



An
Coimisiún
Pleanála

Inspector's Report

ABP-322562-25

Development	Permission for continued operation of the existing 11 no. turbine Castledockrell Wind Farm as permitted under Ref. 20044702.
Location	Kilcullen, Tomatee, Sroughmore, Knockduff, Ballynelahillan, Carranroe, Enniscorthy, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250312
Applicant	Castledockrell Wind Farm Limited
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions
Type of Appeal	3 rd Party
Appellants	Catherine & Philip Hickey
Observer(s)	None
Date of Site Inspection	23 rd & 24 th September 2025
Inspector	A. Considine

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1. Site Location and Description

- 1.1 The subject site lies approximately 6.5km to the south of Bunclody, 8.1km west of Ferns, in western Co. Wexford. The site is accessed from the R745 Regional Road and via the existing local road network and via the existing entrance to the windfarm site on the L2012 local road to the west of the site boundary. The site, along with the existing wind turbines and associated tracks and infrastructure, comprised agricultural land and occupies a stated area of 78.5 hectares. The turbines sit off the ridge of the hill which runs from northeast to southwest, and which has a maximum elevation of 218m. The turbine bases are constructed at elevations of between 163-212mOD. The area is characterised by a dispersed settlement pattern and the village of Castledockrell is located approximately 2 kilometres south-east of the appeal site.
- 1.2 The site is currently occupied by the existing Castledockrell Wind Farm which includes an existing onsite 110kV substation. The windfarm includes 12 existing turbines which have a hub height of 84.5m, rotor diameter of 71m and a tip height of 120m, and the site was permitted under 3 no. planning applications. Other elements of the existing windfarm include internal site access roads of approximately 4.5m in width and extending to 3.8km and including parking areas covering 1.91ha and the onsite substation which occupies an area of 0.19ha. The existing windfarm is connected to the national grid via the existing onsite 110kV substation which connects to the Lodgewood 220kV substation, located approximately 6.3km to the southwest, via approximately 8km of underground cabling.
- 1.3 The windfarm has been operational since 2011, with the current permission expiring in August of this year, 2025.

2. Proposed Development

- 2.1 Permission is sought, as per the public notices, for development at a site (the Castledockrell Wind Farm) located in the townlands of Kilcullen, Sroughmore, Tomatee, Ballynelahillan, Knockduff and Carranroe, Enniscorthy, Co. Wexford. The development will consist of:

- i) The continued operation of the existing 11 no. turbine Castledockrell Wind Farm as permitted by Wexford County Council Planning Ref. 20044702, An Bord Pleanála Ref. PL26.211725. A further operational period of 20 years is sought from the date of the expiry of the current planning permission (August 2025).
- ii) The permanent continued operation of the existing Castledockrell 110kV substation, permitted by Wexford County Council Planning Ref. 20044702, An Bord Pleanála Ref. PL26.211725, and amended by Wexford County Council Planning Ref. 20053945.

No modifications are proposed to the existing Castledockrell Wind Farm or the existing Castledockrell 110kV substation which comprises of the following elements:

- i) 11 no. existing 2.3 MW wind turbines with an overall tip height of 120m and associated hardstands;
- ii) 1 no. existing 110kV substation including 1 no. single storey control building, all associated electrical plant and equipment, security fencing and all ancillary infrastructure;
- iii) All existing underground electrical and communication cabling connecting the existing wind turbines to the onsite Castledockrell 110kV substation;
- iv) Existing internal access tracks; and
- v) All existing ancillary infrastructure.

An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) has been prepared and will be submitted to the Planning Authority with the application.

2.2 The existing development includes 11 no. 2.3MW turbines amounting to a maximum output of 25.3MW. The wind farm is connected to the national grid via the existing 110kV substation. This substation connects to the Lodgewood 220kV substation which is located approximately 6.3km to the southeast of the windfarm site, via underground 110kV electrical cabling.

2.3 The application was accompanied by the following documents and information:

- Application form, Wexford Co. Co. Planning Checklist and relevant fee
- Letters of consent from relevant landowners
- Details of EIA Portal Confirmation
- Public notices
- Planning drawings
- Environmental Impact Assessment Report
- Natura Impact Statement

3. Planning Authority Decision

3.1 Decision

A notification of the decision to grant planning permission was issued by Wexford County Council by Order dated 9th May 2025 with 14 no. conditions attached.

Most conditions are standard however condition 3 is noted, as it states as follows:

This permission is for a temporary period of 20 years from the date of the grant of permission after which time the use shall cease and the structures shall be removed from the site, unless a separate grant of planning permission has first been made for the continuation of the use and maintenance of the associated structures.

Reason: To define the terms of the permission and to cater for orderly development of the area and to permit the planning authority to re-assess the situation in light of the circumstances at this time.

I highlight this condition solely on the basis of the development sought, which includes two parts – a temporary permission for the turbines and a permanent permission for the substation. This condition does not make it clear that it relates to the turbines only or if it includes the substation element too, thereby limiting the life of the substation to 20 years.

3.2 Planning Authority Report

There is one Planner's reports on file, dated 07/05/2025, which informs the decision, and which is summarised as follows:

- The report sets out the details of the application and the site location, together with noting the relevant national and local policy objectives relevant to the project.
- The report acknowledges the submissions made in relation to the proposed development including those from internal Council departments, prescribed bodies and third parties.
- The report sets out the assessment of the proposed development under the following three main headings;
 - Planning Assessment
 - Environmental Impact Assessment
 - Appropriate Assessment

and recommends that each section should be read in conjunction so as to avoid unnecessary repetition.

- **Planning Assessment –**
 - The assessment acknowledges the existing operational and permitted wind farm the subject of this application and, notwithstanding that the project was permitted prior to the implementation of the 2006 Wind Energy Development Guidelines, given the investment by the developer, ESB and EirGrid in terms of services and infrastructure including in terms of electricity transmission and distribution infrastructure, it is considered that the proposed development generally complies with policy.
 - It is noted that 26 houses are located within 500m of a turbine, with turbine no. 10 located 278m from the nearest dwelling. Given that the wind farm was permitted prior to the 2006 Guidelines, it is recommended that a condition be included to address any complaint from a dwelling within 500m with regard to shadow flicker.

- While the original permission does not include any conditions relating to noise, monitoring indicates that operational noise from the windfarm complies with recommended noise limits, and there have been no noise complaints noted.
- The development is deemed acceptable in terms of visual impact and landscape.
- The new proposed decommissioning plan is considered to be more environmentally sensitive than the conditions applied.
- There have been no significant roads or traffic implications arising.
- No issues relating to roadside drainage or flooding.

- **Environmental Impact Assessment –**

The EIA undertaken in the Planning Report notes the content of the EIAR submitted with the application. The assessment considers the potential effects of the development on the relevant headline environmental topics as per the EIAR and concludes that no significant effects arise, either individually or cumulatively on all environmental topics, save for the following;

- Landscape & Visual – The PAs EIA concludes that a ‘Significant’ residual visual effect arises at viewpoint VP04 due to the proximity of the visual receptor, with moderate to no significant visual effects arising from the remaining viewpoints. Given that the visual impacts are accurately described in the EIAR, together with the fact that the wind farm has existed pre the 2006 Wind Energy Guidelines, the PA conclude that a grant of permission to allow the continued operation of the windfarm will not result in a visual impact beyond that that already exists and has been accepted.

The PAs EIA considers that monitoring is required, as per the DoHLGH recommendation, for bats. The report further notes that the new Decommissioning Plan proposed is more environmentally sensitive than the current decommissioning conditions attached to the original grant of permission for the project.

The report also notes the mitigation and monitoring proposals provided in Chapter 17 of the EIAR, and concludes that the proposed development would not have any unacceptable direct or indirect effects on the environment.

- **Appropriate Assessment –**

The PAs AA Screening Conclusion notes that due to several tributaries of the River Slaney located within 200m down gradient of the project site, it could not be excluded beyond reasonable scientific doubt that the development, either individually or in combination with other plans and projects, would be likely to have a significant effect on the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076). A Stage 2 Appropriate Assessment was deemed to be required.

The Stage 2 AA accepted that there would be no direct effects on QIs or SCIs of the two identified Natura 2000 sites. As no construction activities or alterations are proposed, it was accepted that there would be no potential for significant indirect effects on the Natura 2000 sites in terms of water quality. However, a highly precautionary approach acknowledged the potential pathway for significant effects on a number of QIs/SCIs due to water quality deterioration resulting from runoff or percolation of pollutants from maintenance works during the operational phase.

Mitigation measures proposed and the setting out of the decommissioning plans resulted in the conclusion of the submitted NIS being that where a potential for adverse effects has been identified, mitigation measures proposed through avoidance, appropriate design and other measures set out in the NIS, such that there would be no significant effects on any Natura 2000 habitat or species. The PA accepted this, and concluded that the proposed development was acceptable and in accordance with the proper planning and sustainable development of the area.

The report recommends that permission be granted for the proposed development. This Planning Report formed the basis of the Planning Authority's decision to grant planning permission subject to conditions.

3.3 Other Technical Reports – Wexford County Council Internal Departments

The **Roads Inspection Report**, dated 01/04/2025, notes that the proposed development was discussed with the Area Roads Engineer. The report notes that remedial stormwater works have been carried out by the applicant to prevent run-off onto public roads. The report recommends that permission be granted subject to conditions, including one that any future stormwater remedial works as may be required be carried out by the applicant.

The **Environment Section** submitted a report dated 29/04/2025. The report recommends that permission be granted subject to conditions.

3.4 Prescribed Bodies

The **Irish Aviation Authority** submitted an observation on the project noting that the applicant should be required to engage with the IAA to reconfirm the requirements for obstacle lighting specification / scheme fitted to the existing wind turbines.

The **National Parks & Wildlife Services - Development Application Unit, Dept. of Housing, Local Government & Heritage (NPWS)** submitted a report on the project which is summarised as follows:

- Collision monitoring undertaken at the site, comprising monthly carcass searches, identified 3 bat carcasses over the course of a year. Models estimate a maximum of 21-23 bat fatalities per year which would equate to up to 460 bats over the lifetime of the project.
- It is requested that a condition be included in any grant relating to the continuation of bat monitoring for a further 5-year period at least, rather than the 3 years proposed.
- In addition, it is requested that consideration be given to increasing the frequency of carcass searches to twice monthly in year 1, and the use of local landscaping planting to encourage bats to use flight lines away from the direction of turbines.

3.5 Third Party Observations

The planning authority received 1 no. third party submission on the application. The issues raised in this submission are generally reflected in the issues raised in the third-party appeal received by the Commission.

4. Planning History

4.1 Subject Site

ABP Ref: PL26.211725 (PA ref: 04/4702): Permission granted on the 11th August 2005 to Castledockrell Wind Group Ltd., following a third party appeal to the Commission, for the erection of eleven wind turbines and ancillary buildings, incidental site works, including site roads, in the townlands of Carranroe E.D. Castledockerell, Ballynelahillan E.D. Castledockerell, Kilcullen E.D. Ballindaggan, Sroughmore E.D., Ballindaggan, Tomatee E.D. Ballindaggan and Knockduff E.D., Ballindaggan, County Wexford; the tower heights will not exceed 85 metres and the rotor diameters will not exceed 72 metres; the anticipated output from the eleven turbines will be 22 MW. An EIS was submitted with the application.

This permission was subject to 10 conditions.

The permitted development included an ESB compound to include a substation. The connection to the national grid was also noted to be addressed by way of a further planning application once the final route for connection to the grid is finalised. It is noted that the Board, in its decision at that time did not require that a separate application be made for this connection.

PA ref: 20053945: Permission granted to Castledockrell Wind Group Ltd., to construct a 110kV sub-station and perimeter fence and incidental site works (to service Castledockrell Wind Farm). It will consist of a compound measuring approximately 39m x 18m and in addition to electrical equipment, will contain a general-purpose building measuring approximately 9.64m x 7.14m.

Permission was granted on the 3rd March 2006, subject to 7 conditions, including a condition restricting the duration of the permission to 20 years.

PA Ref: 20080332: Permission granted to Bolamore Wind Farms Ltd., to erect a single wind turbine, as an extension to Castledockrell Wind Farm, and ancillary buildings, incidental site works, including site roads. The tower height will not exceed 85m and the rotor diameter will not exceed 72m. The anticipated output from the turbine will be 2.3MW.

This permission issued on the 9th May 2009, subject to 8 conditions, including a condition restricting the duration of the permission to 20 years.

4.2 Grid Connection and Infrastructure

The existing windfarm is connected to the national grid via the existing 110kV underground grid connection which runs from the onsite 110kV substation to the Lodgewood 220kV Substation.

Permission for this substation was permitted under the following applications:

PA ref: 20070373: Permission granted for a 220kV electrical Transformer Station and associated works on the 4th May 2007, subject to 3 no. conditions.

PA ref: 20082620: Permission granted for variations to previously approved 220kV electrical Transformer Station and associated works, consisting of the reduction in size of the station control building, the inclusion of 1 no. new 110kV cable bay and associated structures etc, on the 20th February 2009, subject to 4 no. conditions.

PA ref: 20100634: Permission granted for a new 110kV electrical Transformer Station as an extension to the existing Lodgewood 220kV station site and associated works on the 12th November 2010, subject to 10 no. conditions.

It is noted that the cover letter for this application notes that the substation needs to be extended to accommodate a number of 110kV grid connections from the proposed and the ongoing windfarm developments in the area.

4.3 Other Relevant Developments within the vicinity

Referenced in the Appeal:

PA Ref: 20070008: Permission granted to Ballindaggin Green Energy Ltd., to erect six wind turbines and ancillary buildings including an ESB substation and incidental site works including site roads. The tower height will not exceed 85m and the rotor diameter will not exceed 72m. The anticipated output from the six turbines will be 14MW. An EIS was submitted with the application

This permission issued on the 5th April 2007, subject to 15 conditions, including a condition restricting the duration of the permission to 20 years.

5. Policy Context

5.1 National Policy and Legislation

5.1.1 Climate Action and Low Carbon Development Act, 2015, as amended.

The Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade. Section 17 of the Climate Action and Low Carbon Development (Amendment) Act, 2021 amends the principal act such that Section 15(1) requires:

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

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

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

5.1.2 Climate Action Plan (CAP) 2024 (“CAP24”) and 2025 (“CAP25”)

Under the Climate Action and Low Carbon Development Act, 2015, as amended, Irelands national climate objective requires the State to transition to a resilient, biodiversity rich, environmentally sustainable and climate neutral economy by no later than the end of 2050. This national climate objective meets Irelands obligations under EU and international treaties, including the Paris Agreement (2015), the European Green Deal and the EU’s objective to reduce GHG emissions by at least 51% by 2030 (compared to 2018) and achieve climate neutrality by 2050.

To meet its targets and obligations CAP 24 sets a course for Ireland to halve emissions by 2030 and reach net-zero no later than 2050. In terms of the electricity sector a 75% reduction in emissions based on 2018 levels is required by 2030 and

CAP 24 provides that central to achieving this is the strategic increase in the share of renewable electricity to 80% by 2030 including ambitious targets of deploying 9GW of onshore wind, 8GW of solar power and at least 5GW from offshore wind projects. CAP 2025 was published on 15th April, 2025. It re-affirms the previous commitment to increase the share of renewable electricity generation to 50% by 2025 and 80% by 2030 including solar targets of up to 5GWs by 2025 and 8 GWs by 2030.

With regard to existing wind energy capacity, CAP 25 notes that *“extending the life of and/or repowering existing renewable electricity projects offer an efficient use of established infrastructure and minimises the risk to the security of electricity supply at a time when increasing numbers of existing windfarms are reaching the end of their life. For onshore wind capacity, lifetime extensions and repowering at existing sites will be critical to ensuring that the 80% renewable electricity target is reached.”*

5.1.3 Ireland’s Long-term Strategy on Greenhouse Gas Emissions Reductions 2024

The National long-term Climate Action Strategy, entitled Ireland’s Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, sets out indicative pathways, beyond 2030, towards achieving carbon neutrality for Ireland by 2050. The Strategy provides a pathway to a whole-of-society transformation and serves as a vital link between shorter-term Climate Action Plans and Carbon Budgets and the longer-term objective of the European Climate Law and Ireland’s National Climate Objective.

5.1.4 The National Adaptation Framework; Planning for a Climate Resilient Ireland (June 2024)

The most recent approved national adaptation framework, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 (NAF) is Ireland's second statutory National Adaptation Framework (NAF) and was published on 5th of June 2024. The NAF and its successors do not identify specific locations or propose adaptation measures or projects in individual sectors, but sets out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure

climate adaptation considerations are mainstreamed into all local, regional and national policy making. The NAF identifies 13 (previously 12) priority sectors under 7 lead Departments that are required to prepare sectoral adaptation plans under the Climate Act in accordance with the Sectoral Planning Guidelines for Climate Change Adaptation which were published in 2018 and updated in 2024. The original 12 sectoral Plans prepared in 2019 and a new sectoral Plan for tourism are to be updated/prepared by end of Q3 2025. The following Electricity and Gas Sectoral Plan is relevant to the subject proposal.

5.1.5 Electricity and Gas Sectoral Plan 2019

The aim of the Plan is to address the risks posed by climate change to the electricity and gas networks. The plan focuses on identifying vulnerabilities such as extreme weather and changing temperature patterns and how they could affect the electricity and gas networks. Specific measures to minimise the potential negative effects of climate change are outlined including the strengthening of the grid and ensuring reliable gas supply. The Plan also seeks to exploit opportunities and the potential benefits arising from climate change adaptation such as increased energy efficiency and the development of new renewable energy sources.

5.1.6 Project Ireland 2040: National Planning Framework (“NPF”), First Revision of the NPF and the National Development Plan (“NDP 2021-2030)

Project Ireland 2040: National Planning Framework (“NPF”), First Revision of the NPF and the National Development Plan (“NDP 2018-2027) Project Ireland 2040 is the Government’s long-term overarching strategy to make Ireland a better country for all and to build a more resilient and sustainable future. The NPF and the NDP combine to for Project Ireland 2040. The NPF sets out to deliver a spatial strategy through a set of National Strategic Outcomes (“NSO’s”), including: ‘Transition to a Low Carbon and Climate Resilient Society’ which establishes a national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050. The first revision of the NPF has

been approved by both Houses of the Oireachtas, following the decision of the Government to approve the final revised NPF on 8th April, 2025. The 'First Revision' introduces regional renewable electricity capacity allocations for each of the three Regional Assemblies to be achieved by 2030. The NDP 2018-2027 sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approx. €116 billion. It recognises that Ireland's energy system requires radical transformation in order to achieve its 2030 and 2050 targets and objectives. It recognises that investment in renewable energy sources affords Ireland an opportunity to decarbonise our energy generation, but that this must be complemented by wider measures to moderate growth in energy demand, increase energy security, diversify supply sources and facilitate more variable electricity generation on the grid.

5.1.7 National Biodiversity Action Plan 2023 – 2030 (NBAP)

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows, Objective 1 Adopt a whole of government, whole of society approach to biodiversity; Objective 2 Meet urgent conservation and restoration needs; Objective 3 Secure nature's contribution to people; Objective 4 Enhance the evidence base for action on biodiversity; Objective 5 Strengthen Ireland's contribution to international biodiversity initiatives.

