An Bord Pleanála

Inspector's Report

ABP-319013-24

Development	Replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant.
Location	Redmondstown, Clonmel, County Tipperary
Planning Authority	Tipperary County Council
Applicant(s)	Medite Europe DAC
Type of Application	Application under the provisions of Section 37E of the Planning and Development Act, 2000, as amended
Prescribed Bodies	Department of Housing, Local Government and Heritage Transport Infrastructure Ireland Environmental Protection Agency
Observer(s)	None
Date of Site Inspection	17th June 2024
Inspector	Liam Bowe

Contents

1.0 Introduction

1.1. An application under the provisions of S.37E of the Planning and Development Act 2000 (as amended), was received by the Board from Medite Europe DAC seeking permission for the replacement of the existing three aging thermal energy systems serving Medite's two production lines with renewable energy plant, with thermal input capacity of 60MW and 30MW respectively, for each of Medite's production lines.

1.2. The proposed development would ensure that the factory's significant heat requirement for the production of Medium Density Fibreboard (MDF) on its site in Clonmel, Co. Tipperary is met. Medite established this production facility in Clonmel in 1983, was acquired by Coillte Teoranta in 2006, and now produces up to 425,000m^3 of MDF per annum on the site.

1.3. Following a pre-application consultation for the replacement of existing biomass-fired boilers, a biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant at Redmondstown, Clonmel. County Tipperary, the Board determined (ABP-311991-21) that the proposed development falls within the scope of Section 37E of the Planning and Development Act, 2000 as amended and that the application must be made directly to the Board.

2.0 Site Location and Description

2.1. The stated 29.7 hectare development site is located on the eastern edge of Clonmel town in County Tipperary. The site is accessed from an entrance to the L2506 local road to its east, which connects to the N24 national road, which is located c.900m to the south of the site. The N24 provides access to the M8 to the west and to the N27, N25, and M9 to the east.

2.2. The Medite site comprises production plant buildings and materials storage areas with a number of landscaped areas and bunds located along the perimeter of the site. The site comprises an area of ground which was levelled in the 1980's to facilitate the creation of a working area which has led to formation of steep embankments along the northwest boundary of the site. There is a mix of land uses within the wider area including agricultural, one-off rural housing, a low density

residential development of residential units located to the southeast of the site and the Bulmer's facility located to the south.

2.3. The River Anner is located c. 200 metres to the east of the site and connects as a tributary to the River Suir. The River Anner forms part of the Lower River Suir SAC.

3.0 Proposed Development

3.1. A 10 year permission is sought for the following:

- Proposed replacement renewable energy plants (wood biomass fired Thermal Fluid Heaters) with rated thermal input capacity of up to 60 MW for the system serving Production Line 1 and 30 MW for the system serving Production Line 2.
- Pipes/ ducts and associated supporting infrastructure to transfer the thermal energy to the various heat users within each of the production lines.
- Modifications to the Line 1 Dryers.
- Incorporation of an existing wood chip storage and conveying facility (MTX Building & associated plant) to store and transport fuel wood into the new energy systems.
- Associated site development and infrastructure works.

3.2. The proposed development will replace all three existing aging biomass fired thermal energy systems serving both of Medite's two production lines, specifically:

- the two wood biomass fired boilers (18MW each) serving Production Line 1, and
- the wood biomass fired Thermal Fluid Heater (19MW) serving Production Line 2.

3.3. The proposed development will be located within the confines of the existing Medite site and within three primary development areas/ phases. They are:

- Development Area 1 which will accommodate a new fuel reception, storage and conveying/ screening plant and associated infrastructure works, including the modified MTX building and associated plant.

- Development Area 2 which will accommodate a new Line 1 energy plant, the decommissioning of the two existing wood biomass fired boilers (18MW each) that serve Line 1 (the existing equipment will be retained on site), the decommissioning of the LPG Tank after the new Line 1 energy plant is constructed, the retention of the natural gas-fired Thermal Fluid Heater, and the removal of trees to facilitate the proposed development at this location.
- Development Area 3 which will accommodate a new Line 2 energy plant adjacent to the existing Line 2 Energy Plant, the decommissioning of the existing single wood biomass fired Thermal Fluid Heater (19MW) serving Line 2 and the dismantling, removal and disposal of the existing Thermal Fluid Heater equipment.

3.4. The site entrance to the existing manufacturing plant and application site is accessed via a local access road off the N24.

3.5. The existing surface water drainage system is to be retained and to remain unchanged with interceptor settling lagoons, prior to discharge to the River Anner.

3.6. The process would involve the combustion of up to 186,000 tonnes a year from a range of biomass fuels including by-products from the Medite manufacturing process and forestry and sawmill residue. It is stated that this increase from the existing throughput of 111,000 tonnes per annum will not result in an increase in the production of MDF but is required to reflect a change in the fuel inputs. Of the 186,000 tonnes of proposed fuel intake, 71,000 will comprise Medite production residues which are sourced on site and 115,000 tonnes will comprise forestry and sawmill residues.

3.7. A **Screening Report for Appropriate Assessment** and a **Natura Impact Statement (NIS)** (January 2024) have been prepared and accompany the application.

3.8. An **Environmental Impact Assessment Report (EIAR)** (January 2024) has been prepared and accompanies the application.

3.9. The following documents are also submitted with the application:

- Application form
- Cover letter

- Planning Drawings
- Planning Report
- Record of Pre-Planning Meeting Minutes
- Copy of the letters to prescribed bodies
- Copy of the letter to Tipperary County Council

4.0 Planning History

4.1. In their submission, the planning authority have outlined the extensive planning history on the site. The relevant planning history that the Board should note for this application is as follows:

- **P.A. Reg. Ref. P38217:** Permission granted for the construction of medium density fibreboard (MDF) plant (30/07/1982).
- **P.A. Reg. Ref. P312290:** Permission granted for an extension to the existing factory and associated works (26/07/1990).
- **P.A. Reg. Ref. 001296:** Permission granted for building extensions and additions to the existing Medium Density Fibreboard manufacturing facility for housing the replacement of Production Line 1 (20/12/2000).
- **ABP-311991-21:** Pre-planning application where the Board decided that the proposed development that is the subject of this application would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act, 2000, as amended and that any application for permission for the proposed development must therefore be made directly to An Bord Pleanála under section 37E of the Act.

5.0 Consultations

5.1. Details of the application were circulated to the following prescribed bodies:

- Minister for Housing, Local Government and Heritage (Development Applications Unit)
- Minister for Environment, Climate and Communications

- Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Minister for Agriculture, Food and the Marine
- Tipperary County Council
- Waterford City and County Council
- The Southern Regional Assembly
- Environmental Protection Agency
- Transport Infrastructure Ireland
- Fáilte Ireland
- An Taisce
- The Heritage Council
- Inland Fisheries Ireland
- Irish Water

5.2. Responses were received from the Department of Housing, Local Government and Heritage, Transport Infrastructure Ireland, the Environmental Protection Agency and Tipperary County Council. The submissions are summarised below.

6.0 Submissions

6.1. Department of Housing, Local Government and Heritage (DAU)

In relation to archaeology, the Department notes that the field inspection carried out identified a low-relief earthwork in Area 4 of the proposed development site, which may represent the remains of a circular to sub-circular enclosure and, as such, should be regarded as an area of very high archaeological potential.

6.2. Transport Infrastructure Ireland (TII)

TII advises that the following provisions apply in any decision:

- The proposed development be undertaken strictly in accordance with the recommendations of the Transport Assessment,

- The applicant should be made aware of the plans for a new national road scheme, and
- TII will entertain no future claims in respect of noise and visual impacts on the proposed development, if approved.

6.3. Environmental Protection Agency (EPA)

6.3.1. The EPA advises that the applicant was issued an Industrial Emissions (IE) Licence (Register No: P0027-04) on 7th March 2017 for the production of fibreboard with a production capacity exceeding 600m^3 per day (regulated activity 8.7) and for the combustion of fuels with a total rated thermal input of 50MW or more (regulated activity 2.1). The EPA confirms that the licence application was accompanied by an EIS.

6.3.2. The EPA advises that the Board will be requested to provide the documentation relating to the EIA carried out under the current application for planning consent. The EPA will consider the EIAR if a licence review application for emissions to the environment is received.

6.4. Tipperary County Council (TCC)

6.4.1. TCC consider the proposed development to be consistent with national, regional and local planning policy. TCC state that the site is located within an area with a land use zoning of 'General Industrial Use' under the Clonmel & Environs Local Area Plan 2024.

6.4.2. TCC are satisfied that the proposal will not give rise to significant impacts on the visual character or residential amenity of the area. TCC request that the impacts of queueing vehicles at the junction of the L2506 and N24 roads be further assessed. They also seek that consideration be given to the proposed N24 Moangarriff to Twomilebridge pavement scheme and that a workforce mobility plan be included as a mitigation measure to address potential traffic impacts. TCC state that it may be prudent to carry out a further bat survey in the area where woodland is proposed to be removed. TCC are satisfied, subject to identified mitigation measures proposed, that the impact on surface water and groundwater receptors, air and climate, cultural heritage, noise and ecology will not be significant.

6.5. Applicant's response to submissions

6.5.1. The applicant has responded to the submissions from the Department of Housing, Local Government and Heritage, EPA, and TII. The applicant notes there are no objections to the proposed development in the submissions and submits that preconstruction archaeological investigations for the project can be dealt with by means of appropriately worded conditions.

6.5.2. In relation to Tipperary County Council's submission, the applicant has addressed the issues raised by each of the internal departments of the Planning Authority. The applicant highlights that the level of additional traffic will be minimal and is forecast to be just 2 additional vehicle movements per hour, which equates to a 1.4% increase during a peak hour and a daily increase of up to 1.2% on the local access road. Similarly, the applicant highlights that the increases in HGV traffic are less than the thresholds outlined in the NRA TTA Guidelines that would require further assessment of the junction of the local access road with the N24.

6.5.3. The applicant also notes that the proposed N24 Moangarriff to Twomilebridge pavement improvement scheme that will affect the junction arrangement at the local access road with the N24, although the specific details are not completed. The applicant highlights that any additional traffic as a result of the proposed development arriving at this junction will tend to arrive from the east and, consequently, will not be affected by the removal of a left-turn filter.

6.5.4. The applicant contends that the completion of a mobility management plan is not necessary as there will be no change from the current situation on the Medite site during operation but is amenable to one if the Board consider it to be appropriate.

7.0 Policy Context

7.1. National Level

7.1.1. **Programme for Government:** The current programme for government (Our Shared Future) states a commitment to an average 7 percent reduction in greenhouse gas (GHG) emissions per annum over the 2021-2030 period. As part of moving to a low carbon future there is commitment to direct any relevant funding under the European Green Deal towards decarbonising projects such as renewable energy, retrofits,

ecosystem resilience and regeneration, clean research and development spending, and reskilling.

7.1.2. **Climate Action Plan 2024:** This recognises the critical nature of the climate change challenge and sets out a roadmap for taking decisive action to halve GHG emissions by 2030 and reach net zero by 2050 in accordance with the European Green Deal, The Paris Agreement, and the Climate Action and Low Carbon Development (Amendment) Act 2021. It acknowledges that agriculture, transport and energy industries consistently have the largest shares of emissions, and that key drivers of recent reductions in emissions include reduced use of peat and increased renewable power generation in the electricity sector. The Plan lists the actions needed to deliver on our climate targets and sets indicative ranges of emissions reductions for each sector of the economy.

The Government is committed to increased use of harvested wood products and will deliver emissions reductions by continuing to support sustainable production of wood biomass for energy contributing to the reduction of fossil fuels and through continued increased use of harvested wood products in the built environment by working to address barriers in construction (Action Number LU/24/1).

7.1.3. **Project Ireland 2040 - National Planning Framework**: The plan contains a number of National Policy Outcomes (NPOs) such as:

- NPO 53:

  'Support the circular and bio economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.'

- NPO 55:

  'Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.'

- NPO 56:

  'Sustainably manage waste generation, invest in different types of waste treatment and support circular economy principles, prioritising prevention,

reuse, recycling and recovery, to support a healthy environment, economy and society.'

7.1.4. **National Energy Security Framework (Government of Ireland, April 2022):** This Framework provides a single overarching and initial response to address Ireland's energy security needs in the context of the war in Ukraine. It coordinates work connected to energy security across the electricity, gas and oil sectors and sets out a 'whole-of-Government' response to the challenges posed to energy security and energy affordability. The development of this Framework has taken account of the need to decarbonise our society and economy as set out in recent reports by the Intergovernmental Panel on Climate Change and Ireland's targets to reduce emissions by 51% over the decade to 2030 and reach net zero emissions by 2050 as set out in the Climate Action Plan.

7.1.5. **Bioenergy Action Plan for Ireland - Teagasc (undated):** This explains the potential contribution of wood - biomass - quantified by the EPA as having an equivalent energy value of 256 million litres of home heating oil – one quarter of total kerosene consumption in 2004. Transport and processing could diminish this displacement potential, and this is why proximity of supply and demand is important when assessing the overall potential for wood energy. It further identifies that the private sector is the most likely supply source.

7.1.6. **Draft Bioenergy Plan (2014)** sets out the broader context for the development of Ireland's bioenergy sector, and the current status with regard to the range of policy areas that must be coordinated in order to create the conditions necessary to support the development of this sector. A Bioenergy Steering Group has been established in order to oversee the finalisation and implementation of the Bioenergy Plan. It refers to the market support and sustainability measure as part of the action plan such as Taxation Policy, sustainable Forest Material, industry led development of standards related to wood fuels, cross governance, addressing air quality risks with biomass combustion

7.1.7. **National Policy Statement on the Bioeconomy 2018**: This sets out a vision, common principles, strategic objectives, and a framework for implementation to deliver on this vision for the bioeconomy in Ireland.

7.1.8. **Government white paper 'Delivering a Sustainable Future for Ireland:** The Energy Policy Framework 2007-2020 sets out the governments energy policy within the framework of the European Union Directive 2009/28/EC on the Promotion of the Use of Energy from Renewable sources and sets targets: RES-E renewable contribution to gross electricity consumption of 40% by 2020 RES-T Renewable energy contribution target of 10% in transport RES-H Renewable contribution to heat of 12% by 2020. Government Strategy for Renewable Energy 2016-2020 (May 2012) and the government white paper on 'Energy Policy in Ireland 2015-203 Irelands Transition to a Low Carbon Energy Future 2015-2030' further advance energy changes and focus on renewable energy sector.

7.1.9. **Waste Action Plan for a Circular Economy – National Waste Policy 2020-2025 (DECC)** reflects the commitment to transitioning to a circular economy and application of a strategy across many sectors including forestry and bioenergy. It highlights the role of byproducts as maximising the productive life of resources. It also acknowledges the need for research and innovation and the shift to prioritising decarbonising the energy system comprises a new roadmap for waste planning and management. It looks to move away from waste disposal and looks instead to how resources can be preserved by creating a circular economy and climate change targets realised.

7.2. Regional Level

7.2.1. Regional Spatial and Economic Strategy (RSES) for the Southern Region sets out a strategy to implement the NPF in the Southern Region.

7.2.2. The RSES provides a high-level development framework for the region that supports the implementation of the NPF and the relevant economic policies and objectives of the Government. Clonmel is defined as a key town in the RSES settlement strategy with its attributes including its strategic location, good access to airports and ports and its role as a major employment centre and the benefits likely to arise from the upgrade of the N24 between Waterford and Limerick. RPO17 relates to Clonmel.

7.2.3. The following regional policy objective on the bio-economy is considered to be of relevance to the proposal:

RPO 57 - National Policy Statement on Bio-economy

'The bioeconomy emphasises the importance of using an increasing list of renewable biological resources and in some cases what would have hitherto been discarded as residues or waste and putting them to more productive uses.' (National Policy Statement on the Bioeconomy, 2018)

7.3. Local Level

7.3.1. Tipperary County Development Plan 2022-2028

It is the policy of the Council to:

Policy 10-1 Support and facilitate new development that will produce energy from local renewable sources such as hydro, bioenergy, wind, solar, geothermal and landfill gas, including renewable and non-renewable enabling plant, subject to compliance with normal planning and environmental criteria, in co-operation with statutory and other energy providers.

Policy 10 - 3 Support and facilitate the development of a sustainable and economically efficient agricultural and food sector and bioeconomy, balanced with the importance of maintaining and protecting the natural services of the environment, including landscape, water quality and biodiversity.

Policy 10 - 4 Ensure the sustainable management of waste and the application of the 'Circular Economy' concept in line with the provisions of the National Waste Management Plan for a Circular Economy and the Waste Management Infrastructure – Guidance for Siting Waste Management Facilities, (Government of Ireland, 2022) in the development and management of new development.

Policy 10 - 5 Support and facilitate the co-location of renewable energy development and technologies to ensure the most efficient use of land identified as suitable for renewable energy generation.

It is an objective **(10-B)** of the Council to support the National Policy Statement on the Bioeconomy (Government of Ireland, 2018) and any review thereof, having consideration to the strategic importance of the bioeconomy to rural Tipperary and support the preparation of a Bioenergy Implementation Plan for the Southern Region in conjunction with the Local Authorities and the Southern Regional Waste Management office.

7.3.2. **Clonmel & Environs Local Area Plan 2024-2030**

The site is zoned 'General Industry' in the LAP, the objective of which is to 'provide for heavy/ specialised industrial development' on such zoned land. It is stated in Section 4.1 of the LAP that 'General Industry' zoning is to provide for heavier industry, with available land located on the eastern end of the town, benefiting from good access to the N24, comprising land adjacent to Bulmers and Medite MDF facilities.

It is the policy **(8.1)** of the Council to support the use of renewable energy technologies at appropriate scales in residential, commercial and community developments and support the principle of on-site energy generation for self-consumption, subject to other planning and design criteria.

Transport and Connectivity – Demand Management

DM 5: Workplace Mobility Management Plans (MMPs) - Clonmel has a number of significant employment centres: Abbott, Boston Scientific, Bulmers, ***Medite***, Carrigeen Business Park etc. Travel Plans should be developed for these employment centres to encourage more sustainable trip making.

7.4. **Other legislative provisions Renewable Energy**

Renewable Energy

7.4.1. Renewable Energy Directive (RED II): Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources. On 14th July 2021, the European Commission proposed the revision of the RED II under the "Fit for 55" package of legislative proposals, in view to achieve climate neutrality in the EU by 2050, including the intermediate target of an at least 55% net reduction in greenhouse gas emissions by 2030.

Water

7.4.2. The EU Water Framework Directive aims to improve water quality and applies to all water bodies. The Directive runs in six-year cycles and is currently in its third cycle 2022 to 2027. Member States are required to achieve 'good' status in all waters and must ensure that status does not deteriorate. The Directive has been given effect by the Surface Water and Groundwater Regulations.

Medium Combustion Plant Directive and Regulations

7.4.3. The burning of fuels in medium combustion plant (boilers, turbines, and engines) and in which fuels are burned to make use of the heat generated gives rise to emissions of various pollutants into the air, which can include particulates (dust), nitrogen and sulphur oxides, and carbon monoxide. The purpose of the Medium Combustion Plant Regulations is to limit these emissions in order to help improve air quality to the benefit of the environment and human health. The regulations require registration of medium combustion plant with the EPA except where it is already included on a site holding an Industrial Emissions Licence (IEL) or an Integrated Pollution Control (IPC) licence.

