



An
Bord
Pleanála

Inspector's Report

ABP-319278-24

Development	The development will comprise of an open cycle gas turbine power plant and all associated site works
Location	Carranstown, Caulstown, Platin, Duleek, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2360212
Applicant(s)	SSE Generation Ireland Limited
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Solas 21
Observer(s)	Duleek District Environmental Group John Woods
Date of Site Inspection	21 st June 2024
Inspector	Emma Nevin

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1.0 Site Location and Description

- 1.1. The appeal site (area of 10.55ha) is in the townland of Carranstown, which is some 4km to the northeast of Duleek. The lands are along the R152, are accessed off same and are currently in agricultural use.
- 1.2. The site is irregular in shape and is generally low-lying with a gentle slope to the south. The surrounding area is lightly undulating. The immediate area is a mix of industrial developments with “Irish Cement”, a quarry and production facility and “Indaver Waste-to-Energy” facility proximate to the site on the opposite side of the regional road. The area is also categorised by established one-off dwellings, agricultural lands, and farm buildings.
- 1.3. There is an existing power line bisecting the application site.

2.0 Proposed Development

- 2.1. The proposed development encompasses the construction of an Open Cycle Gas Turbine (OCGT) Power Plant, comprising an electricity generating plant which will use Hydrotreated Vegetable Oil (HVO) as fuel and will be connected to a previously consented 110kV substation (ABP-303678-19). Ancillary works comprising transformers, and water treatment facilities along with connections to services as follows:
 - a) Three gas turbine buildings (each 990m²) each housing 1 no. turbine, 1 no. generator and auxiliary equipment with a total of 269 MWth (thermal output)
 - b) Three exhaust stacks (25m in height), one exhaust stack per OCGT, comprising a standalone Large Combustion Plant. The power plant may need to utilise, selective catalytic reduction (SCR) (18m high, 4.5 width, 14m length) for nitrogen oxides abatement.
 - c) Water treatment plant comprising a deionising Building, a raw water treatment tank, a deionised water tank, a processed water tank, 1 no. 20m² firefighting water tank, 1 no. 25m² firewater module, 1 no. 41m² sanitary foul water cesspool tank, located underground, and a bulk chemical storage area.

- d) 2 no. HVO tanks and associated fuel pumping and filtering equipment and pipework, and 1 no. fuel polishing system.
- g) 2 no. 110 kV transformers and 3 no. Lightning Masts and kiosks, cable gantry connection to the adjoining consented 110 kV Substation.
- h) A services building, and a Switchgear (MV) building.
- j) All other miscellaneous and ancillary site works, including car parking spaces and fuel unloading bay, one lowered site platform area, new internal roads and hard and soft landscaping including material berms and a temporary construction compound.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority granted permission, following significant further information request, on 15th February 2024, subject to 24 conditions, which included the following:

- Condition 2 related to the use of the open gas cycle turbine.
- Condition 3 relates to the design and finishes.
- Condition 4 relates to colour of the building/structures.
- Condition 5 relates to the requirements of the Health and Safety Authority.
- Condition 6 relates to the requirements of the Transportation Department.
- Condition 7 relates to the requirements of the submitted NIS.
- Condition 8 relates to archaeology.
- Condition 9 pertains to drainage.
- Condition 10 pertains to construction management.
- Condition 11 relates to Noise and Vibration.
- Condition 12 requires the applicant to prepare a Waste Management Plan for the proposed development.

- Conditions 13 & 14 relate to a Construction and Environmental Management Plan.
- Condition 15 relates to Aviation Safety.
- Conditions 16 – 18 are general conditions.
- Conditions 21, 22, 23 and 24 relate to a financial bond and financial contributions.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports dated 2nd October 2023 and 15th February 2024 have been provided.
- 3.2.2. This planning application was assessed under the Meath County Development Plan, 2021 – 2027, as amended by Variation no. 1 and 2 to the Meath County Development Plan – adopted on the 13th of May 2024
- 3.2.3. The original planning report considered it necessary to seek further information on the following items:
- To address the concerns raised by the Health and Safety Authority.
 - To address the concerns surrounding surface water drainage and treatment.
 - To engage with Uisce Eireann in relation to the feasibility of a connection to the public water/wastewater infrastructure.
 - To review and respond to the contents of the submissions and to address the primary issues raised by way of a comprehensive response.
- 3.2.4. It was considered that the further information was deemed to be a significant alteration to the original proposal, and as such, revised newspaper and site notices were required in this instance.
- 3.2.5. The second planning report considered the further information response to be acceptable and addressed any outstanding concerns raised.
- 3.2.6. The planners report concluded that *“Having regard to the suitability of the application site from a technical perspective together with the general location and nature of existing operations in the locality that the proposed development considered to be*

wholly in accordance with the Meath County Development Plan 2021-2027. Furthermore, subject to compliance with the conditions set out below, the proposed development would not seriously impact on the visual or residential amenities of the area in a negative manner; would not lead to an improper devaluation of adjacent properties; would not create a significant traffic hazard or traffic inconvenience on the locality; and, would not be likely to have significant effects on the environment or the ecology of the area. The proposed development would, therefore, be wholly in accordance with the proper planning and sustainable development of the area”, and permission was granted subject to 24 no. conditions.

3.2.7. Other Technical Reports:

The planning report indicates that the following were consulted during the assessment of the planning application:

- Transportation – General: No objection subject to conditions.
- Transportation – Public Lighting: No objection.
- Environmental - General: No report received.
- Environmental – Flooding and Surface Water: Further Information required. Following the submission of the further information report received indicating no objection subject to conditions.
- Environmental – Water Quality: No report received.
- Fire Officer: No report received.
- Heritage Officer: No report received.
- Conservation Officer: No report received.

3.3. Prescribed Bodies

3.3.1. The Planning Authority report indicated that the following prescribed bodies were consulted.

- Uisce Eireann: No report received.
- EPA: No report received.
- National Transport Authority: No report received.

- Transport Infrastructure Ireland: No report received.
- Dept HLG&H (Archaeology): No objection subject to conditions.
- Dept HLG&H (Built Heritage): No report received.
- An Taisce: No report received.
- The Heritage Council: No report received.
- EMRA: No report received.
- Inland Fisheries Ireland: No report received.
- Irish Aviation Authority: No objection subject to condition.
- Dublin Airport Authority: No report received.
- Minister for Environment, Climate & Comms: No report received.
- Irish Rail: No report received.
- Environmental Health Service: No report received.
- Commission for Regulation of Utilities: No report received.
- OPW: No report received.
- ESB: No report received.
- Health & Safety Authority: Further Information required. Following the submission of the further information report received indicating no objection subject to conditions.

3.4. **Third Party Observations**

3.4.1. Nine (9 no.) third party submissions were received, the issues raised within which can be summarised as follows:

- Traffic and Transport lack of infrastructure.
- Water Supply.
- Treatment of waste from the development.
- Impacts on archaeological features on site. Additional investigations are required.

- Air Quality and Noise Monitoring study is required to cumulatively assess air and noise impacts.
- There is a concentration of high emission industries in one area.
- A permanent EPA monitoring station should be established to continuously assess the air and noise quality and to ensure compliance with emission standards and climate action policy.
- Unnecessary strain on resources and infrastructure.
- Location of the site should be sited closer to the urban area of the Greater Dublin Area to minimise impacts on East Meath.
- Proposal is in proximity to residences and a local primary.
- Impacts on health and safety to local community.
- Concerns of 'Greenwashing'. The source and transport of the bio-oil has not been established and information regarding emissions cannot be assessed or provided to the public.
- A letter from Thomas Byrne Auctioneer & Valuer regarding the agreed sale and subsequent collapse of sale of a residential property proximate to the site. The withdrawal of sale is indicated as a result of the lodgment of application.
- Previous diesel plant was refused. The HVO plant will still have emission problems.
- Enforcement of regulations around industrial facilities by provision of EPA Regional Office.
- Impact on quality of life and habitat in area.
- Rationale of location of development - should be closer to serve Greater Dublin Area.
- Sourcing and transport of oil is a concern.
- The use of biofuels is not considered a medium/long term energy solution.
- Emissions from plant will be hazardous.
- Concerns regarding toxicity of waste oil.

- Water usage for plant will strain water network.
- There is a lack of regulation in the production of biofuel in Ireland.
- The development will be subject to evaluation under the Industrial Emissions Directive and will require a licence.
- The development must maximise energy efficiency.
- The development must be assessed and considered in respect of planning, environmental and climate legislation.
- Impact on crop production and additional demands.

3.4.2. Following the submission of further information, three further third-party observations were received, the issues raised within which can be summarised as follows:

- The proposed development would result in additional traffic to an already congested road.
- Concern regarding use of mains water supply to run the Plant which would add further pressure on the local water supply.
- Impacts on archaeological features on site.
- The combination of burning of vegetable oil from the subject development; dust particles from Irish Cement and pollution from the Indaver Incinerator will result in a negative impact on local people and the surrounding environment.
- A copy from a submission by Peter Sweetman in respect of a previous application (LB190031) was also included.
- Re-affirming points of initial submission regarding the agreed sale and subsequent collapse of sale of a residential property proximate to the site. The withdrawal of sale is indicated as a result of the subject application.

4.0 Planning History

4.1.1. Ref. PL 17.118993/992490: Planning permission was granted on appeal to An Bord Pleanála (Ref. PL 17.118993) on 06/10/2000 for a 33000 sq.m. 400MW Gas Fired Combined Cycle Gas Turbine Electricity Generating Plant. Applicant: Marathon Power Ireland Limited.

- 4.1.2. SA30213: Planning permission was granted by Meath County Council on 21/08/2003 for alterations to a previously approved development consisting of 400MW electricity generating plant and associated structures, plant and equipment, involving the replacement of the approved water cooling system with an air cooled condenser (approx dimensions 70m x 70m x 34.5m high), increase in size of the approved surface water attenuation pond (by approx 530m²) and the relocation of some associated equipment and structures including the approved pump house.
- 4.1.3. SA800968: Planning permission was refused by Meath County Council for a 60MW Open Cycle Gas Turbine Power Generation Plant and all associated site works including an upgraded access.

The reasons for refusal included concerns in relation to the demands for water arising from the proposed development and the lack of evidence that the proposed development would not have a detrimental impact on supply of water in the vicinity, and the planning authority was also not satisfied that the ground would be suitable for the disposal of effluent and that adequate proposals are in place for the treatment of wastewater arising from the proposed development.

- 4.1.4. SA100263: Planning permission was granted by Meath County Council on the 28/07/2010 for a 60MW open cycle gas turbine power generation plant associated site works including an upgraded and relocated access from the R152 and internal circulation road and hard soft landscaping.
- 4.1.5. ABP-305028-19/LB190031: Permission refused on appeal to An Bord Pleanála (ABP-305028-19) on the 17/12/2019 for a 208MW (electrical output) Open Cycle Gas Turbine (OCGT) Power Plant and associated works (including A NIS). The application related to a development which comprises was for the purposes of an activity requiring an Industrial Emissions Directive (IED) licence. The development was planned to connect to a new 110kV substation to be located adjacent and to the south-west of the proposed OCGT Power Plant.

The reason for refusal considered that the provision of a regionally significant power generating facility, arising from the increase of wind power on the national grid and the requirement to provide additional stability to the electricity supply, needs to be associated with and aligned with strategic planning and renewable energy policies and plans to achieve balanced, orderly development. Furthermore, the Bord

considered that the development of such energy infrastructure, to address intermittency associated with wind energy, must itself pursue the optimum sustainable fuel source in order that such development would not maintain or add to the current unsustainable levels of greenhouse gas emissions within the State and that the proposed development would conflict with national obligations relating to greenhouse gas emissions set out under the EU Renewable Energy Directive, would be contrary to national policy relating to the provision of energy infrastructure to address intermittency in renewable power generation, would constitute an unsustainable form of development as a back-up to renewable energy.