5.1.8 National Energy Security Framework (April 2022)

The Framework addresses Ireland's energy security needs in the context of the war in Ukraine. It coordinates energy security work across the electricity, gas and oil sectors. The Framework takes account of the need to decarbonise society and the economy, and of targets set out in the Climate Action Plan to reduce emissions. Theme 3 - Reducing our Dependency on Imported Fossil Fuels, focusses on three areas of work:

7.1 Reducing demand for fossil fuels.

7.2 Replacing fossil fuels with renewables, including solar energy.

7.3 Diversifying fossil fuel supplies.

Under 7.2, the statement notes that prioritising renewables is in line with the requirements of the recast Renewable Energy Directive and the EC REPowerEU action statement. The Commission has called on Member States to ensure that renewable energy generation projects are considered to be in the overriding public interest, and the interest of public safety, and the Government supports this request.

5.2 Regional Planning Policy

The Regional Spatial and Economic Strategy for the Southern Region

The Regional Strategic Outcomes contained in the Strategy include a 'Transition to Sustainable Energy' in support of Ireland's transition to a low carbon energy future 2015-2030 and the transforming of Ireland's fossil fuel-based energy sector into a clean, low carbon system by 2050. This document seeks to support the delivery of the programme for change set out in Project Ireland 2040, the National Planning Framework (NPF) and the National Development Plan 2018-27 (NDP), and to ensure coordination between the City & County Development Plans and Local Enterprise & Community Plans. It seeks to facilitate the sustainable development of additional electricity generation capacity throughout the region and to support the sustainable expansion of the transmission network. The Regional Authority seeks to ensure that future strategies and plans for the development of renewable energy, and associated infrastructure, will promote the development of renewable energy resources in a sustainable manner.

Chapter 8 of the RSES deals with Water and Energy Utilities, setting out the water and energy utility infrastructure requirements to serve the targeted growth of the region. Chapter 5 of the RSES, which deals with Environment, also includes objectives for energy. Section 8.2 relates to Energy, and the goals include support for the development of a safe, secure and reliable supply of energy and system of transmission and distribution in accordance with EirGrid's (2017) Grid Development Strategy.

The following Regional Policy Objectives (RPOs) 87, 95, 96, 98, 99 and 219 deal with renewable energy.

- **RPO 87 Low Carbon Energy Future:** The RSES is committed to the implementation of the Government's policy under Ireland's Transition to a Low Carbon Energy Future 2015-30 and Climate Action Plan 2019. It is an objective to promote change across business, public and residential sectors to achieve reduced GHG emissions in accordance with current and future national targets, improve energy efficiency and increase the use of renewable energy sources across the key sectors of electricity supply, heating, transport and agriculture.
- **RPO 95 Sustainable Renewable Energy Generation:** It is an objective to support implementation of the National Renewable Energy Action Plan (NREAP), and the Offshore Renewable Energy Plan and the implementation of mitigation measures outlined in their respective SEA and AA and leverage the Region as a leader and innovator in sustainable renewable energy generation.
- **RPO 98 Regional Renewable Energy Strategy:** It is an objective to support the development of a Regional Renewable Energy Strategy with relevant stakeholders.
- **RPO 99 Renewable Wind Energy:** It is an objective to support the sustainable development of renewable wind energy (on shore and offshore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.
- **RPO 221 Renewable Energy Generation and Transmission Network:**
 - a. Local Authority City and County Development Plans shall support the sustainable development of renewable energy generation and demand centres such as data centres which can be serviced with a renewable energy source (subject to appropriate environmental assessment and the planning process) to spatially suitable locations to ensure efficient use of the existing transmission network;
 - b. The RSES supports strengthened and sustainable local/community renewable energy networks, micro renewable generation, climate smart countryside projects and connections from such initiatives to the grid. The potential for sustainable local/community energy projects and

micro generation to both mitigate climate change and to reduce fuel poverty is also supported;

- c. The RSES supports the Southern Region as a Carbon Neutral Energy Region.

Regional Policy Objectives RPO 219, 220, 221, 222 and 223, support the development and strengthening of the electricity network, including renewable energy generation and transmission network (RPO 221).

5.3 Other Policy Documents

- EU Energy Directives and Roadmaps and associated national targets for renewable energy by sector.
- National Renewable Energy Action Plan 2010
- Strategy for Renewable Energy 2012-2020
- EU Guidance (2013) Wind Energy Developments and Natura 2000 Sites.
- Ireland's Transition to a Low Carbon Energy Future, DCENR, 2015-2030
- Renewable Energy Policy and Development Framework. DCENR, 2016

5.4 Local Planning Policy – Wexford County Development Plan 2022-2028

Chapter 2 of the Wexford CDP presents the Council's intentions with regard to Climate Action. It is the stated objective of the Plan to facilitate the transition to a low carbon economy, in accordance with national and regional policy. The following Climate Action Strategic Objectives are considered relevant:

- **Objective CA01** - seeks to ensure that the spatial planning of County Wexford enables the decarbonisation of the county's economy and reduces the county's carbon footprint in support of national targets for climate mitigation and adaptation objectives as well as targets for greenhouse gas emissions reductions.
- **Objective CA16** - seeks to support change ... to achieve reduced greenhouse gas emissions in accordance with current and future national

targets, improve energy efficiency and increase the use of renewable energy sources across the key sectors of electricity supply.....

Chapter 9 of the Plan deals with Infrastructure Strategy, and following objectives are considered relevant:

- **Objective PT02** - seeks to support, subject to the objectives of this section and Volume 10 Energy Strategy, connecting infrastructure for the integration of low carbon and renewable energy generation projects including community scaled projects with power transmission infrastructure.
- **Objective PT03** - To support the upgrading of existing electricity networks and the reuse of existing power line routes.

Chapter 11 of the Plan deals with Landscape and Green Infrastructure. This chapter 11 notes that the subject site lies in an upland area, of high sensitivity. The following landscape objectives are considered relevant:

- **Objective L06** - seeks to ensure that that developments are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the Upland, River Valley, Coastal or Distinctive Landscape Character Units.
- **Objective L07** - seeks to ensure that where a development will have a negative impact in the Upland, River Valley, Coastal, or Distinctive Landscape Character Unit, an overriding need is demonstrated for that particular development and ensure that careful consideration is given to site selection.

In addition to the above, the following Volumes attached to the Plan are considered relevant:

- **Volume 2 Development Management** - Sets out the requirements regarding the development standards that will be applied, as relevant, in the assessment of planning applications for development in the plan area.
- **Volume 7 Landscape Character Assessment** - This LCA supports the objectives contained in the body of the CDP, and notes that recently constructed wind farms have become a feature in this landscape.

- **Volume 10 Energy Strategy** - it is an objective of the Plan to implement the Energy Strategy contained in to facilitate the transition to a low carbon county. Chapter 5 of this Energy Strategy deals with onshore wind energy, and is identified as the largest contributor to renewable electricity generation in the County. It is noted that applications for repowering will be considered on a case-by-case basis and that the duration of permission will be 5 years while the lifetime of the development will be restricted to a maximum of 25 years to start from the date of grid connection.

Table 8 of the Energy Strategy deals with Wind Energy Development Areas. The subject site is currently located within an area where wind energy projects are 'not normally permissible', and Table 8 indicates that *'when assessing applications for repowering or extensions to existing wind farms against the development management standards, the planning authority will have particular regard to the reasons why the area was identified as 'Not Normally Permissible' in Section 5.5'*. The subject site lies within the 'North' area which was so designated *'due to the number of existing wind farms, and having regard to the areas open for consideration for wind farm development in adjoining counties, it is considered that the north-west of the county has reached capacity in terms of wind farm development'*.

5.5 Natural Heritage Designations

The site is not located within any Natura 2000 site.

The closest Natura 2000 site is the Slaney River SAC (Site Code: 000781) which lies approximately 2.7km to the north at its closest point. In addition, the Blackstairs Mountains SAC (Site Code: 000770) lies approximately 4.3km to the west of the site and the River Barrow and River Nore SAC (Site Code: 002162) lies 7.4km to the west.

An NIS has been prepared for the proposed project.

6. The Appeal

6.1 Grounds of Appeal

Catherine and Philip Hickey submitted a third-party appeal against the decision of the Planning Authority to grant planning permission for the proposed development. Mr. & Mrs. Hickey submitted an objection to the proposal during the PAs assessment of the project. The appellants indicate that they reside proximate to the Bola More wind farm, and the main points of the appeal made can be summarised as follows:

- It is considered that the PA has disregarded the submission in the decision to grant permission, and have failed to recognise planning breaches by the developer.
- The decision set a precedent for the development whereby further complaints and future applications will be detrimental to members of the public and affected parties.
- There are two separate developments subject to 3 separate planning applications that are in breach of what has been originally applied for.
- The PA was notified of unauthorised works necessary to connect the Bola More Wind Farm to the Castledockrell substation with no action taken. There is no valid planning permission in place for the entire development.
- The appellants submit that the Castledockrell and Bola More Wind Farms comprise an 18-turbine windfarm with staged phases and that the correct option would be for the developer to be required to seek a full permission for the operational factors of the full wind farm.
- Given that the Bola More turbines connect to the grid via the Castledockrell substation, it is considered that this is a split-project development, and should permission be granted, the development will continue in this manner for future phases. All 18 turbines were constructed and began operations in February 2011.
- The concerns and submissions are referenced to the Bola More Wind Farm application, PA ref: 20072008.

- The submission to the PA sets out the history and observations to the original projects/applications, including concerns regarding the EIARs submitted for all referenced applications.
- The nearest turbine to the boundary of the appellants home, which was occupied prior to the wind farm coming into operation, is less than 370m, which is affected in terms of noise and shadow flicker.
- Noise breaches were recorded in one noise monitoring tests.
- The rural area is now impacted by industrial and mechanical noise, disrupting rest and sleep periods.
- The submitted letters of support do not include all of the affected residents and those submitted are from persons with a vested interest.
- Concerns raised in terms of impacts to water sources.
- The area has been identified where wind energy developments are no longer permissible in the previous 3 CDPs.
- Views from the appellants home are impacted by wind turbines in various wind farms. Their home, due to the elevated nature of the site is single storey as advised during pre-planning.
- Questions the veracity of the original EIAR and references legal actions taken in similar cases, including one about this development, and submits that further action may be taken¹.

6.2 Applicant Response

The applicant's response to the third-party grounds of appeal, dated 17/06/2025 can be summarised as follows:

- The response sets out the background to the application, details of the submissions and observations, a policy overview and details of the PAs decision.

¹ No details of legal cases referred to were provided. An online search resulted in identifying a case relating to the permanent shutting down of 3 turbines at a windfarm at Gilbert Hill, which forms part of the wider Crory Wind Farm Group, and is located approximately 9.3km to the north of the subject site.

- The response also sets out its considerations in terms of the Boards (Commission) legal obligations.
- The response considers the content of the appeal under the following grounds:
 - **Ground no. 1** – split development in terms of Castledockrell and Bola More Wind Farms.
 - The applicant clarifies that the subject application relates solely to the extension of the operational life of 11 no. turbines and ancillary infrastructure granted under PAs ref: 20044702, and the 110kV Castledockrell Substation granted under PAs ref: 20053945.
 - This application does not include the 6 turbines at Bola More (PA ref: 20070008 & 20110926, or the single turbine permitted at Kilcullen under PA ref: 20080335.
 - The Bola More Wind Farm is located on a separate site, approximately 2.8km from the current subject site, and is subject to a separate grant of planning permission. Any future proposals to extend its operational life will be subject to a planning application.
 - The grid connection route associated with the Bola More WF via the Castledockrell Substation does not establish that the two projects form a single wind farm. It is standard practice for wind energy projects to connect to the nearest grid node with available capacity.
 - It is noted that the Planning Authority agrees with the applicants position in this regard, and notes the separate sites and applications for each project. The issues experienced by the appellants are more directed to the Bola More Wind Farm, as the appellants house lies 3km from the nearest turbine the subject of this application.

- The cumulative impact assessment conducted included the Bola More WF and concluded no significant residual effects.
- **Ground no. 2** – Issues with the EIAR submitted and inaccuracies in the original EIAR (EIS submitted with original application).
 - An EIS was submitted with the original application for the 11 turbines (PA ref: 20044702 & ABP ref: PL26.211725). It was concluded by both the PA and ABP that the EIS was of a reasonable standard and adequately described the development, the local environment, baseline conditions and properly identified and evaluated key impacts.
 - The EIAR submitted as part of the current application was prepared in accordance with the requirements of the relevant Directives.
 - Wexford Co. Co., as the competent authority, undertook an EIA and found the EIAR to be comprehensive and up-to-date, concluding no unacceptable direct or indirect effects on the environment.
 - The appellant has not identified any flaw in either assessment.
 - The study area selected considered the two wind farms cumulatively.
 - With regard to noise and shadow flicker issues raised in the appeal, the EIA considered these aspects in Chapter 5 and 11 of the submitted EIAR. The shadow flicker study areas of both wind farms do not overlap as shown in Figure 4.1 (of the Response to the Appeal submission). There is, therefore, no potential cumulative effects on sensitive receptors.
 - Given the 2.8km distance between the two wind farms, there is no potential for cumulative noise effects between the two sites.

- With regard to impacts on local water supply, Chapter 9 of the submitted EIAR concludes that, based on the absence of any construction activities, no significant effects on water environments or supply are envisaged.
 - Given the nature of the proposed development, and the conclusion of the visual impact assessment undertaken in Chapter 13 of the EIAR, no significant impacts from that already existing and accepted, arise.
 - Any negative impacts of the proposed extension of operational life of the Castledockrell WF are assessed in the various chapters of the EIAR, in line with the relevant guidance, and mitigation measures identified, following implementation, results in the conclusion of not significant impacts.
- **Ground no. 3** – Planning policy and procedural matters.
- The appellant considers that the description of the development includes ambiguous wording. It is submitted that the public notice provides a brief description of the proposed development and is in accordance with Article 18 of the P&D Regulations 2001, as amended.
 - The appellant considers that the proposed development is contrary to the provisions of the CDP, notably with respect to the location of the site within an area identified where wind energy projects are ‘not normally permissible’. It is submitted that the reason for this zoning is explained in the CDP as being ‘due to the number of existing wind farms’. The restriction relates to further wind energy projects.
 - The CDP further requires consideration of the reason for the zoning in terms of assessing repowering or extension of wind energy applications. The PA gives special cognisance to the existing operational and permitted wind farms and

investments made by private developers, the ESB and EirGrid.

- With regard to the alleged conflict with the CDP in terms of the 500m setback from dwellings, it is to be noted that the 2006 guidelines were not in place when the original permission was granted for the wind farm. Letters of support are on file from residents within 500m of a turbine (save for 1 property currently in probate).
- It is submitted that the proposed development is not contrary to the policies and objectives of the Wexford CDP and is in accordance with the proper planning and sustainable development of the area.

6.3 Planning Authority Response

None received.

6.4 Observations

None received.

6.5 Further Responses

None received.

7. Assessment

7.1 Introduction

7.1.1 Permission is sought to extend the operational period of the existing Castledockrell Wind Farm for an additional 20 years to 2045 after the expiry of its current planning permission in 2025. Both elements of the windfarm were permitted subject to expiry dates whereby the subject 11 turbines and substation are to be decommissioned by 2025. It is noted that the substation the subject of this application also facilitates the connection 6 turbines at Bola More Wind Farm, 2.8km to the west of the current subject site, to the national grid. Planning permission is therefore sought as per the public notices as follows:

- i) The continued operation of the existing 11 no. turbine Castledockrell Wind Farm as permitted by Wexford County Council Planning Ref: 2004/4702, An Bord Pleanala Ref: PL26.211725. A further operational period of 20 years is sought from the date of the expiry of the current planning permission (August 2025).
- ii) The permanent continued operation of the existing Castledockrell 110kV Substation, permitted by Wexford County Council Planning Ref: 2004/4702, An Bord Pleanala Ref: PL26.211725, and amended by Wexford County Council Planning Ref: 2005/3945.

No modifications are proposed to the existing Castledockrell Wind Farm or the Existing Castledockrell 110kV Substation which comprises of the following elements:

- i. 11 no. existing 2.3MW wind turbines with an overall tip height of 120m and associated hardstands;
- ii. 1 no. existing 110kV Substation including 1 no. single story control building, all associated electrical plant and equipment, security fencing and all ancillary infrastructure;
- iii. All existing underground electrical and communication cabling connecting the existing wind turbines to the onsite Castledockrell 110kV Substation;
- iv. Existing internal access tracks; and,

v. All existing ancillary infrastructure.

7.1.2 The EIAR notes that there are 3 no. planning permissions associated with the existing Castledockrell Windfarm which are noted as follows:

- ABP PL26.211725 (WCC Ref 04/4702): 11 no. turbines, foundations, hardstands, access roads, internal site cabling and substation, and all ancillary infrastructure.

This application is counted as two applications rather than the application to Wexford County Council and then the appeal of the decision to ABP.

- WCC 2005/3945: amendment to the substation as permitted under the above application.

These are the two relevant applications to the subject appeal site.

7.1.3 Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the development the subject of this application and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

- Compliance with National & Regional Policy
- Compliance with Local Policy
- Issues raised in the third-party appeal.
- Water Framework Directive Assessment Determination

7.1.4 The Commission will note that Environmental Impact Assessment and Appropriate Assessment are presented in separated sections of this report. There is reference to similar issues across all three assessments and therefore all three assessments should be read together.

7.2 Compliance with National & Regional Policy

7.2.1 In terms of the principle of the proposed development, I would accept that the proposal to continue to operational life of a permitted windfarm, without the need for any construction or other development works, would be compatible with the wide

range of international, European and National policies, protocols and agreements as they relate to the reduction of greenhouse gas emissions (Kyoto Protocol), to limit the global average temperature rise to below 2° Celsius (Paris Agreement) and the promotion of renewable energy in the efforts to address climate change. The suite of climate change and renewable energy policies considered as part of my assessment are summarised above in section 5 of this report.

7.2.2 The proposed development will contribute to Irelands 2030 renewable energy target and climate action commitments and is considered to be compatible with national planning policy as set out in the National Planning Framework Plan 2018-2040, which identifies the need for the country to move towards a low carbon and climate resilient society, with a sustainable renewable energy supply.

7.2.3 Further, the proposed development will contribute to the achievement of the objectives of the Climate Action Plan 2024 and 2025 update which reaffirms the commitment to increase the share of renewable electricity generation to 50% by 2025 and 80% by 2030 including solar targets of up to 5GWs by 2025 and 8 GWs by 2030. With regard to existing wind energy capacity, CAP 25 notes that *“extending the life of and/or repowering existing renewable electricity projects offer an efficient use of established infrastructure and minimises the risk to the security of electricity supply at a time when increasing numbers of existing windfarms are reaching the end of their life. For onshore wind capacity, lifetime extensions and repowering at existing sites will be critical to ensuring that the 80% renewable electricity target is reached.”*

7.2.4 The 2021 Climate Act was prepared for the purposes of giving statutory effect to the core objectives stated within the CAP, and to provide for the approval of plans ‘for the purpose of pursuing the transition to a climate resilient, biodiversity rich and climate neutral economy by no later than the end of the year 2050’. The Act provides for carbon budgets and a decarbonising target range for certain sectors of the economy. The proposal to extend the life of the 11 turbines at Castledockrell Wind Farm, which have been operational for 14 years and has a total output of 25.3MW, adequately accords with the provisions of the current Climate Action Plan 2025 which supports such developments.