7.4.4. The European Union (Medium Combustion Plant) Regulations 2017 were signed into law in December 2017. Their purpose is to limit emissions to the atmosphere from boilers and other stationary combustion plants in the 1-50 MWTH (thermal input) range. It covers all fuel types. The Regulations transpose the Medium Combustion Plant (MCP) Directive (EU 2015/2193) which was adopted in 2015.

7.5. Natural Heritage Designations

7.5.1. The nearest designated European sites include the Lower River Suir SAC located c.20 metres to the east of the site, the Nier Valley Woodlands SAC located c.9.3km to the south of the site, the Comeragh Mountains SAC located c.9.8km to the southeast of the site and the River Barrow and Nore SAC located c.43.5km to the east of the site.

7.5.2. A Natura Impact Statement (NIS) has been prepared with regard to the foregoing European Sites and has been submitted to the Board in respect of the proposed development under Part XAB of the Planning and Development Act 2000 (as amended).

7.6. EIA Screening

7.6.1. Section 37E(1) of the Planning and Development Act, 2000 as amended states that “an application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Board and shall be accompanied by an environmental impact assessment report in respect of the proposed development”.

7.6.2. Class 11(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended requires an EIAR is submitted for:

- Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.

7.6.3. The proposed annual intake at the Medite plant is up to 186,000 tonnes of waste. Consequently, the applicant has submitted an environmental impact assessment report with this application to the Board.

8.0 Assessment

Having regard to the requirements of the Planning and Development Act 2000, as amended, the application details and documentation on file, submissions received, and relevant local/ regional/ national polices and guidance, I consider that the main issues in the planning assessment are as follows:

- Principle of Development and Planning Policy
- Landscape and Visual Impact
- Roads and Traffic
- Surface Water and Wastewater Disposal
- Archaeology and Cultural Heritage
- Biodiversity
- Noise
- Residential Amenity
- Other Issues

8.1. Principle of Development and Planning Policy

8.1.1. The proposed development comprises the replacement of the existing three aging thermal energy systems serving Medite's two production lines with renewable energy plant, with thermal input capacity of 60MW and 30MW respectively, for each of Medite's production lines.

8.1.2. National Policy (including the NPF and Climate Action Plan 2023) include objectives to support proposals which aim to achieve a climate neutral economy. In line with EU ambition, the Programme for Government, Our Shared Future commits to achieving a 51% reduction in Ireland's overall GHG emissions from 2021 to 2030, and to achieving net-zero emissions no later than 2050. The National Planning Framework National Strategic Outcome (NSO) 8 focuses on the 'Transition to a Low Carbon and Climate Resilient Society' and includes National Policy Objective (NPO) 55 to 'promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050'.

8.1.3. At a regional level, the Regional Spatial and Economic Strategy (RSES) for the Southern Region, and particularly policy objective RPO 57 which supports the National Policy Statement on Bio-Economy (2018) that emphasises the importance of using an increasing list of renewable biological resources and in some cases, what would have hitherto been discarded as residues or waste and putting them to more productive uses. At a local level, the proposed development accords with the Tipperary County Development Plan Objective 10-3 which aims to support and facilitate the development of a sustainable and economically efficient agricultural and food sector and bioeconomy, balanced with the importance of maintaining and protecting the natural services of the environment, including landscape, water quality and biodiversity.

8.1.4. The site is located in a semi-urban location on lands with an existing industrial land use. The subject site has a land use zoning of 'General Industry' under the Clonmel & Environs Local Area Plan 2024-2030. The objective of this land use zoning is to provide for heavier industry on the available land located on the eastern end of the town, benefiting from good access to the N24, and comprising the land adjacent to Bulmers and Medite MDF facilities.

8.1.5. Having regard to the nature and scale of the proposed development, the long-established existing land use on the site, the location of the site and the national, regional and local planning policies that supports an industrial development use on the subject site as well as the principle of on-site energy generation for self-consumption, I consider the principle of the development to be acceptable. The

proposed development's alignment with additional relevant development plan objectives is addressed in the following sections.

8.2. Landscape and Visual Impact

8.2.1. A Landscape and Visual Impact Assessment (LVIA) has been carried out by Anne Merkle, Principal Landscape Architect at SLR Consulting Ireland, an environmental, business and engineering consultancy firm. The report (Chapter 13 of the submitted EIAR) assesses the landscape and visual impacts of the proposed development on the receiving environment, identifying a 5km radius surrounding the proposed development site, based on the Zone of Theoretical Visibility Map which indicates potential visibility in many areas within that range. The study is supported by 10 photomontages taken from various receptor types/ viewpoints within the study area. Photomontages include for existing views and outlines views irrespective of screening.

8.2.2. The site is located within an area designated as the 'Plains' Landscape Character Unit in the Tipperary County Development Plan 2022-2028 (TCDP) which are described as working landscapes containing most settlements and services as well as large continuous areas used for pasture, tillage and peat harvesting. Within this general character unit, the subject site is located in an area designated as an 'Urban and Fringe Area' i.e., towns that represent the largest settlements of the county and due to their size relative to the smaller county settlements and are considered to have an urban character that sets them apart from the surrounding rural hinterland. The 'Urban and Fringe Areas' are designated as being 'Robust' under the Sensitivity Ratings of Landscape Character Areas.[1]

8.2.3. There are also specific scenic routes designated in the TCDP. These are also outlined in Landscape Character Assessment and Schedule of Views and Routes in the TCDP. The most notable scenic route in proximity to the subject site is part of the N24 located to the south of the subject site and with views to the south over the River Suir and the Comeragh mountains. Similarly, on the opposite/ southern side of the River Suir I note that Waterford City and County Council have designated the R680 east from Clonmel to Carrick-on-Suir and part of the R678 with a local road

[1] Table 5.2 Sensitivity Rating of Landscape Character Areas, Landscape Character Assessment and Schedule of Views and Routes, Appendix 3, Tipperary County Development Plan 2022 – 2028.

turning south for third class route through the Comeraghs as scenic routes.[2] I further note that the panoramic view of Clonmel from Lachtnafrankee in the Comeragh mountains is designated as a protected view (no.1) within the Waterford City & County Development Plan 2022-2028 (WCCDP).

8.2.4. In relation to visual impacts, the LVIA outlines the significance of impacts from viewpoints A, B, C, D, E and I consider that the impact from these viewpoints would be imperceptible as none or very little of the existing Medite facility are visible and the proposed development would be fully screened. The LVIA further outlines that the magnitude of landscape impact from the proposed development from viewpoints F, G, H and J would be slight/ negligible. The LVIA then states that it is not considered that there will be any significant cumulative effects arising from the proposed development with other consented developments and concludes the proposed development is not considered to give rise to any significant residual impacts.

8.2.5. The main components of the proposed development that could have a visual impact are the three tallest elements i.e., the Line 1 Energy Plant, the Line 1 start-up stack and the Line 2 start-up stack. In this regard and in particular, I draw the Board's attention to Viewpoints G and H in the submitted LVIA. I can confirm that these viewpoints and photomontages are representative of the on the ground visibility of the subject site from these locations. Although these viewpoints are from scenic routes designated under the WCCDP, I am satisfied, given the distance to the site, assimilation of proposed structures within the existing built environment on the site, and extent of existing vegetation along the site boundaries, that the visual impact of the proposed development will be slight/ negligible. Further to this following an inspection of the site, the surrounding area and an examination of the information submitted including the visual aids, I consider the receiving environment has the capacity to accommodate and absorb the proposed development at this location from a visual and landscape perspective.

8.2.6. Having regard to the topography and location of the subject site, its full enclosure and screening by woodland, hedgerows and trees, the scale and height of the

[2] Scenic Route No.'s 8 and 12, Landscape and Seascape Character Assessment, Appendix 8, Waterford City & County Development Plan 2022-2028.

proposed development, the extensive network of hedgerows and treelines adjacent to the surrounding road network, the separation distances to residential development and the intervening vegetative screening and topography between the site and the various receptors, I consider that the proposed development would not result in an adverse impact on the visual amenities of the area. It is considered that the mitigation as outlined including the painting of all proposed structures in a grey colour similar to that of the existing structures and the retention of all existing screening vegetation along the site boundaries would serve to further reduce the impact of the proposed scheme visually. While views of the scheme would arise on the road network in the immediate and wider area, these would be intermittent, and it is considered would not result in an adverse visual impact. Given the nature of the site and existing screening, it is considered that any visual impacts arising would range from slight to imperceptible. With the proposed development sited within an 'Urban and Fringe Area' Landscape Character Unit, it is considered that the characteristics of the scheme and its outlined site context would not adversely impact on this Landscape Character Unit or its landscape setting.

8.3. Roads and Traffic

8.3.1. The site is accessed from the L2506 local road immediately to the east of the site. The site access is located c.900m to the north of the N24 national road (Redmondstown junction). The applicant states that the existing road network is laid out to allow substantial reserve capacity against existing traffic demand and that no improvement works have been proposed to the roads associated with the proposed development.

8.3.2. The manufacturing process at the Medite site runs continuously 24 hours a day, 7 days a week. The weighbridge operates from 06:00 to 22:00 Monday to Thursday and 06:00 to 20:00 on Fridays. All biomass fuel for the energy systems is delivered to site during the operating hours of the weighbridge. The majority of all other HGV movements to and from the site also take place during the operating hours of the weighbridge. 15 HGV trips per day presently deliver to the existing energy system, which then leave site with empty loads, resulting in 30 two-way HGV movements per working day. As deliveries take place across a 16-hour working day (06:00 to 22:00), this equates to one trip per hour or two two-way movements per hour.

8.3.3. The states that at the Remondstown junction, there is a split in vehicles travelling east and west along the N24 to access the wider road network which averages 60% of vehicles accessing/ egressing west and the remaining 40% east.

8.3.4. For the construction phases, the applicant proposes to submit a Construction Traffic Management Plan (CTMP) to the Planning Authority in consultation with the TII, prior to the commencement of development. This CTMP will set out vehicle routing to/ from the site, the provision of a compound within the site boundary to accommodate all traffic movements, parking and storage, the hours of operation for construction works and confirm deliveries.

8.3.5. The applicant is seeking a ten-year permission for the proposed development to facilitate this phased development process which will allow existing manufacturing operations to continue at the site for the duration of the construction phase. The phased construction of the project will take place over a ten-year period which will include four distinct phases of development. It is expected that there will be average of 50 construction workers on site at any one time during the construction phase, rising to a peak of 240 construction workers over a period of 14 months in Phase 1.

8.3.6. Given the nature of the activity on the site and large-scale upgrades proposed under this application for consent, I consider this to be a reasonable request and recommend that a condition be attached to a grant of permission to this effect, if the Board is minded to grant permission for the proposed development.

8.3.7. When fully operational, there will be no change from the current situation in terms of the total number of employees on site each day between 8am to 6pm Monday to Friday. However, as a result of additional fuel requirements, it is predicted there will be a total of 25 HGVs per day (50 two-way movements)) which is an increase of 10 HGVs per day (20 two-way movements) based on the existing situation being 15 HGVs per day (30 two-way movements).

8.3.8. The percentage increase of HGVs is up to 12.5% within a peak hour and 6.6% across a working day. This is due to the relatively low baseline level of HGV movements. Despite the peaks receiving an increase higher than the TTA 10% threshold, this remains within the IEMA Guidelines threshold of 30% and so is not considered to be significant or require additional assessment.

8.3.9. No assessment into the capacity of the N24 was undertaken by the applicant. This is because the proposals will generate such an imperceptible increase in traffic along the L2506, whilst the increase in traffic flows on the N24 national route will be of an even smaller magnitude due to a greater baseline flow. The applicant concludes that additional traffic will be absorbed as part of general daily fluctuations (+/ - 10%), meaning if there are any existing capacity issues the site will not further exacerbate this nor will it generate enough traffic to cause any capacity issues should none be existing.

8.3.10. Overall, the completed proposed development will generate up to 10 additional trips per day/ 20 two-way movements, thus up to an additional one trip per hour/ two two-way movements. It is also noted there will be no additional light vehicular trips associated with staff as no additional staff members will be employed from the proposed development, once the new development is operational. The delivery vehicle trips in HGVs will continue to utilise the same distribution as existing, with all vehicles utilising the L2506 south of the site and an approximate 60% travelling west along the N24 and approximately 40% travelling east along the N24.

8.3.11. On the day of my site inspection, I observed activity at the site access and at the Redmondstown junction on the N24. I encountered no issues accessing the site at approximately 11am from either the Redmondstown junction or the L2506. Similarly, I did not have any issues egressing the site at approximately 12:30pm onto the L2506 or the N24. I acknowledge that this accessing/ egressing was not at a time where a change of shift would have occurred on the site and, therefore, at a time when vehicular activity would have been expected to be low. However, a number of cars and HGVs used the Redmondstown junction during the time that I observed activity there and I observed no traffic safety issues or queuing.

8.3.12. I note the submission from Transport Infrastructure Ireland who recommend provisions to be included in any decision such as any required additional works required to be funded by the developer, being made aware of the nearby future national road scheme, and that the Authority will entertain no future claims in respect of impacts on the proposed development. The applicant responded to the submission indicating their awareness of the proposals for the N24 national road scheme in proximity to the site.

8.3.13. I also note the submission from Tipperary County Council and, in particular, their request for a MMP to be submitted for agreement, prior to commencement of any development. In this regard, I draw the Board's attention to the recently adopted policy under the Clonmel & Environs LAP where demand management measure **DM 5:** Workplace Mobility Management Plans (MMPs) states that Travel Plans should be developed for employment centres, including Medite, to encourage more sustainable trip making. I consider that this will be the only opportunity within the lifetime of the existing use on this site to seek to achieve this policy objective. In their response to the Council's submission, I note the applicant's accession to the provision of an MMP. Consequently, if the Board are minded to grant permission, I recommend that a condition be attached to such permission requiring that a MMP for the site be agreed with the Planning Authority prior to the commencement of any development on the site.

8.3.14. The applicant also noted the Council's proposed N24 Moangarriff to Twomilebridge pavement scheme, for which the design detail has yet to be completed. Any design for the Redmondstown junction within this proposed scheme will need to continue to accommodate existing movements at this junction. Therefore, given the limited increase in HGV movements that will accrue as a result of the proposed development, I am satisfied that the impact of the proposed development on this junction will not be significant.

8.3.15. Having regard to the application documentation, my site inspection and the proposal for construction phases, I am satisfied that any negative traffic and amenity impacts arising as a result of the construction phase of the proposed development can be dealt with by way of implementation of a CTMP. I consider this can also be addressed by way of condition, should the Board be minded to grant permission.

8.4. Surface Water and Wastewater Disposal

8.4.1. The discharge water from the site comprises treated storm water runoff and process water which has been treated in the onsite WWTP. The treated water is discharged to the Anner River. The Anner River is classified as being of Good Ecological status according to the EPA River Waterbody WFD Status for the period 2013-2018. The Anner River is currently classified 'not at risk' of deteriorating in status under the WFD. The groundwater body is categorised as having "good" status but is ''under

review'' with regard to meeting the 2018 Water Framework Directive (WFD) objectives. The combined discharge from site runoff and treated process water is monitored under IE Licence P0027-04.

8.4.2. The Board should note that the application area at the Medite site is outside of fluvial Flood Zones A and B, and therefore the zoned lands were not included in the Clonmel & Environs LAP Justification Test undertaken as part of the SFRA. There are also no karst features in the vicinity of the site shown on the GSI karst landform database mapping.

8.4.3. Surface Water Management will largely remain unchanged except for three additional hard standing areas at the site to facilitate the proposed development. The additional hard standing at the site will cover an area of c.1.1 ha. within an overall site application area of 29.7 ha. The change in the small, forested area to non-permeable hardstanding will result in an increase in runoff, however the increase will be slight compared to the overall Medite site area and the slight increase will be managed in the existing Medite water management system.

8.4.4. Construction stage activities through accidental spillages, leaks or run-off from contaminated material encountered during excavations at the site will have the potential to increase the loading of suspended sediment and other potentially contaminating substances in surface water runoff. There is a potential for a reduction in the surface water status in terms of quality and quantity impacting the adjacent Anner River and Lower River Suir SAC. Similarly, accidental spillages from vehicles or machinery could impact the groundwater body and groundwater well supplies.

8.4.5. There is the potential for direct impacts on surface water and indirect impacts on groundwater arising from the continuance of current activities at the site during the operational stage. Existing treatment infrastructure at the site comprises a wastewater treatment plant (WwTP) in the form of an activated sludge treatment plant to treat domestic sewage and process effluent (mostly water squeezed from the wood chip during the refining stage). The Board should note that there is no plan to increase the current water usage at the site as part of the proposed development. The proposed development at the site will utilise the existing water management and treatment systems at the site.

8.4.6. There are existing mitigation measures in place at the site to manage and treat storm surface water runoff and process water at the site. The existing measures will essentially be the operational stage measures once the development is complete at the site.

8.4.7. The information provided in the EIAR in terms of the management and treatment of waters discharging to the Anner River does not suggest that significant impacts on water quality are likely. In this regard, I note the suite of mitigation measures proposed for the construction stage outlined in Section 7.230 of the EIAR. Subject to the implementation of such mitigation, I consider that there would be no significant impacts to groundwater and surface water quality and, therefore, no risk of significant impacts to the status of the water quality in the Anner River or the River Suir. Operational emissions will continue to be subject to the requirements an IE licence from the EPA.

8.5. Archaeology and Cultural Heritage

8.5.1. An archaeological, architectural and cultural heritage impact assessment (Chapter 12 of the EIAR) was prepared by Dr. Charles Mount on behalf of SLR Consulting, which was informed by a desktop survey and field inspections carried out on the 8th of September 2022 and the 9th of November 2023.

8.5.2. There are no recorded monuments or other heritage features within the site, with a Ringfort located immediately to the east of the site in Redmondstown that is preserved by a landscape buffer per a condition attached to planning permissions issued in 1981 and 1990 under planning application Ref. No.'s P37509 and P312290, respectively. The assessment outlines there will be no direct impact on this monument.

8.5.3. A potential enclosure was identified in in Development Area 4 during fieldwork in November 2023. It is noted that proposed tree planting in this area could affect this. There will be no other direct effects on any known items of archaeology, architecture or cultural heritage in the application area or the vicinity.

8.5.4. In this regard, I note the submission of the Department of Housing, Local Government and Heritage (DAU), which recommends conditions be included in any grant of permission, including the that the field inspection carried out identified a low-relief earthwork in Area 4 of the proposed development site, which may represent

the remains of a circular to sub-circular enclosure and, as such, should be regarded as an area of very high archaeological potential.

8.5.5. The DAU seeks the engagement of a suitably qualified archaeologist to carry out an Archaeological Geophysical Survey under licence and report, pre-development archaeological testing and the submission of an Archaeological Impact Assessment Report, a Construction Environment Management Plan (CEMP) taking into account archaeological/ cultural heritage constraints in the EIAR and investigations, and to include mitigation measures, and the submission of an archaeological report.

8.5.6. Any potential for impacts on unknown archaeological monuments or features would be removed subject to the implementation of such mitigation measures and compliance with these conditions. I am satisfied, subject to these appropriate conditions, that the proposed development is satisfactory from an archaeological, architectural and cultural heritage perspective and that no significant adverse effects are likely to arise.