- 4.1.6. ABP-303678-19: Permission approved by An Bord Pleanála under Section 182 of the Planning & Development Act 2000 (as amended) for an Air Insulated Switchgear (AIS) 110KV Transmission Substation and all associated site and development works.

5.0 Policy Context

5.1. European Policy

5.1.1. **Large Combustion Plant Directive (2001/80/EC)**

This Directive requires reductions in emissions of acidifying pollutants, particles and ozone precursors. The various emission limit values are based licence dates.

5.1.2. **Renewable Energy Directive (2023/2413/EU) [REDIII]**

The original Renewable Energy Directive (2009/28/EC), or RED I, entered into force from June 2009 and was required to be implemented in Member States' domestic law from December 2010 until June 2021. RED I was subsequently replaced by RED II[1], which entered into force in 2018 and has been required to be implemented in Member States' domestic law from June 2021. This revised Directive retained much of the framework established under RED I while setting a new, binding EU-wide target of 32% renewable energy consumption by 2030.

This Directive requires a commitment to produce energy from renewable sources and it set national binding targets on the share of renewable energy in energy consumption and in the transport sector to be met by 2023. It aimed to make renewable energy sources account for 42.5% of EU energy by 2023. Ireland has a

national target of 51% reduction compared to 2018 levels. Member states are required to establish their contribution to the achievement of that target as part of their integrated national energy and climate plans.

5.1.3. **Energy Roadmap 2050**

This 2011 Roadmap deals with the transition of the energy system in ways that would be compatible with the greenhouse gas reductions targets set out in REDI.

5.2. National Policy

5.2.1. **Government White Paper – Ireland’s Transition to a Low Carbon Energy Future, 2015 - 2030**

Sets out a framework to guide policy and the actions intended to take in the energy sector up to 2030. It takes into account European and International climate change objectives and agreements, as well as Irish priorities.

5.2.2. **Climate Action and Low Carbon Development (Amendment) Act, 2021**

Establishes a framework to develop the national transition towards a low carbon economy. Ireland must achieve net zero emissions by 2050 (climate neutrality) and a 51% reduction in emissions by 2030 relative to 2018 levels. The Act requires the development of 5-year carbon budgets and sectoral emissions ceilings.

5.2.3. **Climate Action Plan, 2024**

While the benefits of transitioning to a low carbon economy are increasingly being recognised, action to reduce emissions must be significantly accelerated in the period to 2030.

Seeks to tackle climate breakdown and it commits Ireland to a legally binding target of net-zero greenhouse gas emissions by 2050, an emissions reduction of 51% and to meet up to 80% of electricity demand from renewables by 2030. The Plan states that in order to meet the required level of emissions reduction by 2030 Ireland must “Deliver c.2GW of new flexible gas fired power stations in support of a high variable renewable electricity system”.

5.2.4. **National Planning Framework, 2018-2040**

Sets out a high-level strategic plan for shaping future growth and development to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level. It contains several National Strategic Outcomes (NSOs), and National Policy Objectives (NPOs) related to transitioning to a low-carbon and climate resilient society (NSO8), protecting the environment (NPO52), supporting national targets or emissions reductions through supporting renewables (NPO54), promoting renewable energy use (NPO55), and improving air quality (NPO64).

5.2.5. National Development Plan, 2021-2030

This Plan underpins the National Planning Framework. It contains several priorities related to transitioning to a low-carbon and climate resilient society (NSO8) including investment in renewable energy infrastructure.

5.2.6. Policy Statement in the Security of Electricity Supply, November 2021

Circular Letter PL12.2021 seeks to ensure security of electricity supply which is at short to medium term risk due to lower than expected availability of some existing power stations, expected growth in electricity and the expected closure of some power stations. It states that the development of new conventional generation (incl. gas-fired & gasoil/distillate-fired generation) is a national priority and should be permitted and supported, which will ensure security of electricity supply and facilitate the target of up to 80% renewable electricity generation by 2030. The Policy Statement builds on policies set out in the National Development Plan and the Climate Action Plan 2021, which target the development of c.2GW of flexible gas-fired generation capacity.

5.2.7. National Energy Security Framework, April 2022

Sets out the Government's response to the impacts of the war in Ukraine on the energy system in Ireland. Paragraph 2.3.3 (Electricity) states that "The level of dispatchable electricity generation capacity (i.e. capacity that does not rely on wind or solar energy) needs to increase significantly over the coming years due to the reduced reliability of existing plants, anticipated new power stations not being developed as planned, expected strong growth in demand for electricity, and the closure of existing generation."

5.3. Regional Policy

5.3.1. **Regional Policy Regional Spatial & Economic Strategy 2020-2032 for the Eastern and Midland Region**

The RSES supports the delivery of the programme for change set out in the National Planning Framework and the National Development Plan and it sets out a strategic vision and policy objectives for the Region. It seeks to promote quality infrastructure provision and capacity improvement in tandem with new development aligned with national projects and improvements in water and wastewater, sustainable energy, waste management and resource efficiency. It seeks to reduce emissions and support the transition to a low carbon region by 2050.

5.4. Local Policy

5.4.1. Meath County Development Plan 2021 – 2027 (adopted 22nd of September 2021), as amended by Variation no. 1 and 2 to the Meath County Development Plan – adopted on the 13th of May 2024.

5.4.2. Meath County Council has prepared proposed Draft Variation No. 3 to the Meath County Development Plan 2021-2027, relating to the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024.

5.4.3. The site is located outside of a designated settlement boundary and as such is in a rural area. Under the Meath County Development Plan 2021 – 2027, (including variations) lands zoned “RA – Rural Area’, have a stated objective “*to protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity*’.

5.4.4. Relevant Sections/Policy and Objectives:

- Chapter 6 of the Meath County Development Plan 2021-2027 sets out the Infrastructure Strategy.
- Section 6.15 of the Meath County Development Plan 2021-2027 relates to Energy.
- Section 6.15.3 of the Meath County Development Plan 2021-2027 relates specifically to Renewable Energy.

- INF POL 34 To promote sustainable energy sources, locally based renewable energy alternatives, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity, natural and built heritage, residential or local amenities.
- INF POL 35 To seek a reduction in greenhouse gases through energy efficiency and the development of renewable energy sources utilising the natural resources of the County in an environmentally acceptable manner consistent with best practice and planning principles.
- INF POL 36 To support the implementation of the National Climate Change Strategy and to facilitate measures which seek to reduce emissions of greenhouse gases.
- INF POL 38 To encourage that new development proposals maximise energy efficiency through siting, layout, design and incorporate best practice in energy technologies, conservation and smart technology.
- INF POL 39 To encourage the attainment of high standards of energy efficiency and environmental sustainability in development and to support the development of sustainable buildings that achieve certification under the Home Performance Index.
- INF POL 40 To support and encourage pilot schemes which promote innovative ways to incorporate energy efficiency.
- INF POL 42 To support the identification, in conjunction with EMRA, of Strategic Energy Zones, areas suitable to accommodate large energy generating projects within the Eastern and Midlands Regional area.
- INF POL 45 To support the development and implementation of a local Climate Action Strategy which should identify vulnerability climate risks, quantify emissions produced, identify costs and prioritise adaptation actions in accordance with the National Adaptation Framework.
- INF OBJ 39 To support Ireland's renewable energy commitments outlined in national policy by facilitating the development and exploitation of renewable energy sources such as solar, wind, geothermal, hydro and bio-energy at suitable locations within the County where such development does not have a

negative impact on the surrounding environment (including water quality), landscape, biodiversity or local amenities so as to provide for further residential and enterprise development within the county.

- INF OBJ 40 To seek to reduce reliance on fossil fuels in the County by reducing the energy demand of existing buildings, in particular residential dwellings.
- INF OBJ 41 To promote the generation and supply of low carbon and renewable energy alternatives, having regard to the opportunities offered by the settlement hierarchy of the County and the built environment.
- INF OBJ 42 To support the recording and monitoring of renewable energy potential in the County in partnership with other stakeholders including the Sustainable Energy Authority of Ireland (SEAI).
- INF OBJ 43 To require, where feasible and practicable, the provision of Photovoltaic solar panels in new residential developments, commercial developments, and public buildings for electricity generation/storage and/or water heating purposes so as to minimise carbon emissions and reduce dependence on imported fossil fuels and reduce energy costs.
- INF OBJ 45 To ensure that all plans and projects associated with the generation or supply of energy or telecommunication networks are subject to an Appropriate Assessment Screening and those plans and projects which could, either individually or in-combination with other plans and projects, have a significant effect on a Natura 2000 site (or sites) undergo a full Appropriate Assessment.
- INF OBJ 46 To support the implementation of the actions of the Meath Climate Action Strategy 2019-2024 and review and update the Energy Management Action Plan 2011-2012, “Think Globally Act Locally”.
- INF OBJ 47 To investigate the preparation of a Renewable Energy Strategy promoting technologies which are most viable in the County.
- INF OBJ 48 To support Ireland’s renewable energy commitments by promoting the use of district heating systems in urban residential and

enterprise developments, where such developments will not negatively impact upon the surrounding landscape, environment, biodiversity or local amenities.

- Chapter 8 of the Meath County Development Plan 2021-2027 sets out the Cultural and Natural Heritage Strategy.
- Section 8.17 of the Meath County Development Plan 2021-2027 relates to Landscape with parts 8.17.3 and 8.17.4 referencing Landscape Character Assessment and Landscape Character Types and Areas respectively.
- Section 8.18 of the Meath County Development Plan 2021-2027 relates to Views and Prospects.
- Chapter 9 of the Meath County Development Plan 2021-2027 sets out the Rural Development Strategy.

Section 9.1 of relates to Rural Development Context and includes the Goal and a number of Strategic Objectives for development in rural areas.

- Chapter 10 of the Meath County Development Plan 2021-2027 sets out the Climate Change Strategy.
- Chapter 11 of the Meath County Development Plan 2021-2027 sets out the Development Management Standards and Land Use Zoning Objectives.
- DM POL 27: To encourage renewable development proposals which contribute positively to reducing energy consumption and carbon footprint.
- DM OBJ 76: Relates to the criteria for the assessment of individual energy development proposals.

5.4.5. Meath Climate Action Plan 2024 – 2029 - to create a low carbon and climate resilient County, by delivering and promoting best practice in climate action, at the local level.

5.4.6. The Plan states that, the sources of greenhouse gas emissions under the direct control of Meath County Council accounts to 7.7 ktCO₂eq, representing less than one percent of county-wide emissions. While the Council will take the actions required to reduce these emissions, there is a clear need for engagement, collaboration, and partnership with a broad range of stakeholders from Government to community level, to deliver on climate action.

- The Strategy contains the following targets:

1. Energy Efficiency - 50% improvement in energy efficiency by 2030.
2. GHG Reduction 51% reduction in greenhouse gas emissions by 2030.
3. Making Meath a climate resilient region by reducing the impacts of future climate change-related events.
4. Actively engaging and informing citizens, communities, and businesses on climate change.
5. Net Zero by 2050.