- 7.2.5 In terms of national guidance, the 2006 Wind Energy Development Guidelines (and 2019 Draft amendments) advise that a reasonable balance must be achieved between meeting national policy on renewable energy and the proper planning and sustainable development of an area. The Guidelines also state that projects should not adversely affect any European sites, have an adverse impact on birds, give rise to peat instability or adversely affect drainage patterns, cultural heritage, sensitive landscapes, the local road network or residential amenity. These matters will be further addressed in the relevant sections of the Environmental Impact Assessment and Appropriate Assessment sections of this report.
- 7.2.6 In terms of Regional Planning Policy, the Commission will note that the subject site lies within the area covered by the Regional Spatial and Economic Strategy for the Southern Region, 2020. In this context, I can confirm that the proposed extension to the operational life of the Castledockrell windfarm, and the permanent permission for the 110kV Substation at the site as proposed, would be compatible with regional planning policy as set out in the RSES for the Southern Region, which seeks to facilitate the sustainable development of additional electricity generation capacity throughout the region and to support the sustainable expansion of the transmission network.
- 7.2.7 I have no objection to the proposed development in the context of compliance with national and regional policy. I am satisfied that the principle of the proposed development adequately accords with the provisions of said policies which seeks to promote the development of renewable energy projects in the efforts to address Irelands renewable energy target and climate action commitments.

7.3 Compliance with Local Policy

- 7.3.1 In terms of local planning policy, the Commission will note that the subject site sits wholly within the Wexford Planning Authority jurisdiction. As such, I refer the Commission to the provisions of the Wexford County Development Plan 2022-2028, and detailed in Section 5.4 above. The Plan includes a number of policies and objectives pertaining to climate action and the transition of the County to a low carbon economy, through supporting the objectives in the Energy Strategy (Volume 10 of the CDP).

7.3.2 The Plan also identifies that the subject site lies in an upland landscape area, which is identified in the Landscape Character Assessment (Volume 7 of the CDP) as having the highest level of sensitivity, with Objective L06 of the Plan seeking to 'ensure that developments are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the Upland, River Valley, Coastal or Distinctive Landscape Character Units'. Objective L07 requires that where a development will have a negative impact in such landscapes, 'an overriding need is demonstrated for that particular development and ensure that careful consideration is given to site selection'. The Commission will note the concerns raised in the third-party appeal which considers that the proposed development does not comply with the CDP given these landscape objectives.

7.3.3 Table 8 of the Energy Strategy contained within the CDP identifies that the subject site lies within an area where wind energy projects are 'not normally permissible'. In this context, it might be considered that the proposed development would not comply. However, the plan further provides that:

'when assessing applications for repowering or extensions to existing wind farms against the development management standards, the planning authority will have particular regard to the reasons why the area was identified as 'Not Normally Permissible' in Section 5.5'.

The subject site lies within the 'North' area of Co. Wexford and was so designated as 'not normally permissible' for wind energy projects, *'due to the number of existing wind farms, and having regard to the areas open for consideration for wind farm development in adjoining counties, it is considered that the north-west of the county has reached capacity in terms of wind farm development'.*

7.3.4 In terms of the principle of the proposed extension to the operational life of the 11 turbines at the subject Castledockrell wind farm, I am satisfied that a grant of permission in this instance would not conflict with the policies and objectives of the Wexford County Development Plan. The project does not represent the introduction of new turbines into the landscape, which the policy seeks to curb, and I am satisfied that the particular reasons why the area was identified as 'not normally permissible' are not affected. In this context, I am satisfied that the Commission can conclude that the principle of the proposed development at this location does not, as

suggested, contravene the principles of landscape policies in the Wexford County Development Plan.

- 7.3.5 Having regard to the provisions of the current CDP, together with all submissions made to the Commission on this matter and further assessment below in terms of visual impacts arising, I would be satisfied that the principle of the proposed development can be considered acceptable and to be generally in compliance with the policies and objectives of the current Wexford County Development Plan as it relates to the wind farm developments.

7.4 Issues raised in the third-party appeal

The Third-Party appeal raises a number of concerns as detailed in Section 6 above. The main issues are as follows:

7.4.1 Split project

The appellant resides adjacent to the Bola More Wind Farm, approximately 3km to the west of the current appeal site and Castledockrell Wind Farm. The appellant seeks to suggest that the two projects, together with the single turbine granted permission at Kilcullen, should be considered as a single wind farm and therefore, the current application to extend 11 turbines within the overall 18 turbine windfarm, amounts to project splitting. This is on the basis that the Bola More turbines connect to the national grid via the Castledockrell substation. It is submitted that the developer should be required to seek full permission for the operational factors of 'the full wind farm' which includes Bola More (and the single turbine at Kilcullen).

I refer the Commission to section 4 of this report which sets out the planning history for the subject site and the wider area. In this regard, it is noted that An Bord Pleanála granted planning permission for the Castledockrell wind farm (11 turbines), which included an EIS, on the 11th August 2005. Wexford County Council granted permission for the substation at the site on the 3rd of March 2006, and a separate permission was granted for the 6 turbines (Bola More) on the 5th of April 2007. The Commission will note that an EIS was also submitted for the Bola More site, which would have considered the Castledockrell site in terms of cumulative impacts. The Bola More site lies approximately 3km to the west of the Castledockrell site.

In terms of the timing of construction, I note that further permissions were sought to upgrade the Lodgewood 220kV substation between 2007 and 2010 to accommodate the 'ongoing wind farm developments in the area'. I am satisfied that the Bola More turbines connecting to the Castledockrell substation, does not infer that the two wind farms are a single development. I am further satisfied that there is no evidence of 'project splitting' as contested.

7.4.2 Residential Amenity issues

Having undertaken a site inspection, including in the vicinity of the appellants property, I would conclude that any complaints in terms of noise or shadow flicker are not reasonably related to the current subject appeal site. The existing infrastructure at Castledockrell Wind Farm does not give rise to significant residential amenity issues beyond those discussed in the EIA section of this report. Further, I am satisfied that the existing turbines are unlikely to have an impact on the appellants property. I am satisfied that, if residential amenity issues arise at the appellants property, they are likely due to turbines associated with the Bola More site.

The Commission will note that I make no assessment or assumptions as to the significance of such impacts, on the basis that I am satisfied that the two projects are individual, given the separate planning permissions pertaining to both, and are not identifiable as a single development. The Commission will note the comments of the applicant, through their agent, that in the event of proposals to extend the operational life of the Bola More Wind Farm turbines, 6 no., a further planning application will be lodged with the planning authority.

Based on the content of the appellants submission, I acknowledge the appellants efforts to combine the two wind farm sites. The appeal acknowledges that the concerns and submissions are referenced to the Bola More wind farm, and in particular, to the turbine associated with that WF, which lies approximately 370m to the southeast of the residence and at an elevated position. In the event of an application to extend the operational life of the Bola More turbines, the issues and concerns raised by the appellant are best placed to be addressed at that time.

7.4.3 Non-compliance with the provisions of the Wexford CDP

I have addressed the principle of the proposed development above in Section 7.3 of this report. On balance, I am satisfied that the principle of the proposed development can be considered acceptable and in accordance with the policies and objectives contained in the Wexford County Development Plan as it relates to wind energy projects.

7.4.4 Other issues

The appellant has submitted that the planning authority has failed to recognise planning breaches by the developer, and suggest that complaints made have not been addressed. I note in particular, the reference to ‘unauthorised works necessary to connect the Bola More Wind Farm to the Castledockrell substation’, and the appellants contention that no valid planning permission is in place for the entire development. I have addressed the issue of project splitting above.

With regard to the reference to unauthorised works, no clear detail is provided, and I could not locate any enforcement details in the Councils website. From the appellants submission, I extract that the appellants concerns relate to the fact that the Bola More wind farm was permitted to include its’ own substation. That the operators connected that permitted development via the Castledockrell substation, appears to be the element of ‘unauthorised development’ referred to. In the event of unauthorised development, the Commission has no role, and the matter should be referred to the local authority for investigation, but this has no bearing on the current appeal before the Commission in my opinion.

Regarding the concerns raised in terms of the original EIA, I note that both Wexford County Council and ABP accepted the veracity of the EIS submitted, and that the original project was assessed in accordance with the relevant legislative provisions at the time. The specific flaws raised have not been clearly identified. The Commission is referred to Section 8 of this report which will address all aspects of EIA in terms of the development currently proposed.

In terms of the reference to legal actions relating to the permitting of wind farms proximate to houses, I would note that the Castledockrell wind farm appears to have been permitted prior to the appellants constructing their home (2006). The application for the Bola More turbines was lodged in 2007, and I note that the

submission of observations/objections were not accepted as they were received by the Council late. In the context of the subject application, I am satisfied that the submitted EIAR adequately describes and considers the impacts associated with the project on all environmental topics.

7.5 Water Framework Directive Determination

The subject site lies approximately 6.5km to the south of Bunclody, 8.1km west of Ferns, in western Co. Wexford and is currently occupied by the existing turbines and substation associated with the Castledockrell Wind Farm. The lands around the turbines and access tracks are used for agricultural purposes and the site is accessed via the local road network. While at an elevated position, there are no watercourses or drainage ditches, with the closest watercourse approximately 400m north of T09 and 600m northwest of T01, both of which flow north towards the River Glasha.

The proposed development comprises the continued operation of 11 of the existing Castledockrell Wind Farm turbines for a 20-year period, and the permanent operation of the existing substation at the site. There is no construction activity proposed as part of the application. The Commission will note that no water deterioration concerns were raised by the planning authority or prescribed bodies. The third-party appellant noted concerns in terms of the potential unknown impacts of wind farms on the water environment.

I have assessed the Castledockrell Wind Farm Extension of Operational life and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration (See Appendix 1). Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The development does not include any construction activities

- There are no water courses or drainage ditches identified within the project site with a lack of hydrological connections

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently, can be excluded from further assessment.

7.6 Planning Conclusion

The development accords with European, national, regional and local planning policies and objectives as they relate to the provision of renewable energy. On the basis that no physical construction works beyond general maintenance will occur, I am further satisfied that the extension of the operational live and the permanent permission for the 110kV Castledockrell Substation will not have an unacceptable impact on the landscape or ecology, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it would be acceptable in terms of traffic safety and convenience. Overall, I consider that the proposed development is acceptable and will be an acceptable form of development in the context of proper planning and sustainable development.

8. Environmental Impact Assessment

8.1 Introduction

- 8.1.1 The application is accompanied by an Environmental Impact Assessment Report (EIAR) which was prepared by MKO, Planning and Environmental Consultants and dated March 2025. This section of my report comprises an Environmental Impact Assessment (EIA) of the proposed development and should be read in conjunction with the planning and appropriate assessment sections of my report. This EIA is also based on my site inspection of 23rd & 24th September 2025, and the other documentation on file including the planning authority reports, planning history, and third-party appeal and observations.
- 8.1.2 The proposed development comprises the extension of operational life of an existing 11 turbine windfarm, Castledockrell for a period of 20 years, and permanent permission for existing 110kV Casteldockrell Substation, located within the site. The wind farm has an existing total output of 25.3MW.

8.2 Statutory Provisions & EIA Requirement

- 8.2.1 Schedule 5, Part 2, Class 3, Part 2 of Schedule 5 of the Planning and Development Regulations, and Section 172(1)(a) of the Act, 2000 as amended, relates to Energy Industry development and provides that EIA is required installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts. The proposed development therefore requires mandatory EIA.
- 8.2.2 This section of the report comprises the environmental impact assessment of the proposed development in accordance with the Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU). Section 171 of the Planning and Development Act, 2000 (as amended) defines EIA as:
- a. Consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Commission, the reasoned conclusions of the Commission and the integration of the reasoned conclusion into the decision of the Commission, and

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

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

8.2.4 This EIA section of the report is therefore divided into two sections. The first section assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The second section provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:

- population and human health,
- biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- land, soil, water, air and climate,
- material assets, cultural heritage and the landscape,
- the interaction between the above factors, and
- the vulnerability of the proposed development to risks of major accidents and/or disasters.

It also provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Commissions decision, should they agree with the recommendation made.

8.3 Issues Raised in Respect of EIA

8.3.1 The Commission will note that the third-party appellant has raised issues in respect of EIA. Notably, the concerns specifically relate to the original EIS submitted in support of the existing development. I am unclear as to exactly how the original EIS submitted is considered to be inadequate, given that both Wexford County Council

and An Bord Pleanála on appeal found the EIS to be comprehensive and adequate. It would appear to be in terms of the appellants contention that the subject site comprises part of a larger, single wind farm. I arrive at this opinion based on the appellants submission '*An Bord Pleanála when granting permission for what was meant to be the Castledockrell Wind Farm would not have known about the plans for additional turbines in 2005 in other local areas*'.

8.3.2 Other issues noted with regard to EIA include as follows:

- The Noise study area is inadequate as it does not include properties proximate to the Bola More turbines.
- The shadow flicker study has not had regard to the issues affecting the appellants home and other residences.
- All residents were not included in the scoping exercise (referencing the letters of support submitted with the application).
- Concerns regarding impacts on water sources and water treatment plants in the locality.
- Visual montages submitted are subjective.
- Questions the independence of the EIAR as it was commissioned and paid for by the applicant.

These issues are elaborated on in the assessment below.

8.4 EIAR Structure

8.4.1 Introduction:

8.4.1.1 The subject application is accompanied by an Environmental Impact Assessment Report. The grouped structure of this EIAR, which seeks to describe the existing environment, the potential impacts of the proposed development and the mitigation measures proposed, is set out in three volumes as follows:

- Volume 1
 - Non-technical Summary
 - Background to the proposed development
 - Consideration of alternatives

- Description of the proposed development
- Assessment of environmental topics – Chapters 5 – 14
- Assessment of the projects vulnerability to Major Accidents and Disasters
- Interaction of the foregoing
- Schedule of Mitigation Measures.
- Volume 2
 - Photographic Visualisation Booklet
- Volume 3
 - Appendices 2-1 to 12-1

The following EIA is undertaken having regard to all of the information presented in support of the application.

8.4.2 Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

8.4.2.1 I assess below compliance of the EIAR submitted to the Commission with the requirements of Article 94 and Schedule 6 (paragraphs 1 and 2) of the Regulations.

Article 94(a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b).	A description of the proposed development is contained in Chapter 4 of the EIAR (Volume 1), and associated appendices, including details of the existing site layout at the development site. The subject proposal, which seeks to extend the operational life of the existing permitted windfarm, will require no construction activity beyond the maintenance activities currently being undertaken at the site. Infrastructure in terms of access and roads already exist. I consider the description adequate and provides a detailed overview of its scale, design, construction

	aspects and environmental impacts to enable decision-making.
A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).	An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the technical chapters of the EIAR. Each chapter also includes details of measures to be implemented to mitigate the impacts and risks to the environment identified. I am satisfied that the assessment of significant effects, together with the details of mitigation measures proposed, is comprehensive and robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b)).	Chapters 5-15 (Volume 1) describe the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment in subsections titled 'Likely Significant Impacts and Mitigation Measures Implemented'. A summary of impacts, mitigation measures and residual impacts is also provided in each chapter. As there is no construction phase, mitigation measures presented relate to the operational and decommissioning phases of the development. The appendices to Chapter 4 of the EIAR also include the following: • Appendix 4-2: Operation and Environmental Management Plan • Appendix 4-3: Environmental Management Plan Mitigation measures comprise standard good practices and site-specific measures, and are largely capable of

	offsetting significant adverse effects identified in the EIAR.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b).	A description of the alternatives considered is contained in Chapter 3 of the EIAR. The alternatives considered include, do nothing', alternative locations, processes and technologies, as well as alternative mitigation measures. The main reasons for opting for the current proposal were based on the presence of the existing turbines at the site. The turbines have been operational since 2011 and have the potential to continue functioning efficiently for a further 20 years without loss in the total generating capacity of 25.3MW. In terms of alternative mitigation measures, the EIAR presents further measures to reduce the bat collision risk following the findings of monitoring at the existing site. I am satisfied, that the applicant has studied reasonable alternatives in assessing the proposed development and has outlined the main reasons for opting for the current proposal before the Commission and in doing so the applicant has taken into account the potential impacts on the environment.
Article 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).	
A description of the baseline environment and likely evolution in the absence of the development.	A description of the baseline environment and future baseline scenario is provided in each of the technical chapters. The EIAR predicts the likely evolution of these environmental features in the absence of the proposed development.

A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved	The methodology employed in carrying out the EIA, including the forecasting methods is set out, in each of the individual chapters assessing the environmental effects. The applicant has indicated that no difficulties were encountered (technical or otherwise) in compiling the information to carry out EIA. I am satisfied that forecasting methods are adequate in respect of likely effects on environmental topics.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.	This issue is specifically dealt with in Chapter 15 of the EIAR which addresses Major Accidents and Natural Disasters. This chapter examines the vulnerability of the project in terms of potential to cause accidents and/or disasters and the vulnerability to potential disasters / hazards. As no construction works are proposed, the assessment focuses on the operational phase and includes risks associated with contamination, severe weather, industrial accident, collapse/damage to structures, traffic incident and loss of critical infrastructure. Decommissioning phase effects are considered in terms of severe weather, flooding, traffic and contamination. These risks are reasonable and are assessed in my report.
Article 94 (c) A summary of the information in non-technical language.	This information has been submitted as part of Volume 1 of the EIAR as a standalone section (Non-Technical Summary). I have read this document, and I am satisfied that the document provides a concise, detailed

	description of the proposed development, the baseline environment, the potential impacts associated with the project on the environment, proposed mitigation measures, and monitoring, where deemed necessary. I am further satisfied that the NTS is written in accessible and non-technical language.
Article 94 (d) Sources used for the description and the assessments used in the report	The EIAR uses a range of information and data sources to inform the description, and the assessment of the potential environmental impact and all of which, are set out in each chapter of the EIAR. Data are derived from desk top studies, site surveys, field studies, scientific publications and environmental databases. The conclusions in the EIAR are further based on professional and technical experts and consultations with prescribed bodies and the local authority. The document adheres to technical and best practice standards and employs predictive modelling tools to forecast potential impacts. The assessments also consider other relevant plans and projects which may contribute to an in-combination or cumulative effect. I consider the sources relied upon are generally appropriate and sufficient.
Article 94 (e) A list of the experts who contributed to the preparation of the report	A list of the various experts who contributed to the report is set out in Table 1-3 in Chapter 1 of the Report. The introductory section of each of the chapters provides details of the specialists who prepared the chapter under the heading Statement of Authority. Chapter 1 also includes each individual's expertise and qualifications which demonstrate the competence of each person in the preparation of the EIAR.

Consultations

8.4.2.2 The application has been submitted in accordance with the requirements of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) in respect of public notices. In addition, the applicant has carried out a scoping and consultation exercise as described in Chapter 2 of the EIAR, and Table 2-4 and Table 2-5 of the EIAR identifies the list of bodies consulted. Where a response was received, Table 2-6 identifies the relevant chapter where the points raised are addressed. In addition, the applicant engaged with the community within 2km of the project site by way of a newsletter drop, advising of the planning application and providing contact details for the project team. While I acknowledge the submission of the third-party appellant regarding the consultation undertaken, I would advise that submissions have been received from statutory bodies and third parties and are considered in this report, in advance of decision making.