8.6. **Biodiversity**

Habitats

8.6.1. The main development areas comprise existing lands under industrial use. A large portion of the site is classed as spoil and bare ground. This habitat will not be affected during construction/ operation as it is highly artificial and modified with very little flora present.

8.6.2. Development Area 2 comprises a 0.42 ha plantation of broadleaved trees. This habitat is assessed as important at the Local level and for the fact that there are native species present which could afford, albeit limited, foraging, breeding and resting opportunities for fauna. An area to the north of the site has been proposed as a native woodland planting area, to compensate for the 0.42 ha of trees being removed in Development Area 2. This area currently consists of arable crop fields which are bounded by hedgerows.

Mammals

8.6.3. A preliminary ground level bat roost assessment was carried out as part of the habitat surveys within the site boundary. Two ash trees on the southern edge of Development Area 2 were noted as having low-moderate bat roosting potential. No

bats were observed entering or leaving PRFs. Bats were observed commuting along the conifer plantation on the southern periphery of the site, which is located outside of the Development Area. I acknowledge that TCC state that it may be prudent to carry out a further bat survey in the area where woodland is proposed to be removed. However, I note the applicant's proposed mitigation measure for the soft felling of trees identified as having PRFs as well as a pre-confirmatory bat survey, and I consider this to be a satisfactory course of action for the protection of bats.

8.6.4. No signs of badger, red squirrel or pine marten were observed.

Birds

8.6.5. All the birds recorded within the site were common and widespread species. All of the birds recorded during the site visit were green listed species and none are considered as Qualifying Interests (QI) for any European site within 25km.

8.6.6. The desk study carried out by the applicant also showed records of four rare or protected wetland bird species present within the 1km of the site. Four of these species (kingfisher, little egret, mute swan and mallard) are associated with wetland habitats and are likely to be using the River Anner. They are highly unlikely to be using the site given the lack of foraging, roosting or breeding habitat suitability.

Aquatic Species

8.6.7. Aquatic surveys were undertaken at the River Anner, directly opposite the entrance to the Medite facility. The River Anner and the species it supports are evaluated as important at the European level as it forms part of the Lower River Suir SAC. The NIS accompanying this application concluded that the project will not have adverse effects on the integrity of the European site.

Conclusion

8.6.8. The removal/ modification of existing terrestrial habitats will have a minor negative impact at a local level; however, these are not regarded as habitats of particular ecological or conservation interest and I note the long-term zoning of these lands for industrial purposes. Nevertheless, as a compensatory measure, it is proposed to plant a 0.42ha area within the northern section of the application area with a diverse native woodland mix. Further to this, soft felling of the trees identified as having PRFs will be carried out in accordance with a methodology to safeguard bats.

8.7. Noise

8.7.1. A noise impact analysis was prepared by Michelle Dawson of Acoustics & Vibration and forms part of Chapter 10 of the EIAR. Baseline sound level surveys were undertaken in March/ April 2022. 4 Noise Sensitive Locations (NSLs) were identified and assessed, and these include dwellings.

8.7.2. The noise assessment outlines the predicted noise levels for each activity of the four phases of construction works at each of the nearest noise-sensitive receptors. The predicted noise level at each of the residential receptors is well below the threshold value of 65dB(A). Construction phase effects are deemed short term with negligible effect on the noise environment. Mitigation measures are set out for the construction phase, reductive measures include preparation of a construction phase operational plan with regard to limiting noise levels and ensuring all construction vehicles and plant are regularly maintained.

8.7.3. Having regard to the nature and scale of the proposed development, the low density of residential development in the area, separation distances between the site and neighbouring dwellings, I do not consider that significant adverse effects by way of noise are likely to arise on the amenities of the area during the construction phase, subject to the reductive measures set out in Appendix 1 Construction Mitigation of the EIAR and to be incorporated into a final CEMP.

8.7.4. In relation to operational noise, the report outlines that noise levels at the facades of NSLs are below the maximum day time recommended noise levels of 45dB(A) and only one exceedance by 1dB(A) of a night time level of 35dB(A) is anticipated to properties to the NW of the site. At the Receptor to the NW, the 1dB(A) exceedance of the limit is not considered significant. Embedded mitigation has included each conveyor being split into 4 sections. With this embedded mitigation in place no further mitigation with a residual assessment is required.

8.8. Residential Amenity

8.8.1. Construction activities and the associated impacts include increased traffic, transport of heavy or bulky materials, noise emissions, dust emissions, construction on public roads, and excavation. A Construction Environmental Management Plan (CEMP)[3]

[3] Appendix 2.1, Volume III, EIAR

has been submitted which outlines the construction period for the development, hours of construction activity, and measures for dust and noise control. The delivery of heavy/ bulky goods and machinery on narrow roads may cause a slight temporary disturbance on local roads but this will be managed by a CTMP, to be agreed with Tipperary County Council.

8.8.2. Having regard to the separation distance between the proposed development and existing residential development, the nature of the construction phasing, and my assessment in relation to issues of noise, visual impacts and traffic, I do not consider that significant impacts on residential amenity are likely to occur during the construction phase. However, I consider it appropriate that a final construction environmental management plan should be prepared, prior to the commencement of development works on the site and should be required as a condition of any planning permission.

8.8.3. In relation to the operational phase, given the fact that the facility is already operational and has co-existed successfully with the local population for numerous years, I consider that no significant adverse impacts on residential amenity during the operational stage are likely to arise.

8.9. **Other Issues**

Duration of Permission

8.9.1. The applicant is seeking a ten year permission. While this would not be consistent with the duration of permissions for industrial development of similar scale, I draw the Board's attention to the stated logistics involved in maintaining the operation and production output of the Medite facility during the entire construction period. Having regard to the nature of the development and proposed phases as outlined, I consider the duration of permission sought is appropriate, should the Board be minded to grant permission.

Development Contributions

8.9.2. The subject development is liable to pay development contribution, and a condition to this effect should be included in any grant of planning permission.

9.0 Appropriate Assessment

9.1. Screening Determination

9.1.1. In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided in the AA Screening Report, I conclude that the proposed development is likely to have a significant effect 'alone' on the River Suir SAC from effects associated with deterioration of water quality. An appropriate assessment is required on the basis of the effects of the project 'alone'. The River Barrow and River Suir SAC is ecologically connected via the River Suir and the possibility of significant effects cannot be ruled out from the project alone.

9.1.2. I further conclude that the proposed development is likely to have a significant effect on the Comeragh Mountains SAC and on the Nier Valley Woodlands SAC 'alone' in respect of effects associated with dust/ emissions to air.

9.1.3. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project 'alone'.

9.1.4. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

(See Appendix 2)

9.2. Appropriate Assessment

9.2.1. The development of the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

9.2.2. Having carried out screening for Appropriate Assessment of the project based on the scientific information presented in the NIS, it was concluded that significant effects could arise for River Suir SAC, the Nier Valley Woodlands SAC, the Comeragh Mountains SAC and the River Barrow and River Nore SAC. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of conservation objectives.

9.2.3. 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 Sites of the River Suir SAC, the Nier Valley Woodlands SAC, the Comeragh Mountains SAC and the River Barrow and River Nore SAC, or any other European site, in view of the site's Conservation Objectives.

9.2.4. 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.

9.2.5. This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the River Suir SAC, the Nier Valley Woodlands SAC, the Comeragh Mountains SAC and the River Barrow and River Nore and Barrow SAC.
- Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
- The development of the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant will, through the design and application of mitigation measures, ensure the preservation of the favourable conservation status of habitats characterised as being in favourable status and ensure that habitat characterised as being in unfavourable status will not be further harmed or rendered difficult to restore to favourable status.
- The development of the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant will, through the design and application of mitigation measures as detailed and conditioned ensure the lasting preservation of the essential components and characteristics of the European Sites.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Suir SAC.

- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Nier Valley Woodlands SAC.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Comeragh Mountains SAC.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Barrow and Nore SAC.

(See Appendix 3)

10.0 Environmental Impact Assessment

10.1. Introduction

10.1.1. The proposed development is of a type and scale that requires environmental impact assessment under the Planning and Development Act 2000, as amended, with the development comprising one which falls within Schedule 7, *Environmental Infrastructure*, 3 – Development comprising of an installation for the disposal, treatment or recovery of waste with a capacity for an annual intake greater than 100,000 tonnes.

10.1.2. This section of the report therefore comprises the environmental impact assessment of the proposed development in accordance with Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU). Section 172 of the Planning and Development Act, 2000 (as amended) defines EIA as:

a) consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Board, the reasoned conclusions of the Board and the integration of the reasoned conclusion into the decision of the Board, and

b) includes an examination, analysis and evaluation, by the Board, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.

10.1.3. Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.

10.1.4. This part of the planning report is therefore divided into two sections. The first section provides an examination of the EIAR and assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The second section provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on defined environmental parameters, having regard to the EIAR and relevant supplementary information. It also provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Board's decision, should they agree with the recommendation made.

10.2. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations, 2001

10.2.1. The Applicants EIAR is presented as three volumes:

- Volume I – A Non-Technical Summary (NTS) is provided as a standalone document,
- Volume II – Environmental Impact Assessment Report (Main Text), and
- Volume III – Appendices.

10.2.2. I assess compliance with the requirements of Article 94 and Schedule 6 of the Planning and Development Regulations 2001(as amended) in Table 10.1 below:

Section 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b).	A description of the proposed development is contained in Chapter 2 of the EIAR including details on the location, site, design and size of the development, arrangements for access and construction methodology, spoil and waste to be generated. In each technical chapter the EIAR details are provided on the use of natural resources and the production of emissions and/ or waste

	(where relevant). It is noted that the proposal does involve demolition works.
A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b).	A description of the likely significant effects of the development on the environment is provided in the technical chapters, and associated documentation, of the EIAR. Technical chapters reflect the environmental parameters set out in Article 94. As indicated in the environmental impact assessment below, I am satisfied that the EIAR has adequately identified the significance of environmental effects with regard to population and human health, biodiversity, soil, water, air, noise, climate, landscape and visual effects, cultural heritage and traffic.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b).	The proposed development includes designed in mitigation measures and measures to address potential adverse effects identified in technical studies. These, and arrangements for monitoring, are summarised in Appendix 1.6 (Schedule of Mitigation Measures), and Appendix 2.1 (CEMP). Mitigation measures are largely capable of offsetting significant adverse effects identified in the EIAR.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b).	A description of the alternatives considered is contained in Chapter 3 of the EIAR. The alternatives considered include ‘do nothing’, alternative project locations, alternative generating processes, alternative biomass fuel mix, and alternative technology. The main reasons for opting for the current proposal were based on minimising environmental effects. I am satisfied that the applicant has undertaken a study of reasonable alternatives in assessing the proposed development and has outlined the main reasons for opting for the current proposal before the Board and in doing so

	the applicant has taken into account the potential impacts on the environment.
Section 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).	
A description of the baseline environment and likely evolution in the absence of the development.	In each technical chapter the EIAR details are provided on the existing baseline environment, including a description of how the baseline environment is likely to evolve. I comment on the likely evolution of the baseline environment, where necessary, in the technical assessment below.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved.	The methodology employed in carrying out the EIA, including the forecasting methods is set out, in each of the individual chapters assessing the environmental effects. The applicant has indicated in the different chapters of the where difficulties have been encountered (technical or otherwise) in compiling the information to carry out EIA. I comment on these, where necessary in the technical assessment below.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/ or disasters which are relevant to it.	This issue is specifically dealt with in Chapter 15 of the EIAR. Specific risks have been identified in relation to the project's vulnerability of the project to flooding and fire. These risks are reasonable and are assessed in my report.
A summary of the information in non-technical language.	This information has been submitted as a separate standalone document (Volume I). I have read this document, and I am satisfied that the document is concise and comprehensive and is written in a language that is easily understood by a lay member of the public.

Sources used for the description and the assessments used in the report.	The sources used to inform the description, and the assessment of the potential environmental impact are set out at the end of each chapter. I consider the sources relied upon are generally appropriate and sufficient except in relation to concerns raised in respect of population and human health, biodiversity, soil, water, air, noise, climate, landscape and visual effects, cultural heritage and traffic.
A list of the experts who contributed to the preparation of the report.	A list of the various experts who contributed to the report are set out in Table 1.4 in Chapter 1 of the EIAR. Where relevant the introductory section of each of the chapters also details of the individuals' expertise, qualifications which demonstrates the competence of the person in preparation of the individual chapters within the EIAR.

Consultations

10.2.3. The application has been submitted in accordance with the requirements of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) in respect of public notices. In addition, the applicant has carried out Public Consultation as described in Chapter 1 of the EIAR. Submissions have been received from statutory bodies and are considered in this report, in advance of decision making.

10.2.4. I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development in advance of decision making.

Compliance

10.2.5. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with Article 94 of the Planning and Development Regulations, 2001 (as amended).

10.3. Assessment of Likely Significant Effects

10.3.1. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the following headings, as set out Section 171A of the Planning and Development Act 2000, as amended:

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.

10.3.2. In accordance with section 171A of the Act, which defines EIA, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interaction of these. Each topic section is therefore structured around the following headings:

- Issues raised in submissions.
- Examination, analysis and evaluation.
- Direct and indirect significant effects.

10.4. Population and Human Health

10.4.1. Issues raised

There were no issues raised in relation to population and human health in the submissions received.

10.4.2. Context

EIAR Chapter 4 describes the potential effects of the Proposed Development on population and human health. The EIAR describes the regulatory and policy

framework, the methodology used, baseline environment, potential and cumulative impacts and residual impacts following mitigation.

The Chapter provides an assessment of impacts on population and population density, land use, economic activity and employment, tourism/ amenity, human health, and health & safety.

10.4.3. **Baseline**

The study area for the population and human health assessment used for the baseline analysis and assessment comprises a 2km buffer zone from the proposed development site area and includes the Electoral Divisions of Clonmel Rural, Gurteen, Kilsheelan/ Killaloan, and St. Mary's, as this is where the majority of population and human health effects are likely to occur and employment effects for which the study area is Co. Tipperary and Co. Waterford.

10.4.4. **Potential Effects**

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.2 below.

Table 10.2: Summary of Potential Effects (Population and Human Health)
Do Nothing
• The 'do nothing' scenario would result in the Medite Europe DAC site operations continuing until the existing boilers reach the end of their design life. Without replacement, the operation will not be capable of sustaining continued employment in the region.
Construction
• The construction phase will have a slight positive effect on population with brief/ short-term population growth as a result of the direct employment of construction workers, trades people, labourers, and specialised contractors. • No impacts were identified on land use during the construction phase. • There will be not significant construction stage impacts on tourism, amenity, and services given their distance from the application site. • Potential to create health and safety hazards for both construction workers and the general public as a result of construction activities and the associated impacts. • The sensitivity of the population/ human health is considered to be low, given the fact that the facility is already operational and has co-existed successfully with the local population for numerous years.
Operational Impacts
• Enable Clonmel to continue fulfil its regional role and perform as the primary economic development centre of County Tipperary. • Contribute to achieving Ireland's energy target as set out in the Climate Action Plan.

• Opportunities for direct employment with the operation and maintenance of the project, including those involved in the Biomass supply chain. • No impacts were identified on land use during the operational phase. • The potential for adverse effects on tourism assets is negligible. • The sensitivity of the population/ human health is considered to be low, given the fact that the facility is already operational and has co-existed successfully with the local population for numerous years.
Decommissioning
• It is expected that decommissioning will be less intensive than the construction phase. • A positive medium impact is expected with the employment of construction workers within the vicinity of the development during the decommissioning phase. • Imperceptible effect on tourism, amenity, and services. • Potential impacts to human health and safety on-site.
Cumulative Impacts
• No cumulative land use impacts. • It is expected that due to the quantity of renewable energy projects in the pipeline in the surrounding area reinforces the potential of the county/ region in developing the knowledge base in relation to relatively new bioenergy technology, which may secure wider economic investment in employment opportunities and infrastructure for the region.

10.4.5. **Mitigation**

As there will be no significant effect on population trends, density, household size or age structure, no mitigation measures are required, however mitigation for air quality, noise, and traffic and transport, are discussed in the EIAR under those specific Chapters.

10.4.6. **Residual Effects**

No significant residual effects have been identified.

10.4.7. **The Assessment: Direct and Indirect Effects**

The construction phase will have a slight positive impact on local and regional employment. In relation to human health during the construction and operation phase, there will be no significant impact on tourism, amenity, and services. The CEMP will ensure that there are no other impacts on any vector that will pose a risk to human health. I consider that this can be dealt with by way of condition.

The operational phase of the development will not lead to any impacts on land use. No additional mitigation measures related to Population and Human Health are

proposed during the operational phase, however mitigation for air quality, noise, and traffic and transport are set out elsewhere within the EIAR. No significant cumulative or residual impacts have been identified.

10.4.8. **Conclusion: Direct and Indirect Effects (Population and Human Health)**

I am satisfied that the proposed development would not have an adverse impact on Population and Human Health, subject to compliance with relevant legislation and guidance, implementation of the EIAR and final CEMP mitigation measures, compliance with recommended conditions and adherence to the terms of the EPA IE Licence (as reviewed and/ or amended).

10.5. Biodiversity

10.5.1. Issues raised

TCC noted the identification of likely significant impacts arising from the proposed development such as direct loss of woodland habitat, impact on woodland and urban birds, and impact on bats. TCC suggest that it may be prudent to undertake further bat surveys of the wooded area to the south prior to the commencement of works. Although TCC consider that the proposed development will not have a significant adverse impact on the ecology of the area, the PA recommends that environmental monitoring and surface water monitoring programmes should be confirmed by means of a condition.

10.5.2. Context

Biodiversity is addressed in Chapter 5 of the EIAR, Volume II, and Appendix 5, Volume III. Chapter 5 sets out the regulatory and policy framework, methodology, baseline environmental conditions, potential impacts, mitigation measures, residual and cumulative impacts.

The EIAR described the methodology utilised to determine the Zone of Influence (ZOI). The assessment of impacts from the Proposed Development on ecological features has been informed and influenced by consultation held with NPWS, a statutory stakeholder. An initial desk survey was carried out, then field surveys including habitat, bat, aquatic and invasive species surveys. The method employed for assessment of impacts on ecological features followed that recommended by the

Chartered Institute of Ecology and Environmental Management (CIEEM) in the *Guidelines for Ecological Impact Assessment in the UK and Ireland.*

The EIAR concludes that with the implementation of mitigation outlined in the EIAR, all of the effects are mitigated and will be not significant, either through construction pollution controls or implementation of measures to avoid significant harm to protected species populations. Thus, there will be no significant effect to biodiversity and nature conservation as a result of the Proposed Development.

10.5.3. **Baseline**

There are three international nature conservation designations within the ZoI of the Proposed Development (Table 5-3 of the EIAR), including Lower River Suir SAC (002137) located immediately adjacent to the site, Comeragh Mountains SAC (001952) located c.9.9km south of the site, and the Nier Valley Woodlands SAC (000668) located c.9.1km south of the site. The River Barrow and Nore SAC (002162) is located c.44km to the east of the site and has a hydrological connection with the site.

