expansion of the existing facility is considered acceptable in principle and should be assessed on its merits. It is noted that the planning authority and third parties raised no objection in principle to the expansion of the existing facility.

7.2.4. It is also noted that the operation of the facility would continue to be licensed by the EPA with regular audits and reporting to ensure appropriate environmental performance. Appendix 3.1 of the Planning and Environmental Considerations Report includes a copy of correspondence between the applicant and the EPA which notes that a pre-application meeting was held and that the development would require an Industrial Emissions Licence Review application.

7.3. **Water**

7.3.1. Concerns were raised in the appeals that potential negative impacts from the proposed development on water quality in Newcastle Lough and the River Dee have not been fully addressed.

7.3.2. Section 6 of the Planning and Environmental Considerations Report address the issue of water and Figure 6-1 shows the location of existing watercourses in the vicinity of the site. The appeal site is located c. 1km north of the River Dee and is within its upper catchment. The submission from Inland Fishers Ireland notes that the site is located in the upper reaches of the River Dee catchment and states that it is important to ensure that the proposed development would not negatively impact on aquatic habitats and the ecological status of the river.

- 7.3.3. There is a surface water drainage ditch along the sites eastern boundary, which flows in south - eastern direction. This ditch discharges to the River Dee downstream of Newcastle Lough. The surface water drainage system within the existing facility has been designed to segregate run-of from roof and yard areas, which has a low potential for contamination. This run off is discharged to the drainage ditch via a flow control devise, after passing through a grit trap and fuel / oil interceptor. The proposed development does not increase the hardstanding areas within the site and, therefore, would not generate any additional surface water runoff.
- 7.3.4. The composting processes associated with the development are regulated by the EPA and does not permit any leachate / wastewater emissions to the drainage ditch. Leachate generated from the composting process is collected, contained and recirculated within the facility. The Planning and Environmental Considerations Report notes that any excess leachate is stored underground and removed to an off-site wastewater treatment facility.
- 7.3.5. The Annual Environmental Report (AER) for the site by the EPA for 2001 is attached in Appendix 2-1 of the Planning and Environmental Considerations Report. Page 24 of the report states that surface and stormwater is monitored on the site on a quarterly basis. No exceedances of the emission limit values were recorded in 2021.
- 7.3.6. Section 6.5 of the Planning and Environmental Considerations Report outlines mitigation measures. It is noted that there are limited construction works as part of the proposed development. With regard to the operational phase the report notes that mitigation measures are in-built to the design of the facility and that they ensure compliance with legislation and best practice methods to prevent water pollution. In the event that the pollution control and surface water treatment measures were not implemented or failed I am satisfied that the potential for likely significant effects on the River Dee from surface water run-off can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the appeal site.
- 7.3.7. With regard to a potential negative impact on water quality in Newcastle Lough, section 2.1 of the Planning and Environmental Considerations Report and Appendix 1 – Ecology and Hydrology Response attached to the Applicants Response to the Appeal

notes that there is a stream that runs along the sites southern boundary. This stream is at the entrance to the site, c. 750m from the existing facility. The stream is culverted under the facility entrance and the R162 and discharges to Newcastle Lough. However, this stream is not hydrologically connected to the drainage ditch at the sites eastern boundary. Therefore, the appeal site is not hydrologically connected to Newcastle Lough.

7.3.8. Having regard to the above, I am satisfied that the subject site is not hydrologically connected to Newcastle Lough and that the proposed development would not have any impact on the water quality of the Nature Reserve.

7.3.9. In conclusion, I am satisfied that the proposed development would not have any unacceptable direct or indirect impacts on water quality in the River Dee, Newcastle Lough or any watercourse. It is noted that no concerns were raised by the planning authority in this regard.

7.4. *Newcastle Lough Nature Reserve*

7.4.1. The third parties raised concerns that the applicant and the planning authority failed to recognise the designation of Newcastle Lough and, therefore, failed to address the impact that the proposed development would have on the Nature Reserve. It should be noted that specific concerns raised regarding the requirement for an EIA are addressed below in Section 8 below.