5.5. Natural Heritage Designations

- 5.5.1. The subject site is not located within a designated European Site. However, the closest such sites within 15 km (approx..) of the subject site are:

Special Areas of Conservation	Distance
River Boyne and River Blackwater SAC [002299]	3.5 km
Boyne Coast and Estuary SAC [001957]	6.9 km
Clogher Head SAC [001459]	15.6 km
Rockabill to Dalkey Island SAC [003000]	22 km
Rogerstown Estuary SAC [000208]	23 km
Special Protection Areas	Distance
River Boyne and River Blackwater SPA [004232]	3.7 km
Boyne Estuary SPA [004080]	5.7 km
River Nanny Estuary and Shore SPA [004158]	8 km
North-West Irish Sea cSPA [004236]	10.1 km
Skerries Islands SPA [004122]	21 km
Rogerstown Estuary SPA [004015]	23 m

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6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A third party appeal has been received, from Solas 21. The relevant grounds of the appeal are summarised below:

- A safety assessment is essential before the plant is built.
- The area has previously suffered as a result of EPA enforcement and regulation.
- According to the European Federation for Transport and the Environment, the demand for cooking oil is not sustainable and associated with fraud, when the source of the Hydrotreated Vegetable Oil (HVO) is unknown.
- Emissions of biofuel – the plans for the power plant in Meath need to be in keeping with good environmental policy.
- Ireland is projected to shortfall of its climate targets and biofuels are not considered a medium or long-term solution.
- It is the local and national interest to ensure that Duleek is investing in more environmentally friendly and renewable forms of energy.
- A serious issue is the disposal of the oil in an environmentally friendly manner – given the impurities in the waste oil.
- The capacity for additional demand on the water supply is not there.
- Widespread concerns associated with emissions and the proximity of two other plants will result in higher emissions, which is a particular concern for the local schools.
- Transport issues – transport costs and potential dangers associated with transporting the waste. Road conditions may also lead to a build up of waste at the plant and or associated accidents involving the vehicles transporting the waste.

- Traffic congestion and pollution on the N2 and M1.
- The power plant would potentially be built on a historic monument – the site needs to be investigated. The conservation of cultural and historic heritage is of utmost importance and the area is steeped in history.
- The granting permission for a substation for a power plant may not be authorised in the long term and may be premature.
- The Historic and Archaeological Bill 2023.
- There is a lack of EPA Enforcement and Regulations regarding the production of biofuels and the area has suffered as a result of poor environmental regulation before – i.e. Irish Cement Plant at Platin.
- A copy of the submission made to the local authority accompanies the appeal.

6.2. Applicant Response

6.2.1. A detailed first party response to the appeal was received dated 9th April 2024. The submission responds to the issues raised within the third party appeals as follows: -

- A land use planning risk assessment report (June 2023) accompanies the planning application.
- The Hydrotreated Vegetable Oil (HVO) that will be sourced for the proposed development will originate from 100% waste feedstocks, which grow on a seasonal basis so there is no long-term carbon debt resulting in lower net greenhouse gases than traditional fossil fuels.
- A third party will certify that the supplied HVO complies with the Renewable Energy Directive.
- The applicant is committed to ensuring procurement of HVO fuels that align with the protocols stated in the planning documents and has been working with the HVO supply chain in Ireland and Europe.
- In terms of EU HVO production, there is growing supply of sustainably produced HVO.

- The proposed development is aligned with RED II, as it provides fuel diversity supported by the Climate Action Plan 2024 and reduced carbon emissions.
- Air quality was monitored on a worst-case scenario, details accompanied the planning application.
- It was concluded that atmospheric emissions from the proposed development will not have a significant impact on ambient air quality for all likely cumulative effects and sensitive receptors.
- The view provided by SER is acknowledged by the applicant, but it is noted that in the context of Irish Regulation the report is not relevant for this project or the use of HVO within Ireland.
- All HVO that will be used on site will be certified to British Standard (BS) EN 15940: Paraffinic Diesel Fuel Specification. There will not be significant quantities of waste generated during the operational phase of the proposed development as there are very few process wastes associated with the operation of the plant.
- There is predicted to be adequate capacity in existing local off-site waste disposal and treatment facilities to accommodate the quantity of waste generated.
- All by-product waste will be treated as hazardous waste and will be disposed of in the Leinster region by a specialist.
- Uisce Eireann have confirmed feasibility for a potable water connection. This supply will meet the potable water requirement and the water treatment requirement for the site.
- To aid in stabilising the water demand for the site on the network, water will be stored on site for the industrial demand.
- Operation of the plant over extended periods is not foreseen and it is anticipated that the proposed development will operate for a proposed maximum of 1800 hours per year with the highest demand during winter months.

- It is not anticipated that the proposed development will operate extensively during summer months.
- Ammonia will be stored onsite in a specifically designed tank and will be bunded. The impact of ammonia leak has been considered and the risk assessment report did not identify any risk to members of the public.
- The air quality modelling undertaken for the Environmental Report and NIS demonstrated no significant impact to human population or flora and fauna.
- To ensure security of supply, HVO will be delivered to the proposed development from existing HVO storage facilities within Ireland.
- All HGV traffic to and from the facility site during construction and operational phase will follow a designated route from the M1 motorway, via the R152 to the site. No HGV's will be required to access Duleek – reference is made to Condition 7 of the local authority grant of permission.
- The traffic generated as a result of the proposed development will result in a relatively small percentage increase in vehicles using the local road network and will not impact on the road capacity or road safety.
- The proposed development has been designed to avoid the archaeological monument (ME027-078) by establishing a 25m exclusion zone around the perimeter of the monument.
- A Conservation Plan presents a robust conservation and mitigation measures to protect the archaeological feature and any other potential archaeological discoveries – reference is made to Condition 8 of the local authority grant of permission.
- The appellant notes the Historic and Archaeological Heritage Bill, but it is unclear how this applies to the proposed development.
- The proposed development will require an Industrial Emissions (IE) Licence to operate. The applicant will apply for a licence should permission be granted on appeal.
- The IE licence will govern the environmental management of the proposed development.

- The applicant engaged with the EPA at pre-application stage – the EPA did not have concerns on the fuel choice proposed.
- The Climate Action Plan 2023 focuses on powering renewables with a targeted of 75% reduction in emissions. The Climate Action Plan 2024 had not been published at the time of the planning application.
- The proposed development could be converted to hydrogen in the future as the OCGT technology can allow this. This would prolong the lifespan of the proposed development and mitigate the requirement for development of a new hydrogen power plant in the future.

6.3. Planning Authority Response

- 6.3.1. A response was received from the planning authority dated 3rd April 2024.
- 6.3.2. The planning authority has reviewed and outlined the issues raised by the third party in their appeal submission and states that *“the subject development essentially relates to an Open Gas Turbine Power Plant and will use Hydrotreated Vegetable Oil (HVO) as fuel. The Planning Officer considered the merit of the proposed development with respect to principle, siting, design and location within a rural area. It is considered, based on the documentation submitted to Meath County Council that the subject development was permissible in principle, subject to normal planning considerations, as per the policies and objectives of the Meath County Development Plan 2021-2027 and had addressed the reasons/considerations of refusal under ABP- 305028-19. Overall, the Planning Authority is wholly satisfied that the matters raised in the observations were appropriately considered throughout the course of the assessment of the planning application as detailed in the respective Planning Officer Reports dated 2nd October 2023 and 15th February 2024”*.
- 6.3.3. The planning authority conclude that *“the proposed development is wholly in accordance with national, regional and local planning policy with respect to a Power Plant/ Sustainable Energy Installation. The Planning Authority is satisfied that, subject to compliance of conditions, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of the properties in the vicinity and would not be likely to have significant effects on road network, the environment or the ecology of the area. The proposed development would, therefore,*

be in accordance with the proper planning and sustainable development of the area”, and An Bord Pleanála are requested to uphold the decision of the Planning Authority to grant planning permission.

6.4. **Observations**

6.4.1. Two observations have been received from Duleek and District Environmental Group and Mr. John Woods. The grounds of both observations are summarised below:

- Existing Heritage Monument at the site.
- Pressure on mains water supply.
- Increased emissions from all plants in the area, resulting in a health and safety risk – air pollution.
- Traffic issues – increased traffic and the lack of development of Duleek bypass. The road system in the area is not fit for purpose.
- The bypass should be completed before any permission is given for any industry in the area. Traffic congestion in Duleek.
- Combined health and safety issues involved in the area.
- Treatment of wastewater.
- EPA Regional Office required in the area.
- Lack of public consultation.
- Queries around Landownership.
- No confirmation regarding supplies of HVO oil. The plan is not fit for purpose and not a viable option and will create more pollution.
- A representation of the company a pre planning meeting claimed that the company should have been given planning permission for plant previously applied for and refused by An Bord Pleanala.
- The plant requires filters to stop dangerous and hazardous emissions affecting the health of local people around the facility and further afield.

- Health problems associated with the incinerator and overloaded treatment plant, and the cement factory.
- There have been significant issues in relation to the local quarry. An Bord Pleanála is about to grant permission for the same quarry.
- No confidence in the members of An Bord Pleanála given recent decisions.

6.5. Further Responses

None received.

7.0 Assessment

7.1. Having inspected the site and considered the contents of the appeal and observations received, I consider the main issues which arise in relation to this appeal are as follows:

- I. Principle of Development
- II. Planning History and Site Context
- III. Impact on Public Health
- IV. Archaeology and Heritage
- V. Traffic and Transportation Issues
- VI. Water Supply
- VII. Appropriate Assessment
- VIII. EIA Screening
- IX. Miscellaneous Issues

7.2. Principle of Development

7.2.1. Concerns have been raised in the appeal and observations in relation to the overall principle of development, the source of the Hydrotreated Vegetable Oil (HVO) used and the use of biofuel as solution to achieve Ireland's climate targets, etc.

Zoning:

- 7.2.2. The proposed development consists of the construction of a 170MW Open Gas Turbine (OCGT) Power Plant and all associated site development works, which are clearly detailed above on a greenfield site in the Carranstown / Caulstown rural area.
- 7.2.3. The subject site is located outside of a designated settlement boundary and is located in a rural area. The objective for the rural area 'RA' is "*to protect and promote in a balanced way, the development of agriculture, forestry, and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape and the built and cultural heritage*".
- 7.2.4. The Development Plan guidance states that the primary objective of this zoning objective is to "to protect and promote the value and future sustainability of rural areas. Agriculture, forestry, tourism and rural related resource enterprises will be employed for the benefit of the local and wider population. A balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage will be adopted".
- 7.2.5. Sustainable Energy Installations are permitted uses under this zoning objective, and therefore, I am satisfied that the development as proposed complies with the zoning objective for the site.

Hydrotreated Vegetable Oil (HVO):

- 7.2.6. The proposal entails the construction of an electricity generating plant which will use HVO as fuel and will be connected to the previously consented 110kV substation (ABP-303678-19) on site. In relation to the HVO for the proposed development, the applicant has confirmed that the HVO will be sourced from 100% waste feedstocks and will be certified for compliance with the Renewable Energy Directive. The applicant states they have been working with the HVO supply chain in Ireland and Europe to ensure compliance and there is a growing supply of sustainably produced HVO in Ireland. Additionally, all HVO that will be used on site will be certified to British Standard (BS) EN 15940: Paraffinic Diesel Fuel Specification.
- 7.2.7. The applicant has also stated that the proposed development could be converted to hydrogen in the future as the OCGT technology allows for the use of hydrogen and states that this would prolong the lifespan of the development and would mitigate the requirement to construct an alternative power plant in the future. I note that the

instant appeal relates to the use of the OCGT for HVO only and thus will be assessed based on the proposed use as presented by way of the proposed development detailed in the current planning appeal.