A review of the National Biodiversity Data Centre (NBDC) database returned records of kingfisher (1), barn swallow (1), little egret (2), mute swan (1), otter (1), and mallard (1) within 2km of the Site. Bats were observed commuting along the conifer plantation on the southern periphery of the site, which is located outside of the Development Area.

No signs of badger, red squirrel or pine marten were observed.

The River Anner and the species it supports are evaluated as important at the European level as it forms part of the Lower River Suir SAC. The NIS accompanying this application concluded that the project will not have adverse effects on the integrity of the European site and an Appropriate Assessment has been carried out in section 9 of this planning report.

10.5.4. **Potential Effects**

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.3 below.

Table 10.3: Summary of Potential Effects (Biodiversity)

Do Nothing

- It is likely that the proposed development site will remain in its current state and the habitats and species assemblage will not change.

Construction, Operation and Decommissioning Phase Impacts

The following broad categories of impact could arise during all phases of the Proposed Development and are considered, where potentially relevant, in relation to each of the ecological features scoped in to detailed assessment:

- Permanent loss of woodland habitats during construction,
- Risk of collision strikes for wetland birds with chimney stack,
- Loss of potential roost features (PRFs) for bats during construction, and
- Injury or mortality of wetland birds during construction and operation.

The EIAR has assessed construction, operational and decommissioning phase impacts on Habitats/ Species under the following headings which are summarised in Table 10.4 below:

Table 10.4 Summary Table of Likely Impact on Habitats/ Species

Habitats/ Species	Construction Phase Impact	Operational Phase Impact	Decommissioning Phase Impact
Impacts on Nature Conservation Designations	Negligible Effects	Negligible Effects	Negligible Effects
Impacts on broadleaved woodlands	Loss of approximately 0.42ha of broadleaved woodland within Development Area 2	No Negative Effects	No Impact
Impacts on nesting bird habitat	Loss of nesting bird habitat is a direct result of the loss of broadleaved woodland	No Negative Effects	No Impact
Impacts on wetland birds	Potential for collision with 34m high stack	Potential for collision with 34m high stack	No Impact
Impacts on bats	Loss of PRFs	No Negative Effects	Negligible Effect

Cumulative Impacts

- It was determined that there is no potential for cumulative effects given that there is no pathway for the development to act cumulatively with other projects to result in adverse cumulative effects.

10.5.5. **Mitigation**

Mitigation Measures are contained in Section 5 of the EIAR and in the CEMP contained in Appendix 2-1, Volume III. Whilst significant adverse effects are not

predicted, the following mitigation measures will be implemented as part of standard good practice. To summarise, the main mitigation measures will include:

- Planting an area equivalent in size within the northern section of the application area with a diverse native woodland mix.
- Removal of vegetation to be conducted outside of the bird breeding season.
- Provision of compensatory woodland habitat will create new opportunity for breeding birds.
- Appropriate design of stack to ensure reduced risk of avian collision (i.e., stationary, high visibility, low reflectivity).
- Soft-felling of trees with PRFs, erecting bat boxes nearby, and new woodland will eventually provide foraging/ roosting opportunities for bats.
- Prior to the commencement of construction, a confirmatory survey for bats will be carried out.
- Works that will directly impact upon areas of vegetation that could be used by nesting birds will be undertaken outside of the breeding season, 1st March to 31st August, inclusive.
- A suitably qualified Ecological Clerk of Works (ECoW) will be employed for the duration of the construction of the Proposed Development.
- A final Construction Environmental Management Plan (CEMP) will be updated prior to commencement of construction.

10.5.6. **Residual Effects**

No significant residual effects have been identified.

10.5.7. **The Assessment: Direct and Indirect Effects**

I have examined, analysed and evaluated Chapter 5 of the EIAR, and all of the associated documentation. The EIAR has raised no significant concerns in relation to Biodiversity. As outlined in Table 10.4 above, no significant likely effects on habitats/ species have been identified as part of the EIAR assessment during the construction, operational and decommissioning phases of the proposed development. With the implementation of mitigation measures outlined in Section 5

of the EIAR and in the CEMP, I consider the likelihood of adverse effects to be negligible and not significant.

10.5.8. **Conclusion: Direct and Indirect Effects (Biodiversity)**

Having regard to the nature of the proposed development, I am satisfied that the proposed development would not have an adverse impact on biodiversity (including habitats and species), subject to compliance with relevant legislation and guidance, implementation of the EIAR and final CEMP mitigation measures, compliance with recommended conditions and adherence to the terms of the EPA IE Licence (as reviewed and/or amended).

10.6. **Land, Soils and Geology**

10.6.1. **Issues raised**

There were no issues raised in relation to land, soils and geology in the submissions received.

10.6.2. **Context**

EIAR Chapter 6 with associated Appendices (6A – 6C), has assessed the potential impacts on the land, soil, and geology associated with the Proposed Development. The EIAR describes the legislation and policy, the methodology used, the baseline conditions, the mitigation measures proposed and any residual impacts.

10.6.3. **Baseline**

The site is comprised of ‘made ground’ which comprise reworked and regraded soils and subsoils, with a concrete cover to facilitate the current land use at the site. The majority of the soils at the site is the soil group acid brown earths, brown podzolics, and is described as deep well drained and mainly acidic. A small area of the soils at the site is the soil group surface water gleys, groundwater gleys, and is described as mineral poorly drained and mainly acidic.

Natural subsoils at the site and in the immediate vicinity consist of till derived from Namurian sandstones and shales, and the subsoil permeability is classified as being of moderate permeability. The subsoils at the site are shown to consist of Made Ground, which is expected to comprise reworked and regraded soils and subsoils, with a concrete cover.

The GSI Bedrock Geology shows that the majority of the proposed site is underlain by the Waulsortian Limestone Formation from the Dinantian Series. A small area to the north of the application area is underlain by the Silverspring Formation. There are no known mapped karst features at the site or its surrounds.

The GSI geological heritage map shows there are no geological heritage sites at the site or its surrounds. The closest geological heritage site is located c.7km south-west of the site.

10.6.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.5 below.

Table 10.5: Summary of Potential Effects (Land, Soils and Geology)
Do Nothing
• The existing site would continue to operate as normal under the current conditions until the full site decommissioning stage takes place. The effect from this scenario is considered to be neutral as the site will continue operating as it does at present.
Construction
• There will be a loss of land. • The moving/ disturbance of made ground, soils and subsoils has the potential to mobilise fines and suspended solids in any storm water runoff. • The accidental leakage/ spillage of fuel and/or other petroleum-based products from plant and machinery undertaking construction work has potential to impact on the soils and subsoils. • Potential for suspended solids in runoff from stockpiled excavated materials and the contaminated excavated soils and subsoils.
Operational Impacts
• The accidental leakage/spillage of fuel and/or other petroleum-based products (lubricating oils, greases etc.) from plant and machinery has potential to contaminate soils and the geology. • Potential indirect impact on land and soils in areas of forestry which supply the site with the raw product.
Decommissioning
• The moving/ disturbance of made ground, soils and subsoils has the potential to mobilise fines and suspended solids in any storm water runoff; this is a potential direct effect on soils and subsoils. • The moving/disturbance of potentially contaminated made ground, soils and subsoils has the potential to impact on receptors; this is a potential direct effect on soils and subsoils receptors. • The accidental leakage/spillage of fuel and/or other petroleum-based products from plant and machinery has potential to impact on the soils, subsoils and bedrock.

Cumulative Impacts
• As the proposed site is located within the existing Medite permitted site and land holding it is not considered that the development will have a cumulative impact on the Land, Soils and Geology with the existing Medite operations. • No cumulative impacts are identified from consented projects and proposed developments within 10 km of the site with the Proposed Development.

10.6.5. **Mitigation**

Mitigation measures associated with both the construction and operational phases of the Proposed Development have been embedded within the design. A number of mitigation measures designed to avoid, reduce, or offset any potential adverse geological impacts identified will be implemented under the following categories:

- Any identified contaminated soils/ material during construction stage excavations will be set aside.
- Stockpiled soils and/ or subsoils will be managed to ensure that no suspended solids runoff go into the site water management system.
- No refuelling or plant/machinery maintenance/repairs will take place in the proposed development areas.
- A site construction traffic management system will be put in place to reduce the potential for accidents.
- The existing mitigation measures which form part of the development and are included under IE Licence P0027-04 will continue to be implemented at the site.

The CEMP includes a number of mitigation measures with regards to land and soils. The CEMP (EIAR - Appendix 2-1) will be updated by the Contractor for the Proposed Development to reduce potential environmental impact. Taking account of mitigation measures proposed the potential impact is considered to be a negligible impact to a medium sensitivity environment and the significance of the effects has been assessed as imperceptible.

10.6.6. **Residual Effects**

For all phases, following implementation of mitigation measures outlined in Chapter 6 of the EIAR, no significant adverse effects are likely to arise.

10.6.7. **The Assessment: Direct and Indirect Effects**

During the construction phase, potential impacts to soil and groundwater quality could occur from accidental spillages and leakages, excavation and infilling and use of natural resources. The final CEMP will include mitigation measures, which will protect soils and groundwater from contamination.

For the Operational Phase, the proposed development will follow the standards set out in the IE Directive (IED) under its IE Licence. Potential impacts relate to accidental spills and leakages to soil from fuel storage areas, which would be managed by EIAR mitigation measures. I am satisfied that this will limit and minimise any significant impacts relating to soil, surface and groundwater contamination. With the implementation of Mitigation Measures outlined in the EIAR, I consider that the proposed development is not predicted to give rise to significant adverse impacts to land, soil and geology at any phase of the development.

10.6.8. **Conclusion: Direct and Indirect Effects (Water)**

I consider the applicant's assessment has identified the relevant issues in relation to land, soil and geology and that no significant adverse effects are likely to arise.

10.7. **Water**

10.7.1. **Issues raised**

TCC note that emissions from the facility are monitored and managed under license issued by the EPA and that emissions to water are governed by this licensing process. TCC is satisfied that the impacts on water have been identified and adequate mitigation measures put in place to offset identified impacts.

10.7.2. **Context**

EIAR Chapter 7 with Appendices (7-A – 7-I) has assessed the potential impacts from the Proposed Development on the water environment during all phases of development. The EIAR describes the methodology used, the baseline conditions,

and the mitigation proposed. The assessment was based on desk studies and field surveys and monitoring.

10.7.3. **Baseline**

The study area for water receptors encompasses the entire area within the site, and the surrounding area up to 5km reflect the sensitivity of the surface water and groundwater. Qualitative assessment/ monitoring of the likely significant effects on the water environment was undertaken by monitoring of discharge water quality in May and August 2020. Environmental monitoring programmes are implemented at the site on an ongoing basis under the IE Licence conditions.

The groundwater body is categorised as having “good” status but is ‘’under review’’ with regard to meeting the 2018 Water Framework Directive (WFD) objectives. The groundwater underlying Development Area 2 and Development Area 3 is mapped as Moderate vulnerability. A small area of High vulnerability is located in the northwest part of Development Area 1, though the majority of this area is also mapped as Moderate vulnerability.

There are no karst features in the vicinity of the site shown on the GSI karst landform database mapping.

The closest wells to the site include a series of four wells located between 500m and 800m northwest of the proposed development areas. Two of the wells are described as domestic use, with yields of poor and moderate. The other two wells are described as industrial use, with yields of moderate and fail. There is also an industrial supply well approximately 570m south of the proposed development area. The well is described as an industrial use well and the yield is not reported. There are a number of boreholes associated with the Bulmers facility located immediately to the south of the site at Annerville and to the north of the site at Redmondstown.

The public supply well (GSI ID 2011NEW002) is located approximately 1.5 km to the southeast of the site at Derrinlaur Townland, on the opposite side of the River Suir to the application site.

Existing treatment infrastructure at the site comprises a wastewater treatment plant (WwTP) in the form of an activated sludge treatment plant to treat domestic sewage and process effluent (mostly water squeezed from the wood chip during the refining

stage). The Board should note that there is no plan to increase the current water usage at the site as part of the proposed development.

The OPW mid-range future scenario (MRFS) flood modelling, which takes into account predicted climate change, indicates that the Medite Site is in the fluvial Flood Zone C.

10.7.4. **Potential Effects**

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.6 below.

Table 10.6: Summary of Potential Effects (Water)
Do Nothing
• The existing boilers will shortly be at the end of their life and the processing production operation at the site will cease. Until the existing boilers reach their end of life there will be no change in the current emissions and impacts, however, should production cease then there will be no further abstraction of water or emissions to surface water.
Construction
• Potential to increase the loading of suspended sediment and other potentially contaminating substances in surface water runoff. • The accidental leakage/ spillage of fuel and/or other petroleum-based products from plant and machinery undertaking construction work has potential to impact on the Anner River. • Potential for a reduction in the surface water status in terms of quality and quantity, and groundwater status in terms of quality. • Potential for an indirect effect on the ecological status of designated areas as a result of emissions to surface water and / or groundwater.
Operational Impacts
• Potential for suspended solids or fuel spillages in surface water runoff from the site areas to cause a reduction in water quality in the receiving water. • The accidental leakage/ spillage of fuel and/or other petroleum-based products (lubricating oils, greases etc.) from plant and machinery has potential to impact the Anner River and Lower River Suir SAC, and to impact the groundwater body. • Potential for a reduction in the surface water status in terms of quality and quantity, and groundwater status in terms of quality.
Decommissioning
• Potential to increase the loading of suspended sediment and other potentially contaminating substances in surface water runoff impacting the adjacent Anner River and Lower River Suir SAC. • Accidental spillages or leaks at the site during decommissioning has the potential to migrate to the nearby Anner River. • Potential for a reduction in the surface water status in terms of quality and quantity, and groundwater status in terms of quality. • Potential for an indirect effect on the ecological status of designated areas as a result of emissions to surface water and/ or groundwater.

Cumulative Impacts
• All discharge water from the site is treated so there is no cumulative impact on the WFD status of the River Suir with agriculture and forestry in the catchment. • No cumulative impact on the hydromorphology of the River Suir with agriculture and/ or forestry in the catchment as the development will not result in any changes to the morphology of the river channel and floodplain.

10.7.5. **Potential Effects**

The construction stage activities through accidental spillages, leaks or run-off from contaminated material encountered during excavations at the site will have the potential to increase the loading of suspended sediment and other potentially contaminating substances in surface water runoff. There is a potential for a reduction in the surface water status in terms of quality and quantity impacting the adjacent Anner River and Lower River Suir SAC. Similarly, accidental spillages from vehicles or machinery could impact the groundwater body and groundwater well supplies.

There is the potential for direct impacts on surface water and indirect impacts on groundwater arising from the continuance of current activities at the site during the operational stage.

10.7.6. **Mitigation**

There are existing mitigation measures in place at the site to manage and treat storm surface water runoff and process water at the site. The existing measures will essentially be the operational stage measures once the development is complete at the site and include:

- Surface water treatment,
- Fuel storage and refuelling,
- Wastewater Treatment Plant to treat all wastewater generated on site,
- Chemicals, oils and lubricants storage,
- Plant and machinery inspections and maintenance programmes,
- A spill kit is kept on-site to stop the migration of any accidental spillages, should they occur, and

- The implementation of an Environmental Management System (EMS) at the site.

A suite of mitigation measures is also proposed for the construction stage. These are outlined in Section 7.230 of the EIAR and form part of the EIA below in this Planning Report. With the mitigation measures in place, I consider that there would be no significant impacts to groundwater and surface water quality and, therefore, no risk of significant impacts to the status of the water quality in the Anner River or the River Suir.

10.7.7. **Residual Effects**

Examination of the identified potential impacts on the receiving environment show that with the mitigation measures in place, there are no significant residual impacts with respect to groundwater and surface water during the construction/ operational/ post-operational stages of the Medite facility.

10.7.8. **The Assessment: Direct and Indirect Effects**

During the construction phase, potential impacts to water could occur from accidental spillages and leakages and an increase the loading of suspended sediment. The final CEMP will include mitigation measures, which will protect surface water and groundwater from contamination.

For the Operational Phase, the proposed development will follow the standards set out in the IE Directive (IED) under its IE Licence. Potential impacts relate to accidental spills and leakages to soil from fuel storage areas, which would be managed by EIAR mitigation measures. I am satisfied that this will limit and minimise any significant impacts relating to surface and groundwater. With the implementation of Mitigation Measures outlined in the EIAR, I consider that the proposed development is not predicted to give rise to significant adverse impacts to water at any phase of the development.

10.7.9. **Conclusion: Direct and Indirect Effects (Water)**

I consider the applicant's assessment has identified the relevant issues in relation to water and that no significant adverse effects are likely to arise.

10.8. Air

10.8.1. Issues raised

There were no issues raised in relation to air in the submissions received.

10.8.2. Context

Air Quality is addressed in Chapter 8 of the EIAR, Volume II and Appendices 8.1 (Baseline Air Quality Monitoring Survey), 8.2 (Emissions Modelling Assessment) and 8.3 (Construction Dust Assessment) in Volume III. Chapter 8 sets out the Methodology, Regulatory and Policy Framework, Baseline Environmental Conditions, Potential Impacts and Cumulative Impacts. The chapter was prepared in accordance with the Institute of Air Quality Management Guidance (IAQM). The EIAR notes that it is intended that significant adverse environmental effects are avoided at the design stage and a CEMP is listed as an inherent design mitigation measure. Existing emission sources are regulated by the EPA under IED Licence P0027-04.

10.8.3. Baseline

The baseline environment is described in the EIAR. EU legislation on air quality requires that Member States divide their territory into zones for assessment and management of air quality. All receptors used within the assessment are located in Air Quality Zone D, which is used to represent rural locations. The assessment undertaken includes likely unmitigated construction dust emission magnitude associated with four major activities (demolition, earthworks, construction and trackout) is used in conjunction with the sensitivity of the surrounding area to determine the risk of impact for each activity. Potential air quality impacts arising from the replacement of the thermal energy systems serving Line 1 and Line 2 have been quantified with use of dispersion modelling.

The Proposed Development will not result in an increase in the production of medium-density fibreboard (MDF). However, it will result in an increase in biomass fuels used as part of the combustion process with the retirement of the natural gas fired TFH serving Production Line 1, and the substitution of wetter fuels for dryer fuels. Of the 186,000 tonnes of proposed fuel intake, 76,000 will comprise Medite residues (sourced on site) and 110,000 tonnes will comprise biomass wood imported

by road, as an approximation. Accounting for the existing fuel intake, the net increase corresponds to 76,000 tonnes.

10.8.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.7 below.

Table 10.7: Summary of Potential Effects (Air)
Do Nothing
• The existing boilers will shortly be at the end of their life and the processing production operation at the site will cease. Until the existing boilers reach their end of life there will be no change in the current emissions and impacts, however, should production cease then there will be no further emissions to air.
Construction
• Potential dust effects during the construction phase are considered to be temporary in nature, with no long-term deterioration of conditions. • Accidents may cause a temporary release of dust / PM10 emissions.
Operational Impacts
• Short and long term impacts associated with increases in air pollutant levels in relation to human health are described as negligible. • Short and long term impacts associated with increases in air pollutant levels in relation to protected ecological designations are described as insignificant. • Accidents may contribute to temporary elevated releases of process emissions.
Decommissioning
• Decommissioning impacts are not anticipated to be greater than the construction phase impacts, given forecast improvements to air quality.
Cumulative Impacts
• The dispersion modelling exercise is inherently cumulative in nature, and the cumulative effects are considered to be not significant.