7.4.2. A Nature Reserve is an area of importance to wildlife, which is protected under Ministerial order. In the interest of clarity it should be noted that a Nature Reserve is not a Natura 2000 site. Natura 2000 sites are made up of Special Protection Areas (SPAs), established under the EU Birds Directive (79/409/EEC), and SACs, established under the Habitats Directive (92/43/EEC). The potential impact of the development on Natura 2000 sites is addressed below in Section 9 and does not address the impact on Newcastle Lough, as it is not a Natura 2000 site.

7.4.3. Lough Newcastle was designated a Nature Reserve in 2019. It is located c. 1.2km south of the appeal site. The NPWS website (www.npws.ie) notes that Newcastle Lough has excellent water quality with a high diversity of aquatic invertebrates and it contains stocks of coarse fish, pike and brown trout. The site has a diverse range of

habitats including reedbeds, wet grassland and wet woodland and an associated variety of plant and animal species. Otter, badger, pine marten and six species of bat have been recorded at the site and other noteworthy species include kingfisher and crayfish.

- 7.4.4. In the response to the appeal the applicant acknowledged the significance of Newcastle Lough and notes that an assessment of the potential for impacts on the ecological environment was carried out in Section 4 of the Planning and Environmental Considerations Report submitted with the application and that this report concluded that no significant ecological impacts were anticipated.
- 7.4.5. A field survey was carried out as part of the AA Screening Report which notes that the site primarily consists of buildings and artificial surfaces and areas of exposed sand, gravel or till. No special concentrations of flora or fauna were noted on the site. No bird species of high conservation status were recorded during the field survey. The birds identified were species that are relatively common in the Irish countryside.
- 7.4.6. Given the present condition of the site, with high levels of disturbance from the existing facility from associated traffic and human activity and the separation distance between the appeal site and the nature reserve, I am satisfied that the habitats within the proposed development area are of negligible value for the species listed in the nature reserve.
- 7.4.7. As outlined above, the site is not hydrologically connected to Newcastle Lough, therefore, I am satisfied that the proposed development would not impact water quality in the nature reserve.
- 7.4.8. In conclusion, given the contents of the Planning and Environmental Considerations Report, the AA Screening Assessment and EPA Annual Environmental Report (AER) 2001 for the site, which are robust and evidence based, I am satisfied that the proposed development would not have a negative impact on the biodiversity or water quality of the nature reserve.

7.5. ***Odour***

- 7.5.1. The issue of odour was not raised in the appeals, however, the submission from the Health Service Executive to the planning authority notes that there was a big increase in odour complaints regarding the facility in 2021 and that the applicant should consider engaging the services of an independent entity for odour monitoring.
- 7.5.2. Chapter 8 Air Quality and Climate of the Planning and Environmental Considerations provides details of the standards and guidance for odour monitoring, characteristics of odour and odour modelling that was carried out for the facility. It is noted that the closed residential property is c. 380m north east of the site boundary with 28 no. properties within 500m of the site.
- 7.5.3. Section 8.3.3 of the report notes that 30 no. odour complaints were received in 2021, 17 no of which were from a single complainant and 13 no were anonymous. The single complainant occupies a dwelling adjacent to the entrance to the facility. It is stated that all complaints were investigated.
- 7.5.4. The EPA Odour Emissions Guidance Note (Air Guidance Note AG9) 2019 states that guidance from the UK (EA, 2011), and adapted for Irish EPA use, recommends an odour standard for waste sites including composting facilities (most offensive) of *'1.5 OUE/m3 as a 98th%ile of hourly averages at the worst-case sensitive receptor'* applies. The modelling carried out by the applicant and shown in Table 8-8 of the Planning and Environmental Considerations Report indicates that the existing facility has operated within this criteria for the past 5 years.
- 7.5.5. Page 29 of the Annual Environmental Report (AER) for 2001 notes that odour is tested quarterly by a third party contractor at the 2 no. biofilters (8 no. assessments). An additional, 104 no. assessments were carried out by the applicant, 5 no. assessments were carried out in response to odour complaints and 99 no. assessments were routine. These assessments are indicates as being in 100% compliance with the EPA guidance. The EPA completed an additional 7 no. odour assessments at the site. The results indicate an 86% compliance rate with the EPA guidance in 2021.
- 7.5.6. Section 2.3 of the Planning and Environmental Considerations states that current odour abatement system comprises a pre-treatment process (acid scrubber) and 2 no. biofilters. As part of the works it is proposed to provide an additional biofilter bed and vertical stack to improve the efficiency and performance of the existing system. The

new biofilter is c. 23.5m in length by 16.5m in width by 2.1m in height. It is identical to the existing biofilters and would operate similarly. The proposed vertical stack would improve emission control and monitoring requirements. The stack is c. 1.2m in diameter with a height of c. 15m. Internal reconfiguration of extraction fans is also proposed to direct air flows to the new stack.