National and Local Policy:

- 7.2.8. At National Level, I reference the National Planning Framework which states that *“Ireland’s national energy policy is focused on three pillars: (1) sustainability, (2) security of supply and (3) competitiveness. The Government recognise that Ireland must reduce greenhouse gas emissions from the energy sector by at least 80% by 2050”*. Moreover, National Policy Objective 55 states *“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”*.
- 7.2.9. I also reference Ireland’s Transition to a Low Carbon Energy Future – 2015-2030, which states that a low carbon future will involve increasing the use of electricity and bioenergy to heat our homes and fuel our transport, and this encompasses a range of fuels in solid, liquid and gaseous forms, including forest-based biomass, dry agricultural residues, energy crops, organic materials including wastes, and landfill gas and other biogases. The paper also notes that bioenergy can contribute to broader policy objectives such as waste recovery and rural development.
- 7.2.10. The Renewable Energy Directive states that as fossil fuels, bioenergy will have a role to play and provides provision to allow citizens to play an active role in the development of renewables by enabling renewable energy communities and self-consumption of renewable energy and established better criteria to ensure bioenergy's sustainability.
- 7.2.11. The Climate Action Plan 2024, in particular Action PW/24/2 “Establish structure(s) for evaluating further Modal Shift (Freight) and Sustainable Biofuels in Transport, for the purpose of addressing the currently unallocated emission savings”. A key target of the Plan includes: “20% reduction in total vehicle kilometres travelled relative to business-as-usual, 50% reduction in fuel usage, and significant increases to sustainable transport trips and modal share. Fleet electrification and biofuels will continue to provide the greatest share of emissions abatement in the medium term”. It further states that “Renewable transport fuels, including biofuels, will continue as a

core transitional measure for the medium-term reduction of greenhouse gas emissions in transport”.

- 7.2.12. Noting the issues raised in the appeal and observations in relation to the use of biofuels area a medium or long-term solution, the Climate Action Plan states that the use of biofuels is a proposed solution in the medium term and will assist in providing a renewable alternative in Ireland. Hydrogenated Vegetable Oil has been referenced as a biofuel in the Climate Action Plan for use in any road vehicle, private or commercial. I note that Hydrotreated Vegetable Oil is a biofuel made by the hydrogenation of vegetable oil.
- 7.2.13. I note the appellant refers to the Dutch Social Economic Council (SER) in relation to the use of bioenergy and advised the Dutch government to use biomass. While this is noted, I again reference the Climate Action Plan 2024 which states that *“Ireland contributes to the achievement of the EU-wide 2030 targets through legally binding national targets under the EU Effort Sharing Regulation, as well as through obligations under the Renewable Energy and Energy Efficiency Directives, with a requirement to report every two years from 2023 onwards on our integrated National Energy and Climate Plan (NECP)”* and *“Ireland aims to achieve a reduction in final energy consumption against anticipated 2030 levels, in line with the EU Energy Efficiency Directive (EED)”*, as such I do not consider that the reference to SER as presented in the appeal to be relevant to the proposed development.
- 7.2.14. At local level Chapter 4.10 Green Economy of the Meath County Development Plan highlights the increasingly sustainable approach to reducing the reliance on fossil fuels. In relation to Policy Objectives to support the proposed development, I note at Development Plan level, that the Meath County Development Plan has an overarching role in progressing a sustainable energy future for the County by recognising the central role of land use planning in promoting a low carbon society and mitigating the impacts of climate change and this is recognised further in Chapter 6.15 of the Plan.
- 7.2.15. Objective INF POL 34 states that it is the policy of the Council *“To promote sustainable energy sources, locally based renewable energy alternatives, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity, natural and built heritage,*

residential or local amenities”, and Objective INF POL 44 states it is the policy of the Council “To support Sustainable Energy Communities and local community group initiatives to develop clean energy opportunities within the county”.

- 7.2.16. Energy Development Standards are set out in Section 8 Chapter 11: Development Management Standards of the Development Plan. Objective DM POL 27 is of relevance, which states that it is an objective of the Council “*To encourage renewable development proposals which contribute positively to reducing energy consumption and carbon footprint*”.
- 7.2.17. I concur with the planners ascertain that whilst the proposed development does not produce renewable energy, it facilitates the functionality of the use of bioenergy from a renewable source, and therefore I consider that the objectives of the Development Plan in respect to energy and renewable energy to be of relevance to the proposed development.

Conclusion:

- 7.2.18. Accordingly, the proposed development is permitted in principle under this zoning objective and the applicant has clarified the sourcing of the HVO products for the proposed development. I also reference the aforementioned guidance and objectives within the Development Plan and Nationally in relation to renewables, therefore I consider the principle of the proposed development to be acceptable.

7.3. Planning History and Site Context

- 7.3.1. The appellant expresses concern regarding local authority decision to grant permission given the planning history to refuse permission on site.
- 7.3.2. I consider that the planning history of both the appeal site and the adjoining sites in the immediate vicinity to be of particular relevance to this appeal. As noted in the planning history, permission has previously been granted on this site for a power generation plant.
- 7.3.3. Having regard to the permission refused, as highlighted in the appeal and observations, permission was refused on appeal to An Bord Pleanála for (ABP:305028-19) for a 208MW electrical output OCGT Power Plant. As part of the assessment under ABP:305028-19, the inspector acknowledged the merit of an energy plant on this site but considered that such a development needs to be aligned

with strategic planning and renewable energy policies and plans in order to achieve balanced and orderly development. Having regard to legislation in respect of renewable energy, national policies with respect to climate action, and availability of natural gas over the proposed use of distillate fuel oil among other concerns; it was considered that the proposal would constitute an unsustainable form of development as a back up to renewable energy and would be contrary to the proper planning and sustainable development of the area.

- 7.3.4. The proposed development under the instant appeal has been reduced in output from a 208MW (electrical output) OCGT Power Plant to a 170MW (electrical output) OCGT Power Plant. The fuel source under the previously refused application (under ABP:305028-19) was the use of distillate oil as a fuel source, and it was considered by the Inspector (under ABP:305028-19) that *“at this stage in the pursuit of critically important supports in the delivery of renewable energy from a climate change perspective, I am of the view that a failure to adhere to national policy on this issue at this site, i.e. policy which would promote the use of natural gas as the back-up, is very much a backward step”* and *“the use of natural gas as the fossil fuel to be used in support of renewable energy. It is pertinent to note that a power plant fuelled by natural gas has previously”*. Accordingly, to address the issues raised by the Planning Inspector (under ABP:305028-19) the current proposal now promotes use of Hydrotreated Vegetable Oil (HVO) as an alternate fuel type to the previously proposed use of distillate oil. The applicant states that HVO is the lowest available emitting option that will deliver reliable and consistent performance.
- 7.3.5. The assessment under ABP: 305028-19 referenced the *“the use of natural gas, or other fuel source”*, and referenced that the *“the recently published Climate Action Plan promoting the use of natural gas plants generating electricity at times where there is no wind”*.
- 7.3.6. I again reference the Climate Action Plan 2024, in particular Action PW/24/2 *“Establish structure(s) for evaluating further Modal Shift (Freight) and Sustainable Biofuels in Transport, for the purpose of addressing the currently unallocated emission savings”*, and I note that the Climate Action Plan encourages biofuels, (including HVO) as a core transitional measure for the medium-term reduction of greenhouse gas emissions in transport.

- 7.3.7. Therefore, I am satisfied that the development as proposed in the instant appeal has overcome the main reason for refusal (under ABP: 305028-19) in respect to the concerns raised in relation to the fuel source, and the proposed biofuel will ensure a greater supply of an alternative fuel source in transport energy consumption and will work towards the actions of National Guidance, in particular the Climate Action Plan concerning national biofuel targets.
- 7.3.8. In relation to the site context, the proposed development is located in a rural area, remote from urban areas. Access is proposed via the R152, which links to the M1 Motorway and the N2. Platin quarry and cement works and Indaver waste-to-energy facility are two developments in the immediate vicinity of the appeal site. I consider that the siting of these types of developments at this location to be reasonable given the proximity to the M1 and N2. I also note that permission was granted for a connection to a previously consented 110kV substation and the presence of the 110kV line traversing the site, enabling the ability to export power to the national grid. The proposed development will be connected to the previously consented 110kV substation (ABP-303678-19).
- 7.3.9. Having regard to the nature, scale, land area demands, and the industrialised context in which the proposed development would be set, it could reasonably be concluded that the established context lends itself to the absorption of the proposed OCGT plant.

Conclusion:

- 7.3.10. To conclude, I consider that the use of biofuel i.e. Hydrogenated Vegetable Oil as a fuel source in the instant appeal supports the Government's aim under the Climate Action Plan, in particular, to promote a higher level of biofuel usage and supports the Government's commitment to incentivising more environmentally friendly alternatives to fossil fuels. Additionally, I am satisfied that the Carranstown / Caulstown area is a suitable location in planning terms for a development of the nature proposed.

7.4. Impact on Public Health

- 7.4.1. The appellant and observers express several concerns regarding the emissions associated with the proposed and existing plants in the area, health problems, air pollution, the disposal of oil in an environmentally friendly way, and treatment of

waste. The appellant also states that a safety assessment is essential before the plant is constructed.

- 7.4.2. In relation to the requirement of a safety assessment, I reference the Land Use Planning Risk Assessment Report (dated 30th June 2023) submitted with the Planning Application. This report assesses the risks associated with the proposed development and major accident scenarios including risk assessment findings. The report concludes that *“The Proposed Development involves the construction of an OCGT Generating Plant at Platin, Co. Meath, which will qualify as a lower tier COMAH establishment due to the quantity of HVO that will be stored at the Site. The levels of individual risk presented to the surroundings are in line with the HSA’s criteria for individual risk. There are no developments on Site or off site which are presented with a level of individual risk which exceeds the HSA’s LUP criteria, as set out in the LUP guidance. The levels of societal risk presented by the activities on Site are also in accordance with the HSA’s criteria. Aggregating the risks to all persons exposed to risks from the development, the EV is calculated to be much less than the threshold for broadly acceptable risk. Referring to the guidance, in cases like this, the HSA’s approach is not to advise against the development, but the HSA would advise of this risk so that the planning authority could take it into account in the planning decision”*.
- 7.4.3. In relation to waste associated with the development, it was concluded that atmospheric emissions from the proposed development will not have a significant impact on ambient air quality for all likely cumulative effects and sensitive receptors. The applicant confirmed that all HVO used on site will be certified to British Standard (BS) EN 15940: Paraffinic Diesel Fuel Specification. It is envisaged that there will not be significant quantities of waste generated during the operational phase of the proposed development, as there are very few process wastes associated with the operation of the plant. Furthermore, there is predicted to be adequate capacity in existing local off-site waste disposal and treatment facilities to accommodate the quantity of waste generated. All by-product waste will be treated as hazardous waste and will be disposed of in the Leinster region by a specialist.
- 7.4.4. Any ammonia associated with the proposed development will be stored onsite in a specifically designed tank and will be bunded. The impact of ammonia leak has been

considered, and the risk assessment report did not identify any risk to members of the public in this regard.

7.4.5. I also note that air quality monitoring was considered as part of the Appropriate Assessment Screening and Natura Impact Statement, which demonstrated no significant impacts resulting from the proposed development.

7.4.6. The applicant confirmed that the proposed development will require an Industrial Emissions (IE) Licence to operate. I note that the IE licence will govern the environmental management of the proposed development.

Conclusion:

7.4.7. In this regard, I am satisfied that the applicant has fully considered the health and safety impacts of the proposed development as part of the assessment and has adequately demonstrated that the proposed development will not have an adverse impact on public health in the vicinity of the site and wider area.

7.5. Archaeology and Heritage

7.5.1. Concerns have been raised in the third party appeal and observations in respect to the location of the proposal relative to the adjoining archaeology/heritage adjoining the site. Reference is also made to the Historic and Archaeological Bill, 2023.

7.5.2. Having regard to the site location, I note that there are no protected structures or any items of archaeological heritage within or immediately adjoining the site. However, as noted in the planners report and following desktop research, I reference the following 2 no. recorded National Monuments, which adjoin the application site and relate to a ME027-079 ---- and ME027-078. Both monuments are indicated as redundant records and as such are considered to be of no archaeological potential. Notwithstanding, the applicant has submitted Conservation Plan with the application which includes mitigation measures to protect any archaeological feature that may be present in the vicinity of the site. The measures include an extensive buffer around these sites during construction in particular, and I note that the sites are excluded from the development. I recommend the inclusion of a condition in relation to pre-development testing/monitoring at this site.