10.8.5. Mitigation

Mitigation Measures are discussed in Section 8.128 – 8.134 of the EIAR in relation to Construction Dust. It is intended that significant adverse environmental effects are avoided at the design stage and through embedded mitigation where possible, including the use of good working practices to control dust emissions at source.

Section 8.129 notes that appropriate mitigation measures are set out in in Appendix 8.3 Construction Dust Assessment to control impacts from dust. These will be included in the final Construction Environmental Management Plan (CEMP) to secure their implementation. These are standard good practice measures.

No additional measures to mitigate the effects of air quality are proposed, outside the scope of good practice and the site's Industrial Emissions Licence.

10.8.6. **Residual Effects**

No significant residual impacts have been identified.

10.8.7. **The Assessment: Direct and Indirect Effects**

I have examined, analysed and evaluated Chapter 8 of the EIAR, and all of the associated documentation and submissions on file in relation to Air Quality.

For the construction stage, a CEMP will adequately mitigate against construction dust and other construction phase impacts, and this can be dealt with by way of condition.

I am satisfied with the applicant's understanding of the baseline environment and the dispersion modelling assessment of the proposed development impacts based on emissions associated with the construction and operation of the proposed development. I consider the applicants have provided a conservative prediction of air pollution climate in the vicinity of the site as described in their assessment. I am confident the dispersion modelling is robust, and I am satisfied that no significant impacts are likely in relation to Air Quality.

10.8.8. **Conclusion: Direct and Indirect Effects (Air)**

Emissions from the proposed development will operate within the terms of an EPA IE licence and as such would be subject to ongoing and periodic monitoring. The proposed development would not give rise to any other significant adverse cumulative impacts in relation to air quality. I have considered the applicant's EIAR, and I am satisfied that all issues have been appropriately addressed and that no significant adverse effects are likely to occur in relation to air quality.

10.9. **Climate**

10.9.1. **Issues raised**

There were no issues raised in relation to climate in the submissions received.

10.9.2. **Context**

EIAR Chapter 9 with Appendices (9-1 – 9-7) considers the impact of the Proposed Development on the climate as a result of greenhouse gas emissions that may arise during all phases of development. The EIAR describes the regulatory and policy framework, the methodology used, the baseline and projected environment, potential and cumulative impacts and residual impacts following mitigation.

10.9.3. **Baseline**

The methodology in this chapter has been developed in line with appropriate industry guidance for assessing climate change resilience and adaptation such as IEMA's EIA Guide to Climate Change Resilience and Adaptation. The assessment includes all infrastructure and assets associated with the Proposed Development. It assesses the resilience against both gradual climate change i.e., chronic climate-related hazards and the risks associated with an increased frequency of severe weather events.

For the purposes of the assessment, the baseline conditions are based upon historic climate change data. This data was obtained from Met Éireann.

The study area for the Greenhouse Gas Assessment (GHG) assessment considers all direct and indirect GHG emissions that may arise from the construction, operation, and decommissioning of the Proposed Development. This includes direct emissions arising onsite e.g., from the combustion of fuel used in construction plant and operation emissions (30-year lifespan), as well as indirect emissions from activities offsite that are sufficiently linked to the Proposed Development, such as transport of materials and embedded carbon in construction materials and products.

10.9.4. **Potential Effects**

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.8 below.

Table 10.8: Summary of Potential Effects (Climate)
Do Nothing
• The baseline GHG emissions from energy used is equal to 51,317 tCO2e over the 12-month period of calendar year 2021. • The existing boilers will shortly be at the end of their life and the processing production operation at the site will cease. Until the existing boilers reach their end of life there will be no change in the current emissions and impacts, however, should production cease then there will be no further impacts on climate.

Construction
• GHG emissions from the construction phase have been calculated in the whole life cycle assessment for the Proposed Development as 9,527 tCO2e. • An area of trees (0.4ha) will need to be removed and replanted at the northern boundary (0.4ha) resulting in no net change in LULUCF emissions.
Operational Impacts
• The net operational GHG emissions from the Proposed Development are -41,213 tonnes CO2e. • Emissions from Coillte Forests are expected to be 1,349 tCO2e per annum at maximum capacity for the Proposed Development from 774 tCO2e per annum. • Emissions from vehicles are anticipated to reduce linearly to 2050 in line with Ireland's net zero target and policy.
Decommissioning
• GHG emissions from the Proposed Development over this phase are 66 tonnes CO2e.
Cumulative Impacts
• Cumulative GHG effects are considered to be the same as those for the current operation. • All cumulative developments globally will have an impact on the climate, and therefore it is not feasible to assess the cumulative residual effects

10.9.5. **Mitigation**

During the construction and operational phases mitigation measures adopted by the Proposed Development to minimise GHG emissions from the demolition and construction phase are inherent in the design.

The Proposed Development will use renewable biomass fuel and all fuels will be from sustainable sources with GHG savings when compared to fossil fuel alternatives. Coillte Forest emissions are not a significant effect on the climate, as these emissions would be occurring irrespective of the Proposed Development and Medite's business activities.

10.9.6. **Residual Effects**

No significant residual impacts have been identified.

10.9.7. **The Assessment: Direct and Indirect Effects**

I consider that a robust Climate assessment has been completed in the EIAR. The Proposed Development will result in direct emissions from the combustion of biofuel and indirect emissions from the generation of purchased electricity, steam, heat or

cooling. The 2035 indirect emissions are projected to be lower due to a linear carbon reduction within the national electricity grid.

Upstream or downstream emissions in the supply or value chain such as transportation of goods by third party vehicles, extraction of raw materials, manufacturing of purchased goods, employee commuting, procured services and use of sold products will not change to any significant levels that would impact climate change.

Total Greenhouse Gas emissions from construction are estimated to be 10,399 tCO2e. Baseline GHG emissions from the production and transportation of raw materials are 61,885 tCO2e and the import of biomass with connection to Coillte Forests are expected to be 575 tCO2e per annum. The net operational GHG emissions from the Proposed Development are -41,213 tCO2e and, therefore, the Proposed Development will result in an overall reduction in GHG emissions in relation to Ireland's carbon budgets.

I consider that climate change risk and resilience has been adequately assessed in the EIAR and climate change will not pose a significant risk to the proposed development subject to the adaptation measures outlined in the documentation being successfully implemented.

10.9.8. **Conclusion: Direct and Indirect Effects (Climate)**

Emissions from the proposed development would be controlled within the terms of an EPA IE licence as reviewed and/ or amended during the operational phase, and as such would be subject to ongoing and periodic monitoring. No significant residual impacts have been identified subject to implementation of adaptation measures.

The Proposed Development would result in lower than current annual GHG emissions, due to the removal of natural gas, and subsequent replacement with a 'zero rated' carbon biomass fuel source.

On a sectoral scale, while the Proposed Development will result in direct emissions from the combustion of biofuels, which is necessary for energy generation and produces significantly less GHG emissions than gas that is being used at present. I am satisfied that the Proposed Development will play a role in assisting Ireland to achieve net zero emissions by 2050.

10.10. Noise

10.10.1. Issues raised

There were no issues raised in relation to noise in the submissions received.

10.10.2. Context

EIAR Chapter 10 with associated Appendix (Construction Mitigation), has assessed the potential impacts on noise and vibration during construction, operational and decommissioning phases. The EIAR describes the methodology used, the baseline conditions, the mitigation measures proposed and any residual impacts following adoption of mitigation measures.

10.10.3. Baseline

The baseline acoustic environment has been determined following noise surveys caried out on 28th March 2022 and 11th April 2022. Sound levels were measured at four locations, representative of the nearest residential receptors to the site (survey locations are shown in Figure 10-1, Chapter 10 of the EIAR) and a summary of the survey results for each monitoring location are shown in Table 10-8 to Table 10- 11 of the EIAR. The Proposed Development has been assessed with regard to the short-term impacts during the construction and decommissioning phase, the long-term impacts during the operational phase, and noise generated by changes to traffic flows on existing roads, as well as the cumulative impacts.

10.10.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.9 below.

Table 10.9: Summary of Potential Effects (Noise)
Do Nothing
• If the Proposed Development were to not go ahead, the temporary noise sources associated with the construction phase would not be introduced into the area. The long-term noise sources associated with the operational phase would continue and no change would accrue to the current acoustic environment.
Construction
• The construction phase of the proposed development will be on a phased basis over 10 years with three distinct development areas. • The closest Noise Sensitive Receptor NSR3, which are residences at Laganore are located immediately east of the site and c.210m east of the development area (Table 10.10 and Figure 10-1 of EIAR). The assessment of construction noise detailed indicates no significant adverse effects at residential receptors with the

exception of NSR3 during the peak phase (one) where a predicted 58.7dB noise level will be below the threshold value of 65dB. • Subject to the adoption of the mitigation measures, all effects are predicted to be Imperceptible and Not Significant. Construction effects are defined as Temporary/ Short-Term.
Operational Impacts
• Noise levels during the operational phase will be emitted principally from HGV movements, conveyors, fans, dryers and various plant and machinery. Sound emissions are not expected to possess distinctive characteristics such as tonality or impulsiveness from the nearest sensitive receptors perspective. • Given the small number of Proposed Development related vehicle movements on existing road networks per day during the operational phase, noise impacts are likely to be Negligible with a Negligible Effect in the operational phase. • Emissions during the operational phase will comply with expected fixed permitted limits by the EPA, based on current best practice for this type of facility, and which are more stringent during the night-time.
Decommissioning
• The equipment and programme for the decommissioning phase would not be expected to produce sound emissions any worse than those experienced during the construction phase.
Cumulative Impacts
• Cumulative impacts are not expected as a result of the construction or operational phases of the Proposed Development due to construction phases not overlapping, operational traffic volume changes being low leading to negligible changes in road traffic noise levels on the surrounding road network, and the distance and/ or nature of the development not being considered as likely to increase noise levels at nearby receptors.

10.10.5. **Mitigation**

Mitigation requirements for potential impacts will be implemented as follows:

Construction Phase

Mitigation measures that will be implemented as appropriate to reduce construction noise levels are set out in Appendix 01 and most of these mitigation measures can be incorporated within a suitable Construction Environmental Management Plan (‘CEMP’) to be implemented during the construction phase.

Operational Phase

With the inclusion of all the conveyors as belt conveyors with sound power of 77dB(A) no mitigation is required. With this embedded mitigation in place no further mitigation with a residual assessment is required.

10.10.6. **Residual Effects**

Construction and Decommissioning Phase

Without mitigation this assessment has demonstrated the required noise limits would be met with no significant effect. Nevertheless, with the mitigation measures presented in Appendix 1, construction noise levels can be reduced by 5dB(A) or more.

Operational Phase

Without mitigation this assessment has demonstrated the required noise limits, with one exception, would be met with no significant effect. At the Receptor to the NW, the 1dB(A) exceedance of the limit is not considered significant.

10.10.7. **The Assessment: Direct and Indirect Effects**

There is potential for minor disturbance during the construction, operational and decommissioning phases. The noisiest period of construction activity will be during phase 1. However, no significant adverse impact is expected. Mitigation measures are proposed within the CEMP to further mitigate any effect. I am satisfied that the mitigation proposed will further reduce the impact of noise. I am satisfied that construction noise traffic will not have a significant effect on existing road traffic noise levels during the construction phase. Construction effects will be temporary and short term and mitigation outlined in the EIAR will ensure that noise levels are kept to a minimum.

During the operation phase, sound will be emitted principally from HGV movements, conveyors, fans, dryers and various plant and machinery. Unmitigated, at the property to the NW of the development site the night-time criterion is exceeded by a 1dB, which is not considered significant. Furthermore, noise will be monitored as part of the IPC licence, which are subject to fixed permitted limits, which are more limited at night. I am satisfied that with mitigation, noise levels from the proposed development will comply with the relevant criteria.

10.10.8. **Conclusion: Direct and Indirect Effects (Noise)**

Having examined the EIAR noise modelling, which has been carried out in line with relevant guidance, I am satisfied that the models and resultant conclusions are robust.

Sound emissions from the Proposed Development that would occur during both the construction and operational phases would not exceed the nominated criteria. Furthermore, mitigation measures outlined in the CEMP will mean construction noise levels can be reduced by 5dB(A) or more. I am satisfied that adverse noise effects during all phases of the development will not be significant.

I have considered the applicant's EIAR, and I am satisfied that all issues have been appropriately addressed and that no significant adverse effects are likely to occur in relation to noise.

10.11. Material Assets

10.11.1. Issues raised

There were no issues raised in relation to material assets in the submissions received.

10.11.2. Context

EIAR Chapter 11 has assessed the likely significant effects of the Proposed Development on material assets, which are defined as *'built services including telecommunications and utility networks such as gas and water and sewerage supply, waste management and infrastructure (roads and traffic)*'.

The study area is the site and extends to those dwellings and buildings on the roads surrounding it, within c.1km of the Proposed Development site to ensure that any associated structures or inter-reliance in the immediate surrounding area were considered that could be impacted by the Proposed Development. As the development site is located within the boundary of the existing Medite facility, there a number of underground services and existing drainage networks that traverse the site. Telephone connection to the Medite plant site is indicated as entering the site via the private access/ egress road off the public road (L2506). Roads infrastructure and traffic are assessed separately in section 10.14 of this report.

10.11.3. Baseline

There is no specific set of Environmental Impact Assessment guidelines for the assessment of material assets. For this reason, the methodology used to assess the impact on built services is in accordance with a number of best practice guidelines, refer to Section 11.47 – 11.50 of Chapter 11 Material Assets, Volume II of the EIAR.

The IE licence for the facility requires annual reporting by the applicant on waste generation and management. In 2022, 44.5 tonnes of hazardous waste, 34,105 tonnes of non-hazardous waste and 1,323 tonnes of inert waste was reported. The ESB infrastructure is shown as an underground 10KV/ 20KV/ 400V/ 230V cable route within the southeastern portion of the site and there is a 110KV substation approximately 250m north of the site. There is a medium pressure distribution gas pipe present within the application site that enters the plant from the south.

10.11.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.10 below.

Table 10.10: Summary of Potential Effects (Material Assets)
Do Nothing
• This would see the closure of the Medite facility as the infrastructure would reach the end of its design and operational life. The facility would cease to be a source of both employment for the area and MDF products to meet the diverse needs of users, specifiers and designers across Europe and beyond. This would represent an adverse, moderate and long-term effect on the economy of the region and the related supply chain.
Construction
• A limited volume of building wastes will be generated (mainly soil/ stone excavated to facilitate foundations and concrete yards) and it is considered that the generation of waste by on-site activities during the construction period will have an imperceptible effect on local waste collection/ off-site waste management capacity. • Three areas of additional hard standing that will be required to facilitate the development of both energy plants and fuel infrastructure will be managed through the existing surface water management system in place at the facility. • Potential increase in the impact of ambient noise, ambient dust and traffic on proximate rural enterprises and residential properties.
Operational Impacts
• The existing proven management systems at the Medite facility will be implemented to control and manage all potential waste streams. • Surface Water Management will largely remain unchanged except for three areas of additional hard standing to facilitate the development of both energy plants and fuel infrastructure.
Decommissioning
• Decommissioning of the plant will involve similar works and impacts as per the construction phase with respect to disturbance as result of noise, dust and vibration.
Cumulative Impacts
• The distance of the other proposals, the implementation of standard best practice construction measures, as well as the limited service needs of the proposed development will mitigate against any potential for cumulative impacts on material assets that could cause disruption to other users.

10.11.5. **Mitigation**

The CEMP will be finalised in consultation with Tipperary County Council, before any construction works commence, but it is not considered that any additional mitigation measures, over and above those proposed for environmental emissions, are required in respect of material assets.

During the operational phase, routine maintenance will be carried out in accordance with the maintenance procedures provided by the contractor and manufacturer. There will be no requirement for additional mitigation measures during the operational phase. All material assets after mitigation will have a Neutral or Not Significant residual effect once mitigation measures included within the CEMP are taken into account.

10.11.6. **Residual Effects**

No significant residual impacts have been identified.

10.11.7. **The Assessment: Direct and Indirect Effects**

There are no impacts identified with land use due to the existing and continuing use on the site. During the construction phase, there will be a limited volume of building wastes generated, three areas of additional hard standing provided, and a potential increase in ambient noise, ambient dust and traffic on proximate rural enterprises and residential properties. I consider implementation of the mitigation measures contained within the final CEMP will ensure no significant effects on nearby properties and provide appropriate means of disposing surface water.

Similarly, during operation the surface water collected from the three new areas of additional hard standing will be discharged to the existing surface water drainage system, which will pass through an oil interceptor prior to being released under the terms of the IE Licence. I am satisfied that these discharges of surface water will be regulated by the EPA IE Licence.

10.11.8. **Conclusion: Direct and Indirect Effects (Material Assets)**

I am satisfied that there would be no significant adverse impacts in relation to material assets subject to compliance with recommended conditions, relevant legislation, implementation of the EIAR and final CEMP mitigation measures and

compliance with the EPA IE Licence requirements for the facility (as reviewed and/ or amended).

10.12. Cultural Heritage

10.12.1. Issues Raised

The DAU notes the field inspection carried out by the applicant identified a low-relief earthwork on part of the development site. The DAU considers that this should be regarded as an area of high archaeological potential. The DAU advises that a more detailed assessment of the earthwork site than the applicant proposes should be carried out prior to commencement of development and recommends appropriate conditions to this effect.

10.12.2. Context

Cultural Heritage is addressed in Chapter 12 of the EIAR, Volume II, and Appendices 12.1 and 12.2 in Volume III. Chapter 12 sets out the Methodology, Regulatory and Policy Framework, Baseline Environmental Conditions, Potential Impacts and Cumulative Impacts. The assessment was guided by the EPA's *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* which was published in 2022.

10.12.3. Baseline

The study reviewed as part of the EIAR involved detailed investigation of the archaeological and historical background of the development site, the landholding and the surrounding area extending 1km from the development boundary. The relevant policy in relation to the protection and preservation of archaeology and cultural heritage from the Tipperary CDP 2022-2028 is Policy LH16. Policies for the protection of the built heritage and historic landscapes include 13-1 to 13-7 and objectives 13-A to 13-F. The Clonmel & Environs Local Area Plan 2024-2030 also sets out policies on cultural and built heritage within the area.

Field inspections were carried out on 8th September 2022 and 9th November 2023 to determine the location, extent and significance of any archaeological sites and to identify any previously unrecorded sites.

10.12.4. **Potential Effects**

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.11 below.

Table 10.11: Summary of Potential Effects (Cultural Heritage)
Do Nothing
• If the proposed development were not to proceed there would be no negative effect on the cultural heritage.
Construction
• Proposed tree planting in Development Area 4 will effect a potential enclosure identified during fieldwork in November 2023.
Operational Impacts
• No operational effects on any known items of archaeology, architecture or cultural heritage in the application area or the vicinity.
Decommissioning
• Decommissioning of the plant will involve similar works and impacts as per the construction phase with respect to disturbance as result of noise, dust and vibration.
Cumulative Impacts
• No cumulative effects on cultural heritage.

10.12.5. **Mitigation**

There is the possibility of the survival of previously unknown subsurface archaeological deposits or finds in Development Area 2 and the proposed tree planting in Development Area 4 may affect a potential enclosure. Consequently, the applicant proposes that topsoil-stripping within the undeveloped wooded part of Development Area 2 and all of Development Area 4 will be archaeologically monitored under licence from the National Monuments Service.