- 7.5.7. While it is acknowledged that the existing facility and the proposed increase in waste acceptance has the potential to generate significant odours I am satisfied that the odour emissions are in accordance with best practice and are monitored as part of the waste licence. It is also noted that the additional infrastructure proposed as part of the development would reduce the potential for odour impacts during the operational phase. Therefore, I am satisfied that the odour generated is acceptable in this instance. It is noted that no concerns were raised in the appeals regarding odour.

7.6. ***Other issues***

Public Participation

- 7.6.1. Concerns were raised in the appeals regarding a lack of public participation. It is noted that while meaningful consultation may be to the benefit of both parties, there is no statutory requirement to undertake such engagement.

Availability of Planning Application

- 7.6.2. Concerns were also raised regarding the lack of availability of the full planning file within the planning authorities offices or online. Under Article 26 (9) of the Planning and Development Regulations 2001 (as amended) that the planning authority is required to make a planning application available for inspection or purchase. This concerns is noted, however, it does not affect the outcome of my recommendation.

Unauthorised Development

- 7.6.3. Concerns are also raised that the structures on site may not be in accordance with previous planning decisions. In response to the appeal the applicant set out the planning history for the site and notes that all structures on site have planning permission. The planning history for the site is also outlined in Section 4 of my report and I am satisfied that the existing composting facility to be extended has the benefit

of planning permission. Notwithstanding this, any concerns regarding unauthorised development on the appeal site should be directed to the planning authority who have responsibility for enforcement.

8.0 Environmental Impact Assessment

8.1.1. An Environmental Impact Assessment Screening Report was included in Appendix 1.2 of the Planning and Environmental Considerations Report. I have had regard to the information provided in these reports in my screening assessment. The information provided is in accordance with Schedule 7 and 7A of the Planning and Development Regulations 2001. I am satisfied that the reports describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

8.1.2. Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended and Section 172(1)(a) of the Planning and Development Act 2000, as amended provides that an Environmental Impact Assessment (EIA) is required for infrastructure projects that involve:

- Class 11(b): Other Projects: Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.
- Class 13(a) Changes, extensions, development and testing: Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would: -
 - (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
 - (ii) result in an increase in size greater than –
 - 25 per cent, or
 - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater

- 8.1.3. The proposed development consists to increase waste acceptance at an existing composting facility from 40,000 tonnes per annum to 50,000 tonnes per annum. The waste types proposed to be accepted at the facility will remain as per the currently permitted waste types, namely biodegradable waste for composting. No additional waste handling or treatment infrastructure is required to support the proposed development. The proposed development includes the provision of additional odour control infrastructure in the form of a new biofilter with an area of c. 385sqm and a vertical emissions stack with a height of c. 15m, and improvements to existing odour control infrastructure.
- 8.1.4. The proposed increase in waste acceptance of 10,000 tonnes per annum is, therefore, below the applicable threshold of 25,000 tonnes as set out in Class 11(b).
- 8.1.5. The third parties consider that a mandatory EIA is required in accordance with Class 13(a) as the proposed increase results in a 25% increase in waste acceptance. It is acknowledged the proposed development would result in a 25% increase of waste. However, the amount (10,000 tonnes) does not equal 50% (12,500 tonnes) of the appropriate threshold (25,000 tonnes). Class 13(a) states that the applicable threshold is '*whichever is the greater*'. Therefore, as the proposed increase of 10,000 tonnes is less than 12,500 tonnes, which is 50% of the appropriate threshold. Having regard to the relatively limited increase in waste acceptance and the location of the development, and by reference to any of the classes outlined above, it is my opinion that a mandatory EIA is not required.
- 8.1.6. A composting facility has been in operation on the site since 2006. The construction works at the site are limited to an upgraded odour abatement system. I would note that the development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The site is not subject to a nature conservation designation. There would be no significant hydrological or hydrogeological impacts. An Appropriate Assessment Screening Report was submitted with the application which notes that the proposed development individually or in combination with other plans and projects would not adversely affect the integrity of the European Sites and that associated environmental impacts on these sites, by reason of loss of protected habitats and species, can, therefore, be ruled out.