7.5.3. I also note that the Development Applications Unit has no objection to the proposed development.

7.5.4. In relation to the Historic and Archaeological Bill 2023, the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023 replaces the existing National Monuments Act 1930 to 2014, and other related legislation, and includes a range of new provisions to protect and conserve Ireland's historic heritage. Under the new Act, newly discovered archaeological sites will be protected, and existing sites and structures will be afforded greater legal protection. Noting that there are no protected structures or any items of archaeological heritage within or immediately adjoining the site, I do not consider this to be of relevance to the instant appeal. I also consider that the mitigation proposed by the applicant will afford adequate protection to any adjoining any archaeological feature in the vicinity of the site.

Conclusion:

7.5.5. Accordingly, I am satisfied that the proposed development will not impact on any existing adjoining archaeological/heritage feature.

7.6. Traffic and Transportation Issues

7.6.1. The appeal and the observations highlight concerns regarding the increased traffic, traffic congestion and the lack of suitable road infrastructure in the Duleek area. Transport issues such as transport costs and potential dangers associated with transporting the HVO and waste have also been raised.

7.6.2. A new site access is proposed onto the R152. I am satisfied that the proposed site access is acceptable in terms of layout, width, and sightlines. A new internal road network is also proposed within the proposed development. I acknowledge that any development at this site will result in increased traffic movements along the R152, however given the type of development proposed, I do not consider that the additional traffic generated would impact negatively on the existing road capacity.

7.6.3. I also note that HGV traffic to and from the facility site during construction and operational phase will follow a designated route from the M1 motorway, via the R152 to the site. No HGV's will be required to access Duleek, and therefore will not impact on traffic in the village. Condition 7 of the Chief Executives Order to grant permission relates to site movements and I recommend the inclusion of a similar condition.

- 7.6.4. I also note that both the Transportation Planning Section of the local authority and Transport Infrastructure Ireland have no objection to the proposed development at this location.
- 7.6.5. In relation to the supply, the applicant has confirmed to ensure the security of supply of HVO, that HVO will be delivered to the proposed development from existing HVO storage facilities within Ireland to the site.

Conclusion:

- 7.6.6. Accordingly, I am satisfied that the traffic associated with the proposed development will not impact on the existing road network and will not impact on traffic, pedestrian safety and the transportation of the HVO will be secure. While note specifically raised, I am also satisfied that matters pertaining to construction management can be appropriately dealt with prior to construction by way of condition.

7.7. Water Supply

- 7.7.1. Concerns have been raised in the third party appeal and observations in relation to the water supply to serve the proposed development and the lack of capacity for additional demand on the water supply.
- 7.7.2. I note that Uisce Eireann have confirmed feasibility for a potable water connection. It is envisaged that this supply will meet the potable water requirement and the water treatment requirement for the site.
- 7.7.3. The applicant has also confirmed to aid in stabilising the water demand for the site on the network, water will be stored on site for the industrial demand and thus pressure will not be put on the existing capacity. Additionally, in relation to operation of the plant, the applicant confirmed that operation of the plant over extended periods is not foreseen, and the highest demand will be over the winter months with some operational hours in autumn and spring when rainfall is plentiful. It is not anticipated that the proposed development will operate extensively during summer months, when water shortages may be experienced when temperatures may increase.

Conclusion:

- 7.7.4. Accordingly, I am satisfied that the proposed development will not impact on the existing water supply/capacity in the area.

7.8. **Appropriate Assessment**

7.8.1. Context:

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

- Compliance with Article 6(3) of the EU Habitats Directive
- Brief Description of the Development
- Information received with application
- Screening for Appropriate Assessment
- Appropriate Assessment
- Recommendation

7.8.2. **Compliance with Article 6(3) of the Habitats Directive:**

The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section. 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 at Carranstown, Caulstown, Platin, Duleek, Co. Meath, comprising an open cycle gas turbine power plant and all associated site works, 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).

7.8.3. **Description of the Plan or Project:**

The proposed development comprises the construction of open cycle gas turbine power plant and all associated site works – a detailed description of the proposed development accompanies the planning application.

7.8.4. **Information received with application:**

The application included submission of an Appropriate Assessment Screening Report (received dated 11/08/2023) and a Natura Impact Statement (received dated 11/08/2023).

The AA Screening Report concluded that *“that there is the possibility for significant effects on the following European sites, in the absence of mitigation either arising from the project alone or in combination with other plans and projects, as a result of habitat degradation as a result of air quality and hydrological impacts: River Boyne and River Blackwater SAC (002299), River Boyne and River Blackwater SPA (004232), Boyne Estuary SPA (004080), Boyne Coast and Estuary SAC (001957), River Nanny Estuary and Shore SPA (004158).*

In reaching this conclusion, the nature of the project and its potential relationship with all European sites within the zone of influence, and their conservation objectives, have been fully considered. Therefore, it is the professional opinion of the authors of this report that the application for consent for the Proposed Development does require a Stage Two Appropriate Assessment in respect of the above listed European sites and the preparation of a Natura Impact Statement (NIS)”.

The submitted NIS outlines the methodology used for assessing potential impacts on the habitats and species within the following Natura sites, i.e. River Boyne and River Blackwater SAC (002299), River Boyne and River Blackwater SPA (004232), Boyne Estuary SPA (004080), Boyne Coast and Estuary SAC (001957), River Nanny Estuary and Shore SPA (004158), that have the potential to be affected by the proposed development. It predicts the potential impacts for this site and its conservation objectives, it suggests mitigation measures, assesses in-combination effects with other plans and projects and it identifies any residual effects on the European site and its conservation objectives.

The submitted NIS concluded that *“This NIS has examined and analysed, in light of the best scientific knowledge, with respect to those European sites within the zone of influence of the Proposed Development, the potential impact sources and pathways, the manner in which these could potentially impact on the European sites’ QIs/SCOs and whether the predicted impacts would adversely affect the integrity of River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC, Boyne Estuary SPA, River Nanny Estuary and Shore SPA. There are no other European sites at risk of effects from the Proposed Development. Avoidance, design requirements and mitigation measures are set out within this NIS (and its appendices) and the effective implementation of these mitigation measures will ensure that any impacts on the conservation objectives of European sites will be avoided during the construction and operation phases of the Proposed Development such that there will be no adverse effects on any European sites.*

It has been objectively concluded by Scott Cawley Ltd., following an examination, analysis and evaluation of the relevant information, including in particular the nature of the predicted impacts from the Proposed Development and the effective implementation of the mitigation measures prescribed, that the Proposed Development will not adversely affect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects”.

Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential effects, and uses best scientific information and knowledge. Details of mitigation measures are provided within the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development. Set out below is my own independent assessment.

The site itself is not located within or border a designated European site. The nearest designated sites are:

Special Areas of Conservation	Distance
River Boyne and River Blackwater SAC [002299]	3.5 km
Boyne Coast and Estuary SAC [001957]	6.9 km

Clogher Head SAC [001459]	15.6 km
Rockabill to Dalkey Island SAC [003000]	22 km
Rogerstown Estuary SAC [000208]	23 km
Special Protection Areas	Distance
River Boyne and River Blackwater SPA [004232]	3.7 km
Boyne Estuary SPA [004080]	5.7 km
River Nanny Estuary and Shore SPA [004158]	8 km
North-West Irish Sea cSPA [004236]	10.1 km
Skerries Islands SPA [004122]	21 km
Rogerstown Estuary SPA [004015]	23 km

European sites within the potential zone of influence (Zoi) of the proposed development must be evaluated on a case-by-case basis. The preferred method of doing this is by using the Source-Pathway-Receptor (SRP) model. The submitted Screening Report used this SRP model to establish or discount potential connectivity between the site of the proposed development and any European Sites. Figure 2 and Appendix 1 of the submitted AA Screening Report provides details of all relevant European Sites as identified in the preceding steps and assesses which are within the potential likely Zone of Impact. Having regard to the nature of the proposed development, the nature of the receiving environment and the SPR model, it is considered that this is a reasonable approach to defining the Zoi.

I note that the applicant considered the following Natura sites i.e. Clogher Head SAC [001459], Clogher Head SAC [001459], Rockabill to Dalkey Island SAC [003000], Rogerstown Estuary SAC [000208], North-West Irish Sea cSPA [004236], Skerries Islands SPA [004122], Rogerstown Estuary SPA [004015] could be ruled out for further examination due to lack of ecological connections.

The applicant also considered given the nature and scale of the works, there is no known vector, pathway or conduit for impacts between the proposed works and the remaining Natura 2000 sites. I agree with the applicant that the aforementioned sites can be removed from further consideration due to the unlikely event that these will have any significant direct or indirect impacts on the remaining Natura 2000 sites, and as such are not considered further in the screening assessment – this is assessed further in Table 8.1 below.

Having regard to: the information and submissions available; the nature, size and location of the proposed development; its likely direct, indirect and in-combination effects; the source-pathway-receptor model; and the sensitivities of the ecological receptors, I consider that two Natura 2000 sites are relevant to include for the purposes of initial screening for the requirement for Stage 2 Appropriate Assessment on the basis of likely significant effects, these are namely the River Boyne and River Blackwater SAC (002299), River Boyne and River Blackwater SPA (004232), Boyne Estuary SPA (004080), Boyne Coast and Estuary SAC (001957), River Nanny Estuary and Shore SPA (004158).

Table 8.1 (Appendix A below) lists the qualifying interests of the Natura Sites within the defined Zol, their conservation objectives and identifies possible connections between the proposed development (source) and the sites (receptors).

7.8.5. Screening Determination

Based on my examination of the submitted AA Screening Report and NIS and supporting information, the NPWS website, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European Sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I conclude that a Stage 2 Appropriate Assessment is required for five European Sites: River Boyne and River Blackwater SAC (002299), River Boyne and River Blackwater SPA (004232), Boyne Estuary SPA (004080), Boyne Coast and Estuary SAC (001957), River Nanny Estuary and Shore SPA (004158).

This conclusion is consistent with the documentation submitted by the applicant.

7.8.6. Appropriate Assessment of Implications of the Proposed Development

The proposed development will not result in any direct effects on either the SAC or SPA and no risk of habitat loss, fragmentation or any other direct impact. As the proposed development does not traverse any European sites there is no potential for habitat fragmentation to occur.

However, the potential indirect sources of impact include:

(i) Habitat degradation as a result of air quality impacts:

- The effects of sulphur and nitrogen air pollution derived from anthropogenic activities is known to have negative impacts on the environment, either directly by causing vegetation die-back, or indirectly by affecting the acidity and nutrient status of soils and waters²⁵. Direct effects are limited to flora and habitats, while indirect effects for fauna may arise from changes to forage availability and habitat quality (e.g. acidification of waters).
- A reduction in air quality within the immediate vicinity of the construction works may occur as a consequence of dust deposition associated with these construction activities. This includes reduction in photosynthesis due to smothering from dust on the plants and chemical changes such as acidity to soils.
- In the absence of any mitigation measures (in this instance including the design technology which has the result of the abatement of gases in the emissions from the Proposed Development), and adopting the precautionary principle, the potential for significant effects arising from air quality impacts during operation of the Proposed Development from sulphurous, nitrogenous, ammonia and/or particulate matter emissions, on the QIs/SCIs of the aforementioned European sites and/or their conservation objectives cannot be ruled out.

(ii) Habitat degradation as a result of hydrological impacts:

- Contaminated surface water run-off, or an accidental pollution event during construction, or operation, has the potential to affect water quality in the receiving surface water environment. In this instance, the potential zone of influence of such an event extends to the Platin Stream, River Nanny and Nanny Estuary. Habitats that occur below the high tide line and fauna that use intertidal and marine habitats within the Nanny Estuary are potentially at risk of effects of hydrological impacts.
- Habitat degradation as a result of hydrological impacts would be limited to European sites located in the Nanny Estuary, i.e. the River Nanny Estuary and Shore SPA.