The DAU considers that this should be regarded as an area of high archaeological potential and advises that a more detailed assessment of the earthwork site than the applicant proposes should be carried out prior to commencement of development. The applicant has confirmed in their response to the DAU's submission that they are happy to accept the imposition of the condition requiring pre-commencement archaeological geophysical survey recommended by the DAU.

The EIAR has identified that, after mitigation, there would be no effects upon known or unknown cultural heritage assets. With additional mitigation advised by the DAU

and considered acceptable by the applicant, it is can, therefore, be determined that the Proposed Development will not physically impact upon previously unknown archaeological remains.

10.12.6. **Residual Effects**

No significant residual impacts have been identified.

10.12.7. **The Assessment: Direct and Indirect Effects**

I have examined, analysed and evaluated Chapter 12 of the EIAR, and all of the associated documentation. The EIAR has highlighted the possibility to disturb previously unknown deposits or artefacts without preservation by record taking place in the undeveloped wooded part of Development Area 2 and to affect a potential enclosure from proposed tree planting in Development Area 4. Overall, The EIAR has raised no significant concerns in relation to cultural heritage and archaeology.

The DAU's submission emphasises that Development Area 4 where replacement tree planting is proposed should be considered an area of high archaeological potential. The DAU advises that a more detailed assessment of the earthwork site than the applicant proposes should be carried out prior to commencement of development. I am satisfied that the potential for impacts on archaeology during the construction phase can be mitigated by pre-commencement geophysical testing and appropriate measures if archaeological findings occur per the DAU's recommended condition.

10.12.8. **Conclusion: Direct and Indirect Effects (Cultural Heritage)**

Based on the results of the EIAR in relation to cultural heritage, I am satisfied that no significant adverse effects are likely to arise in relation to cultural heritage and archaeology.

10.13. **Landscape**

10.13.1. **Issues Raised**

TCC note Viewpoints C, G and H in particular in the LVIA but are satisfied that the applicant has undertaken a robust visual analysis of the proposed works. They state that there will be some negative impacts as a result of additional man-made

structures in the receiving environment but are satisfied that these impacts will not be significant.

10.13.2. **Context**

Landscape and visual impact are addressed in Chapter 13 of the EIAR, Volume II, and Appendices 13.A, 13.B and 13.C, Volume III. Chapter 13 sets out the Methodology, Regulatory and Policy Framework, Baseline Environmental Conditions, Potential Impacts and Cumulative Impacts. The chapter also includes Figures 13-1 to 13-11, which comprise the photomontages that have been produced to inform the EIAR chapter.

The chapter has been prepared in accordance with the 2022 Environment Protection Agency (EPA) Guidelines on the information to be contained in Environmental Impact Assessment Reports as well as the 2013 Landscape Institute guidelines on preparing Landscape and Visual Impact Assessments. (GLVIA3). The European Commission Guidance on the preparation of the Environmental Impact Assessment report (2017) was also taken into account. The EIAR was informed by desk studies and site appraisals. The assessment reports on potential effects during both construction (10 years) and operation (30 years). A Zone of Theoretical Visibility (ZTV) map was produced (Figure 13-2, Volume II). A study area radius of 5km was set from the boundary of the site. It is noted that the actual visibility is much reduced by hedgerows, forestry plantations and built structures in the wider landscape but the 5km study area is maintained for the purposes of providing landscape context.

10.13.3. **Baseline**

The landscape in the surrounding environs of the Proposed Development has been modified by a number of constructed elements, including the Medite facility which, when combined with the existing Bulmer's complex immediately to the south, forms a significant cluster of industrial infrastructure at this location on the eastern edge of Clonmel town. The site is accessed from the N24 to the south, which connects Waterford and Limerick cities.

Under the Tipperary CDP, the site is located within an area designated as *The Plains* Architype, within LCT A1 *Lowland Pasture & Arable* and within LCA 1 *Urban and Fringe Areas*. LCA 1 is considered a sub-area of the surrounding LCA 4 *River Suir Central Plan*.

Substantial belts of woodland (in the ownership of the applicant) are located along the boundaries of the proposed development site, with the exception of parts of the northern boundary which are marked by mature hedgerows. The built-up environment of Clonmel town is located to the southwest of the site and the landscape to the north-west, north and east is dominated by agricultural land, which forms part of the aforementioned Tipperary LCA 4 *River Suir Central Plain*.

The presence of the River Suir and the Comeragh Mountains to the south of the development site is a defining characteristic of this area. To the south of the river, the land begins to rise steeply, reaching the summits of Long Hill (404m) and Lachtnafrankee (520m) within 2-5km of the development site. These form the northern end of the Comeragh Mountains. Under the Waterford City & County Development Plan (WCCDP), the lands to the south of the River Suir and the Comeragh mountain range are designated as *Uplands* (6A) landscape character unit. There are views to the development site from various locations in this area and the applicant has included a number of these in their assessment.

10.13.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.12 below.

Table 10.12: Summary of Potential Effects (Landscape)
Do Nothing
• The existing Medite facility would be likely to continue to operate in the existing manner in the short term, resulting in no landscape or visual effects.
Construction and Operational Impacts
• Potential impacts form the visibility of the construction works, including the visibility of cranes, within the proposed development site, and the visibility of the completed replacement renewable energy plant, in particular the tallest structures associated with it (6 no. structures varying between 18.5m – 33m in height).
Decommissioning
• Decommissioning of the plant would result involve similar works and impacts as per the construction phase such as the visibility of cranes but, once complete, would result in no impact on the landscape.
Cumulative Impacts
• In combination with the absence of predicted landscape effects and low predicted visual effects for this project, significant cumulative landscape or visual impacts are highly unlikely with the projects identified in Appendix 1-5 of the EIAR.

10.13.5. **Mitigation**

The design of the proposed development includes a number of elements, which contribute to the avoidance of significant landscape and visual effects. Embedded mitigation measures include the location of the proposed development within the proposed development site within an existing industrial site, painting of all proposed structures in a grey colour similar to that of the existing structures within the existing Medite facility, and the retention of all existing screening vegetation along the proposed development site boundaries. Further to this, in order to mitigate the loss of a small area of trees within the proposed development site, it is proposed to plant a similar sized area within the northern section of the proposed development site with a diverse native woodland mix.

The visible built structures in available views will remain as at the time of the completion of construction works (design and colour). The proposed colour scheme will help integrating the Proposed Development in available views. The magnitude and significance of landscape and visual effects during the operational phase will therefore remain not significant.

10.13.6. **Residual Effects**

The assessment has found that there would be no landscape effects on any landscape receptors within the study area and, therefore, no significant residual impacts have been identified.

10.13.7. **The Assessment: Direct and Indirect Effects**

In relation to visual impacts, the LVIA outlines that the significance from viewpoints A, B, C, D, E and I consider that the impact from these viewpoints would be imperceptible as none or very little of the existing Medite facility are visible from these viewpoints and the Proposed Development would be fully screened. The LVIA further outlines the magnitude of landscape impact from the proposed development from viewpoints F, G, H and J would be slight/ negligible.

Viewpoints G and H in the submitted LVIA are from scenic routes designated under the WCCDP. I am satisfied, given the distance to the site, assimilation of proposed structures within the existing built environment on the site, and extent of existing

vegetation along the site boundaries, that the visual impact of the proposed development will be slight/ negligible.

There is potential for a slight landscape and visual impact during the operational phase associated with the intensification of the existing industrial character of the site. I consider the proposed development will integrate into the existing industrial character of the site. I am satisfied that the proposed development is not uncharacteristic of the existing industrial landscape at Redmondstown.

Further to this and following an inspection of the site, the surrounding area and an examination of the information submitted including the visual aids, I consider the receiving environment has the capacity to accommodate and absorb the proposed development at this location from a visual and landscape perspective.

I have visited the site and its environs and have examined the Landscape and visual impact assessment in Chapter 13 and accompanying photomontages and appendices. I am satisfied the proposed development will not significantly alter the industrial character of the site and its immediate surrounds.

10.13.8. **Conclusion: Direct and Indirect Effects (Landscape)**

Having reviewed the EIAR and planning documentation, based on the design, the existing industrial character of the baseline environment and the mitigation proposed in the EIAR, I am satisfied that the visual impact on the surrounding landscape and views towards the site would not have any significant adverse impacts on the landscape or visual amenity.

10.14. Traffic and Transportation

10.14.1. **Issues Raised**

TCC (Roads Capital) notes that there are existing difficulties for vehicles exiting the L2506 local road onto the N24 and seeks an assessment of the level of queueing at this location. The Roads Capital section also flags the proposed N24 to Moangarriff to Twomilebridge pavement scheme which includes a proposal to remove the left filter land from the eastbound lane on the N24 approaching the L2506 junction and a proposal to narrow this junction to prevent two vehicles waiting at the stop line on the

L2506. Roads Capital also seeks the inclusion of Mobility Management Plan for the Medite facility as part of mitigation measures.

TCC, via Tramore House Roads Design Office (RDO), notes that the development site is outside of the preferred corridor currently being considered for the N24 Waterford to Cahir project. The RDO highlight that junction and access improvements along the N24 may form part of this project/ N24 upgrade, which may indirectly impact the Medite facility.

TII reviewed the application in the context of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012). TII advise that the proposed development be carried out in accordance with the Transport Assessment in the EIAR and any planning conditions arising that are attached to a grant of permission. TII note that the development site is located in proximity to a future national road scheme and request that the applicant is made aware of this and that TII will not entertain future compensation claims in respect of impacts from any new road scheme on the Proposed Development.

The applicant has confirmed that they will carry out the development strictly in accordance with the Transport Assessment in Chapter 14 of the EIAR. The applicant confirms that they are aware of the proposed N24 Waterford to Cahir project and notes that there is no direct conflict between that project and the Proposed Development. The applicant also states that they consulted (Public Consultation No.2) with the RDO in Tramore House and confirmed at that stage that there was no direct conflict between that project and the proposed development.

In relation to the concerns of the Roads Capital section in TCC, the applicant highlights that the level of predicted additional traffic during the construction phases will be 2 HGVs per hour and considered this to be sufficiently within both the thresholds outlined in the IEMA and the NRA guidelines to not warrant a more detailed assessment. The applicant reconfirms that a CTMP will be submitted for the written agreement of the planning authority, prior to commencement of development.

The applicant noted the works proposed by TCC within the N24 to Moangarriff to Twomilebridge Pavement and Traffic Calming scheme and concluded that these works will need to accommodate existing movements as well as the pavement improvements. The applicant highlights that any additional traffic generated by the

Proposed Development will generally arrive from the east and, thereby, will not be affected by the loss of a left-turn filter.

The applicant states that there will be no change from the current situation during the operational phase of the development but would give further consideration to the preparation of a mobility management plan suggested by TCC should this be considered appropriate by the Board.

10.14.2. **Context**

EIAR Chapter 14 with associated Appendices 14.1 and 14.2 has assessed the traffic and transportation impacts of the Proposed Development. The EIAR describes the regulatory and policy framework, the methodology used, predicted and cumulative impacts and residual impacts following mitigation.

10.14.3. **Baseline**

To assist in determining the impact of the Proposed Development on the surrounding road network, the following guidance has been adhered to: TII's *Traffic and Transport Assessment Guidelines* (May 2014) has been used concurrently alongside the IEMA *Guidelines for the Environmental Assessment of Road Traffic* (1993). Traffic surveys which inform the baseline conditions on the surrounding road network were undertaken by an independent survey company (Tracsis) under instruction from SLR.

The L2506 local road and its junction with the N24 represents the study area for this assessment. The existing access and egress points to the Medite facility will be utilised for the Proposed Development which is located off the L2506. The speed limit of the L2506 is 60kph between the N24 junction and site access junction. The N24 is located c.900m to the south of the application site and connects Waterford City to Limerick City. No other links or junctions are forecast to be impacted.

A Construction Traffic Management Plan (CTMP) will be submitted to and agreed with the Planning Authority in consultation with the TII, prior to the commencement of development. The CTMP will avoid peak hours and include a routing agreement, ensure contractor parking is within the curtilage of the site, control all deliveries, control dust, mud, and debris to ensure none is deposited onto the public road.

The construction phase of the Proposed Development will be up to 10 years and the operational period will be a further 30 years. It is expected that there will be average of 50 construction workers on site at any one time during the construction phase, rising to a peak of 240 construction workers over a period of 14 months in Phase 1. During the operational phase, the Medite facility will not generate enough traffic to cause any capacity issues or exacerbate any existing capacity issues.

10.14.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.13 below.

Table 10.13: Summary of Potential Effects (Traffic and Transportation)
Do Nothing
• This would see the closure of the Medite facility as the infrastructure would reach the end of its design and operational life. The facility would cease to be a source of both employment for the area and MDF products. All traffic movements to/ from the facility would cease.
Construction
• Short term increase in traffic that will be average of 50 construction workers on site at any one time during the construction phase, rising to a peak of 240 construction workers over a period of 14 months in Phase 1. • Potential increase in the impact of noise, dust on proximate rural enterprises, residential properties and onto the road.
Operational Impacts
• There will be no change from the current situation in terms of the total number of employees on site each day between 8am to 6pm Monday to Friday. • There will be an increase in HGV activity with up to 12.5% within a peak hour and 6.6% across a working day. • Potential increase in traffic noise at Redmondstown cottages. • Potential to bring dust, dirt, and other detritus onto the road.
Decommissioning
• Decommissioning of the plant will involve similar works and impacts as per the construction phase with respect to disturbance as result of noise, dust and traffic.
Cumulative Impacts
• None of the planning applications identified for upcoming developments are within the immediate proximity to the site such that the traffic generated from these would utilise any of the road links and junctions within the study area assessed.

10.14.5. Mitigation

The implementation of a CTMP by the Contractor will minimise the potential for traffic and transport impacts during construction phase activities.

10.14.6. **Residual Effects**

The temporary increase in construction traffic is likely to result in a slight environmental effect in terms of temporary construction phase traffic. The management of these effects will be achieved through the implementation of the CTMP. No significant residual impacts have been identified.

10.14.7. **The Assessment: Direct and Indirect Effects**

The road traffic assessment was based on precise traffic movements that will be generated by the construction and operational phases of the proposed development, and I am satisfied that the assessment is robust. Effects arising from the process of decommissioning of the Proposed Development are considered similar in nature to those arising from the construction phase. There is potential for temporary minor localised impacts on the road network during the construction and decommissioning phases, but junctions will operate well within capacity. I consider that significant adverse impacts relating to construction and decommissioning stages can be minimised by conditioning the preparation of an updated CTMP and CEMP.

I note TCC's submission and concerns in relation to existing difficulties for vehicles exiting the L2506 local road onto the N24, and the proposed N24 to Moangarriff to Twomilebridge pavement scheme which includes a proposal to remove the left filter lane from the eastbound lane on the N24 approaching the L2506 junction. In this regard, I agree with the applicant's assertion in their response to the submission whereby these works will need to accommodate existing movements as well as the pavement improvements.

The potential impacts associated with the Operational Phase are not considered significant. However, I note that TCC seeks the inclusion of Mobility Management Plan and I consider this to be reasonable, in line with local planning policy, and can be sought by means of a condition, if the Board are minded to grant permission for the Proposed Development. Overall, I am satisfied that there will be no significant impacts in relation to traffic during the Operational Phase of the development due to the small increase in HGV traffic accessing/ egressing the site and no change in staff numbers or the associated shifts.

The N24 is part of the national road network which has capacity to cater for an increase in traffic volumes for all phases of development. I am satisfied that the

additional traffic movements for all phases of development will not give rise to any significant traffic hazards or disruptions along any of the roads or junctions.

10.14.8. **Conclusion: Direct and Indirect Effects (Traffic)**

I have considered the written submissions made in relation to traffic and transport and I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise, subject to compliance with relevant legislation and guidance, implementation of the EIAR and final CTMP mitigation measures, monitoring and compliance with recommended conditions. The Proposed Development will not give rise to any significant residual or cumulative impacts with other developments in the surrounding area.

10.15. Major Accidents and Disasters

10.15.1. **Issues Raised**

There were no issues raised in relation to major accidents and disasters in the submissions received.

10.15.2. **Context**

EIAR Chapter 15 has dealt with Major Accidents and Disasters (MA&Ds). It is a requirement of all EIARs to incorporate a section which identifies and describes the potential major accidents and natural disasters which could occur at the Proposed Development. These types of events have a very low probability of occurring, but if they do, the impact could be significant, with consequences such as serious harm to people and/ or widespread damage to property and the environment.

The EIAR describes the regulatory and policy framework, the methodology utilised, the Proposed Development and study area, impacts, mitigation measures, emergency management and cumulative effects. The MA&Ds are assessed to determine the potential impact on life, health, welfare, environment, infrastructure and social.

10.15.3. **Baseline**

The Proposed Development will be constructed within the boundary of the existing Medite facility, which has been in operation for many years. The new facilities which

comprise the Proposed Development will operate continuously. A review of the potential accident scenarios includes natural hazards, transportation hazards, technological hazards, and civil hazards during the construction and operational phases of the Proposed Development. The primary sources with the potential to cause significant environmental pollution and associated negative effects on human health and the environment include the bulk storage of hydrocarbons, chemicals and wastes. Materials currently used and stored on the factory site and that will continue to be used are listed in Table 15-5 of the EIAR and includes wood biomass, natural gas, liquified petroleum gas, gas oil (diesel oil), and a suite of wastewater treatment chemicals.

There are well established engineering design, manufacturing, and construction standards for the specification of equipment and pipework on facilities such as the Proposed Development which store and use hazardous substances. Operational, inspection and maintenance procedures will all be in place following construction to ensure that the risk of a loss of containment is reduced to the very low levels which are required for compliance with legislation.

10.15.4. Potential Effects

Likely significant effects of the development, as identified in the EIAR are summarised in Table 10.14 below.

Table 10.14: Summary of Potential Effects (Major Accidents and Disaters)
Do Nothing
• The current biomass boilers would likely break down in the next few years. This would cause significant revenue losses and would likely lead to job redundancies and, without the change to new biomass boilers, the estimated saving of 2,951 tCO2e/year would not be made.
Construction
• Severe weather would pose a risk to construction activity on site. • Potential for collisions on-site and off-site with vehicles involved in the construction of Proposed Development. • Potential for the discharge or spillage of fuel, chemical solvents into watercourse or percolated to groundwater. • Potential for an industrial accident, fire, or gas explosion. • Potential for loss of critical infrastructure.
Operational Impacts
• Potential for the discharge or spillage of fuel, chemical solvents into watercourse or percolated to groundwater. • Potential for an industrial accident, fire, or gas explosion. • Collapse/ damage to structures.

• Potential for collisions on-site and off-site with vehicles involved in the operation of Proposed Development. • Potential for loss of critical infrastructure.
Decommissioning
• Poses similar risks to the construction stage in terms of major accidents and disasters. As this stage will be limited to a temporary period of time, it is considered that there is a low risk of major accidents or disaster.
Cumulative Impacts
• None of the developments listed in Appendix 1-5 of the EIAR give rise to cumulative effects with respect to major accidents and natural disasters.