- 8.1.7. Concerns are raised in the appeals that the applicant is reliant on a previous EIAR prepared in 2020, which was prepared for an alternative purpose and is, therefore, inappropriate and inadequate to properly identify the likely significant effects of the development. It is noted that an EIA was carried out for the parent permission *ABP. PL208236, Reg. Ref. KA/30304* granted in 2004 for a compost manufacturing facility, office and fuel tank store and an EIA was carried out under *ABP. PL17.236333, Reg. Ref. KA/901007* granted in 2011 for an extension to an existing composting facility to increase the waste acceptance from 20,000 to 40,000 per annum and an extension to the front and rear of the existing facility. The applicant acknowledges that the submitted documentation makes reference to the previous EIAR submitted with Reg. Ref. KA/901007. However, it is stated that this current application does not rely on the assessments carried out in the previous EIAR. It is noted that a Planning and Environmental Considerations Report was submitted to support the application and the environmental licence application.
- 8.1.8. Concerns are raised in the appeals that as an EIAR has not been submitted the impacts on the nature reserve have not been addressed. In the response to the appeal the applicant notes that ecological desk top studies and field studies were carried to characterise the baseline environment and identify relevant ecological features potentially affected by the proposed development. This information informed the Environmental Impact Assessment Screening Report and the Planning and Environmental Considerations Report. Potential impacts from the construction phase were identified and classified as not significant. During the operational phase the facility would continue to be monitored by the EPA. The facility has been monitored by the EPA since 2006 and no evidence of adverse effects to the receiving environment have been found. I am satisfied that the potential impacts to the nature reserve have been addressed and agree with the applicant that there would be no impact on Newcastle Lough.
- 8.1.9. I have completed an EIA screening determination as set out in Appendix A of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant

by its extent, magnitude, complexity, probability, duration, frequency, or reversibility. In these circumstances, the application of the criteria in Schedule 7 and 7A, to the proposed sub-threshold development, demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the information provided in the applicant's report. It is noted the planning authority raised no concerns regarding EIA or the impact of the wider area.

8.1.10. A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

9.0 Appropriate Assessment

9.1. The applicant has submitted a Screening Report for Appropriate Assessment prepared by Tobin Consulting Engineers. The report provides a description of the proposed development, identifies and provides a brief description of European Sites within a possible zone of influence of the development and an assessment of the potential impacts arising from the development. The AA screening report concludes that the proposed development either individually or in combination with other projects and plans will not result in likely significant effects on the qualifying interests / special conservation interests of any European site. As such, a State 2 Appropriate Assessment is, therefore, not required.

9.2. Having reviewed the documents and submissions, I am satisfied that the submitted information allows for a complete examination and identification of all the aspects of the project that could have an effect, alone, or in combination with other plans and projects on European sites.

Stage 1 AA Screening

9.2.1. The project is not directly connected with or necessary to the management of a European Site and, therefore, it needs to be determined if the development is likely to have significant effects on a European site(s). The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it

may give rise to significant effects on any European Site in view of the conservation objectives of those sites.

Brief Description of the Development

- 9.2.2. The site is currently comprises a composting facility, administration building and internal access roads. It is located in Ballynalurgan, Kilmainhamwood, c. 4 kms south-east of Kingscourt and c. 6km north-west of Nobber. The site has a stated area of 4.6ha and forms part of a larger (13.2 ha) site within the ownership of the applicant. The surrounding area is generally rural in nature.
- 9.2.3. In summary, the proposed development comprises an increase in waste acceptance at the existing composting facility from currently permitted 40,000 tonnes per annum to 50,000 tonnes per annum. The composting facility will continue to operate under the EPA Licence (reg. No. W0195-02) only minor updates to procedures are required to cater for the increase in waste volumes including extending the initial mixing period in the reception area and increasing the number of composting bays that are filled each week. The waste types proposed to be accepted at the facility will remain as per the currently permitted waste types, namely biodegradable waste for composting. The proposed development includes the provision of additional odour control infrastructure in the form of a new biofilter with an area of c. 385sqm and a vertical emissions stack with a height of c. 15m, and improvements to existing odour control infrastructure. Water for the site is by a combination of borehole and recirculated leachate. Portable water is supplied in bottles by a contract water supplier. There is a wastewater treatment system on the site. No flora or fauna species for which Natura 2000 sites have been designated were recorded on the application site.