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

Compliance

8.4.2.4 Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with Article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in my assessment of likely significant effects, below.

8.5 Assessment of Likely Significant Effects

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

- Population and human health
 - Chapter 5

- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively)
 - Chapter 6 - Biodiversity
 - Chapter 7 – Birds
- Land, soil, water, air and climate
 - Chapter 8 – Land, Soils & Geology
 - Chapter 9 – Water
 - Chapter 10 – Air & Climate
 - Chapter 11 – Noise & Vibration
- Material assets, cultural heritage and the landscape
 - Chapter 12 – Archaeology & Cultural Heritage
 - Chapter 13 – Landscape & Visual
 - Chapter 14 – Material Assets
- The interaction between these factors
 - Chapter 16 – Interactions of Effects
- Chapter 15 of the submitted EIAR deals with Risk of Major Accidents and Hazards

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

- Issues raised in the appeal/application.
- Examination, analysis and evaluation of the EIAR.
- The Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

8.6 Population & Human Health

Issues Raised

- 8.6.1 Issues have been raised in terms of population and human health by the third-party appellant with regards to the impacts on residential amenity due to noise and vibration and shadow flicker associated with the existing turbines. Further concerns are raised with regard to the protection of local water supplies.

Examination, Analysis and Evaluation

- 8.6.2 Chapter 5 of the EIAR considers the project in terms of Population and Human Health. Other chapters and annexes of the EIAR which also consider the effects on population and human health include:

- Chapter 10: Air & Climate
- Chapter 11: Noise & Vibration, and associated appendices (EIAR Vol.3)
- Chapter 13: Landscape & Visual, and photographic visualisation booklet (EIAR Vol. 2)
- Chapter 16: Interaction Effects

- 8.6.3 The EIAR includes an overview of the population, including population density and household statistics and age structure, employment and economic activity, land use and services. The baseline population study area has been defined in terms of the Electoral Divisions (EDs) where the proposed development is located. The existing windfarm lies within two EDs – Castledockrell and Ballindaggan (Figure 5-1 of EIAR, pg 5-4). Of the 71 properties located within 1km of the site, 69 are inhabited and 25 exist within 500m of an existing turbine. The closest inhabited dwelling is located approximately 278m from the nearest turbine, T10. The population within the study area increased by 7.8% between 2016 and 2022, with the ED of Castledockrell increasing by 17.8% to 502 persons and Ballindaggan ED by 2.4% to 818 persons. The average size of households is 2.9 persons. 52% of the population within the study area are in the 25-64 age categories.

- 8.6.4 The EIAR further considers Population and Human Health under the following headings:

- Tourism
- Public perception of Wind Energy
- Human Health
- Property Values
- Shadow Flicker
- Residential Amenity

8.6.5 In terms of land use, the EIAR notes that the study area is predominantly used for agricultural purposes, with 4 stud farms noted within 10km of the project site. The closest settlements are identified as Enniscorthy c10km to the southeast, and Bunclody approximately 7.5km to the northwest. In terms of services, Castledockrell National School lies c1.5km to the southeast while Ballindaggin NS is 2.5km to the southwest. The closest secondary school is FCJ Secondary School, c7km to the south. The adjacent towns also provide amenity and community facilities, and the EIAR notes that the subject site lies within Irelands South-East Region in terms of tourism. While the nearest tourist centre is identified as Wexford Town, c30km from the site, there are 2 key tourist attractions identified including the Deerpark and Kilbrannish Trail c8.1km to the northwest, and the existing Castledockrell Wind Farm itself, which is used as an amenity area for locals.

8.6.6 Assumptions and limitations were noted in terms of shadow flicker, noting that the computer models to predict same, are known to overestimate impacts, referred to as 'worst-case impact'. Of the 40 properties modelled, 18 are identified as potentially experiencing daily shadow flicker in excess of the DoEHLG guideline threshold of 30 minutes per day.

8.6.7 Table 10.6 below presents a summary of the likely effects of the proposed development on population & human health as identified in the EIAR.

Potential Population & Human Health Impacts	Potential Effects in the absence of Mitigation	Mitigation & Monitoring Measures	Residual Impacts
Construction Phase			
	• NA as no construction activity proposed		
Operational Phase			
Health & Safety	• The EIAR considers that the proposed development poses little threat to the health and safety of the public. • It is unlikely that ice will build up on turbines and be problematic. • The turbines are fitted with blade load sensors to detect blade imbalances. • They also have oscillation sensors, causing the turbine to wait until blades have been de-iced before beginning. • The operation of the windfarm does not present a danger to the public or livestock.	• Measures have been implemented during the operation of the windfarm, including ○ Access monitoring via an Operational Controller 24/7. ○ Access to turbines is via a door at the base of the structure which is locked at all times. ○ Extensive signage throughout the site. ○ An Operational Phase Health & Safety Plan has been developed and is updated regularly.	Long-term, imperceptible residual impact during the operational phase. No significant direct or indirect effects assessed.
Employment & Investment	• Extension of the operational phase will present an opportunity for mechanical-electrical contractors and craftspeople to		Long-term slight positive effect.

	- continue with maintenance and operation of the wind farm. - Sustaining the employment of personnel.		
Population	No effect		None
Land Use	- The footprint of the turbines and infrastructure occupy a small percentage of the total Study Area. - The primary agricultural land use will continue.		None
Property Values	Section 5.7 of the EIAR concludes that property values are not impacted by windfarms positioned near houses.		Long-term imperceptible.
Noise	The noise assessment carried out in Chapter 11 of EIAR assess operational noise at the closest noise sensitive receptor to be long-term, negative and not significant in nature.	It is demonstrated that the development can satisfy national guidance and Condition 8 of the original PP.	Long-term and not significant.
Traffic	- The wind farm will be remotely monitored during the continued operational phase. - Traffic volumes generated are minimal, including monthly maintenance trips, amounting to no more than 2 trips per day by car or light goods vehicles.		Imperceptible neutral and long-term.
Renewable Energy Production & Reduction in GHG Emissions	The project will offer benefits in terms of renewable energy production and reductions in GHG emissions.	Carbon loss and savings due to the proposed development is detailed in Chapter 10 of the EIAR (Air & Climate).	Long-term, significant positive.

Tourism & Amenity	• There are no tourism attractions or amenity walkways located within the site, and therefore no impacts are assessed as likely to occur. • Wind energy developments are an existing feature in the landscape.		No adverse impact assessed.
Shadow Flicker	• SF prediction model indicates that 18 no. residences, of the 40 within 10 rotor diameters, may experience daily effects in excess of currently threshold of 30m/day. 3 of these are involved landowners. • In the absence of mitigation, this is considered to be a long-term, moderate, negative impact. • In the event of a nuisance, the homeowner will be asked to log the date, time and duration of the SF events on 5 different days, and the log will be compared with the predicted occurrence of SF at the residence.	• SF prediction data will be used to select dates on which a SF event could be observed, following a detailed process. • Screening measures will be agreed with the homeowner where a SF occurrence exceeds guideline thresholds. • Where mitigation is not possible, turbine control measures will be implemented, including turbine shut down as necessary. • Shadow Flicker mitigation is already in operation at the site.	Long-term, moderate, negative impact in the absence of mitigation. Implementation of measures at the 15 sensitive receptors, the residual impact will be long-term, negative and slight.
Interference with Communication Systems	• Notwithstanding the fact that the wind farm is operational, scoping and consultation with relevant bodies and operators was undertaken.		None
Residential Amenity	• Impacts could arise in relation to noise, shadow flicker, changes to visual amenity or interference with telecommunications.	• Mitigation measures are included in the EIAR chapters relating to noise and vibration,	Imperceptible and not significant.

	- Noise and Shadow Flicker modelling show that the development is capable of meeting all required thresholds as set out in the 2006 guidelines as well as the draft 2019 guidelines. - As the wind farm is in existence, and no changes to the turbines is proposed, there will be no changes to the visual amenity.	traffic, visual amenity, T/E and shadow flicker will be implemented.	There will be no significant direct or indirect effects on residential amenity.
Decommissioning Phase			
	- Turbines may be replaced with new turbines subject to PP or the site decommissioned completely. - The electricity substation will form part of the national electricity network and decommissioning will not occur. - Existing roads will be left in situ as they are used by local landowners to access agricultural lands. - Minor impacts in terms of noise and dust may be experienced by local residents; however, significant effects are not likely to arise.	- A Decommissioning Plan will ensure that the potential for impacts on human health is minimised or avoided. - Control measures for dust and noise included in Decommissioning Plan.	No significant residual adverse effects are assessed as likely to occur.
Cumulative Effects - Summary			
- No significant effects on population and human health are determined with regard to the proposed development. - The existing, permitted or proposed developments within the study area are not of a scale or nature to result in an in-combination effect on population and human health during the operational phase of the project.			

10.6 - Consideration of Impacts, Significance & Mitigation Measures for Population & Human Health

Assessment of Direct and Indirect Effects

8.6.8 I have examined, analysed, and evaluated Chapter 5 of the EIAR, and all of the associated documentation and submissions on file in respect of effects on population and human health. I am satisfied that the applicant has presented a good understanding of the baseline environment, and that the key impacts in respect of likely effects on population and human, have been identified.

8.6.9 I am further satisfied that as there is no construction activity proposed as part of this application, there are no construction phase effects arising. During the operational phase, the proposed underground cable will be buried within both private agricultural land and along the public road network. As indicated, the land take areas will be returned to the original use following the construction phase.

8.6.10. Mitigation measures typically comprise standard good practices, and are currently in operation as part of the existing permitted wind farm on the site. It can be concluded, therefore, that the proposed development will have no significant negative impact on people and communities. There will be no significant effects on population and human health with any existing, permitted or proposed project/plan. Projects assessed for cumulative effects are identified in Appendix 2-3 of the EIAR and include a number of wind energy projects, ongoing agricultural practices/forestry practices, quarries and extractive industries, intensive production/ processing industries, large infrastructure projects and other EIAR projects, as well as agricultural developments and one-off houses across a range of cumulative study areas, up to 25km from the site.

Conclusion

8.6.11. Having regard to the foregoing, it is considered the no significant direct and indirect effects on population and human health arise.

8.7 Biodiversity

Issues Raised

- 8.7.1 Issues have been raised in terms of biodiversity by the NPWS in terms of the collision monitoring undertaken at the site with regard to bats. It is requested that a condition be included in any grant relating to the continuation of bat monitoring for a further 5-year period at least, rather than the 3 years proposed. In addition, it is requested that consideration be given to increasing the frequency of carcass searches to twice monthly in year 1, and the use of local landscaping planting to encourage bats to use flight lines away from the direction of turbines.

Examination, Analysis and Evaluation

- 8.7.2 Chapter 6 of the EIAR considers the project in terms of Biodiversity. Birds are considered in Chapter 7 of the EIAR. Associated appendices include:

- Appendix 6.1: Bat Report
- Appendix 6.2: Collision Monitoring Survey
- Appendix 7.1: Species List (Birds)
- Appendix 7.2: Survey Effort
- Appendix 7.3: Summary Data
- Appendix 7.4: Survey Data
- Appendix 7.6: Bird Monitoring Programme.

Examination, Analysis and Evaluation

- 8.7.3 Chapter 6 of the EIAR provides an assessment of the likely effects of the project on biodiversity, while Chapter 7 considers birds. The study area applied in the assessment of biodiversity is identified as the site green line boundary, Figure 6-1 of the EIAR. The baseline assessment was established from a desk study of the available ecological data, consultation with relevant bodies and field surveys, which involved multi-disciplinary walkover surveys in accordance with NRA Guidelines on Ecological Surveying Techniques for Protected Flora and Fauna on National Road

Schemes (NRA, 2009). In addition, Chapter 6 notes that collision monitoring surveys were undertaken for bats and to classify habitats, terrestrial fauna and mammals and other protected fauna, invasive species and aquatic ecology. The potential for the proposed development to impact on designated sites is considered within Chapter 6, and the only pNHA identified to be within the likely Zone of Influence is the Slaney River Valley pNHA (Site Code: 000781). The Commission will note that the application includes a Natura Impact Statement report which considers the potential effects of the project on the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076), and which is discussed further in Section 9 of this report.

8.7.4 The habitats recorded in the survey of the study area (including Fossitt Name and Code) include:

- Earth Banks (BL2),
- Buildings and Artificial Surfaces (BL3),
- Spoil and Bare Ground (ED2),
- Recolonising Bare Ground (ED3),
- Improved Agricultural Grassland (GA1),
- Improved meadows and grassy verges (GS2),
- Dense Bracken (HD1),
- Hedgerows (WL1),
- Arable Crops (BC1),
- Scrub (WS1),
- Stone Walls and Other Stoneworks (BL1) and
- Amenity Grassland (Improved) (GA2),

Although no watercourses were identified within the study area, a number, identified as being typically first or second order streams, were surveyed downgradient of the site. These watercourses characterised by shallow flow, often forming riffles and pool.

- 8.7.4 No records of threatened, protected or non-native flora were recorded within the study areas during surveys.
- 8.7.5 In terms of mammals, the surveys yielded strong evidence of badger activity adjacent to Turbines 1, 11 and 12, in terms of the identification of tracks, snuffle holes, and latrines, although no setts were found. No evidence of otter was identified along watercourses adjacent to the study area, even though they provided suitable commuting and foraging habitat. Given that the tributaries of the Slaney River are downgradient of the study area, the EIAR assesses aquatic receptors as key ecological receptors, requiring further consideration.
- 8.7.6 Bat activity was recorded during all surveys in 2023 including Common pipistrelle (*Pipistrellus pipistrellus*), Leisler's bat (*Nyctalus leisleri*), Soprano pipistrelle (*Pipistrellus pygmaeus*) and *Myotis spp.* 5 structures were identified and inspected as part of the roost survey effort, with one identified as having *Moderate* roosting potential. Appendix 6-2 of the EIAR presents the Collision Monitoring Report and identified a total of 3 bat fatalities between November 2022 and October 2023. A full assessment of Bat Activity is presented in Appendix 6-1.
- 8.7.7 In terms of birds, the determination of the study area depended upon a desk study and consultation with relevant statutory and non-statutory organisations during the EIAR scoping, as well as field surveys undertaken between October 2022 and September 2023. In the absence of specific national ornithological survey guidance for Ireland, the applicant applied the NatureScot (formerly Scottish Natural Heritage) guidelines, and included vantage point surveys, winter walkover surveys, breeding walkover surveys, waterbird distribution and abundance surveys and breeding raptor surveys at the site and to a 500m radius of the turbine positions. The full survey effort is presented in Appendix 7-2 of the EIAR. The ZoI includes the Wexford Harbour and Slobbs SPA which is located within 15km of the site, and impacts are assessed in the NIS.
- 8.7.8 The existing windfarm has undertaken bird surveys during the operational phase of the development between 2013 and 2023, including search areas for the casualty monitoring surveys covering a 100m radius around each of the turbines. During the survey period, there were seven probable/confirmed bird strikes and six possible strikes. There was one probable/confirmed strike of a red-listed species

(yellowhammer) in 2018. All other strikes were of non-target species. Of the 15 target bird species (Table 7-10 of the EIAR) recorded during the bird surveys, 13 were noted to be non-breeding or no observations during the breeding season, while the Kestrel was assessed as 'probably breeding' and the Buzzard was confirmed breeding. No regularly used roosts over winter were identified for any species. Peregrine Falcon, Annex 1 listed, were observed during the breeding season within the site giving rise to potential for displacement and collision risk. Black-headed gull and lesser black-backed gull, both SCI of the SPA, were observed within the site in winter giving rise to potential for displacement and collision risk. Kestrel, red-listed species and buzzard and sparrowhawk, both green listed species were also identified as being potentially affected by displacement and collision risk.

8.7.9 Table 6.12 of the EIAR provides an evaluation of ecological features within the Zol. The KERs identified for further consideration include National sites, European sites, aquatic receptors, and bats. The Appropriate Assessment of European Sites is carried out in Section 9 of this report.

8.7.10 No limitations of the biodiversity assessment were noted in the EIAR. A minor limitation in relation to the vantage point bird surveys was identified where 6 (25%) of the total VPSs between May and July 2023 did not include a 30-minute break between three-hour survey blocks.

8.7.11 Table 8.7 below presents a summary of the likely effects of the proposed development on biodiversity as identified in the EIAR.

Potential Biodiversity	Potential Effects in the absence of Mitigation	Mitigation & Monitoring Measures	Residual Impacts
Construction Phase			
	• NA as no construction activity proposed		
Operational Phase			
Biodiversity - Habitats	• No additional land take or habitat loss arise. • No potential for any significant effects	• No specific mitigation proposed.	No significant residual effects are likely to occur.
Aquatic Habitats – water quality	• No direct impacts on aquatic habitats and no potential for disturbance. • The only pathway for effect is as a result of water pollution due to accidental spillages or leaks of pollutants during the operational phase. • Significance of effects are not anticipated at any geographic scale.	• Maintenance and services of plant and machinery. • Refuelling, if needed, will be completed in a controlled manner, by trained operators. • Impermeable bunded storage areas will be a minimum of 50m from open water. • Procedures and contingency plan in place to deal with emergency accidents or spills.	No significant residual effects are likely to occur.
Biodiversity – Fauna Loss or degradation of supporting habitat	• No additional land take or habitat loss arise. • No potential for any significant effects	• Mitigation re: water quality as above	No significant residual effects are assessed as likely to occur.

Biodiversity – Fauna Disturbance / Displacement	- No significant increase in anthropogenic activity as a result of the proposed development. - No potential for disturbance/displacement of any other faunal species.	None	No significant residual effects are assessed as likely to occur.
Biodiversity – Fauna Bats	- Moderate to high level activity recorded during surveys. - The presence of the existing windfarm does not appear to be affecting local bat populations. - Collision risk for the site is assessed as low, as detailed in the Collision Monitoring Survey (Appendix 6-2 of the EIAR). - No potential for significant effects regarding the loss or disturbance of roosting habitats. - No significant displacement of individuals or populations is anticipated.	- The efficacy of mitigation/curtailment programme which is in place at the existing windfarm will be reviewed at the end of each year. - Post consent monitoring will be considered. - Blade feathering will be implemented. - No changes to infrastructure, layout or landscaping as part of the current proposal, with no loss or damage to existing commuting or foraging habitats anticipated. - All structures and trees will be retained.	No significant residual effects are assessed as likely to occur.
Impacts on Designated sites – European & National Sites	- The AA has concluded that a pathway exists via indirect deterioration of water quality in - Slaney River Valley SAC - Wexford Slobs & Harbour SPA	Implementation of best practice and mitigation in relation to protection of water quality.	No significant residual effects are assessed as likely to occur.