- In the absence of any mitigation measures, process or foul waters generated from the Proposed Development could adversely affect conditions in the receiving surface water environment in the Platin Stream, River Nanny and Nanny Estuary. The potential zone of influence of such effects would extend to intertidal habitats occurring below the high tide mark in the Nanny Estuary and fauna associated with these habitats. Therefore, habitat degradation as a result of hydrological impacts would be limited to European sites located in the Nanny Estuary.
- Hydrological impacts with the potential to affect intertidal habitats occurring below the high tide mark in the Nanny Estuary also have the potential to impact fauna associated with these habitats. Such fauna includes wintering birds which feed and roost on intertidal habitats and benthic meiofauna associated with mudflats and sandflats not covered by seawater at low tide [1140].
- A leak or release of foul or process waters, of a sufficient magnitude, has the potential to affect the receiving aquatic and estuarine environments (either alone or in combination with other pressures on water quality) to an extent that could undermine the conservation objectives of the River Nanny Estuary and Shore SPA

The information contained in the Table 8.2 (Appendix B below) is a summary of the objective scientific assessment of the implications of the proposed development on the qualifying interest features of the River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA using the best scientific knowledge in the field. All aspects of the proposed development which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

7.8.7. **Potential In-Combination Effects**

In combination effects are examined within the submitted NIS report (Section 8) and have been also considered under Table 8.2 above. The proposed development was considered in combination with other plans and projects, and this has been detailed in Table 16- page 70 of NIS). I consider the list presented in the screening report adequate for the purpose of the assessment.

It is considered that *“The Proposed Development will not adversely affect the integrity of any European sites including those within its Zol. It will not result in the loss or fragmentation of any QI habitats, or habitats supporting populations of QI /*

SCI species, in (or associated with) any European sites, nor will it degrade any such habitats or affect QI / SCI species as a result of hydrological or hydrogeological impacts (quality or quantity), air quality impacts or introducing / spreading non-native invasive plant species”.

It can therefore be concluded that “*the Proposed Development will not adversely affect the integrity of any European sites, either alone or in combination with any other plans or projects. No additional mitigation measures are necessary or required following this update assessment”.*

7.8.8. Mitigation Measures

The mitigation measures that are proposed in the NIS to address the potential adverse effects of the construction and operation of the proposed development are listed within chapter 7 of the NIS relate to each Conservation Objective. These can be summarised as follows:

Mitigation Measures to Minimise Emissions to air during Construction:

- Good housekeeping and site management including the proper storage of spoil / loose materials on site.
- Hard surfaced roads will be swept to remove mud and aggregate materials from their surface and any un-surfaced roads will be restricted to essential site traffic only with speed restrictions.
- Water bowsers will be deployed for dust suppression in periods of dry weather during the construction phase.
- Wheel washing of construction vehicles leaving site will be implemented as necessary.
- Public roads outside the site will be regularly inspected and cleaned as necessary.
- Provision of an adequate water supply for effective dust/particular matter suppression/mitigation.
- All vehicles and equipment used in relation to the site will be mechanically sound; operated and maintained in accordance with the manufacturer’s recommendations and switched off when not in use.

Mitigation Measures to Protect Surface Water During Construction:

- Silt traps will be placed in drains to capture any excess silt in the run-off.
- Good housekeeping (daily site clean-ups, use of disposal bins, etc.) will be maintained on the Proposed Development during construction, and the proper use, storage and disposal of construction materials and their containers will prevent contamination.
- For all activities involving the use of potential pollutants or hazardous materials, such as concrete, fuels, lubricants and hydraulic fluids, the material will be carefully handled and stored to avoid spillages. Potential pollutants will also be adequately secured against vandalism and will be provided with proper containment according to codes of practice. Any spillages will be immediately contained, and contaminated soil removed from the site by an appropriately licensed contractor and disposed of to a licensed facility.
- Water pollution will be minimised by the implementation of good construction practices. Such practices will include adequate bunding for silos, oil containers, wheel washers and dust suppression on site roads, and regular plant maintenance. The Construction Industry Research and Information Association (CIRIA) provides guidance on the control and management of water pollution from construction sites, which will be adhered to (Masters – Williams et al., 2001).
- In accordance with the CIRIA document, a contingency plan for pollution emergencies will be prepared.

Mitigation Conclusion:

Subject to the implementation of the mitigation measures, there would be no resultant adverse effects on qualifying interest species and habitats respect to their attributes and targets.

7.8.9. Residual Effects

The submitted NIS contains an assessment of adverse effects on the conservation objectives likely to occur from the project, post mitigation for each qualifying interest of the River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary

and Shore SPA. No residual impacts have been identified following effective implementation of all the mitigation measures. I consider the information and assessment presented comprehensive and I would concur with this conclusion.

7.8.10. 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 Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA, in view of the Conservation Objectives of these sites. This conclusion has been based on a complete assessment of all implications of the project alone and in combination with other plans and projects.

7.8.11. Conclusion

The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000, as amended.

Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Baldoyle Bay SAC (Site Code: 0000199) and the Baldoyle Bay SPA (Site Code: 004016). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives of relevance to the proposed development. The possibility for likely significant effects was excluded for other European sites.

Following AA, 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 River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA, or any other European site, in view of the site's conservation objectives.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures.

- Detailed assessment of in-combination effects.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA.

7.9. EIA Screening

- 7.9.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.
- 7.9.2. The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report (Prepared by PM Group – Dated 9th August 2023) and I have had regard to same. The submitted report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, due to the scale and nature of the proposed project and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/ address all potential planning and environmental issues relating to the development; these are included in support of the application.
- 7.9.3. The Planning Authority reported that the development was below threshold and ‘contended that the need for an EIA can be excluded and is not required in this instance’. They noted the submitted EIA Screening Report.
- 7.9.4. Article 93 and Schedule 5 (Part 1 and Part 2) of the Planning and Development Regulations 2001, as amended. Part 1 of Schedule 5 defines 24 classes of development projects where it is mandatory for an EIAR to be prepared if either: (i) such development would equal or exceed, as the case may be, any relevant quantity, area or other limit specified in that Part, or (ii) no quantity, area or other limit is specified in that Part in respect of the development concerned. The proposed development has been fully assessed for compatibility with the development classes of Part 1.

7.9.5. The following development classes are noted in relation to energy industry:

Class 3(a) Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more. The proposed energy plant consists of an electrical output of less than 300MV and is therefore below the threshold limit.

Class 3 (b) Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more. I do not consider that the proposed development falls into this category as the proposed development comprises an Open Cycle Gas Turbine and the electrical output of 170MV is below the threshold limit.

7.9.6. Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: “*Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7*”.

7.9.7. Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

7.9.8. The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.

7.9.9. The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant

impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application.

7.9.10. The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

7.9.11. I have completed an EIA screening assessment as set out in Appendix C of this report.

7.9.12. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

Conclusion:

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

7.10. Miscellaneous Issues

7.10.1. Legal and Procedural Issues

In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal interest for the purposes of the planning application

and decision. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act, as amended.

7.10.2. EPA Office and Requirement for EPA Licence

The issues raised in relation to the need for an EPA office in this area of Meath, there is a lack of EPA Enforcement and Regulations generally and the requirement for an EPA licence are essentially a subsequent matter under difference legislation and are outside the remit of the Board in determining this planning appeal.

Notwithstanding, the applicant confirmed that an EPA licence was required for the proposed development and confirmed that they will apply for a licence should planning permission for the proposed development be granted. I recommend the inclusion of a condition in respect to agreement with the EPA prior to the commencement of development, in this regard.

7.10.3. Other

Reference has been made in the third-party appeal and observations in relation to the existing facilities in the vicinity of the site, this has been noted in Section 7.3 Planning History and Site Context of the foregoing assessment. Any issues in relation to the operation of existing facilities in the area, specifically the local quarry does not form part of this assessment and are outside of the Board's remit in assessing this appeal.

7.10.4. Siting, Design and Layout

While not specifically raised in the appeal or observations, I consider that the design, form, and layout of the proposed buildings to be acceptable in the overall site context and will not detract from the visual amenities of the area.

7.10.5. Conditions

As noted in Section 3.1.1 of the foregoing, the local authority recommended a grant of permission subject to 24 no. conditions.

Notwithstanding the above assessment, which also recommends the inclusion of a number of conditions, a condition has also been included in relation to crane works on the site given the proximity to adjoining airfields (Condition 15). Condition 21

requests that a bond be lodged in relation to the reinstatement of any public roads that may be damaged as a result of the development. This is considered reasonable.

The remaining conditions are considered to be standard and given the nature and scale of the proposed development, I concur with the local authority and recommend the inclusion of the local authority conditions in this instance.

8.0 Recommendation

8.1. I recommend that the application for the construction of the Open Cycle Gas Turbine power plant (170MW) and associated infrastructure and buildings should be granted planning permission for the reasons and considerations as set out below, subject to compliance with the attached conditions.

9.0 Reasons and Considerations

9.1. Having regard to:

- (i) the suitability of the site given its location and the nature of the existing operations in the locale.
- (ii) the rural zoning which applies to the site under the Meath County Development Plan 2021 – 2027 (as varied), under which sustainable energy installations are stated to be generally acceptable in principle.
- (iii) The Renewable Energy Directive (2023/2413/EU),
- (iv) the Climate Action and Low Carbon (Amendment) Act 2021,
- (v) the Climate Action Plan 2024,
- (vi) the National Planning Framework Plan 2018-2040,
- (vii) the National Development Plan 2021-2030,
- (viii) the Regional Spatial and Economic Strategy 2020-2032,
- (ix) the policies of the planning authority as set out in the Meath County Development Plan 2021 – 2027 (as varied),
- (x) the distance to dwellings or other sensitive receptors,
- (xi) the submissions made in connection with the application,

- (xii) the likely consequences for the environment and the likely significant effects of the proposed development on European Sites,
- (xiii) the Screening for Appropriate Assessment and Environmental Impact Assessment reports and recommendations of the Inspector.

9.2. Proper planning and sustainable development:

It is considered that subject to compliance with the conditions set out below, the proposed development would accord with European, National, Regional and local planning and related policy, be consistent with the obligations of the Climate Action Plan, 2024 and the Climate Action and Low Carbon (Amendment) Act 2021, would not have an unacceptable impact on the existing landscape, archaeology or ecology, would not seriously injure the amenities of the area in terms of health, and it would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.3. Appropriate Assessment:

Following screening for Appropriate Assessment of the project, it was concluded that the proposed development may have a significant effect on the River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives of relevance to the proposed development. The possibility for likely significant effects was excluded for other European sites.