Zone of Influence

- 9.2.4. The proposed development is not located within or immediately adjacent to any European Site. Concerns are raised by a third party that the Zone of Influence has not been reasoned or explained. Appropriate Assessment Guidance (2009) recommends an assessment of European sites within a Zone of Influence of 15km. However, this distance is a guidance only and a potential Zone of Influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of

a European site. In accordance with the OPR Practice Note, PN01, the Zone of Interest should be established on a case-by-case basis using the Source- Pathway-Receptor framework and not by arbitrary distances (such as 15km). The Zone of Influence may be determined by connectivity to the proposed development in terms of:

- Nature, scale, timing and duration of works and possible impacts, nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

9.2.5. Table 5-1 of the applicants report considers identifies 5 no. designated sites within a the zoned of interest. These are outlined below:

- Killyconny Bog (Cloghbally) SAC (000006)
- River Boyne and River Blackwater SAC (002299)
- River Boyne and River Blackwater SPA (004232)
- Dundalk Bay SPA (004026)
- Dundalk Bay SAC (000455)

9.2.6. The proposed development has no potential source pathway receptor connections to any other European Sites.

Consideration of the Impacts

9.2.7. It is considered that there is nothing unique or particularly challenging about the proposed development, either at construction or operational phase.

9.2.8. There are no rivers or streams within the vicinity of the site and there is no connectivity to any European sites. There are no surface water features within the site. There is a surface water drainage ditch at the sites eastern boundary, which drains in a south east direction to the River Dee, c. 1km south of the appeal site and ultimately discharge to Dundalk Bay. The habitats and species of Natura 2000 sites in Dundalk Bay are located c. 27km (as the crow flies) downstream of the site and water quality is not a target for the maintenance of any of the QI's within the Bay. The surface water pathway could create the potential for an interrupted and distant hydrological connection

between the proposed development and European sites in the inner section of Dundalk Bay. During the construction phase, standard pollution control measures would be put in place. These measures are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed I am satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in Dundalk Bay from surface water run-off can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in Dundalk Bay (dilution factor).

- 9.2.9. The nearest European site to the proposed development site is the Killyconny Bog (Cloghbally) SAC (000006) located c. 14 km upstream of the site. There is no hydrological connection or ecological pathway between the subject site and the SAC.
- 9.2.10. The site includes attenuation measures which have a positive impact on drainage from the subject site. SUDS are standard measures which are included in all projects and are not included to reduce or avoid any effect on a designated site. The inclusion of SUDS are not mitigation measures in the context of Appropriate Assessment. I also note that the nature of the proposed scheme would have a negligible impact on surface water run-off.
- 9.2.11. The foul discharge from the proposed development would drain to the on-site wastewater treatment system.
- 9.2.12. The site has not been identified as an ex-situ site for qualifying interests of a designated site and I am satisfied that the potential for impacts on wintering birds, due to increased activity on the site, can be excluded due to the separation distances between the European sites and the proposed development site, the absence of relevant qualifying interests in the vicinity of the works and the absence of ecological or hydrological pathway.
- 9.2.13. Having regard to the above, I am satisfied that the potential for impacts on the designated sites can be excluded at the preliminary stage due to the separation

distance between the European site and the proposed development site, the nature and scale of the proposed development, the absence of a hydrological link, the subject site provides no ex-situ habitat for any of the waterbird/seabird species and an absence of relevant qualifying interests in the vicinity of the works and to the conservation objectives of the designated sites.

9.3. ***Cumulative In-Combination Effects***

- 9.3.1. Section 6 of the applicants AA Screening Report indicates that there have been a number of planning applications for small scale developments (single dwellings and house extensions) within the vicinity of the subject site. It is anticipated that there will be no potential cumulative effects given the nature and scale of the proposed development and the distance to any European sites.