	○ Slaney River Valley pNHA		
Birds – Habitat loss	• No additional land take or habitat loss arise for any bird species assessed. • No potential for any significant effects	• None	No significant residual effects are assessed as likely to occur.
Birds – Displacement / Barrier Effect	• Peregrine falcon recorded on four occasions during surveys, one within 50m of the turbines. There is potential evidence of habituation to the presence of the existing turbines. • Black-headed Gull regularly recorded in the winter season only. Avoidance of the existing turbines was not evident, with activity noted 100-200m from turbines. • Lesser Black-backed Gull regularly recorded in the winter season only. Avoidance of the existing turbines was not evident, with activity noted 50m from turbines. • Kestrel observed within 500m of the turbines, and one breeding territory identified adjacent to the site. Avoidance of the existing turbines was not evident, with activity noted 50m from turbines. • Buzzard regularly recorded within and surrounding the site during breeding	• No significant operational phase impacts identified, with no effects greater than Low, and effect significance greater than Slight.	Likely long-term constant slight negative effect.

	and winter seasons. Avoidance of the existing turbines was not evident, with activity noted 50m from turbines. • Sparrowhawk regularly recorded within and surrounding the site during breeding and winter seasons. Avoidance of the existing turbines was not evident, with activity observed close to turbines. • No significant effects of displacement or barrier effect anticipated.		
Birds – Collision Risk	• Modelling of collision related mortality at the existing wind farm estimates with 90% confidence that between 3-21 bird fatalities occurred over the study period. • No fatalities included Peregrine Falcon, Black-headed Gull, Lesser Black-backed Gull, Kestrel, Buzzard or Sparrowhawk. • Low effect significance assessed. • Modelling of collision related mortality at the existing wind farm estimates with 90% confidence that between 3-21 bird fatalities occurred over the study period	• No significant operational phase impacts identified, with no effects greater than Low, and effect significance greater than Slight.	Likely long-term constant slight negative effect. No significant residual effects are assessed as likely to occur.

Birds – Designated Areas	- The site is not located within any European Site. - The AA concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of a European Site, so designated for birds.	No significant operational phase impacts identified, with no effects greater than Low, and effect significance greater than Slight.	No significant residual effects are assessed as likely to occur.
Decommissioning Phase			
Biodiversity	- The removal of the volume of reinforced concrete as required in the original permission, could result in significant ecological impacts, including sediment release. - Potential for accidental spillage or leaks from machinery	- All plant and machinery to be serviced before being mobilised. - Refuelling, if needed, will be completed in a controlled manner, by trained operators. - Impermeable bunded storage areas will be a minimum of 50m from open water. - Procedures and contingency plan in place to deal with emergency accidents or spills.	No significant residual adverse effects are assessed as likely to occur.
Birds	No significant effects in terms of habitat loss in either scenario – ie. decommissioning of existing turbines or extending the lifetime and implementing the new Decommissioning Plan – for any bird species.	- All machinery will work from existing access road corridor. - Compliance with the provisions of the Wildlife Acts 1976-2021. - Decommissioning works will begin outside of nesting season.	Likely short-term constant, non-significant positive effect.

	Temporary displacement may occur during decommissioning works.	- Noise limits and level controls will be in place. - Silt fences will be installed. - Environmental Clerk of Works and Project Ecologist will be appointed.	Likely short-term frequent, non-significant positive effect.
Cumulative Effects - Summary			
- There is no potential for a cumulative loss of habitats as the wind farm is already constructed. - There is no connection that could potentially result in additional or cumulative effects with other plans and projects assessed in terms of biodiversity. - Significant cumulative effects are not predicted with regard to birds.			
Monitoring			
- A detailed Bird Monitoring Programme has been prepared (Appendix 7-6 of the EIAR) for the operational phase. - Decommissioning bird monitoring surveys will be undertaken prior to the commencement of works.			
Do Nothing			
- In a do-nothing scenario, the existing turbines will be decommissioned subject to the Decommissioning Plan for the existing windfarm. - In this case, there is potential for direct habitat loss due to the potential for extensive ground works required to remove access tracks and turbine foundations. - Potential for pollutants due to run off. - The current proposed development includes a more appropriate and environmentally sensitive Decommissioning Plan. - Opportunity to generate and supply renewable energy to the national grid would be lost.			

Table 10.7 - Consideration of Impacts, Significance and Mitigation Measures for Biodiversity

Assessment of Direct and Indirect Effects

- 8.7.12 I have examined, analysed, and evaluated Chapters 6 (Biodiversity) and 7 (Birds) of the EIAR, and all of the associated appendices, documentation and submissions on file in respect of effects on biodiversity and birds. I am satisfied that the applicant has presented a good understanding of the baseline environment, and has presented sufficient survey data to enable an assessment of the likely effects of the proposed development on biodiversity and birds. I am further satisfied that the key impacts, both direct and indirect in respect of likely effects on biodiversity and birds, have been identified. Mitigation measures proposed comprise standard good practice measures which are noted to be effective. As such, I am satisfied that no significant, adverse direct, indirect, or cumulative effects on the environmental factors will occur in the long term.
- 8.7.13 The proposed development comprises the extension of the life of the existing wind turbines at the site. The evidence presented in the surveys would suggest that the presence of the turbines has not had a significant effect on biodiversity at the site, and in particular, it is noted that the identified key bird species do not appear to have been significantly displaced as a result of the presence of the turbines. No additional direct or indirect effects are assessed as likely to arise which I consider to be appropriate and reasonable given that no construction works are proposed. I am satisfied that the proposed development is not likely to have any significant adverse effects on biodiversity, including birds.
- 8.7.14 With regard to bats, I note the submission of the DAU in terms of the request for bat monitoring. It is requested that such monitoring should be continued for at least five years rather than the three years proposed, and that no reduction in the proposed feathering and curtailment regime occurs until after three years, and subject to modification depending on the collision monitoring results by agreement with Wexford County Council. It is further requested that carcass searches should be increased to twice monthly during Year One. I have no objections to this request and consider the ask reasonable. A further recommendation that as part of the first year of post-consent monitoring, consideration is given to the feasibility of local landscaping planting to encourage bats to use flight lines away from the direction of the turbine 11 (due to the proximity of the Common Pipistrelle roost building), is also considered reasonable.

8.7.15 No significant cumulative impacts are noted following the implementation of mitigation. Overall, I am satisfied that the project is unlikely to give rise to any significant effects on biodiversity or birds.

Conclusion

8.7.16 Having regard to the foregoing, it is considered the no significant direct and indirect effects on biodiversity or birds arise.

8.8 Land, Soil, Water, Air & Climate

Issues Raised

8.8.1 The third-party appellant has raised concerns in terms of impacts to water sources in the locality of the windfarm as local residents in the area are dependent on private wells. It is further contended that the effects on water treatment plants are not clear and that references to natural sources are not complete. The appellant also notes the application by Uisce Eireann (PA ref: 20250331)².

Examination, Analysis and Evaluation

8.8.2 Chapters of the EIAR which consider the project in terms of land, soil, water, air & climate include Chapter 8 – Land, Soils and Geology, Chapter 9 – Water, Chapter 10 – Air & Climate and Chapter 11 – Noise & Vibration. Associated appendices include:

- Appendix 4-3: Operation and Environmental Management Plan
- Appendix 4-4: Decommissioning Plan
- Appendices 11-1 to 11-12: Noise related appendices

Examination, Analysis and Evaluation – Land, Soils & Geology

8.8.3 Chapter 8 of the EIAR provides an assessment of the likely effects of the project on the land, soil and geological environment. The study area is limited to within the project site boundary and the assessment included a desk study and a

² This application relates to the installation of 3 above ground water storage tanks etc., noted as required to improve the system resilience, reduce drawdown stress on the existing borehole and allow for more efficient pumping operations.

walkover survey, which paid particular attention to identifying the potential areas of soil erosion which may have resulted during the operation of the existing wind farm. No evidence of any residual effects to land, soil and geology were observed.

8.8.4 In terms of land use, the project site comprises the existing wind farm and agricultural land. The proposed development site is dominated by three soil types including shallow and well drained Non-Calcareous Bedrock at Surface (RckNca), deep, well drained mineral till derived from metamorphic rocks (mainly acidic in nature) [TmP] and deep well drained mineral till derived chiefly from lower Palaeozoic rocks (mainly acidic in nature) [TLPSsS]. Previous investigation of the site provided in the original EIS prepared for Castledockrell Wind Farm noted that soil depths were measured at between 0.1-0.3m. Low levels of soil erosion are likely due to farm machinery action.

8.8.5 In terms of bedrock geology, the site is underlain by the Maulin Formation (OTMAUL) consisting of dark blue-grey slate, phyllite and schist and the Ballylane Shale Formation (OABYLA) consisting of green-grey and grey slates and shales interbedded with green of pale grey siltstones. The Maulin formation is classified as being a locally important aquifer which is generally moderately productive in local zones. The Ballylane shale Formation is classed as a Poor Aquifer that is generally unproductive except for local zones. There are no licenced waste facilities or historic mines in the immediate vicinity of the site, and the site walkover survey did not identify any evidence of potential soil contamination at the site.

8.8.6 There are two recorded Geological Heritage sites within the wider area surrounding Castledockrell Wind Farm. The Caim Mine (WXOIO) a disused mining site, and a countywide important natural geological structure, is located approximately 8.8km southwest of the EIAR Study Area. The Blackstairs Mountains, a Geological Heritage Site (WX006) approximately 10km southwest of the Castledockrell Windfarm site is also a countywide important natural geological structure.

Examination, Analysis and Evaluation – Water

8.8.7 Chapter 9 of the EIAR deals with water and notes that the assessment consisted of a desk study and preliminary hydrological assessment of the site. The

entire site of the proposed development lies within the South-Eastern River Basin District (RBD), and on a regional scale, is located entirely within the Slaney and Wexford Harbour surface water catchment. At the local scale, the nearest named watercourse to the site is the River Glasha, which rises in the Black Rock mountain and flows east to the River Slaney approx. 3.5km northeast of the wind farm.

8.8.8 There are no watercourses within the site boundary, however 2 streams are noted approx. 400m north of T09 and 600m northwest of T01, both of which flow north towards the River Glasha. A number of streams were recorded downhill surrounding the windfarm site. Surface water run-off from the existing hardstand areas and access roads disperses locally over ground onto adjacent vegetated surfaces (natural vegetation filters) and eventually drains in all directions due to the sloping topography surrounding the site. There are no issues in terms of flooding noted within the project site.

8.8.9 The EPA Biological Q-rating data for the River Glasha, (from the River Glasha Station approx. 1.2km northwest of the nearest turbine T10) records a score of Q4, Good Water Quality. The project is not expected to have any effect on the nearest watercourses as no construction activities are proposed. No surface water sampling was undertaken and there are no surface water features within the EIAR study boundary.

8.8.10 In terms of groundwater, aquifers in the area range from poor to locally important, which are generally unproductive or moderately productive. In terms of local Groundwater Bodies (GWBs), the site is located in the generally poorly productive Ballyglass Ground Water Body (GWB) (IE_SE_G_011), which is the largest GWB in the South-Eastern RBD and is characterised by the mountainous terrain of the Wicklow Mountains and Blackstairs Mountains. The GSI mapped groundwater vulnerability rating at the site ranges between rock at or near surface or Karst and Extreme.

8.8.11 The Ballyglass GWB is assigned as 'At Risk', and failing to meet the WFD objectives by 2027. In terms of surface water bodies, the River Glasha (Glasla(Slaney)_010) approximately 1km north at its closest point (T10) and the River Slaney (Slaney_150) approx. 3.3km east at its closest point (T11). The River Glasha is classed as 'At Risk' with no 'High Status Objective' and the River Slaney is

classed as 'Not at Risk'. The River Glasha as facing environmental pressures from agriculture, in particular due to excess sedimentation, with an observed decline in biological status from 'Good' to 'Moderate'. The operation of the Castledockrell Wind Farm has not had any long-term impact on the water quality of these waterbodies. As no construction activity is proposed, no impact is anticipated for surface water bodies.

8.8.12 There are three wells mapped in the vicinity of the project site, which were drilled for agricultural and domestic supply, public supply and agricultural purposes only. These boreholes are located approximately 4.3km east, 4.7km north and 5.5km east respectively. While the dataset is not exhaustive, due to the local aquifer characteristics and topography, it is not anticipated that groundwater flows towards these wells occur. Mitigation measures currently in place at the operational wind farm to ensure the protection of all downstream receiving waters will be continued should the application for extension of life be granted.

Examination, Analysis and Evaluation – Air & Climate

8.8.13 Chapter 10 of the EIAR sets out the methodology for assessing air quality noting that the subject site is located within the Rural Ireland air quality zone (Zone D). As the wind farm is operational, there are no demolition, earthworks or construction activities associated with the proposed development. The baseline air quality data is extrapolated from EPA Monitoring Stations for all concentrations of SO₂, PM₁₀, NO₂ and O₃ in 2023.

- Sulphur dioxide data for Cork Harbour, Kilkitt, Shannon Estuary/Askeaton, Edenderry and Letterkenny were used in the assessment. There were no exceedances of the daily limit values of Sulphur Dioxide (SO₂) for the protection of health. Nor were there exceedances of the annual mean limit for the protection of ecosystems.
- Particulate Matter data for 16 Zone D towns were used in the assessment. The daily limit of 50 µg/m³ for the protection of human health was exceeded on 13 days, which is less than the max of 35 days for exceedances. Edenderry experienced exceedances on 6 occasions.

- Nitrogen dioxide data for Birr, Briarhill, Casdebar, Carrick-on-Shannon, Edenderry, Emo Court and Kilkitt were used in the assessment. The lower assessment threshold of 100 $\mu\text{g}/\text{m}^3$ for the protection of health was exceeded 4 times at Briarhill during the monitoring period while the upper assessment threshold of 140 $\mu\text{g}/\text{m}^3$ was not exceeded.
- Carbon monoxide data for Birr were used in the assessment. There were no occasions where the limit value for human health was exceeded.
- Ozone data for 7 Zone D sites were used in the assessment. There were 10. no exceedances of the maximum 8-hour limit of 120 $\mu\text{g}/\text{m}^3$.
- While there are no statutory limits for dust deposition, the EPA guidance suggests a 10mg/m²/hour can be considered as posing a soiling nuisance. As the proposed development is a currently operating windfarm, no construction works are envisaged.

8.8.14 In terms of climate, the EIAR notes the GHG emissions from Co. Wexford equated to 2,460.1 ktCO_{2eq} in the baseline year of 2018. The Wexford CDP requires a reduction of emissions of 51% by 2030. It is calculated that the proposed development will result in the displacement of 16,305 tonnes of CO₂ per annum, and 326,100 tonnes over the 20-year lifetime sought.

8.8.15 In terms of noise and vibration (Chapter 11 of the EIAR refers, and supported by associated appendices), the baseline environment was considered following a desk top review of the locality including aerial photos and the Wexford Co. Co. planning register, up to 2km from the site. A background noise survey undertaken at 4 noise sensitive locations, and the data was filtered to include only nighttime (23:00 to 04:00) and to exclude periods of rain. There are 25 properties identified as being located within 5dB of the 43dB nighttime limit threshold, and all are within 500m of a turbine. Given the rural setting, there are no significant noise sources identified which would likely influence the background noise levels to any significance.

8.8.16 Table 10.8 below presents a summary of the likely effects of the proposed development on land, soil, water, air quality and climate as identified in the EIAR.

Potential Land, Soil and Geology, Water, Air & Climate Impacts	Potential Effects in the absence of Mitigation	Mitigation & Monitoring Measures	Residual Impacts
Construction Phase			
	No construction activity proposed.		
Operational Phase			
Land, Soil & Geology	- The development comprises the extension of life of an existing wind farm. There will be no disturbance to topsoil, subsoil or geology of the area. - No significant effects associated with any future maintenance works		No significant residual effects are likely to occur.
Land, Soil & Geology - Contamination of Soil by Leaks and Spillages	- Direct effects may arise during routine maintenance works or spills/leaks of oils from the transformer. - Effects would be negative, direct, slight, short-term, medium probability impact on topsoil, subsoils and bedrock.	- Hydrocarbon storage area will be located in a control building compound. - Other measures include servicing of plant and machinery, the use of drip-trays, appropriate storage, procedures and contingency plans and high standards of site maintenance maintained by appropriately trained operators.	The residual effects are assessed to be imperceptible, negative, direct, short-term, unlikely effect and not significant during the operational phase
Water	No construction activity will mean that there is no soil disturbance or used of construction machinery.		No residual effects.

	No effects are envisaged, and if an event occurred, it would be localised, small-scale, short-term and of negligible magnitude and therefore not significant.		
Water - Potential Release of Hydrocarbons	- Direct effects may arise during routine maintenance works or spills/leaks of oils from the transformer. - Effects would be negative, direct, slight, short-term, medium probability impact on surface waters and groundwater.	Measures include servicing of plant and machinery, the use of drip-trays, appropriate storage, procedures and contingency plans and high standards of site maintenance maintained by appropriately trained operators.	The residual effects are assessed to be neutral, imperceptible, direct, short-term, unlikely effect and not significant.
Air & Climate – Exhaust Emissions	The project is assessed as having a long-term, imperceptible negative effect on air quality during the operational phase in terms of exhaust emissions, with no significant direct or indirect effects.	No specific mitigation proposed.	No significant residual effects are assessed as likely to occur.
Air & Climate – Air Quality	The project will continue to result in emission savings, and the production of renewable energy will have a long-term, moderate positive effect, with moderate positive direct and indirect effect.	No specific mitigation proposed.	No significant residual effects are assessed as likely to occur.
Air & Climate – Human Health	The offsetting of emissions will have a long-term, slight positive effect on human health.	No specific mitigation proposed.	No significant residual effects are assessed as likely to occur.

Air & Climate - Climate	• The continued generation of renewable energy will result in a long-term, moderate, positive effect. • Potential for long-term imperceptible negative effects to occur during maintenance of activities.	• No specific mitigation proposed.	The residual effects are assessed to be long-term, moderate positive effect on climate.
Air Quality & Climate – Noise & Vibration	• The measured operational noise levels were on average 3.8dB lower than the predicted levels at the relevant monitoring locations, demonstrating compliance with night-time fixed limit of 43dB, with the exception of properties 2 and 6. • Noise effects are assessed to be negative, not significant and long-term.	• A Noise Management Plan is included in Appendix 11-11 of the EIAR. • No specific mitigation necessary to comply with condition 8 of the original permission and the DoEHLG 2006 Guidelines.	Residual effects are assessed as likely to be negative, not significant and long-term.
Decommissioning Phase			
Land, Soil & Geology	• Likely effects will be similar, but of a much-reduced magnitude, to the construction phase. • Potential to reverse or reduce potential impacts caused by initial construction by rehabilitating construction areas. • Updated decommissioning plan is more environmentally prudent.		No significant residual adverse effects are assessed as likely to occur.