Following NIS, 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 River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA, or any other European site, in view of the site's conservation objectives.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by additional information submitted on 14th February 2024 (including revised notices 22nd February 2022), except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development is for an Open Cycle Gas Turbine (OCGT) Power Plant with an output of 170MW by use of Hydrotreated Vegetable Oil (HVO) only unless otherwise agreed with the Planning Authority.</p> <p>Reason: In the interest of planning control and the sustainable development of the area.</p>
3.	<p>The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.</p> <p>Reason: To protect the integrity of European Sites.</p>
4.	<p>Details of the materials, colours, and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>Prior to the commencement of development hereby permitted, the applicant shall submit/address the following for the written agreement of the Planning Authority in relation to technical requirements from the Health & Safety Authority:</p> <p>(a) In terms of the bund overtop fraction of 75% set out in Table 3 of the Land Use Planning Risk Assessment document, the applicant is required to demonstrate further measures to reduce this fraction.</p>

	<p>(b) Following on from part (a) above, the applicant shall demonstrate tertiary containment where overtopping with potential to cause a MATTE is a credible event. The Land Use Planning Risk Assessment document references a drainage system, but it does not demonstrate that this will suffice as tertiary containment.</p> <p>(c) Notwithstanding the above, if it cannot be demonstrated that an overtop pool is contained on site (i.e. through double skinned tanks and/or sufficient tertiary containment), the applicant shall be required to consider its offsite effect on third parties and a pool fire, and its consequences are required to be modelled.</p> <p>Having regard to parts (a), (b) and (c), the development shall not commence without the prior written agreement of the Planning Authority detailing confirmation of these matters with the HSA.</p> <p>Site works shall only be authorised to commence in accordance with the agreed particulars thereafter.</p> <p>Reason: In the interest of public health and safety.</p>
6.	<p>The site development and construction works shall be carried out such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.</p> <p>Reason: To protect the amenities of property in the vicinity.</p>
7.	<p>Prior to the commencement of development hereby permitted, the applicant shall submit/address the following for the written agreement of the Planning Authority in relation to technical requirements Transportation Planning:</p> <p>(a) A revised site layout, demonstrating the works required to provide the entrance layout to ensure compliance with current standards.</p> <p>(b) These works include but are not limited to the road alignment, road construction, resurfacing and drainage, etc.</p>

8.	<p>All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 13 of the Environment Road included in application documents dated 11th August 2023 shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results 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.</p> <p>Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.</p>
9.	<p>The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report 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. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. 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. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated</p>

	<p>archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.</p>
10.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
11.	<p>The developer shall enter into water and wastewater connection agreements with Uisce Eireann, prior to commencement of this development.</p> <p>Reason: In the interest of public health and orderly development.</p>
12.	<p>Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interest of proper site drainage.</p>
13.	<p>Prior to the commencement of development on site, the applicant shall contact Irish Aviation Authority to formally notify the Authority of the intention to commence any crane operations at the subject site and give at least 30 days of prior notification of the erection of any cranes.</p> <p>Reason: In the interest of aviation safety.</p>
14.	<p>All service cables associated with the proposed development shall be located underground.</p> <p>Reason: In the interests of visual and amenity.</p>
15.	<p>The landscaping and boundary scheme proposed, as submitted to the planning authority on the 11th day of August 2023 shall be carried out within</p>

	<p>the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of visual amenity.</p>
16.	<p>Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement and satisfaction of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, temporary site compound, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.</p> <p>Reason: In order to protect the amenities of property in the vicinity.</p>
17.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning</p>

	<p>authority for written agreement prior to the commencement of development. All records including for waste and all resources pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of proper planning and sustainable development.</p>
18.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, including 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 access/parking, hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
19.	<p>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 which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. 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.</p> <p>Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.</p>
20.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid</p>

<p>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.</p> <p>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.</p>

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.

Emma Nevin
Planning Inspector

19th December 2024

11.0 Appendix A - Table 8.1: Table of European Sites Within a Possible Zone of Influence of the Proposed Development

European Site	Qualifying Interests (summary)	Conservation Objectives	Distance	Connections	Considered further in screening
River Boyne and River Blackwater SAC [002299]	<p>[1099] River Lamprey <i>Lampetra fluviatilis</i></p> <p>[1106] Salmon <i>Salmo salar</i></p> <p>[1355] Otter <i>Lutra lutra</i></p> <p>[7230] Alkaline fens</p> <p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*</p>	To maintain or restore the favourable conservation condition of the Annex I habitats and the Annex II species for which the SAC has been selected.	3.5 km	<p>Habitat degradation as a result of air quality impacts QI habitats, and QI/SCI species that rely upon these habitats for forage/roosting within 20km of the Proposed Development site are potentially at risk.</p> <p>The European site is potentially at risk of air quality impacts arising from the proposed development.</p>	Yes
Boyne Coast and Estuary SAC [001957]	<p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>e)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p>	To maintain or restore the favourable conservation condition of the Annex I habitats for which the SAC has been selected.	6.9 km	<p>Habitat degradation as a result of air quality impacts QI habitats, and QI/SCI species that rely upon these habitats for forage/roosting within 20km of the Proposed Development site are potentially at risk.</p> <p>The European site is potentially at risk of air quality impacts arising from the proposed development.</p>	Yes

	<p>2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p>				
Clogher Head SAC [001459]	[1230] Vegetated Sea cliffs of the Atlantic and Baltic coasts	To maintain the favourable conservation condition of Vegetated Sea cliffs of the Atlantic and Baltic coasts in Clogher Head SAC.	15.6 km	<p>There is no direct or indirect hydrological connection between the subject site and this SAC.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p>No significant effects likely</p>	No
Rockabill to Dalkey Island SAC [003000]	<p>[1170] Reefs</p> <p>[1351] Harbour porpoise <i>Phocoena Phocoena</i></p> <p>S.I. No. 94/2019 - European Union Habitats (Rockabill to Dalkey Island Special Area of Conservation 003000) Regulations 2019</p> <p>NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife</p>	To maintain the favourable conservation condition of Reefs and of Harbour porpoise in Rockabill to Dalkey Island SAC.	22 km	<p>There is no direct or indirect hydrological connection between the subject site and this SAC.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p>No significant effects likely</p>	No

	Service, Department of Arts, Heritage and the Gaeltacht.				
Rogerstown Estuary SAC [000208]	<p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (Glauco-Puccinellietalia maritima)</p> <p>1410 Mediterranean salt meadows (Juncetalia maritimi)</p> <p>2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p>	To maintain or restore the favourable conservation condition of the habitats and species for which the SAC has been selected.	23 km	<p>There is no direct or indirect hydrological connection between the subject site and this SAC.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p>No significant effects likely</p>	No
River Boyne and River Blackwater SPA [004232]	A229 Kingfisher Alcedo atthis	To maintain or restore the favourable conservation condition of the SCI species for which the SPA has been selected.	3.7 km	Habitat degradation as a result of air quality impacts QI habitats, and QI/SCI species that rely upon these habitats for forage/roosting within 20km of the Proposed Development site are potentially at risk.	Yes

				The European site is potentially at risk of air quality impacts arising from the proposed development.	
Boyne Estuary SPA [004080]	<p>A048 Shelduck <i>Tadorna tadorna</i></p> <p>A130 Oystercatcher <i>Haematopus ostralegus</i></p> <p>A140 Golden Plover <i>Pluvialis apricaria</i></p> <p>A141 Grey Plover <i>Pluvialis squatarola</i></p> <p>A142 Lapwing <i>Vanellus vanellus</i></p> <p>A143 Knot <i>Calidris canutus</i></p> <p>A144 Sanderling <i>Calidris alba</i></p> <p>A156 Black-tailed Godwit <i>Limosa limosa</i></p> <p>A162 Redshank <i>Tringa totanus</i></p> <p>A169 Turnstone <i>Arenaria interpres</i></p> <p>A195 Little Tern <i>Sterna albifrons</i></p> <p>A999 Wetlands</p>	<p>To maintain the favourable conservation condition of the SCI species for which the SPA has been selected.</p> <p>To maintain the favourable conservation condition of the wetland habitat in Boyne Estuary SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>	5.7 km	<p>Habitat degradation as a result of air quality impacts QI habitats, and QI/SCI species that rely upon these habitats for forage/roosting within 20km of the Proposed Development site are potentially at risk.</p> <p>The European site is potentially at risk of air quality impacts arising from the proposed development.</p>	Yes

<p>River Nanny Estuary and Shore SPA [004158]</p>	<p>A130 Oystercatcher <i>Haematopus ostralegus</i></p> <p>A137 Ringed Plover <i>Charadrius hiaticula</i></p> <p>A140 Golden Plover <i>Pluvialis apricaria</i></p> <p>A143 Knot <i>Calidris canutus</i></p> <p>A144 Sanderling <i>Calidris alba</i></p> <p>A184 Herring Gull <i>Larus argentatus</i></p> <p>A999 Wetlands</p>	<p>To maintain the favourable conservation condition of the SCI species for which the SPA has been selected.</p> <p>To maintain the favourable conservation condition of the wetland habitat in Boyne Estuary SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>	<p>8 km</p>	<p>Habitat degradation as a result of hydrological impacts Habitats and species downstream of the Proposed Development site and the associated surface water drainage discharge points, and downstream of offsite wastewater treatment plants.</p> <p>The River Nanny Estuary and Shore SPA is at risk of hydrological effects arising from surface water run-off and pollution associated with the construction and/or operational phases of the Proposed Development.</p> <p>The European site is potentially at risk of air quality impacts arising from the proposed development.</p>	<p>Yes</p>
<p>North-West Irish Sea cSPA [004236]</p>	<p>[A065] Common Scoter <i>Melanitta nigra</i></p> <p>[A001] Red-throated Diver <i>Gavia stellata</i></p> <p>[A003] Great Northern Diver <i>Gavia immer</i></p> <p>[A009] Fulmar <i>Fulmarus glacialis</i></p> <p>[A013] Manx Shearwater <i>Puffinus puffinus</i></p>	<p>The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.</p>	<p>10.1 km</p>	<p>There is no direct or indirect hydrological connection between the subject site and this SAC.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p>No significant effects likely</p>	<p>No</p>

	<p>[A018] Shag <i>Phalacrocorax aristotelis</i></p> <p>[A017] Cormorant <i>Phalacrocorax carbo</i></p> <p>[A177] Little Gull <i>Larus minutus</i></p> <p>[A188] Kittiwake <i>Rissa tridactyla</i></p> <p>[A179] Black-headed Gull <i>Chroicocephalus ridibundus</i></p> <p>[A182] Common Gull <i>Larus canus</i></p> <p>[A183] Lesser Black-backed Gull <i>Larus fuscus</i></p> <p>[A184] Herring Gull <i>Larus argentatus</i></p> <p>[A187] Great Black-backed Gull <i>Larus marinus</i></p> <p>[A195] Little Tern <i>Sterna albifrons</i></p> <p>[A192] Roseate Tern <i>Sterna dougallii</i></p> <p>[A193] Common Tern <i>Sterna hirundo</i></p>				
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	<p>[A194] Arctic Tern <i>Sterna paradisaea</i></p> <p>[A204] Puffin <i>Fratercula arctica</i></p> <p>[A200] Razorbill <i>Alca torda</i></p> <p>[A199] Guillemot <i>Uria aalge</i></p>				
<p>Skerries Islands SPA [004122]</p>	<p>A017 Cormorant <i>Phalacrocorax carbo</i></p> <p>A018 Shag <i>Phalacrocorax aristotelis</i></p> <p>A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>A148 Purple Sandpiper <i>Calidris maritima</i></p> <p>A169 Turnstone <i>Arenaria interpres</i></p> <p>A184 Herring Gull <i>Larus argentatus</i></p>	<p>The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.</p>	<p>21 km</p>	<p>There is no direct or indirect hydrological connection between the subject site and this SAC.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p>No significant effects likely</p>	<p>No</p>
<p>Rogerstown Estuary SPA [004015]</p>	<p>A043 Greylag Goose <i>Anser anser</i></p> <p>A046 Brent Goose <i>Branta bernicla hrota</i></p> <p>A048 Shelduck <i>Tadorna tadorna</i></p> <p>A056 Shoveler <i>Anas clypeata</i></p>	<p>The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.</p>	<p>23 km</p>	<p>There is no direct or indirect hydrological connection between the subject site and this SAC.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p>No significant effects likely</p>	<p>No</p>

	<p>A130 Oystercatcher Haematopus ostralegus</p> <p>A137 Ringed Plover Charadrius hiaticula</p> <p>A141 Grey Plover Pluvialis squatarola</p> <p>A143 Knot Calidris canutus</p> <p>A149 Dunlin Calidris alpina</p> <p>A156 Black-tailed Godwit Limosa limosa</p> <p>A162 Redshank Tringa totanus</p> <p>A999 Wetlands</p>				
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12.0 Appendix B – Table 8.2 Summary of Appropriate Assessment of implications of the proposed development on the integrity of the SAC/SPA in the vicinity of the site