9.4. ***AA Screening Conclusion***

- 9.4.1. In reaching my screening assessment conclusion, no account was taken of measures that could in any way be considered to be mitigation measures intended to avoid or reduce potentially harmful effects of the project on any European Site. In this project, no measures have been especially designed to protect any European Site and even if they had been, which they have not, European Sites located downstream are so far removed from the subject lands and when combined with the interplay of a dilution affect such potential impacts would be insignificant. I am satisfied that no mitigation measures have been included in the development proposal specifically because of any potential impact to a Natura 2000 site.
- 9.4.2. It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.
- 9.4.3. It is noted that the planners report also concluded that the proposed development by itself or in combination with other plans and developments in the vicinity , would not be likely to have a significant effect on European Site(s) and an NIS is no required in this instance.

10.0 Recommendation

10.1. It is recommended that permission be granted subject to conditions.

11.0 Reasons and Considerations

Having regard to the permitted established use of the site, which is subject to licensing by the Environmental Protection Agency, and to the provisions of the Meath County Development Plan 2021 – 2027 it is considered that the proposed extension to the existing composting facility, subject to the conditions set out hereunder, would not be seriously injurious to the residential or visual amenities of the area, would not be prejudicial to public health, would not give rise to a traffic hazard and would accord with both national and regional policy in relation to waste management. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 5th day of October 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission is for the composting of waste with a maximum intake of 50,000 tonnes per annum.

Reason: In the interest of clarity and orderly development.

3. Mitigation and monitoring measures outlined in the plans and particulars, including the Planning and Environmental Considerations Report shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

4. The proposed extension shall be used only as a compost-making facility in conjunction with the existing structure and shall not be used for any other waste processing activity or any other class of use contained in Part 4 of Schedule 2 of the Planning and Development Regulations, 2001 or any other amending, unless authorised by a separate and specific grant of planning permission.

Reason: To limit the proposed development to the terms of the application, having particular regard to the location of the site in a rural area.

5. All sludges, compost and intermediary products shall be stored indoors. No composting materials shall be stored outdoors.

Reason: To safeguard the amenities of the area.

6. All waste for composting, brought to the site, and all composting materials leaving the site shall be delivered and taken away in enclosed containers.

Reason: To safeguard the amenities of the area.

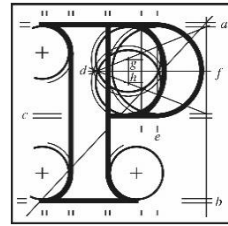
7. The external finish to the proposed stack and biofilter walls shall be neutral in colour.

Reason: In the interest of visual amenity.

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.

Elaine Power
Senior Planning Inspector

20th September 2023



**An
Bord
Pleanála**

**EIA - Screening Determination for Strategic Housing Development
Applications**

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-315424-22
Development Summary		Increase the quantum of waste accepted at the existing composting facility, from the currently permitted 40,000 tonnes per annum to 50,000 tonnes per annum
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	A Stage 1 AA Screening Report was submitted with the application
2. Is an IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	Yes. The existing facility is subject to an Industrial Emissions Licence from the EPA. An Industrial Emissions Licence Review Application will be submitted to the EPA in respect of the proposed development. A copy of correspondence between the applicant and the EPA has been submitted.
3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	<p>SEA undertaken in respect of the Meath County Development Plan 2021-2027 and the results of the Strategic Environmental Assessment of the plan.</p> <p>An Appropriate Assessment Screening Report and Planning and Environmental Considerations Report were submitted which had regard to the Habitats Directive (92/43/EEC), the Birds Directive (2009/147/EC) and to the Water Framework Directive (WFD) (Directive 2000/60/EC).</p> <p>The Meath County Development Plan 2021-2027 undertook a Strategic Flood Risk Assessment (FRA).</p>

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The development comprises the increase of waste acceptance at an existing composting facility from 40,000 tonnes per annum to 50,000 tonnes per annum. Having regard to the existing use on site, the nature and scale of the proposed development is not regarded as being significantly at odds with the surrounding pattern of development.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	The construction works on site are limited to an upgraded odour abatement system.	No

<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>No</p>	<p>The construction and operational phase would not use natural resources which are non-renewable.</p>	<p>No</p>
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>No</p>	<p>There are no construction or operational impacts anticipated.</p>	<p>No</p>
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>The existing facility and the proposed increase in waste acceptance has the potential to generate significant odours I am satisfied that the odour emissions are in accordance with best practice and are monitored as part of the waste licence. It is also noted that the additional infrastructure proposed as part of the development would reduce the potential for odour impacts during the operational phase.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified.</p> <p>There are limited construction works.</p> <p>The operational development will continue to operate in accordance with the EPA waste licence.</p> <p>Surface water to the existing drainage ditch, is monitored and controlled. Wastewater is separate to the surface water network and is treated on site in a wastewater treatment system.</p>	<p>No</p>