Water – Earthworks Resulting in Suspended Solids Entrainment in Surface Waters	• It is not proposed to stockpile material on site. • Potential to release sediments to waters via drainage and surface water discharge routes. • Indirect, negative, significant, temporary, likely impact.	• Key mitigation measure is avoidance. • No instream works required. • Best construction practices to be adhered to	No significant residual adverse effects are assessed as likely to occur.
Water – Groundwater Level and Local Well Supplies	• No significant dewatering works are likely. • No impacts assessed as likely.	• None	No effects assessed as likely to occur.
Water – Release of Hydrocarbons	• Accidental spillage during refuelling of plant and machinery has the potential to give rise to significant pollution risk. • Indirect, negative, slight, short term, likely impact to local groundwater quality.	• Measures include servicing of plant and machinery, the use of drip-trays, appropriate storage, procedures and contingency plans and high standards of site maintenance maintained by appropriately trained operators.	Residual effects assessed as neutral, imperceptible, direct, short term, unlikely impact to surface water and groundwater.
Water – Hydrological Impacts on Designated Sites	• Indirect impact on water quality • Short term, slight, reversible.	• Mitigation measures described above.	No residual effects assessed as likely to occur.
Air & Climate	• The effects will be similar to those associated with the construction phase, but of a reduced magnitude. ○ In terms of exhaust emissions, decommissioning will result in	• Machinery will be maintained in good operational order. • Components will be transported from the site via specified routes only, and	Residual effects are assessed as short-term, imperceptible, negative on air quality due to

	a short-term, slight negative effect. ○ Dust emissions are assessed to be short-term, slight negative.	to a Materials Recovery Facility as close as possible to the site. • Sporadic wetting as necessary to minimise movement of dust	exhaust emissions and dust emissions. No significant residual effects are assessed as likely to occur.
Air & Climate - Climate	• The effects will be similar to those associated with the construction phase, but of a reduced magnitude. • The effects are assessed as short-term, slight negative.	• Mitigation measures described above.	Residual effects are assessed to be imperceptible negative and short-term in terms of climate.
Air Quality & Climate – Noise & Vibration	• No decommissioning is proposed for the electricity substation. • Noise levels will be similar to those for the construction phase and effects are assessed as negative, not significant and temporary.		No significant residual effects are assessed as likely to occur.
Cumulative Effects - Summary			
Land, Soils and Geology • No significant cumulative effects assessed as arising in relation to land, soils or geology. Water • No significant cumulative effects assessed as arising in relation to water.			

Air Quality & Climate • There is no potential for cumulative effects arising in terms of construction. Following the implementation of mitigation measures there is no measurable negative cumulative effects arising, and no significant cumulative effects on air quality and climate. • In terms of noise and vibration effects, it is assessed that cumulative operational phase effects will be negative, not significant and long-term.
Monitoring
• None
Do Nothing
• In a do-nothing scenario, the existing wind farm would be decommissioned • The opportunity to continue using the existing renewable energy infrastructure would be lost. • The opportunity to reduce emissions would be lost, resulting in a long-term, indirect, slight negative effect. • Decommissioning in accordance with conditions of the current planning permission may have environmental effects on air quality.

Table 10.8 - Consideration of Impacts, Significance and Mitigation Measures for Land, Soil, Water, Air & Climate

Assessment of Direct and Indirect Effects

8.8.17 I have examined, analysed, and evaluated Chapters 8, 9, 10 and 11 of the EIAR, and all of the associated appendices, documentation and submissions on file in respect of effects on land, soil & geology, water, air & climate and noise & vibration. In the context of the development proposed, and that the existing 11 turbines are constructed and functioning, I am satisfied that the applicant has presented a good understanding of the baseline environment, and has presented sufficient survey data pertaining to each topic to enable an assessment of the likely effects of the proposed development on land, soil and geology, water, air quality and climate. I am further satisfied that the key impacts, both direct and indirect in respect of likely effects on land, soil and geology, water, air quality and climate, have been identified. Mitigation measures proposed comprise standard good practice measures which are noted to be effective. As such, I am satisfied that no significant, adverse direct, indirect, or cumulative effects on the environmental factors will occur in the long term.

8.8.18 I am further satisfied that as there is no construction activity proposed as part of the permission sought, there are no direct or indirect effects in terms of **land, soil and geology** or **water**. I note the mitigation and management measures proposed to ensure the avoidance of significant effects and to reduce the magnitude and significance of any effects through the implementation of the Operation and Environmental Management Plan (OEMP) included in Appendix 4-3 of the EIAR. In terms of the third-party concerns raised in terms of possible effects of the development on water and public supplies, I note that no specific issues have been identified, and no concerns have been noted from either Uisce Eireann or the Environment Section of Wexford County Council to this effect. Overall, I am satisfied that the proposed development is not likely to have any significant adverse effects on land, soil and geology or water.

8.8.19 In terms of **air quality and climate**, given the nature of the project which seeks to extend the life of an existing 11 turbine windfarm which is connected to the national grid, during the operational phase, it is assessed that there will be no significant direct or indirect effects in terms of exhaust emissions or dust. The project will continue to result in emission savings, and the production of renewable energy will have a long-term, moderate positive effect, with moderate positive direct and

indirect effect on air quality, and a slight positive effect on human health. I am satisfied that the adoption of good practice measures as set out in the EIAR and the OEMP, the effects on air quality, human health and general amenity will not be significant.

8.8.20 I note the submission of third party with regard to the potential effects of **noise** associated with the operational phase of the project. The Commission will note that the appellant has sought to connect the turbines the subject of this application and appeal, located approximately 3km to the east of the appellants home, to the windfarm at Bola More, which are the likely offending turbines. I am satisfied that the EIAR has adequately considered the potential impacts associated with the currently proposed project and has employed best practice measures and guidance, including TII guidance, in the determination of significance of effects. The measured operational noise levels were on average 3.8dB lower than the predicted levels at the relevant monitoring locations, demonstrating compliance with night-time fixed limit of 43dB, with the exception of properties 2 and 6, both of which are within 500m of the turbines, and the existing development complies with the current conditions of permission. I further note that a Noise Management Plan is included in Appendix 11-11 of the EIAR. Overall, I am satisfied that the proposed development is not likely to have any significant adverse effects on air quality and climate, including noise and vibration, and will not have a significant adverse effect at the appellants property.

Conclusion

8.8.21 Having regard to the foregoing, it is considered the main significant direct and indirect effects on land, soil, water, air and climate are as follows:

- Potential for indirect impacts on land, soil & geology and water during the operational and decommissioning phases due to run-off, spillages, accidental discharges or sediment release. Mitigation measures included in EIAR.
- Insignificant residual effects are assessed as short-term, imperceptible, negative in terms of air quality due to exhaust emissions and dust emissions during the decommissioning phase.

8.9 Material Assets, Cultural Heritage and the Landscape

Issues Raised

8.9.1 No issues have been raised in relation to material assets, cultural heritage or the landscape and visual impacts from the Planning Authority or prescribed bodies. I further note that the appellant has not raised issues in terms of material assets, cultural heritage or visual impacts. I note that the third-party appellant raises issue with the scale of the wider wind farm developments in the landscape and notes the current CDP identifies the area as no longer permissible for wind energy projects.

Examination, Analysis and Evaluation

8.9.2 Chapters of the EIAR which consider the project in terms of material assets, cultural heritage and the landscape include Chapter 12 – Archaeology & Cultural Heritage, Chapter 13 – Landscape & Visual and Chapter 14 – Material Assets. Associated appendices include:

- EIAR Vol. 2: Photographic Visualisation Booklet
- Appendix 4-3: Operation and Environmental Management Plan
- Appendix 4-4: Decommissioning Plan
- Appendix 12-1: Photographic Record (Archaeology & Cultural Heritage)
- Appendix 14-1: 2m Signed Protocol Agreement

Examination, Analysis and Evaluation - Material Assets

8.9.3 Material assets are defined as “resources that are valued and that are intrinsic to specific places” which can be of human or natural origin³, and are generally taken to include built services and infrastructure⁴. For the purposes of this EIA, the following resources are considered in this section:

- Traffic & Transport

³ Draft Advice Notes for preparing Environmental Impact Statements (EPA, 2015)

⁴ Guidelines on the Information to be contained in Environmental Impact Assessment Reports (EPA, 2022)

- Aviation
- Telecommunications

8.9.4 In terms of **Traffic & Transport**, the receiving environment is assessed with the existing wind farm in place. Access to the site for maintenance vehicles is via the existing entrance on the L2012 Local Road to the west-southwestern boundary for the project site. The windfarm is remotely monitored and generates monthly maintenance trips comprising two maintenance staff at any one time. There will be no new construction traffic associated with the proposed development. The Commission will note that the Roads section of Wexford County Council raises no objections to the proposed development.

8.9.5 In terms of **Telecommunications**, the EIAR considers the likely effects of the project on a range of communications infrastructure including telecommunication networks, broadcast communications, domestic receivers and other signal types. Since the existing wind turbines have been operational, there have been no complaints regarding interference with telecommunications or communications.

8.9.6 In terms of **Aviation**, a scoping response from the Irish Aviation Authority stated that they had no requirements for incorporation into the EIA Scoping Request. Since the existing wind turbines have been operational, there have been no aviation issues arising. The IAA, in its submission to Wexford County Council on the proposed development, has sought that a condition be included in any grant of permission that the requirements for the existing obstacle lighting scheme be reconfirmed.

Examination, Analysis and Evaluation – Archaeology & Cultural Heritage

8.9.7 Chapter 12 of the EIAR applies the site area as the primary study area for the consideration of archaeology and cultural heritage matters. The study area under consideration is the site boundary area in the assessment of archaeological, architectural and cultural heritage features. The assessment included a desk review and field inspection in December 2023. No limitations to field work were encountered and a standardised approach was used for the assessment of visual effects on the setting of the relevant monuments and cultural heritage assets identified.

8.9.8 No National Monuments were recorded within, or within close proximity to the project site, the closest comprising a ringfort in Carranroe townland, approximately 354m to the south-east of T12. There are 4 NMs within 10km of the site, 3 of which are located at Ferns, over 8km to the east, and which comprise a castle, two churches and a religious house (Ferns Abbey). There are no World Heritage Sites within 20km of the site. There are no Recorded Monuments within the site and there were 13 RMs identified within 2km of the nearest substation. Archaeological monitoring of topsoil removal associated with the construction phase of the existing Castledockrell Wind Farm in 2010 and 2011 resulted in no archaeological finds or features being uncovered.

8.9.9 There are no Protected Structures, NIAH structures or historical gardens located within the same study area. There are 3 Protected Structures within 2km of a turbine, comprising 2 churches and a school, and all of which are included in the NIAH. There are a further 8 NIAH structures located within 2km of existing turbines and one historic garden.

Examination, Analysis and Evaluation - Landscape

8.9.10 Chapter 13 of the EIAR assesses the likely landscape and visual effects of the proposed development on the receiving environment, noting that the baseline environment includes the turbines in this context. In terms of the proposed development, if permitted, there will be no change to the existing landscape, and no modelling is required. The LVIA Study Area presented chose 15km as no significant effects on landscape character are likely to arise beyond these distances from the existing turbines. The Study Area includes areas of Counties Wexford, Carlow and Wicklow and the EIAR considers the policies and objectives of various planning policy documents relating to landscape, planning and the locational siting of wind farms, as they relate to the site of the proposed development.

8.9.11 In terms of the landscape character assessment for Wexford (Volume 7 of the CDP) identifies 5 Landscape Character Units, of which 3 are located within the LVIA Study Area for assessment of landscape character including:

- **Uplands** – fields that are larger with low hedges and scattered smaller trees. The land is mostly used for stock rearing or mixed agricultural use.

Some coniferous forestry, deciduous forestry and transitional woodland on steep slopes can be found within these areas. Recently constructed windfarms have become a feature in this landscape.

- **Lowlands** - “Undulating lands”, where “lands tend to be characterised by views across larger fields as a result of the generally low well-trimmed hedges.” Furthermore, the WCDP states that this LCU “generally has characteristics which have a higher capacity to absorb development without it causing significant visual intrusion although, care still needs to be taken on a site-by-site basis, particularly to minimise the risks of developments being visually intrusive.
- **River Valleys** – The Slaney and Barrow River Valleys have similar characteristics to that of the Lowlands but have a more scenic appearance due to the presence of the rivers and their associated topography and riparian and woodland habitats. This unit is sensitive to development.

8.9.12 Five representative viewpoints were identified as a basis for assessment within the LVIA Study Area, including in Volume 2 Visualisation Booklet of the EIAR. There are limited views towards the proposed development site beyond 5km of the existing turbines due to topographical and vegetation screening. There are 74 residential dwellings within 1km of the turbines, and 26 within the now required 500m setback, and 22 of which are within 4x tip height from existing turbines, where the highest effect on residential amenity occurs. The original windfarm adopted a 275m setback in the absence of government guidance and this was accepted by the deciding authorities at the time of decision. The EIAR further notes that a number of these houses were built since the original wind farm received planning permission in 2005.

8.9.13 Table 10.9 below presents a summary of the likely effects of the proposed development on material assets, cultural heritage and landscape as identified in the EIAR.

Potential Material Assets, Cultural Heritage and Landscape Impacts	Potential Effects in the absence of Mitigation	Mitigation & Monitoring Measures	Residual Impacts
Construction Phase			
	- No direct effects assessed as likely as there is no construction activity proposed. - Indirect effects include effects on visual setting of any cultural heritage asset in the landscape, away from the site.		As the windfarm exists, indirect effects on archaeology & cultural heritage are considered operational effects.
Operational Phase			
Material Assets – Traffic & Transport Telecommunications & Aviation	- The project will generally be unmanned save for routine inspections and maintenance trips with direct effects being imperceptible, neutral and long-term in terms of Traffic & Transport. - To date, there have been no complaints from telecommunications service providers regarding interference to service associated with the existing wind farm. - Since the existing wind turbines have been operational, there have been no aviation issues arising.	The developer will coordinate with the IAA directly to ensure that the development remains in compliance with all IAA requirements.	No likely significant direct or indirect residual effects during the operation phase in terms of traffic and transport, telecommunications or aviation.

Archaeology & Cultural Heritage	- As the wind farm is existing, there are no direct effects assessed as occurring. - No significant operational effects arise.	No mitigation required	No residual effects arise.
Landscape	- No direct landscape effects will occur as a result of the proposed development, and the site will continue to be used for renewable energy generation and agricultural purposes. - No significant landscape effects are likely to occur in any of the LCUs within the LVIA Study Area, with a localised moderate magnitude of change on landscape character.	- The area, when permitted was designated as a 'Strategic Area' for wind energy developments. - Layout of turbines is strategic within the landscape and evenly spaced responding to field pattern.	A residual visual effect of 'Significant' was deemed to arise at VP4 (Tomatee) due to the proximity to turbine T10. A residual effect of 'Moderate' was deemed to arise at VP3 (Ballindaggan).
Decommissioning Phase			
Material Assets – Traffic & Transport Telecommunications & Aviation Utilities & Resources	- The volume of traffic movements during decommissioning is assessed to be significantly reduced compared to the construction phase operations. - It is proposed that the overground structures will be removed off site for recycling. - Underground elements and roads will be left <i>in situ</i>.	Decommissioning Plan included in Appendix 4-4 of the EIAR. This will be updated at the time of decommissioning and will include a Traffic Management Plan.	Residual effect in terms of traffic and transportation is assessed as temporary, slight, negative effect.

	As the turbines are currently operational, there will be no effects in terms of resources or utilities beyond those already permitted.		
Archaeology & Cultural Heritage	- No decommissioning is proposed for the electricity substation. - All above ground components of the turbines will be removed, with no potential direct effects to archaeology arising.	All roads and foundations will be left <i>in situ</i> to minimise ground disturbance.	No effects on archaeological, architectural or cultural heritage resource.
Landscape	The final Decommissioning Plan will be agreed with the Local Authority at least three months prior to decommissioning of the windfarm.		No residual effect identified.
Cumulative Effects - Summary			
Material Assets - No significant cumulative effects in relation to traffic and transportation, telecommunications or aviation assessed as likely. Cultural Heritage - No direct effects on archaeological, architectural and cultural heritage resources were identified, and cumulative direct and indirect effects are not assessed as likely to occur. Landscape - Cumulative effects associated with other windfarm sites in the landscape occur, with contribution from the subject site. However, the continued presence of the existing turbines will not change the baseline upland landscape.			

Monitoring	
•	None
Do Nothing	
•	The level of traffic in the area would temporarily increase beyond the current levels during the decommissioning of the existing wind farm, with a temporary negative effect.
•	No additional demand on natural resources and materials to support the development.
•	No effects on utilities (gas and/or water) infrastructure.
•	No impacts on archaeology or cultural heritage assets.
•	The turbines will be removed from the landscape.

Table 10.9 - Consideration of Impacts, Significance and Mitigation Measures for Material Assets, Cultural Heritage and the Landscape

Assessment of Direct and Indirect Effects

- 8.9.14 I have examined, analysed, and evaluated Chapters 12, 13 and 14 of the EIAR, and all of the associated appendices, documentation and submissions on file in respect of effects on material assets, cultural heritage and landscape. I am satisfied that the applicant has presented a good understanding of the baseline environment which includes the existing turbines and substation the subject of this appeal. In addition, I am satisfied that adequate data has been presented pertaining to each topic to enable an assessment of the likely effects of the proposed development on traffic and transport, material assets and cultural heritage and landscape. Mitigation measures proposed comprise standard good practice measures which are noted to be effective in the current operation of the project. As such, I am satisfied that no significant, adverse direct, indirect, or cumulative effects on the environmental factors will occur in the long term.
- 8.9.15 On the basis that the turbines are currently operational, that no construction phase is proposed, and that there is no evidence of any issues arising in the operation of the existing wind farm since its construction, I am satisfied that no significant direct or indirect effects arise in terms of traffic and transport or telecommunications and aviation. No significant negative residual impacts on major infrastructure or utilities are predicted either during the continued operation of the turbines.
- 8.9.16 As there is no construction phase, the potential for significant effects on cultural heritage during the construction phase can be eliminated. No significant impacts have been recorded for archaeology, architectural heritage and cultural heritage during the operational phase of the existing wind farm.
- 8.9.17 The EIAR considers the visual impacts associated with the existing permitted development, and the likely significant landscape and visual impacts arising as a result of extending the operational lifespan of the existing turbines. The continued operation and presence of the turbines will not alter the landscape the moderate magnitude of change results.

Conclusion

8.9.18 Having regard to the foregoing, it is considered that no likely significant direct or indirect residual effects arise in terms of traffic and transport, telecommunications or aviation. While adverse effects are assessed as arising in terms of landscape and visual amenity of the area, they are localised, and the continued presence of the turbines will not further materially alter the landscape receptors.

8.10 Risks associated with Major Accidents and/or Disasters.

8.10.1 No prescribed body or third party raised issues with regard to major accidents and/or disasters.

8.10.2 Major accidents or natural disasters is assessed in Chapter 15 of the EIAR, which sets out the methodology employed in the preparation of the chapter and the legislative context within which the assessment is prepared, and the baseline is categorised. There are no likely ground instability concerns as the site is not underlain by peat soils with potential for landslides, and there is limited likelihood for significant natural disasters to occur at the project site other than flood and fire. The existing Castledockrell Wind Farm is not regulated by or connected/proximate to any site regulated under the Control of Major Accident Hazards Involving Dangerous Substances Regulations (COMAH/SEVESO Directive) and there is no likelihood of effects on, or interactions with, any such site. Overall, the vulnerability of the proposed development to risks of major accidents and natural disasters is considered low.

8.10.3 There are six risks specific to the operation of the project identified in the EIAR as follows:

- Contamination - discharge of hydrocarbons and potential pollution of watercourses or groundwater, for example in terms of a vehicular incident on the public road.
- Severe Weather – risks to operational activity including blade or turbine damage.
- Industrial Accident – in terms of equipment or infrastructure failure, electrical problems or employee negligence.