10.15.5. **Mitigation**

Sections 15.83 – 15.86 of the EIAR details the mitigation measures which will be implemented to prevent major accidents and disasters at the Proposed Development. The CEMP (Appendix 2-1, EIAR Volume II) will be finalised, and undergo regular reviews, by the Contractor in accordance with any conditions of planning. The CEMP specifies the Emergency Response Procedure to be followed in case of emergencies, encompassing contamination, health and safety, and environmental protection.

10.15.6. **Residual Effects**

The implementation and strict adherence to the mitigation and monitoring measures outlined in the CEMP, and which have not been considered in the assessment of risks, will effectively eliminate any significant residual impacts related to the construction, operation, and decommissioning of the Proposed Development.

10.15.7. **The Assessment: Direct and Indirect Effects**

In the EIAR assessment, a number of reasonably foreseeable major accidents and/ or disasters have been identified for the Proposed Development. These include events associated with weather events, fire, dangerous substances, damage to gas infrastructure and vehicular traffic. Should a fire/ explosion occur at the site, this is likely to have a significant effect as a large number of people could be displaced and there could be fatalities. This is the only risk that is potentially elevated to 'Major emergency' status i.e., 'very unlikely' to occur, but having 'serious' consequences should it do so. Firefighting equipment, including a designated fire water source, is

readily available and there is emergency preparedness for such an event in the unlikely event it should occur.

The nature of other substances, which are classified as flammable, means that the hazards associated with their use cannot be entirely eliminated. The risks of storing and using these materials will be reduced to a low level in accordance with legislation and Regulatory Authorities requirements.

I am satisfied that a robust assessment of accidents and disasters has been carried out and I am satisfied that the overall risk is very low.

10.15.8. **Conclusion: Direct and Indirect Effects (Major Accidents and Disasters)**

The proposed facility would operate in accordance with the terms and conditions of the EPA Industrial Emissions Licence, as amended and/ or reviewed. The proposed development relates to the replacement of existing energy production facilities and the continuation of activities on the development site. Based on the above, I am satisfied that the overall risk of Major Accidents and Disasters has been adequately addressed and the risk of MA&Ds is low.

10.16. Interactions

10.16.1. Chapter 16 of the EIAR evaluates the potential interaction of effects described within the EIAR. The EIAR notes that all potential effects arising from interactions were identified early in the design process and in preparation of the EIAR and were therefore addressed through specific mitigation and monitoring measures detailed within the EIAR. No additional mitigation or monitoring measures are required as a result of the interaction of effects. A summary of the interaction of effects is identified in Table 16-1 of the EIAR.

10.16.2. I have considered the interactions and interrelationships between environmental effects and I am satisfied that significant impacts in relation to interactions can be avoided, managed and mitigated by the measures contained within the EIAR and any recommended planning conditions.

10.17. Reasoned Conclusion

10.17.1. 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 submission from the planning authority, and submissions from prescribed bodies 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:

- Negative impacts on **biodiversity** arising from construction, operation and decommissioning activities. These impacts will be mitigated through the adherence to best practice construction measures and the implementation of a final CEMP.
- Temporary adverse impact on **landscape and visual** during construction due to temporary site infrastructure such as cranes and other machinery. This will be for a limited time and mitigation will include the retention of the existing mature site boundaries.
- **Noise** effects on NSR3 will occur during the phase 1 of construction. Subject to the adoption of the mitigation measures, all effects are predicted to be Imperceptible and Not Significant. Construction effects are defined as Temporary/ Short-Term.

  Noise levels during the operational phase will be emitted principally from HGV movements, conveyors, fans, dryers and various plant and machinery. Given the small number of Proposed Development related vehicle movements on existing road networks per day during the operational phase, noise impacts are likely to be Negligible during the operational phase. Emissions during the operational phase will comply with expected fixed permitted limits by the EPA, based on current best practice for this type of facility, and which are more stringent during the night-time.
- During construction, there will be temporary negative **Traffic and Transport** effect with HGV construction traffic flow generated by the development on the adjacent local road. This will be mitigated by the implementation of the detailed Construction Traffic Management Plan (CTMP).

10.17.2. In conclusion, having regard to the above identified significant impacts, I am satisfied that the proposed development would not have any unacceptable direct or indirect impacts on the environment, subject to the implementation of the mitigation and measures outlined in the EIAR, any recommended conditions and adherence to the terms and conditions associated with any EPA Industrial Emission Licence, should it be granted.

11.0 **Recommendation**

I recommend that planning permission should be granted for the proposed development for the reasons and considerations set out below, and subject to the attached conditions.

12.0 **Reasons and Considerations**

In coming to its decision, the Board had regard to the following:

- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives)
- National Planning Framework - Ireland 2040
- Climate Action Plan, 2024
- Regional Spatial and Economic Strategy for the Southern Region
- The policies and objectives of the Tipperary County Development Plan 2022-2028
- The policies and objectives of the Waterford City & County Development Plan 2022-2028
- The policies and objectives of the Clonmel & Environs Local Area Plan 2024-2030
- The nature, scale and design of the proposed development, the existing development on the site, and the pattern of development in the vicinity of the site

- The information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement
- the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites,
- the submissions received in relation to the proposed development, and
- the report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to the appropriate assessment and environmental impact assessment screening.

It is considered that the proposed development would accord with European, national, regional and local planning and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

Appropriate Assessment - Stage 1

The Board considered the Screening Report for Appropriate Assessment and carried out an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites. The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site and considered the nature, scale, and location of the proposed development, as well as the report of the Inspector. The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Lower River Suir SAC (site code 002137), Nier Valley Woodlands SAC (site code 000668), Comeragh Mountains SAC (site code 001952) and the River Barrow and River Nore SAC (site code 002162) are the European sites for which there is a likelihood of significant effects. The Board concluded that, having regard to the qualifying interests for which all other European Sites were designated and in the absence of viable connections to, and distance between the application site, these could be screened out from further consideration and that the proposed development, individually or in combination with other plans and projects

would not be likely to have significant effects on any other European Sites in view of the sites' conservation objectives and that the Stage 2 appropriate assessment is therefore not required in relation to these European Sites.

Appropriate Assessment - Stage 2

The Board considered the Natura Impact Statement and carried out an appropriate assessment of the implications of the proposal for the Lower River Suir SAC (site code 002137), Nier Valley Woodlands SAC (site code 000668), Comeragh Mountains SAC (site code 001952) and the River Barrow and River Nore SAC (site code 002162), in view of the Sites' Conservation Objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment as well as the report of the Inspector. In completing the assessment, the Board considered the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans and projects, the mitigation measures which are included as part of the current proposal and the Conservation Objectives for these European Sites. In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the Lower River Suir SAC (site code 002137), Nier Valley Woodlands SAC (site code 000668), Comeragh Mountains SAC (site code 001952) and the River Barrow and River Nore SAC (site code 002162) or any other European Site in view of the sites' Conservation Objectives.

Environment Impact Assessment

The Board completed an environmental impact assessment of the proposed development, taking into account:

- the nature, scale, location, and extent of the proposed development;

- the Environmental Impact Assessment Report and associated documentation submitted with the application;
- the submissions received during the course of the application; and
- the Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the planning application.

Reasoned Conclusion for EIA

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are those arising from the impacts listed below. The main significant effects, both positive and negative, are:

- Negative impacts on **biodiversity** arising from construction, operation and decommissioning activities. These impacts will be mitigated through the adherence to best practice construction measures and the implementation of a final CEMP.
- Temporary adverse impact on **landscape and visual** during construction due to temporary site infrastructure such as cranes and other machinery. This will

be for a limited time and mitigation will include the retention of the existing mature site boundaries.

- **Noise** effects on NSR3 will occur during the phase 1 of construction. Subject to the adoption of the mitigation measures, all effects are predicted to be Imperceptible and Not Significant. Construction effects are defined as Temporary/ Short-Term.

  Noise levels during the operational phase will be emitted principally from HGV movements, conveyors, fans, dryers and various plant and machinery. Given the small number of Proposed Development related vehicle movements on existing road networks per day during the operational phase, noise impacts are likely to be Negligible during the operational phase. Emissions during the operational phase will comply with expected fixed permitted limits by the EPA, based on current best practice for this type of facility, and which are more stringent during the night-time.

- During construction, there will be temporary negative **Traffic and Transport** effect with HGV construction traffic flow generated by the development on the adjacent local road. This will be mitigated by the implementation of the detailed Construction Traffic Management Plan.

- The EIAR has considered the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate.

- The EIAR has considered that the main significant direct and indirect and cumulative effects of the proposed development on the receiving environment. Following mitigation, no residual significant long-term negative impacts on the environment or sensitive receptors would occur.

Having regard to the above, the Board is satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment. The Board is satisfied that the reasoned conclusion is up to date at the time of making the decision and that the information contained in the EIAR complies with the provisions of Article 3, 5 and Annex (IV) of EU Directive 2014/52/EU.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, National and regional renewable energy policies and with the provisions of the Tipperary County Development Plan 2022-2028, would not seriously injure the visual or residential amenities of the area or have an unacceptable impact on the character of the landscape or on cultural or archaeological heritage, would not significantly adversely affect biodiversity in the area, would be acceptable in terms of traffic safety and would make a positive contribution towards achieving lreland's energy target as set out in the Climate Action Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 8th day of February 2024, 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. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

   Reason: Having regard to the nature of the proposed development, the Board considered it reasonable and appropriate to specify a period of the permission in excess of five years.

3. a) All mitigation and environmental commitments identified in the Natura Impact Statement shall be implemented in full as part of the proposed development.

   b) All mitigation, environmental commitments and monitoring measures identified in the EIAR shall be implemented in full as part of the proposed development.

Reason: In the interest of development control, public information, and clarity.

4. The following limits and requirements shall be complied with in the manufacturing process:

   (a) A maximum of 186,000 tonnes per annum of biomass fuel shall be processed in the bio-energy plant.

   (b) The biomass supply shall comprise forestry by-products as described in the submitted details and shall be within the parameters of descriptions as defined in S.I. No. 350/2022 European Union (Renewable Energy) Regulations (2) 2022.

   Reason: In the interests of clarity.

5. Prior to commencement of development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed at the Medite facility and to reduce and regulate the extent of car parking.

   Reason: In the interest of encouraging the use of sustainable modes of transport.

6. (a) The noise levels generated during the construction of the development shall not exceed the following limits: 55 dB(A) during daytime, 50 dB(A) during evening time and 45dB(A) during night-time when measured at the nearest

occupied house. When measuring the specific noise, the time shall be any one-hour period.

(b) The developer shall implement all noise mitigation measures as set out in the Environmental Impact Assessment Report,

Reason: In order to protect the amenities of property in the vicinity.

7. The development shall be operated and managed in accordance with an Environmental Management System (EMS) which shall be submitted by the developer and agreed in writing with the planning authority prior to commencement of development. This shall include the following:

   (a) Proposal for the suppression of on-site noise and monitoring at sensitive receptors.

   (b) Proposal for the suppression of dust on site and on the surrounding roads.

   (c) Proposal for the bunding of fuel, lubrication storage areas and any other substance as required by the planning authority and details of emergency action including warning sign in the event of accidental spillage/leakage.

   (d) Details of safety measures for the fencing.

   (e) Specification of limits in relation to the following parameters, NOx, SO2, CO and PM10 particulate matter.

   (f) Monitoring of ground and surface water quality, levels and discharges.

   (g) Details of Site Manager and public information signs at entrance.

   Reason: In order to safeguard the environment and local amenities.

8. Biomass supply deliveries to the site and transport waste from the site shall be confined to between the hours of 0600 to 2200 Monday to Thursday and 0600 to 2000 on Fridays. No deliveries of biomass shall take place on Saturdays or Sundays.

   Reason: In the interest of orderly development and the residential amenity of surrounding dwellings.

9. Landscaping of the site shall be carried out in accordance with the landscaping scheme which shall include planting of deciduous trees and retention of hedgerows along the site boundaries, all of which shall be protected from damage, and enhanced in such a manner as to ensure that their value as a commuting and foraging habitat is protected. A Landscape Plan clearly detailing proposals in this regard, including the precise extent of existing hedgerow to be retained, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

   Reason: To ensure the protection of the hedgerow habitat and in the interest of visual amenity.

10. Site development and building works shall be carried out only between the hours of 0730 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be permitted in exceptional circumstances where prior written approval has been received from the planning authority.

    Reason: In order to safeguard the residential amenities of property in the vicinity.

11. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall incorporate all the construction stage mitigation measures outlined in the Natura Impact Statement, and shall provide details of intended construction practice for the development, including and not limited to:

    (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,

    (b) location of areas for construction site offices and staff facilities,

    (c) details of site security fencing and hoardings,

(d) details of car parking facilities for site workers during the course of construction,

(e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site if required,

(f) measures to obviate queuing of construction traffic on the adjoining road network,

(g) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network,

(h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,

(i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,

(j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,

(k) details of construction lighting,

(l) details of key construction management personnel to be employed in the development, and

(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan and monitoring results as appropriate shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, environmental protection, public health, and safety.

12. 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.

Reason: In the interest of sustainable waste management.

13. The developer shall appoint a suitably qualified ecologist to monitor and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna are carried out in accordance with best ecological practise.

    Reason: To protect the environmental and natural heritage of the area.

14. Water supply and drainage arrangements, including the disposal of surface water shall comply with the requirements of the planning authority for such works in respect of both the construction and operation phases of the proposed development.

    Reason: In the interest of environmental protection and public health.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, to include a Construction Traffic 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:

    a) Details of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

    b) Details of areas for construction site offices and staff facilities;

    c) Details of site security fencing and hoardings;

    d) Details of on-site car parking facilities for site workers during the course of construction;

e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

f) Measures to obviate queuing of construction traffic on the adjoining road network;

g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; and

k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

16.a) All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 12 of the EIAR (Charles Mount Consultant Archaeologist, January 2024) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this order.

b) The developer is required to employ a suitability qualified archaeologist (licensed under the National Monuments Acts) to carry out a pre-development Archaeological Geological Survey and a pre-development Archaeological Test Excavation at Area 4 of the development site and to submit an archaeological impact assessment report for the written agreement

of the planning authority, following consultation with the Department, in advance of any site preparation works or groundworks, including site investigation works/ topsoil stripping/ site clearance/ and/ or construction works. This shall be in addition to any mitigation measures outlined in Chapter 12 of the EIAR.

i. The Archaeological Geological Survey must be carried out under licence from the Department and in accordance with an approved method statement. Having completed the work, the archaeologist shall submit a written report to the Department and the Planning Authority describing the results of the geophysical survey.

ii. The archaeologist will liaise with the Department to establish – based on the Archaeological Geological Survey – the appropriate scope of the Archaeological Test Excavation to adequately characterise the character and extent of any potential sub-surface archaeological material within Area 4 of the development site.

iii. The report on the Archaeological Test Excavation shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/ or monitoring may be required.

iv. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department, shall be complied with by the developer.

v. No site preparation and/ or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.

c) The Construction and Environmental Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 12 of the EIAR and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the

archaeological or cultural heritage environment during all phases of site preparation and construction activity.

d) The planning authority and the Department shall be furnished with a final archaeological report describing the results of archaeological monitoring and of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in *situ* or by record) of places, caves, sites, features and other objects of archaeological interest.

17. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the Planning Authority, to secure the reinstatement of public roads that may be damaged by construction transport coupled with an agreement empowering the Planning Authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the reinstatement of public roads that may be damaged by construction transport.

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

the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

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.

Liam Bowe
Senior Planning Inspector

29th August 2024

Appendix 1: AA Screening Determination

Screening for Appropriate Assessment

Screening Determination

Description of the project

I have considered the proposed industrial project of the replacement of all three existing aging thermal energy systems serving both of Medite's two production lines and the proposed development will also provide the thermal energy currently provided by the natural gas-fired Thermal Fluid Heater (TFH) (6MW) serving Production Line 1 in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located in the eastern part of Clonmel town, c.60m from Lower River Suir Special Area of Conservation, c.9km from the Nier Valley Woodlands Special Area of Conservation, c.10km from the Comeragh Mountains Special Area of Conservation and c.44km from the River Barrow and River Nore Special Area of Conservation.

The River Anner flows in a southerly direction c.60m east of the Site. The River Anner forms part of the Lower River Suir SAC. The Lower River Suir SAC connects to the River Barrow and River Nore SAC c.44km southeast of the site, where it is a tidal estuary at Waterford harbour. There are no direct ecological or hydrological links between the site and either the Nier Valley Woodlands SAC or Comeragh Mountains SAC and so the pathway for effects on these sites is through atmospheric dispersal of emissions.

The proposed development, as described in section 3.0 of this report, in section 3 of the Screening Statement for Appropriate Assessment and in section 1 of the Natura Impact Statement, generally comprises the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant. The proposed development will be located on three development areas within the confines of the existing Medite site. Development Area 1 will accommodate the fuel reception, screening, loading, storage and conveying equipment and will be located at the western side of the site. Development Areas 2 and 3 will accommodate the Line 1 and Line 2 energy plants, respectively.

An AA Screening Report and Natura Impact Statement have been submitted. These reports have been prepared by Aisling Kinsella, Senior Ecologist with SLR Consulting.

Potential impact mechanisms from the project

The proposed development will not result in any direct effects such as habitat loss on any European Site.

Sources of impact identified in the AA Screening report include:

- Air emissions resulting in pollution of sensitive habitats and threats to the life cycle of sensitive species.
- Dust emissions resulting in increased sediment loads in sensitive habitats and habitats supporting sensitive species.
- Changes in water quality due to water discharge into the River Anner.
- Changes in water quality due to deposition of emissions to air within the catchment.
- Possible changes in water flow and quantity due to abstraction and discharge to/ from the River Anner.

Where an ecological pathway exists, these direct impacts could negatively alter the quality of the existing environment, negatively affecting qualifying interest species and habitats that are dependent on high water quality and clean air.