Table 8.2 - Summary of Appropriate Assessment of implications of the proposed development on the integrity of the River Boyne and River Blackwater SAC, Boyne Estuary and Coast SAC, River Boyne and River Blackwater SPA, Boyne Estuary SPA, and River Nanny Estuary and Shore SPA alone and in combination with other plans and projects in view of the sites' Conservation Objectives.					
Natura Site	Qualifying interest feature	Potential adverse effects	Mitigation measures	In-combination effects	Can adverse effects on site integrity be excluded?
River Boyne and River Blackwater SAC	<p>7230 Alkaline fens</p> <p>91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)*</p> <p>1099 River Lamprey <i>Lampetra fluviatilis</i></p> <p>1106 Salmon <i>Salmo salar</i></p> <p>1355 Otter <i>Lutra lutra</i></p>	<p>Yes – the following habitats have the potential to be impacted by emissions from the Proposed Development, without mitigation in place:</p> <ul style="list-style-type: none"> - Alluvial forest habitat – Lamprey, Salmon and Otter are potentially sensitive to increased levels of SO₂ and NO₂ GLCs, specifically the effects of reduction of habitat suitability and mortality (toxicity), in this instance, the 	<p>Yes – The air abatement design measures included in the design of the plant.</p>	<p>Having reviewed the information submitted (Section 6 of NIS), none of the potential impacts associated with the Proposed Development will result in any perceptible residual effect on the receiving Environment or on the QIs / SCIs. I am satisfied that no in-combination effects will occur as a result of the proposed development.</p>	<p>Yes – There is no doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity.</p>

		additional loading of nitrogen and SO2 arising from the Proposed Development			
Boyne Coast and Estuary SAC	<p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1210 Annual vegetation of drift lines</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (Glaucopuccinellietalia maritima)</p> <p>1410 Mediterranean salt meadows(Juncetalia maritimi)</p> <p>2110 Embryonic shifting dunes</p> <p>2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</p> <p>2130 Fixed coastal dunes with</p>	<p>Yes – the following habitats have the potential to be impacted by emissions from the Proposed Development, without mitigation in place:</p> <ul style="list-style-type: none"> - Estuaries habitat - Mudflats and sandflats habitats – Salt meadows - Salicornia and other annuals colonizing mud and sand - Shifting dunes and Fixed coastal dunes 	<p>Yes – The air abatement design measures included in the design of the plant.</p>	<p>Having reviewed the information submitted (Section 6 of NIS), none of the potential impacts associated with the Proposed Development will result in any perceptible residual effect on the receiving Environment or on the QIs / SCIs. I am satisfied that no in-combination effects will occur as a result of the proposed development.</p>	<p>Yes – There is no doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity.</p>

	herbaceous vegetation (grey dunes)				
River Boyne and River Blackwater SPA (004232)	[A229] Kingfisher Alcedo atthis	Yes - Kingfisher are potentially sensitive to increased levels of SO2 and NO2 GLCs, specifically the effects of reduction of habitat suitability (prey abundance), in this instance, the additional loading of nitrogen and SO2 arising from the Proposed Development, could affect kingfisher populations or their distribution in the River Boyne and River Blackwater SPA. Without mitigation in place (in this case the air abatement design measures) emissions could affect kingfisher or their habitat/prey in the Boyne Estuary and Coast SPA	Yes – The air abatement design measures included in the design of the plant.	Having reviewed the information submitted (Section 6 of NIS), none of the potential impacts associated with the Proposed Development will result in any perceptible residual effect on the receiving Environment or on the QIs / SCIs. I am satisfied that no in-combination effects will occur as a result of the proposed development.	Yes – There is no doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity.
Boyne Estuary SPA (004080)	[A048] Shelduck Tadorna tadorna [A130] Oystercatcher Haematopus ostralegus [A140] Golden Plover Pluvialis apricaria	Yes – SCI Bird species are potentially sensitive to increased levels of SO2 and NO2 GLCs, specifically the effects of reduction of habitat suitability (prey abundance), in this instance, the additional loading of nitrogen and	Yes – The air abatement design measures included in the design of the plant.	Having reviewed the information submitted (Section 6 of NIS), none of the potential impacts associated with the Proposed Development will result in any perceptible residual effect on the receiving Environment or on the	Yes – There is no doubt as to the effectiveness or implementation of mitigation measures proposed to

	<p>[A141] Grey Plover <i>Pluvialis squatarola</i></p> <p>[A142] Lapwing <i>Vanellus vanellus</i></p> <p>[A143] Knot <i>Calidris canutus</i></p> <p>[A144] Sanderling <i>Calidris alba</i></p> <p>[A156] Black-tailed Godwit <i>Limosa limosa</i></p> <p>[A162] Redshank <i>Tringa tetanus</i></p> <p>[A169] Turnstone <i>Arenaria interpres</i></p> <p>[A195] Little Tern <i>Sterna albifrons</i></p> <p>[A999] Wetland</p>	<p>SO2 arising from the Proposed Development, that could affect SCI bird populations or their distribution in the Boyne Estuary SPA.</p> <p>Little tern are potentially sensitive to increased levels of SO2 and NO2 GLCs, specifically the effects of reduction of habitat suitability (prey abundance), in this instance, the additional loading of nitrogen and SO2 arising from the Proposed Development, that could affect SCI bird populations or their distribution in the Boyne Estuary SPA.</p> <p>Wetland habitats are potentially sensitive to increased levels of SO2 and NO2 GLCs, specifically the effects of reduction of habitat suitability (prey abundance), in this instance, the additional loading of nitrogen and SO2 arising from the Proposed Development, that could affect SCI bird populations or their distribution in the Boyne Estuary SPA. Without mitigation is place (in</p>		<p>QIs / SCIs. I am satisfied that no in-combination effects will occur as a result of the proposed development.</p>	<p>prevent direct or indirect effects on integrity.</p>
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		<p>this case the air abatement design measures) emissions could affect SCI species or their habitat/prey in the Boyne Estuary and Coast SPA</p>			
<p>River Nanny Estuary and Shore SPA (004158)</p>	<p>[A130] Oystercatcher Haematopus ostralegus</p> <p>[A137] Ringed Plover Charadrius hiaticula</p> <p>[A140] Golden Plover Pluvialis apricaria</p> <p>[A143] Knot Calidris canutus</p> <p>[A144] Sanderling Calidris alba</p> <p>[A184] Herring Gull Larus argentatus</p> <p>[A999] Wetlands</p>	<p>Yes - The Proposed Development will drain to the Nanny Estuary via the Platin Stream and River Nanny. In the absence of any mitigation, there is potential for a pollution event during construction or operation of the Proposed Development to affect water quality in the Nanny Estuary. A pollution event could affect the distribution and/or range of SCI bird species, if of sufficient magnitude to affect their prey or to result in direct mortality of birds.</p> <p>SCI Bird species are potentially sensitive to increased levels of SO2 and NO2 GLCs, specifically the effects of reduction of habitat suitability (prey abundance), in this instance, the additional loading of nitrogen and SO2 arising from the</p>	<p>Yes - mitigation measures to protect water quality in the receiving environment, will ensure that surface water quality in the Nanny Estuary is protected, during construction and operation of the Proposed Development.</p> <p>With regards to air quality, no additional mitigation measures, over and above the air abatement design measures are required.</p>	<p>Having reviewed the information submitted (Section 6 of NIS), none of the potential impacts associated with the Proposed Development will result in any perceptible residual effect on the receiving Environment or on the QIs / SCIs. I am satisfied that no in-combination effects will occur as a result of the proposed development.</p>	<p>Yes – There is no doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity.</p>

		<p>Proposed Development, that could affect SCI bird populations or their distribution in the Boyne Estuary SPA.</p> <p>Without mitigation in place (in this case the air abatement design measures) emissions could affect SCI species or their habitat/prey in the River Nanny Estuary and Shore SPA.</p>			
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13.0 Appendix 3 – Form 3 – EIA Screening Determination

A. CASE DETAILS			
An Bord Pleanála Case Reference	ABP-319278-24		
Development Summary	The development will comprise of an open cycle gas turbine power plant and all associated site works.		
	Yes / No / N/A	Comment (if relevant)	
1. Was a Screening Determination carried out by the PA?	Yes		
2. Has Schedule 7A information been submitted?	Yes		
3. Has an AA screening report or NIS been submitted?	Yes	Both Stage 1 (AA) and Stage 2 (NIS) have been submitted.	
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	Yes	Following a pre-application meeting with the EPA, the EPA did not express concerns in relation to the emission limit values concerning air quality from the plant's operation.	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	N/A		
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain

		Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	While the proposal is for a power plant, regard is had to the site context and the existing uses on directly adjoining lands.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The proposed development will result in site excavations and construction of a new development with the existing site subject to excavation and construction for energy use in accordance with the rural zoning that applies to these lands.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Construction materials will be typical for the type of development proposed. The loss of natural resources as a result of the development of the site are not regarded as significant in nature.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	A Land Use Planning Risk Assessment Report accompanies the planning application. An Appropriate Assessment Screening and a Natura Impact Statement were provided in support of the application.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances, and will give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and with the	No

		implementation of standard measures outlined in a CSWMP would satisfactorily mitigate the potential impacts. Operational waste would be managed. Other significant operational impacts are not anticipated.	
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No	No significant risks are identified.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	There is potential for the construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts would be suitably mitigated by the operation of standard measures listed in a CMP and a CSWMP. Management of the scheme in accordance with an agreed management plan will mitigate potential operational impacts. A Land Use Planning Risk Assessment Report accompanies the planning application.	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of standard measures within a CMP and a CSWMP would satisfactorily address potential risks on human health. A Land Use Planning Risk Assessment Report accompanies the planning application.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	A Land Use Planning Risk Assessment Report accompanies the planning application. An Appropriate Assessment	No

		Screening and a Natura Impact Statement were provided in support of the application.	
1.10 Will the project affect the social environment (population, employment)	Yes	Employment would be provided.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No		No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> • European site (SAC/ SPA/ pSAC/ pSPA) • NHA/ pNHA • Designated Nature Reserve • Designated refuge for flora or fauna • Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	No European sites located on or adjacent to the site. An Appropriate Assessment Screening and a Natura Impact Statement were provided in support of the application. Subject to the implementation of appropriate mitigation measures, no adverse effects are foreseen.	No
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	Such fauna includes wintering birds which feed and roost on intertidal habitats and benthic meiofauna associated with mudflats and sandflats not covered by seawater at low tide [1140] and Boyne Estuary SPA as a resource for the regularly occurring migratory waterbirds that utilise it	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	A permanent 25m exclusion zone is proposed around the premiere of the monument to the northwest of the site. This monument is outside of the redline application boundary.	No

2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No		No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding. Potential impacts arising from the discharge of surface waters to receiving waters are considered, however, no likely significant effects are anticipated.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No		No
2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes	Access to and from the site will be via the R152 regional road, which provides access to the M1 and N2. No significant contribution to traffic congestion is anticipated from the subject development.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	Yes	No impact is anticipated in respect to air pollution on the nearest adjoining school.	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project. Any cumulative traffic impacts that may arise during construction would be subject to a project construction traffic management plan.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No transboundary considerations arise.	No
3.3 Are there any other relevant considerations?	No	No	No

C. CONCLUSION

No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required

D. MAIN REASONS AND CONSIDERATIONS

EG - EIAR not Required

Having regard to: -

1. the criteria set out in Schedule 7, in particular
 - (a) the nature and scale of the proposed development, within the existing site context
 - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. the results of other relevant assessments of the effects on the environment submitted by the applicant, i.e. An Appropriate Assessment Screening and a Natura Impact Statement were provided in support of the application.
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector _____

Date _____

Approved (ADP) _____

Date _____