		<p>The EPA licence and does not permit any leachate / wastewater emissions to the drainage ditch. Leachate generated from the composting process is collected, contained and recirculated within the facility. Any excess leachate is stored underground and removed to an off-site wastewater treatment facility</p> <p>No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature.</p> <p>The composting process releases large amounts of energy in the form of heat. Temperature is maintained and monitored on site to ensure optimal temperature for composting.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>No</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction Management Plan would satisfactorily address potential impacts on human health.</p> <p>No significant operational impacts are anticipated.</p>	<p>No</p>

<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding.</p> <p>There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p>No</p>
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>No</p>	<p>There are 6 no. full time employees at the existing facility. No additional staff are required to accommodate the proposed increase in waste acceptance.</p>	<p>No</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>No</p>	<p>This development comprises an extension to an existing waste facility and is not part of a wider large scale change. Other developments in the wider area are not considered to give rise to significant cumulative effects.</p>	<p>No</p>
<p>2. Location of proposed development</p>			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <p>1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA</p>	<p>No</p>	<p>No European sites located on the site. An AA Screening Assessment accompanied the application which concluded the development would not be likely to give rise to significant effects on any European Sites.</p>	<p>No</p>

<p>3. Designated Nature Reserve 4. Designated refuge for flora or fauna 5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>		<p>Newcastle Lough is located 1.2km from the subject site, however, it is not hydrologically linked to the subject site.</p> <p>This site does not host any species of conservation interest.</p>	
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No</p>	<p>No such species use the site and no impacts on such species are anticipated.</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No</p>	<p>No such features arise in this location.</p>	<p>No</p>
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>No</p>	<p>No such features arise in this location.</p>	<p>No</p>

<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>No</p>	<p>There is an open drainage ditch the runs along the sites north eastern boundary. This ditch discharge to the River Dee, c. 1km of the subject site.</p> <p>The development will implement SUDS measures including attenuation of surface water, to control run-off.</p> <p>There is a stream that runs along the sites southern boundary. This stream is at the entrance to the site, c. 750m from the existing facility. The stream is culverted under the facility entrance and the R162 and discharges to Newcastle Lough. However, this stream is not hydrologically connected to the drainage ditch at the sites north eastern boundary. Therefore, the appeal site is not hydrologically connected to Newcastle Lough.</p> <p>The site is not at risk of flooding.</p>	<p>No</p>
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No</p>	<p>No risks are identified in this regard.</p>	<p>No</p>

<p>2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No</p>	<p>The site is located within a rural area. It is served by a local road network (R162).</p> <p>There are staff and visitor car parking spaces available on site. No additional car parking spaces are proposed as part of the development.</p> <p>No contribution to congestion is anticipated.</p>	<p>No</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>Yes</p>	<p>No. There are no sensitive land uses or community facilities which could be affected by the development.</p>	<p>No</p>

<p>3. Any other factors that should be considered which could lead to environmental impacts</p>			
<p>3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?</p>	<p>No</p>	<p>No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects.</p>	<p>No</p>
<p>3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?</p>	<p>No</p>	<p>No trans boundary considerations arise</p>	<p>No</p>
<p>3.3 Are there any other relevant considerations?</p>	<p>No</p>	<p>No</p>	<p>No</p>

C. CONCLUSION			
No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	EIAR Not Required
Real likelihood of significant effects on the environment.	No	No real likelihood of significant effects on the environment.	

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- the nature and scale of the proposed development, which is below the threshold in respect of Class 11(b) and 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- the location of the site on lands zoned Objective RA Rural Area in the Meath Development Plan 2021-2027 with the associated land use objective '*to protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage*'. The development plan was subject to a strategic environmental assessment in accordance with the SEA Directive (2001/42/EEC).
- The location of the site within and existing composting facility in a rural area.
- The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government (2003),
- the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended)
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and

- The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Planning and Environmental Considerations Report.

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

Inspector: Elaine Power

Date: 20th September 2023