European Sites at Risk

Table 1: European Sites at risk from impacts of the proposed project			
Effect mechanism	**Impact pathway/ Zone of influence**	**European Site(s)**	**Qualifying interest features at risk**
a) Air emissions (NOx) from the plant	Atmospheric dispersal by south-westerly winds	Lower River Suir SAC (002137)	Atlantic salt meadows Mediterranean salt meadows

b) Dust emissions c) Surface and ground water management	Atmospheric dispersal by south-westerly winds Surface water discharge and water abstraction into and from the River Anner		Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels Old sessile oak woods with Ilex and Blechnum Alluvial forests with Alnus glutinosa and Fraxinus excelsior Taxus baccata woods Freshwater Pearl Mussel White-clawed Crayfish Sea lamprey Brook Lamprey River lamprey Twaite Shad Salmon Otter

a) Air emissions (NOx) from the plant b) Dust emissions	Atmospheric dispersal by south-westerly winds and subsequent deposition	Nier Valley Woodlands SAC (000668)	Old sessile oak woods with Ilex and Blechnum in the British Isles
a) Air emissions (NOx) from the plant b) Dust emissions	Atmospheric dispersal by south-westerly winds and subsequent deposition	Comeragh Mountains SAC (001952)	Oligotrophic waters containing very few minerals of sandy plains Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation Northern Atlantic wet heaths with Erica tetralix European dry heaths Alpine and Boreal heaths Blanket bogs Siliceous scree of the montane to snow levels Calcareous rocky slopes with chasmophytic vegetation

			Siliceous rocky slopes with chasmophytic vegetation Slender Green Feather-moss
a) Air emissions (NOx) from the plant b) Dust emissions c) Surface and ground water management	Atmospheric dispersal by south-westerly winds Atmospheric dispersal by south-westerly winds Surface water discharge and water abstraction into and from the River Anner	River Barrow and River Nore SAC (002162)	Mudflats and sandflats not covered by seawater at low tide Reefs Salicornia and other annuals colonising mud and sand Atlantic salt meadows Mediterranean salt meadows Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation European dry heaths

			Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels Petrifying springs with tufa formation Old sessile oak woods with Ilex and Blechnum in the British Isles Alluvial forests with Alnus glutinosa and Fraxinus excelsior Desmoulin's Whorl Snail Freshwater Pearl Mussel White-clawed Crayfish Sea Lamprey Brook Lamprey River Lamprey Twaite Shad Salmon Otter Killarney Fern

Likely significant effects on the European sites 'alone'

Table 2: Could the project undermine the conservation objectives 'alone'				
European Site and qualifying feature	Conservation objective (summary)	Could the conservation objectives be undermined (Y/N)?		
		Air emissions (NOx) from the plant	Dust emissions	Surface and ground water management
Lower River Suir SAC (002137)	Lower River Suir SAC | National Parks & Wildlife Service (npws.ie)			
Atlantic salt meadows	To restore the favourable conservation condition	Y	Y	Y
Mediterranean salt meadows	To restore the favourable conservation condition	Y	Y	Y
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation	To maintain the favourable conservation condition	Y	Y	Y
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	To maintain the favourable conservation condition	Y	Y	Y

Old sessile oak woods with Ilex and Blechnum	To restore the favourable conservation condition Maintain diversity and extent of community types	Y	Y	Y
Alluvial forests with Alnus glutinosa and Fraxinus excelsior	To restore the favourable conservation condition Maintain diversity and extent of community types	Y	Y	Y
Taxus baccata woods	To restore the favourable conservation condition Maintain diversity and extent of community types	Y	Y	Y
Freshwater Pearl Mussel	To restore the favourable conservation condition	Y	Y	Y
White-clawed Crayfish	To maintain the favourable conservation condition	Y	Y	Y
Sea lamprey	To restore the favourable conservation condition	Y	Y	Y
Brook Lamprey	To restore the favourable conservation condition	Y	Y	Y
River lamprey	To restore the favourable conservation condition	Y	Y	Y
Twaite Shad	To restore the favourable conservation condition Water quality: oxygen levels No lower than 5mg/l	Y	Y	Y
Salmon	To restore the favourable conservation condition	Y	Y	Y

	Water quality At least Q4 at all sites sampled by EPA			
Otter	To maintain the favourable conservation condition	Y	Y	Y
Nier Valley Woodlands SAC (000668)	Nier Valley Woodlands SAC | National Parks & Wildlife Service (npws.ie)			
Old sessile oak woods with Ilex and Blechnum in the British Isles	To restore the favourable conservation condition Area stable or increasing; Maintain diversity and extent of community types	Y	Y	N
Comeragh Mountains SAC (001952)	Comeragh Mountains SAC | National Parks & Wildlife Service (npws.ie)			
Oligotrophic waters containing very few minerals of sandy plains	To maintain the favourable conservation condition Area stable or increasing	Y	Y	N
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation	To maintain the favourable conservation condition Area stable or increasing	Y	Y	N
Northern Atlantic wet	To restore the favourable conservation condition	Y	Y	N

heaths with Erica tetralix	Area increasing; Maintain variety of vegetation communities			
European dry heaths	To restore the favourable conservation condition Area increasing; Maintain variety of vegetation communities	Y	Y	N
Alpine and Boreal heaths	To restore the favourable conservation condition Area stable or increasing; Maintain variety of vegetation communities	Y	Y	N
Blanket bogs	To restore the favourable conservation condition Area increasing; Maintain variety of vegetation communities	Y	Y	N
Siliceous scree of the montane to snow levels	To restore the favourable conservation condition Area stable or increasing	Y	Y	N
Calcareous rocky slopes with chasmophytic vegetation	To restore the favourable conservation condition Area stable or increasing	Y	Y	N
Siliceous rocky slopes with chasmophytic vegetation	To restore the favourable conservation condition Area increasing	Y	Y	N
Slender Green Feather-moss	To restore the favourable conservation condition	Y	Y	N

	No decline; Maintain the appropriate hydrological conditions necessary to support the habitat for the species			
River Barrow and River Nore SAC (002162)	River Barrow and River Nore SAC | National Parks & Wildlife Service (npws.ie)			
Estuaries	To maintain the favourable conservation condition	Y	Y	Y
Mudflats and sandflats not covered by seawater at low tide	To maintain the favourable conservation condition	Y	Y	Y
Reefs	Not stated	Y	Y	Y
Salicornia and other annuals colonising mud and sand	To maintain the favourable conservation condition	Y	Y	Y
Atlantic salt meadows	To restore the favourable conservation condition	Y	Y	Y
Mediterranean salt meadows	To restore the favourable conservation condition	Y	Y	Y
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-	To maintain the favourable conservation condition	Y	Y	N

Batrachion vegetation				
European dry heaths	To maintain the favourable conservation condition	Y	Y	N
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	To maintain the favourable conservation condition	Y	Y	N
Petrifying springs with tufa formation	To maintain the favourable conservation condition	Y	Y	N
Old sessile oak woods with Ilex and Blechnum in the British Isles	To restore the favourable conservation condition	Y	Y	N
Alluvial forests with Alnus glutinosa and Fraxinus excelsior	To restore the favourable conservation condition	Y	Y	N
Desmoulin's Whorl Snail	To maintain the favourable conservation condition	Y	Y	N
Freshwater Pearl Mussel	Currently under review	Y	Y	N
Nore freshwater pearl mussel	To restore the favourable conservation condition	Y	Y	N
White-clawed Crayfish	To maintain the favourable conservation condition	Y	Y	N

Sea Lamprey	To restore the favourable conservation condition	Y	Y	Y
Brook Lamprey	To restore the favourable conservation condition	Y	Y	N
River Lamprey	To restore the favourable conservation condition	Y	Y	Y
Twaite Shad	To restore the favourable conservation condition	Y	Y	Y
Salmon	To restore the favourable conservation condition	Y	Y	Y
Otter	To restore the favourable conservation condition	Y	Y	Y
Killarney Fern	To maintain the favourable conservation condition	Y	Y	N

Further assessment in-combination with other plans and projects is not required at this time.

Overall Conclusion - Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information.

I conclude that the proposed development is likely to have a significant effect on the River Suir SAC from effects associated with deterioration of water quality and air quality.

I further conclude that the proposed development is likely to have significant effects on the Comeragh Mountains SAC and the Nier Valley Woodlands SAC ‘alone’ in respect of effects associated with dust/ emissions to air. I also conclude that the proposed development would have a likely significant effect ‘alone’ on the River Barrow and River Nore SAC from effects associated with deterioration of water quality and air quality.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project ‘alone’.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

Appendix 2: Appropriate Assessment

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

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

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

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

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

The Natura Impact Statement

The application included a Natura Impact Statement by SLR Consulting (Ireland) Limited dated the 31st of January 2023, which examines and assesses potential adverse effects of the proposed development on the following European Sites.

- River Suir SAC (002137)

- Nier Valley Woodlands SAC (000668)
- Comeragh Mountains SAC (001952)
- River Barrow and River Nore SAC (002162)

The applicant's NIS was prepared in line with current best practice guidance. The applicant's NIS concluded that:

- all aspects of the proposed development project have been identified which, in the light of the best scientific knowledge in the field, can by themselves or in combination with other plans or projects, affect the European sites in the light of its conservation objectives;
- there are complete, precise and definitive findings and conclusions regarding the identified potential effects on any European site;
- on the basis of those findings and conclusions, the competent authorities are able to determine that no scientific doubt remains as to the absence of the identified potential effects; and
- thus, the competent authorities may determine that the proposed development will not adversely affect the integrity of any European Site.

Having reviewed the documents, submissions and consultations with the NPWS etc, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the following European sites alone, or in combination with other plans and projects:

- River Suir SAC (002137)
- Nier Valley Woodlands SAC (000668)
- Comeragh Mountains SAC (001952)
- River Barrow and River Nore SAC (002162)

Appropriate Assessment of implications of the proposed development

The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field as presented in the NIS. All aspects of the project

which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

The following Guidance was adhered to in my assessment:

- DoEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service.
- EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC.
- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC].

European Sites

The following sites are considered in the Appropriate Assessment:

- River Suir SAC (002137)
- Nier Valley Woodlands SAC (000668)
- Comeragh Mountains SAC (001952)
- River Barrow and River Nore SAC (002162)

The Lower River Suir SAC consists of the freshwater stretches of the River Suir immediately south of Thurles, the tidal stretches as far as the confluence with the Barrow/ Nore immediately east of Cheekpoint in Co. Waterford, and many tributaries including the Clodiagh in Co. Waterford, the Lingaun, **Anner**, Nier, Tar, Aherlow, Multeen and Clodiagh in Co. Tipperary.

A description of the sites and their Conservation and Qualifying Interests/ Special Conservation Interests, including any relevant attributes and targets for these sites, are set out in the NIS and summarised in Tables 1 & 2 of the Screening Determination in Appendix 1 above as part of my assessment.

The Lower River Suir SAC is located in close proximity to the site and, given this proximity, air and dust emissions, as a result of the proposed project, may result in nutrient and pollutant deposition in the Lower River Suir SAC.

The River Barrow and Nore SAC is connected to the Lower River Suir SAC downstream of the site but at a distance of c.44km. The applicant considered the potential for adverse effects on the Qualifying interest features of the Lower River Suir SAC further in the NIS and concluded that any nutrients/ pollutants that may enter the Lower River Suir SAC from the site will be significantly diluted by the time they reach the River Barrow and Nore SAC.

I am satisfied that the NIS demonstrates that any air emissions from the site as a result of the proposed project would be outside the zone of influence for the SAC and would not undermine the conservation objectives for the River Barrow and Nore SAC.

Both Nier Valley Woodlands SAC and Comeragh Mountains SAC are located south of the development site and, therefore, are not within the path of the prevailing south-westerly winds. As a result, and given the distance of more than 9km between these European sites and the Site, any emissions reaching the Nier Valley Woodlands SAC and the Comeragh Mountains SAC will be intermittent and well-diluted.

I have also examined the air pollution assessment and modelling that was undertaken and presented in the NIS. I note from the air emissions assessment that there would be no appreciable effect from air emissions or dust on the qualifying interests of the Lower River Suir SAC or other Natura 2000 sites.

Mitigation Measures

The applicant has proposed a series of mitigation measures to avoid adverse effects on the River Suir SAC. A summary assessment of these measures is provided in Table 1 below.

Table 1: Summary of assessment of mitigation measures			
Mitigation Measures	**Assessment**	**Implementation**	**Monitoring**
Industrial Emission Licence (P0027-04)	Emission limit values (ELVs) for air emissions, dust	Applicant	Ongoing by the EPA

	emissions, noise emissions, and surface water emissions		
Environment Management System Manual (ISO 14001:2015)	Outlines processes that enable compliance with emission limits	Applicant	Ongoing by Applicant
Finalise CEMP and implementation	Reduce potential of adverse effects to water quality of River Suir if implemented	Applicant/ Contractor	Appointment of qualified person to implement CEMP during period of construction
Detailed construction dust control plan	Reduce potential of adverse effects to air quality	Applicant/ Contractor	As above
Set any contaminated soils/ material aside and provide bunding	Reduce potential of adverse effects to the site water management system	Applicant/ Contractor	As above
Manage excavated soils, subsoils or C&D material	Reduce potential of adverse effects to the site water management system	Applicant/ Contractor	As above
No refuelling of plant or machinery will take place in the proposed development areas to prevent accidental leakage/ spillages	Reduce potential of adverse effects to the surface water or groundwater	Applicant/ Contractor	As above

Extensive / non-routine maintenance of plant and machinery will take place on a hard stand area	Reduce potential of adverse effects to the surface water or groundwater	Applicant/ Contractor	As above
Regularly maintenance and daily inspection of plant for leaks of fuels	Reduce potential of adverse effects to the surface water or groundwater	Applicant/ Contractor	As above
A spill kit and drip trays will be kept on site	Reduce potential of adverse effects to the surface water or groundwater	Applicant/ Contractor	As above
No petroleum-based products will be stored within the construction area	Reduce potential of adverse effects to the surface water or groundwater	Applicant/ Contractor	As above
'Toolbox' talks and site induction for plant operators	Reduce potential of adverse effects to the surface water or groundwater	Applicant/ Contractor	As above
Construction traffic management system	Reduce the potential accidents between vehicles and the potential for fuel leaks/ spills and adverse effects on surface water or groundwater	Applicant/ Contractor	As above

In-Combination Effects

There is potential for air and water emissions from the project alone and in combination with other plans and projects to undermine the conservation objectives of the Natura 2000 network. The applicant's Natura Impact Statement identifies the following plans/ projects as presenting a risk of acting in-combination with the Proposed Development:

- MSD Ireland (21407): Permission granted for the construction of a proposed three-storey pilot plant manufacturing facility sized approximately 3,266 square metres and approximately 20.75 metres high and located and linked to the existing factory 03 manufacturing building and located south of the O.S.D. manufacturing facility, currently under construction (ref. 20/693).
- MSD Ireland (211365): Permission granted for a 10-year permission for the construction of a Solar PV Energy Development.
- Allez Farms (22505): Permission granted on appeal for a stable building consisting of 48 no. stables, foaling boxes, internal corridors and ancillary storage areas; a single storey building consisting of reception, staff office & facilities along with a security staff and employee accommodation quarters; and other associated works.

These developments are all greater than a distance of 10km upstream/ downstream of the development site. Consequently, the potential for cumulative effects to air quality is considered insignificant.

There will be an increase in water discharged at SW2 from the development site due to the additional hardstanding areas associated with the proposed development, which will undergo a treatment process, and will be compliant with discharge limits. This discharge will also continue to be monitored under licence conditions. The increase in water discharge would therefore not result in cumulative adverse effects on the integrity of any European site.

Integrity Test

Following the appropriate assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the

integrity of the River Suir SAC (002137), the Nier Valley Woodlands SAC (000668), the Comeragh Mountains SAC (001952) or the River Barrow and River Nore SAC (002162) in view of the Conservation Objectives of these sites.

Appropriate Assessment Conclusion

The development of the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the River Suir SAC, the Nier Valley Woodlands SAC, the Comeragh Mountains SAC and the River Barrow and River Nore SAC. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of its/their conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European Site No.'s 002137, 000668, 001952 and 002162, or any other European site, in view of the sites' Conservation Objectives.

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.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the River Suir SAC, the Nier Valley Woodlands SAC, the Comeragh Mountains SAC and the River Barrow and River Nore SAC.
- Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.

- The development of the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant will, through the design and application of mitigation measures, ensure the preservation of the favourable conservation status of habitats characterised as being in favourable status and ensure that habitat characterised as being in unfavourable status will not be further harmed or rendered difficult to restore to favourable status.
- The development of the replacement of existing biomass-fired boilers, biomass-fired thermal fluid heater and gas-fired thermal fluid heater at Medite's manufacturing plant will, through the design and application of mitigation measures as detailed and conditioned ensure the lasting preservation of the essential components and characteristics of the European Sites.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Suir SAC, the Nier Valley Woodlands SAC, the Comeragh Mountains SAC and the River Barrow and River Nore SAC.

Table 2: AA Summary Matrix for Lower River Suir Special Area of Conservation

Table 2: Lower River Suir SAC [002137]					
Summary of key issues that could give rise to adverse effects: • **Changes in water quality during construction impacting on habitats** • **Changes in water quality during construction impacting on species** • **Changes in air quality during construction impacting on habitats** • **Changes in air quality during construction impacting on species** **Conservation objectives: see** ConservationObjectives.rdl (npws.ie)					
Summary of Appropriate Assessment					
Qualifying Interest Feature	**Conservation objectives targets and attributes**	**Potential adverse effects**	**Mitigation measures**	**In-combination effects**	**Can adverse effects on integrity be excluded?**

Atlantic salt meadows	To restore the favourable conservation condition	The site is hydrologically linked to the SAC/habitat via the existing waste and surface water drainage system which discharges directly to the River Anner.	Construction – A final CEMP will be completed by the contractor and a Method Statement will be drawn up detailing how the works will be carried out in compliance with the mitigation measures. Industrial Emission Licence (P0027-04) Environment Management System Manual (ISO 14001:2015) Detailed construction dust control plan Set any contaminated soils/ material aside and provide bunding Manage excavated soils, subsoils or C&D material No refuelling of plant or machinery will take place in the proposed development areas to prevent accidental	There is no potential for the proposed development to undermine the integrity of Lower River Suir SAC, acting in-combination with other plans or projects.	Yes Adverse effects on the site can be excluded and with the implementation of the mitigation measures the potential for significant effects can be ruled out.

			leakage/ spillages Extensive / non-routine maintenance of plant and machinery will take place on a hard stand area Regularly maintenance and daily inspection of plant for leaks of fuels A spill kit and drip trays will be kept on site No petroleum-based products will be stored within the construction area 'Toolbox' talks and site induction for plant operators Construction traffic management system		
Mediterranean salt meadows	To restore the favourable conservation condition	As above	As above	As above	As above
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-	To maintain the favourable conservation condition	None	N/A	As above	As above

Batrachion vegetation					
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	To maintain the favourable conservation condition	None	N/A	As above	As above
Old sessile oak woods with Ilex and Blechnum in the British Isles	To restore the favourable conservation condition	None	N/A	As above	As above
Alluvial forests with Alnus glutinosa and Fraxinus excelsior	To restore the favourable conservation condition	The site is hydrologically linked to the SAC/habitat via the existing waste and surface water drainage system which discharges directly to the River Anner.	As above	As above	As above
Taxus baccata woods of the British Isles	To restore the favourable conservation condition	None	N/A	As above	As above

Freshwater Pearl Mussel	To restore the favourable conservation condition	Water quality impacts on Salmon could indirectly impact on the designated Freshwater Pearl Mussel	As above	As above	As above
White-clawed Crayfish	To maintain the favourable conservation condition	The site is hydrologically linked to the SAC/ habitat via the existing waste and surface water drainage system which discharges directly to the River Anner.	As above	As above	As above
Sea lamprey	To restore the favourable conservation condition	As above	As above	As above	As above
Brook Lamprey	To restore the favourable conservation condition	As above	As above	As above	As above
River lamprey Lampetra fluviatilis [1099]	To restore the favourable conservation condition	As above	As above	As above	As above
Twaite Shad Alosa fallax fallax [1103]	To restore the favourable conservation condition	As above	As above	As above	As above

Salmon Salmo salar [1106]	To restore the favourable conservation condition	As above	As above	As above	As above
Otter Lutra lutra [1355]	To maintain the favourable conservation condition of Otter	As above	As above	As above	As above

Overall conclusion: Integrity test

Following the implementation of mitigation, the construction and operation of the proposed development will not adversely affect the integrity of Lower River Suir SAC in light of the site's conservation objectives. No reasonable scientific doubt remains as to the absence of such effects.