- Collapse/damage to Structures – earthquakes, vehicular collisions
- Traffic Incident – collisions on or off site due to driver negligence, failure of vehicle or traffic management not implemented.
- Loss of Critical Infrastructure – electrical fault.

Similar risks are identified in terms of the decommissioning phase.

8.10.4 Table 15-6 of the EIAR presents the Risk Assessment which applies a Risk Score to each potential risk identified based on the environmental effect, likelihood and consequence of the risk. The assessment includes both the operational and decommissioning phases of the proposed development. The scenarios presenting the highest risk score are identified as follows:

- **Contamination during Operation and Decommissioning -**
This risk was given a score of 4 on a very precautionary basis. The scenario of contamination is assessed as very unlikely to occur, with limited consequences. As such, the risk is low, with no significant residual effects arising.
- **Industrial Accident – Fires and/or Gas Explosions during Operation and Decommissioning –**
This risk was also given a score of 4. The proposed development will operate in line with current best practice and the risk of fires/explosions occurring is unlikely to occur, with limited consequences.

The existing wind farm was designed and built in line with best practice measures and as such, mitigation against the risk of major accidents and/or disasters was embedded through the design. The EIAR, in Chapter 9: Hydrology and Hydrogeology, includes mitigation measures to reduce the risk of accidental spillages of contaminants. No significant residual effects associated with the operational and decommissioning phases of the project are considered to arise.

8.10.5 I am satisfied that given the nature of the proposed development, and the mitigation measures proposed, together with the low-medium probability of a major accident/ natural disaster, it is not likely that significant effects on the environment

would arise in this regard. There are no cumulative impacts that would combine to result in significant residual environmental impacts.

8.11 Interactions between Factors

8.11.1 Interactions between the environmental factors described are assessed in Chapter 16 of the EIAR. Table 16.1 provides an Interactions Matrix, and the key interactive impacts are summarised as follows:

- Population & Human Health and Land, Soils and Geology, Air and Climate – potential impacts during the decommissioning phase with short term, imperceptible negative effect on local air quality and human health. Mitigation measures are included in Chapter 10 and Appendix 4-4 of the EIAR.
- Population & Human Health and Water – as no construction works are proposed, there will be no alterations to site drainage and no significant impacts to the water environment. There are potential impacts arising in terms of limited water pollution during the decommissioning phase. Mitigation measures included in Chapter 9 of the EIAR.
- Population & Human Health and Air & Climate and Noise & Vibration – potential for long-term, imperceptible residual effects during operational life and short-term impacts to arise in terms of noise during decommissioning. Mitigation measures are included in Chapters 5 and 11 of the EIAR.
- Population & Human Health and Landscape & Visual – potential impacts arise in terms of the degree of intrusion or dominance created by the development and the sensitivity of the receptors. No changes to the existing turbines are proposed. A residual visual effect of significant and moderate at two VP locations arise.
- Population & Human Health and Material Assets – potential long-term, imperceptible, neutral effects arise in terms of traffic during the operational phase. The decommissioning phase results in a slight, temporary and negative residual effect to other road users.

- Biodiversity and Land, Soils and Geology – limited excavations during the decommissioning phase are unlikely to give rise to any impacts to habitats, including designated sites, or fauna or ecological receptors.
- Biodiversity and Water – potential impacts are assessed not significant and at worst, localised, temporary, slight negative indirect effects. Mitigation measures are included in Chapters 4, 6, 8 and 9 of the EIAR.
- Biodiversity and Air and Climate – potential long-term, slight, positive effect due to the offsetting of carbon emissions from fossil fuels. No significant effects are envisaged.
- Biodiversity and Noise & Vibration – potential temporary, slight negative effect during the decommissioning phase.
- Biodiversity and Landscape & Visual – no significant visual effects on biodiversity.
- Ornithology and Water – No impacts during operational phase. Potential for water pollution and indirect effects on birds during the decommissioning phase. Mitigation measures are included in Chapter 7 of the EIAR.
- Ornithology and Air and Climate – potential temporary, slight negative effect during the decommissioning phase. Mitigation measures are included in Chapter 7 of the EIAR.
- Ornithology and Noise & Vibration – no changes from existing operational parameters. Decommissioning phase has potential to give rise to noise causing temporary, slight, negative effects for birds. Mitigation measures proposed.
- Land, Soils and Geology and Water – potential impacts during the decommissioning phase arise due to excavation works and movement of soil. Mitigation measures included in Chapter 9.
- Land, Soils and Geology and Cultural Heritage – no potential disturbance on unrecorded sub-surface cultural heritage features as no construction works proposed. Mitigation measures for decommissioning phase outlined in Chapter 12 of the EIAR.

- Land, Soils and Geology and Landscape & Visual – no potential impacts assessed as arising with positive, long-term, localised effects following restoration of the site.
- Air & Climate and Materials Assets – short term temporary effects on local air quality will arise from exhaust emissions during decommissioning. Mitigation measures included.
- Landscape & Visual and Cultural Heritage – no changes to existing baseline environment which includes the existing turbines.

10.11.2 It is considered that effects as a result of interactions, indirect and cumulative effects can be avoided, managed or mitigated by the measures which form part of the proposed development, the proposed mitigations measures detailed in the Environmental Impact Assessment Report, and with suitable conditions. The subject development is assessed with all the other relevant plans and projects in the wider area. I am satisfied, therefore, that significant environmental effects arising due to the project, as a result of cumulative impacts or impacts arising from interactions between environmental factors, are fully considered and addressed.

10.12 Reasoned Conclusion

10.12.1 In carrying out this EIA, I have examined the information presented by the applicant, including the EIAR and associated annexes, and the submissions made by the planning authority, prescribed bodies and third-party appellant. I have also had regard to relevant legislation and guidance including, Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA 2022).

10.12.2 Having regard to the nature of the proposed development, comprising the extension of the operational life of existing turbines in the Castledockrell Wind Farm, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

- Potential for indirect impacts on **land, soil & geology and water** during the operational and decommissioning phases due to run-off, spillages, accidental discharges or sediment release. Mitigation measures included in EIAR.

- In terms of **landscape and visual**, a significant residual visual effect was deemed to arise at VP4 (Tomatee) due to the proximity to turbine T10 and a residual effect of 'Moderate' was deemed to arise at VP3 (Ballindaggan). While adverse effects are assessed as arising in terms of landscape and visual amenity of the area, they are localised, and the continued presence of the turbines will not further materially alter the landscape receptors.

9. Appropriate Assessment

9.1 Screening Determination

9.1.1. The Commission is referred to Appendix 3 of this report.

9.1.2. Based on the information provided in the screening report, site visit and review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result in significant effects on the Slaney River Valley SAC (Site Code: 000781) and Wexford Harbour and Slobs SPA (Site Code: 004076). I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SAC and SPA when considered on their own and in combination with other projects and plans in relation to pollution related pressures and disturbance on qualifying interest habitats and species.

9.1.3. The potential for significant effects on the conservation objectives of the Blackstairs Mountains SAC (Site Code: 000770), the River Barrow and River Nore SAC (Site Code: 002162) and the Seas off Wexford SPA (Site Code: 004237) as well as all other European Sites outside of the zone of influence can be screened out with confidence because of the separation distances and the lack of substantive ecological linkages or pathways between the proposed works and these European sites.

9.1.5. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information provided by the applicant and considered in this AA screening, I conclude that it is not possible to exclude that the

proposed development alone or in combination with other plans and projects will give rise to significant effects on Slaney River Valley SAC (Site Code: 000781) and Wexford Harbour and Slobbs SPA (Site Code: 004076) European Sites in view of the sites conservation objectives.

9.1.6 It is therefore determined that Appropriate Assessment (stage 2) of the proposed development is required.

9.1.7 In reaching the conclusion of the screening assessment, no account was taken of measures intended to avoid or reduce the potentially harmful effects of the project on any European Site.

9.2 Appropriate Assessment

9.2.1. The Commission is referred to Appendix 4 of this report.

9.2.2 In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Slaney River Valley SAC (Site Code: 000781) and Wexford Harbour and Slobbs SPA (Site Code: 004076) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

9.2.3 Following an examination, analysis and evaluation of the NIS all associated material submitted, I consider that adverse effects on site integrity of the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076) can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

9.2.4 My conclusion is based on the following:

- The nature of the proposed development which excludes any construction phase. There are, therefore, no direct effects arising on any Natura 2000 site.
- A detailed assessment of operational and decommissioning impacts associated with the project.
- An assessment of in-combination effects with other plans and projects.
- Effectiveness of mitigation measures proposed.

- Application of planning conditions to ensure application of these measures.
- No significant effects on the qualifying interests of European sites or supporting habitats, arising from the project.
- The proposed development will not affect the attainment of conservation objectives for the Slaney River Valley SAC (Site Code: 000781) or the Wexford Harbour and Slobbs SPA (Site Code: 004076) or prevent or delay the restoration of favourable conservation condition for identified Qualifying Interests.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076).

10. Recommendation

It is recommended that the Commission grant planning permission for the proposed development for the following reasons and considerations and subject to the conditions set out below.

Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with the relevant provisions of the Climate Action Plan 2024 and Climate Action Plan 2025 and the Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 and the relevant sectoral adaptation plans in particular the Electricity and Gas Sectoral Plan 2019 and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State), and otherwise had regard to:

And in coming to its decision, the Commission had regard to the following:

- (a) European, national, regional and local planning, energy, climate and other policy of relevance, including in particular the following:
 - **European Policy/Legislation** including:
 - i. Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive);
 - ii. Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive);
 - iii. Directive 2000/60/EC (Water Framework Directive)
 - **National Policy and Guidance** including:
 - i. Project Ireland 2040 - National Planning Framework (2018);
 - ii. National Development Plan (2021-2030);
 - iii. The objectives and targets of the National Biodiversity Action Plan 2023-2030;

- iv. Long-term Strategy on Greenhouse Gas Emissions Reduction (2024);
- v. Policy Statement on Security of Electricity Supply (November 2021);
- vi. National Energy Security Framework (April 2022);
- vii. National Energy and Climate Action Plan (2021-2030);
- **Regional and Local Planning Policy**, including in particular:
 - i. Regional Spatial and Economic Strategy for the Southern Region,
 - ii. Wexford County Development Plan, 2022-2028
- (b) the location, nature, scale and extent of the proposed development,
- (c) the documentation submitted with the application, including:
 - the Environmental Impact Assessment Report,
 - Natura Impact Statement, and
 - accompanying reports and appendices,
- (d) mitigation measures implemented at the existing wind farm, and those proposed for the extension of the operational phase,
- (e) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development, and the absence of likely significant effects of the proposed development on European sites,
- (f) the submissions on file including those from third parties, prescribed bodies and the Planning Authority, and
- (g) the Inspectors report and recommendation.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, national, and regional renewable energy policies and with the provisions of the Wexford County Development Plan 2022-2028, would not seriously injure the visual or residential amenities of the area or otherwise of property in the vicinity or have an of

unacceptable impact on the character of the landscape or on cultural or archaeological heritage, would not have a significant adverse impact on ecology, would be acceptable in terms of traffic impacts and safety and would make a positive contribution to Ireland's renewable energy and security of energy supply requirements. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Environmental Impact Assessment

The Board completed an Environmental Impact Assessment of the proposed development taking account of:

- a) The nature, scale and location of the proposed development.
- b) The Environmental Impact Assessment Report and associated documentation in support of the application for which approval is sought.
- c) The submissions received during the course of the application and appeal.
- d) The Inspector's report and recommendation.

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

Having regard to the examination of environmental information contained above, and in particular to the EIAR and other information provided by the developer, and the submissions from the planning authority, prescribed bodies and observers during the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

- Potential for indirect impacts on **land, soil & geology and water** during the operational and decommissioning phases due to run-off, spillages, accidental discharges or sediment release. Mitigation measures included in EIAR.
- In terms of **landscape and visual**, a significant residual visual effect was deemed to arise at VP4 (Tomatee) due to the proximity to turbine T10 and a residual effect of 'Moderate' was deemed to arise at VP3 (Ballindaggan). While adverse effects are assessed as arising in terms of landscape and visual amenity of the area, they are localised, and the continued presence of the turbines will not further materially alter the landscape receptors.

It is considered that effects as a result of interactions, indirect and cumulative effects can be avoided, managed or mitigated by the measures which form part of the proposed development, the proposed mitigations measures detailed in the Environmental Impact Assessment Report and with suitable conditions. There is, therefore, nothing to prevent the approval of the development on the grounds of significant environmental effects, or as a result of cumulative effects or effects arising from interactions between environmental factors.

Reasoned Conclusion on Significant Effects:

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Appropriate Assessment – Stage 1

The Board considered the Natura Impact Statement and all the other relevant submissions and carried out both an appropriate assessment screening exercise and an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Board agreed with and adopted the

screening assessment and conclusion carried out in the Inspector's report that the only European site in respect of which the proposed development has the potential to have a significant effect is the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076).

Appropriate Assessment – Stage 2

The Board considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the European Sites, namely, the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076), in view of the sites conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

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

- i. the likely direct and indirect impacts arising from the proposed development both individually and in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Site.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the sites Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites Conservation Objectives.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars, lodged with the application to Wexford County Council on the 19th day of March 2025, and in accordance with the conditions of permission associated with An Bord Pleanála decision PL26.211725, 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 proposed development shall be carried out in accordance with the agreed particulars.

Reason: In the interest of clarity and to protect the amenities of properties and sensitive receptors in the vicinity.

2.
 - (a) Permission is granted for the permanent continued operation of the substation. Permission for the continued operation of 11 of the existing Castledockrell wind turbines shall be for a period of 20 years from the date of the decision. All structures shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.
 - (b) Prior to the commencement of development, a detailed Decommissioning Plan and Site Restoration Plan providing for the removal of the turbines and all ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.
 - (c) On full or partial decommissioning or if the wind farm ceases operation for a period of more than one year, the windfarm, the turbines and all ancillary structures, shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within three months of decommissioning.

Reason: To enable the planning authority to review the operation of the wind turbines over the stated time period, having regard to the circumstances

then prevailing, and in the interest of landscape restoration upon cessation of the project.

3. All of the mitigation measures set out in the Environmental Impact Statement and Natura Impact Statement accompanying the application to the Planning Authority and other particulars submitted with the application, shall be implemented by the developer in full and in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

4. Noise levels generated by the windfarm, by itself or in combination with other existing or permitted wind energy development in the vicinity, when measured externally at noise sensitive locations, shall not exceed:
 - For the daytime period 7am to 11pm, in quiet environments, where background noise is less than 30dB(A)L90 T10, a maximum noise level of 40dB(A)L90 T10,
 - For daytime periods, 7am to 11pm, where the background noise level exceeds 30dB(A)L90 T10, the greater of 45dB(A)L90 T10, or 5dB(A) above background levels,
 - For the nighttime period 11pm to 7am, for all noise environments, 43dB(A)L90 T10.

The developer shall implement the Noise Management Plan (Appendix 11-11 of the EIAR) as relevant.

Reason: In order to protect the amenities of noise sensitive properties in the vicinity of the development.

5. A monitoring programme for bats shall be continued for a period of five years, with no reduction in the proposed feathering and curtailment regime occurring until after three years, and subject to modification depending on the collision monitoring results by agreement with Wexford County Council. Carcass searches shall be increased to twice monthly during Year One.

As part of the first year of post-consent monitoring, the developer, in consultation with Wexford County Council, shall consider the feasibility of local landscaping planting to encourage bats to use flight lines away from the direction of the turbine 11 (due to the proximity of the Common Pipistrelle roost building).

Reason: To allow full monitoring of the ecological impact of the proposed development, with particular reference to bats.

6. In the event of complaint from a dwelling within 500m of the nearest turbine, the applicant shall carry out remedial measures to ensure that shadow flicker levels do not exceed the recommended shadow flicker levels as set out in the Wind Energy Development Guidelines of 2006.

Reason: In the interest of residential amenity, pollution control and the proper planning and sustainable development of the area.

7. 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 within one month of this decision 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

Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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

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

Senior Planning Inspector

02 October 2025

Appendices

Appendix 1: WFD Status Impact Assessment

Appendix 2: Environmental Impact Assessment - Pre-Screening

Appendix 3: Screening for Appropriate Assessment

Appendix 4: Appropriate Assessment

Appendix 1: WFD Status Impact Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-322562-25	Townland, address	Kilcullen, Tomatee, Sroughmore, Knockduff, Ballynelahillan, Carranroe, Enniscorthy, Co. Wexford.
Description of project		Castledockrell Wind Farm Extension of Operational life	
Brief site description, relevant to WFD Screening		The subject site lies approximately 6.5km to the south of Bunclody, 8.1km west of Ferns, in western Co. Wexford and is currently occupied by the existing turbines and substation associated with the Castledockrell Wind Farm. The lands around the turbines and access tracks are used for agricultural purposes and the site is accessed via the local road network. While at an elevated position, there are no watercourses or drainage ditches, with the closest watercourse approximately 400m north of T09 and 600m northwest of T01, both of which flow north towards the River Glasha.	
Proposed surface water details		Surface water run-off from the existing hardstand areas and access roads disperses locally over ground onto adjacent vegetated surfaces (natural vegetation filters) and eventually drains in all directions due to the sloping topography surrounding the site. There are no issues in terms of flooding noted within the project site.	
Proposed water supply source & available capacity		There are three wells mapped in the vicinity of the project site, which were drilled for agricultural and domestic supply, public supply and agricultural purposes only. These boreholes are located approximately 4.3km east, 4.7km north and 5.5km east respectively. While the dataset is not exhaustive, due to the local aquifer characteristics and topography, it is not anticipated that groundwater flows towards these wells occur.	

Proposed wastewater treatment system & available capacity, other issues			NA				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	
River Waterbody	1km	Glasha (Slaney)_010	Moderate	At Risk	Agriculture, in particular due to excess sedimentation	Not hydrologically connected to surface watercourse.	
River Waterbody	3.3km	Slaney_150	Good	Not at risk	No pressures	Not hydrologically connected to surface watercourse.	
Groundwater Body	0	Ballyglass GWB (IE_SE_G_011)	Good	At Risk	Anthropogenic pressures		
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
OPERATIONAL PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no)	Determination** to proceed to Stage 2. Is there a risk to the water environment?
1.	Surface	Glasha (Slaney)_010	None	None	None	No	Screened out
2.	Surface	Slaney_150	None	None	None	No	Screened out
3.	Ground	011	Drainage	Hydrocarbon Spillages	Standard Mitigation	No	Screened out

Appendix 2: Environmental Impact Assessment - Pre-Screening

Case Reference	ABP-322562-25
Proposed Development Summary	Castledockrell Wind Farm Extension of Operational life
Development Address	Kilcullen, Tomatee, Sroughmore, Knockduff, Ballynelahillan, Carranroe, Enniscorthy, Co. Wexford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☒ Yes, the proposed development is of a Class and meets/exceeds the threshold.	Schedule 5, Part 2, (3)(i) of the P&D Regs.

EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold.	State the Class and state the relevant threshold

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☐	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: A. Considine Date: 26/09/2025

Appendix 3: Screening for Appropriate Assessment

Introduction:

1. Under Article 6(3) of the Habitats Directive, an Appropriate Assessment must be undertaken for any plan or programme not directly connected with or necessary to the management of a European site but likely to have a significant effect on the site in view of its conservation objectives. The site is not located within any Natura 2000 site and the development the subject of this application and appeal is not directly connected with or necessary to the management of a European site.
2. The purpose of AA screening, is to determine whether appropriate assessment is necessary by examining:
 - a) whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of the site, and
 - b) the likely effects of a project or plan, either alone or in combination with other projects or plans, on a Natura 2000 site in view of its conservation objectives and considering whether these effects will be significant.
3. Guidance on Appropriate Assessment is provided by the EU and the NPWS in the following documents:
 - Assessment of plans and projects significantly affecting Natura 2000 sites – methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2001).
 - Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (DoEHLG), 2009.

Both documents provide guidance on Screening for Appropriate Assessment and the process of Appropriate Assessment itself.

4. The application included a Natura Impact Statement, where Section 4 of the document included a Stage 1 AA Screening Report. This report was prepared by MKO Planning and Environmental Consultants and is dated March 2025. The report has been prepared in accordance with the relevant guidelines and sets out the assessment protocol which includes a description of the project and the associated likely environmental impacts, the details of the European Sites which fall within the

ZoI of the project and a consideration of the likely significant effects, on its own and in combination with other plans and projects. It is further noted that ecological field surveys were undertaken in the preparation of the environmental documentation, including the NIS and AA Screening Report, between May 2023 and February 2025. In addition, a hydrological desk study was conducted.

5. The report concluded that it cannot be excluded based on objective evidence and in view of best scientific knowledge, that the proposed development is not likely to have significant effects to the Natura 2000 network, either alone or in-combination with other plans and projects on the Slaney River Valley SAC (Site Code: 000781) and Wexford Harbour and Slobbs SPA (Site Code: 004076). Having regard to the information presented, together with the full suite of documents submitted as part of this application, I am satisfied that adequate information is provided in order to screen for Appropriate Assessment.

Description of the Project

6. The project seeks permission for continued operation of the existing 11 no. turbine Castledockrell Wind Farm as permitted under Ref. 20044702. It is also proposed to permanently extend the existing onsite 110kV substation (permitted under WCC 04/4702, PL26.211725 and subsequently amended under 05/3945). The existing wind farm comprises:
 - 11 no. existing 2.3MW wind turbines with an overall height of 120m and associated hardstands;
 - 1 no. existing 110kV Substation including 1 no. single story control building, all associated electrical plant and equipment, security fencing and all ancillary infrastructure;
 - All existing underground electrical and communication cabling connecting the existing wind turbines to the onsite Castledockrell 110kV Substation;
 - Existing internal access tracks; and,
 - All existing ancillary infrastructure.
7. In terms of AA, the Board will note that the development is not directly connected or necessary to the management of a European Site. There are 5 Natura 2000 Sites

occurring within the identified Zone of Influence, which include where potential pathways for likely significant effects are identified. The proposed development is examined in terms of any potential for the proposed development to give rise to significant effects on European sites, i.e. designated Special Conservation Areas (SAC) and Special Protection Areas (SPA), within the likely Zone of Influence.

AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Continued operation of 11 no. turbines within the existing Castledockrell Wind Farm (which currently has 12 turbines) for a further period of 20 years and the permanent operation of the 110kv substation present on the site.
Brief description of development site characteristics and potential impact mechanisms	No construction works proposed as part of the proposed development, so there will be no loss of any additional land/habitats. The original application for the existing windfarm was subject to EIA An updated Decommissioning Plan is also proposed.
Screening report	Yes - prepared by MKO Planning and Environmental Consultants and is dated March 2025
Natura Impact Statement	Yes
Relevant submissions	Wexford Co. Co. considered that a full NIS was required.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

Five European sites were identified as being located within the potential zone of influence of project including the Slaney River Valley SAC (Site Code: 000781) and Wexford Harbour and Slobbs SPA (Site Code: 004076), as well as Blackstairs Mountains SAC (Site Code: 000770), River Barrow and River Nore SAC (Site Code: 002162) and the Seas off Wexford SPA (Site Code: 004237).

I note that the applicant followed the approach of the OPRs Practice Note PN01 (OPR, 2021) and considers the general ecological connectivity relating to movement patterns of mobile species, landscape biogeography, hydrological and hydrogeological connections.

The applicant included Blackstairs Mountains SAC (Site Code: 000770), River Barrow and River Nore SAC (Site Code: 002162) and the Seas off Wexford SPA (Site Code: 004237) in their initial screening consideration but identified no connectivity or pathway for effects and concluded no likely significant effects for these three sites, either alone or in-combination with other plans and projects. All other European sites were also excluded on the basis of no pathways for impacts arising.

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Slaney River Valley SAC (Site Code: 000781) Slaney River Valley SAC National Parks & Wildlife Service	Freshwater, estuarine and coastal habitats. Several species listed on Annex II of the E.U. Habitats Directive, and is of high ornithological importance. The site supports many Irish Red Data Book mammal species.	2.3km to the east. Approx. 5.1km in terms of hydrological distance	Not directly. Potential for indirect effects via surface water	Yes
Wexford Harbour and Slobbs SPA	Wintering water birds (22 x species)	11.2km to the south	Not directly.	Yes

(Site Code: 004076) Wexford Harbour and Slob SPA National Parks & Wildlife Service	Wetland and waterbirds		Potential for indirect effects via surface water	
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³ If no connections: N

Further Commentary / discussion

Due to the nature of the development which comprises solely the extension of the operational life of the existing turbines and substation, together with the and the presence of a significant buffer area (green) between the brownfield site and the River Lee, I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

Ecological surveys were undertaken by the applicant at appropriate season and frequency, using best practice survey methods were employed and have identified downstream hydrological connections between the project and the SAC and SPA.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening Matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Slaney River Valley SAC (Site Code: 000781) Estuaries, Mudflats and sandflats	No direct impacts.	
	No habitat loss, fragmentation or other direct impact.	No direct effects, and no QI habitat or suitable habitat for QI species recorded within the site.

Atlantic salt meadows, Mediterranean salt meadows, Water courses of plain to montane levels Old sessile oak woods, Alluvial forests, Freshwater Pearl Mussel, Sea Lamprey, Brook Lamprey, River Lamprey, Twaite Shad, Salmon, Otter, Harbour Seal.	Low risk of surface water runoff during operational and decommissioning phases reaching sensitive receptors.	No mapped watercourses within or adjacent to the site, but a number of tributaries of the River Slaney are within 200m downstream of the site. SAC located within the same surface water catchment, and partially within the same groundwater catchment as the site. A complete source pathway receptor chain identified and in the absence of mitigation, there is potential for significant effects.
	Likelihood of significant effects from proposed development (alone): Yes – in relation to 10 QIs – (i) <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029], (ii) <i>Petromyzon marinus</i> (Sea Lamprey) [1095], (iii) <i>Lampetra planeri</i> (Brook Lamprey) [1096], (iv) <i>Lampetra fluviatilis</i> (River Lamprey) [1099], (v) <i>Alosa fallax fallax</i> (Twaite Shad) [1103], (vi) <i>Salmo salar</i> (Salmon) [1106], (vii) Estuaries [1130], (viii) <i>Lutra lutra</i> (Otter) [1355], (ix) Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260], (x) Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0].	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.	

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Wexford Harbour and Slobs SPA (Site Code: 004076) Little Grebe, Great Crested Grebe, Cormorant, Grey Heron, Bewick's Swan, Whooper Swan, Light-bellied Brent Goose, Shelduck, Teal, Mallard, Pintail, Scaup, Goldeneye, Red-breasted Merganser, Hen Harrier, Coot, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Black-headed Gull, Lesser Black-backed Gull, Greenland White-fronted Goose, Wigeon, Little Tern, Wetland and Waterbirds.	No direct impacts.	The entire site lies outside of the SPA.
	No habitat loss, fragmentation or other direct impact.	No significant supporting habitat for any SCI of the SPA.
		No <i>ex-situ</i> effects on SPA as site is outside the maximum foraging range for all SCIs
	Low risk of surface water runoff during operational and decommissioning phases reaching sensitive receptors.	No mapped watercourses within or adjacent to the site, but a number of tributaries of the River Slaney are within 200m downstream of the site.
		SAC located within the same surface water catchment, and partially within the same groundwater catchment as the site.
		The Slaney drains into the SPA, 16.9km downstream.
		A complete source pathway receptor chain identified only in relation to Wetlands [A999] and in the absence of mitigation, there is potential for significant effects on this habitat only.
	Likelihood of significant effects from proposed development (alone): Yes - only in relation to Wetlands [A999]	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided in the screening report, site visit and review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076).

I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SAC and SPA when considered on their own and in combination with other projects and plans in relation to the potential of surface and ground waters.

Screening Determination**Finding of Likely Significant Effects**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information provided by the applicant and considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone or in combination with other plans and projects will give rise to significant effects on Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076) European Sites in view of the sites conservation objectives. Appropriate Assessment is required.

It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 of the proposed development is required.

Appendix 4: Appropriate Assessment

1. The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, and section 177V of the Planning and Development Act 2000, as amended, are considered fully in this section.
2. Taking account of the preceding screening determination (Appendix 3 of Inspectors Report), the following is an Appropriate Assessment of the implications of the proposed continued use of 11 of the existing wind turbines present in the Castledockrell Wind Farm in view of the relevant conservation objectives of the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076) based on scientific information provided by the applicant and considering expert opinion through observations on nature conservation.
3. The information relied upon includes the Natura Impact Statement prepared by MKO Planning and Environmental Consultants.
4. I am satisfied that the information provided is adequate to allow for Appropriate Assessment. All aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity of the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076) are included and assessed for effectiveness.
5. No observations in terms of AA were submitted.
6. The only source for impacts identified relate to potential water quality during the operational and decommissioning phases of the project in terms of the following 10 Qualifying Interests of the Slaney River Valley SAC (Site Code: 000781) and 1 QI of the Wexford Harbour and Slobbs SPA (Site Code: 004076).

European Sites

Slaney River Valley SAC (Site Code: 000781):

Summary of Key sources for impacts that could give rise to adverse effects (from screening stage):

- (i) Indirect effects due to deterioration of both surface and groundwater quality resulting from pollution associated with the operational and decommissioning phase of the development on the following 10 QIs.

See Table 5-1 of the NIS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary)	Potential adverse effects	Mitigation measures (summary) NIS SECTION 6
Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]	The status of the freshwater pearl mussel (<i>Margaritifera margaritifera</i>) as a qualifying Annex II species for the Slaney River Valley SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species. Suitable habitat potentially occurs downstream of the site.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases.	Best practice pollution control measures to mitigate the potential for accidental release of hydrocarbons into downgradient watercourses and European Sites.
Petromyzon marinus (Sea Lamprey) [1095]	Restore favourable conservation condition. Distribution: extent of anadromy - Greater than 75% of main stem length of rivers accessible from estuary Juvenile density in fine sediment – at least 1/m³ No decline in extent and distribution of spawning beds. Availability of juvenile habitat - More than 50% of sample sites positive.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases. No instream works proposed – no potential for barriers to juveniles accessing full extent of suitable habitat. Effects on water quality could impact juvenile density in fine sediment.	Application of industry standard controls including: • Servicing of plant and machinery • No plant maintenance on site.

Lampetra planeri (Brook Lamprey) [1096]	Restore favourable conservation condition. Distribution – access to all watercourses down to first order streams. Juvenile density in fine sediment - Mean catchment juvenile density of brook/river lamprey at least 2/m². No decline in extent and distribution of spawning beds. Availability of juvenile habitat - More than 50% of sample sites positive.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases. No instream works proposed – no potential for barriers to juveniles accessing full extent of suitable habitat. Effects on water quality could impact juvenile density in fine sediment.	• Refuelling to be undertaken by dedicated trained and competent personnel, on impermeable surfaces with drip trays. • Bunded storage areas a minimum of 50m from open water.
Lampetra fluviatilis (River Lamprey) [1099]	Restore favourable conservation condition. Distribution: extent of anadromy - Greater than 75% of main stem and major tributaries down to second order accessible from estuary. Juvenile density in fine sediment – Mean catchment juvenile density of brook/river lamprey at least 2/m². No decline in extent and distribution of spawning beds. Availability of juvenile habitat - More than 50% of sample sites positive.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases. No instream works proposed – no potential for barriers to juveniles accessing full extent of suitable habitat. Effects on water quality could impact juvenile density in fine sediment.	• Procedures and contingency plans to deal with emergency accidents or spills in place. • Spill kits provided.
Alosa fallax fallax (Twaite Shad) [1103]	Restore favourable conservation condition.	Changes to water quality due to suspended solids,	

	Distribution: extent of anadromy - Greater than 75% of main stem length of rivers accessible from estuary No decline in extent and distribution of spawning habitats. Spawning habitat quality - Maintain stable gravel substrate with very little fine material, free of filamentous algal (macroalgae) growth and macrophyte (rooted higher plants) growth	nutrients or other pollutants during operational and decommissioning phases. No instream works proposed – no potential for barriers to juveniles accessing full extent of suitable habitat. Effects on water quality could include increased suspended solids could impact spawning habitat quality.
<i>Salmo salar</i> (Salmon) [1106]	Restore favourable conservation condition. Distribution: extent of anadromy - 100% of river channels down to second order accessible from estuary. Salmon fry abundance - Maintain or exceed 0+ fry mean catchment-wide abundance threshold value. Currently set at 17 salmon fry/5 min sampling Out-migrating smolt abundance - No significant decline. No decline in number and distribution of spawning reeds due to anthropogenic causes. Water quality – at least Q4 at all sites.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases. No instream works proposed – no potential for barriers to juveniles accessing full extent of suitable habitat. Effects on water quality could reduce prey species, and in turn, prevent QI species foraging, leading to a loss of condition.

Lutra lutra (Otter) [1355]	Restore favourable conservation condition. No significant decline in terms of distribution, extent of terrestrial habitat, freshwater (river or lake) habitat. No significant decline in couching sites or holts. No significant decline in availability of fish biomass. No significant increase of barriers to connectivity.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases. Impacts on fish spawning gravels, vegetation or invertebrates that fish forage on and in turn, availability of fish biomass.
Estuaries [1130]	Maintain favourable conservation condition. The permanent habitat area is stable or increasing, subject to natural processes. The following community types should be maintained in, or restored to, a natural condition: Mixed sediment community complex; Estuarine muds dominated by polychaetes and crustaceans community complex; and Sand dominated by polychaetes community complex.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases.
Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche</i> -	Maintain favourable conservation condition. No decline in distribution - The full distribution of this habitat and its sub-types in this site is currently	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and

<i>Batrachion</i> vegetation [3260]	unknown. Likely to occur downstream of site. Hydrological regime to be maintained. Substratum composition: particle size range - Target applies to tidal sub-type only. Water quality – The concentration of nutrients in the water column must be sufficiently low to prevent changes in species composition or habitat condition. Vegetation composition - Typical species of the relevant habitat sub-type reach favourable status - The sub-types of this habitat are poorly understood, and their typical species have not yet been defined. Additional typical species and appropriate targets may emerge. Floodplain connectivity - The area of active floodplain at and upstream of the habitat must be maintained	decommissioning phases.
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)* [91E0]	Restore favourable conservation condition No decline in distribution and maintenance of appropriate hydrological regime. No decline in woodland structure.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases.

	Water quality- water chemistry currently unknown. Maintain oligotrophic and calcareous conditions. Vegetation composition: negative indicator species.	
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Other QIs

N/A	Not at risk	Rationale for exclusion: Outside the zone of influence / no pathway.
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The above table is based on the documentation and information provided on the file and the consideration of the conservation objective relating to the SAC. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests identified.

Assessment of issues that could give rise to adverse effects in view of conservation objectives

Having considered the key sources for impacts that could give rise to adverse effects as established at the screening stage, it is considered that the issues that could give rise to adverse effects in view of the conservation objectives for the Slaney River Valley SAC (Site Code: 000781) are as follows:

Water quality degradation

The proposed development has the potential to impact habitats and species associated with the SAC in terms of changes to water quality due to runoff or percolation of pollutants into surface and ground water bodies as a result of activities within the site. Good water quality is necessary to ensure the maintenance of both habitats and the Annex II species they support. Effects of the project on water quality arise in terms of unmitigated pollutants spillages during maintenance activities discharging to watercourses connected to the SAC. The closest watercourse to the site is 200m downgradient of the subject site.

A decrease in water quality could compromise the conservation objectives for Annex II species listed and could impact spawning habitat quality for a number of species, impact on

fish spawning gravels, vegetation or invertebrates that fish forage on and in turn, availability of fish biomass for otter and reduce prey species, and in turn, prevent QI species foraging, leading to a loss of condition for salmon. Impacts to water quality could also give rise to potential effects on vegetation composition and habitat distribution. Ecological surveys undertaken indicate that there are no Annex 1 habitats or species of birds recorded or identified within the site and no significant supporting habitat for any Annex II species were recorded. Further, no invasive species were recorded during the site surveys. The Slaney River Valley SAC lies 2.3km to the east/southeast of the project site with an approximate hydrological distance of 5.1km. Effects on water quality could reduce prey species, resulting in a decline in availability of fish biomass and in turn, prevent QI species foraging, leading to a loss of condition. Given that there is no watercourse present within the application site, there is no suitable habitat for otter identified within the site, and therefore, no pathway for disturbance to otter.

Mitigation measures and conditions

The mitigation measures detailed in the NIS relate to the protection of potential receiving waters from the accidental release of hydrocarbons into downgradient watercourses and European Sites. As there is no construction phase associated with this appeal, specific measures proposed relate to the operational phase and maintenance events which will occur at the site. The measures proposed are industry standard and are established and proven in terms of efficacy. In terms of the decommissioning phase, a decommissioning plan has been prepared for the site.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to the water environment and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented. Mitigation measures related to water quality are captured in Planning conditions 3 of the Inspectors Report.

In-combination effects

Plans and projects that could act in combination with the proposed development, within 25km of the project site, are detailed and assessed in the NIS. I am satisfied that in-combination effects have been assessed adequately. As there is no construction activities proposed, I am

satisfied that the applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of the Slaney River Valley SAC (Site Code: 000781) in view of the conservation objectives set for the QIs identified in the above table.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts are unlikely, and would be temporary in nature. Mitigation measures are described to prevent pollutants spillages during maintenance activities discharging to watercourses connected to the SAC. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented and conditioned if permission is granted.

In-combination effects have been fully considered and with the implementation of mitigation measures as described, I am satisfied that no in-combination effects arise which would undermine the conservation objectives of any European site.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Slaney River Valley SAC (Site Code: 000781). Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

Wexford Harbour and Slob SPA (Site Code: 004076):

Summary of Key sources for impacts that could give rise to adverse effects (from screening stage):

- (i) Indirect effects due to deterioration of both surface and groundwater quality resulting from pollution associated with the operational and decommissioning phase of the development.

See Table 5-13 of the NIS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary)	Potential adverse effects	Mitigation measures (summary) NIS SECTION 6.6
Wetland [A999]	Maintain favourable conservation condition. The permanent area occupied by the wetland habitat (see map 3) should be stable and not significantly less than the area of 4,241ha, other than that due to natural patterns of variation.	Changes to water quality due to suspended solids, nutrients or other pollutants during operational and decommissioning phases. Hydrological connection is 16.9km upstream and therefore, there is a potential pathway for indirect significant effects through deterioration of water quality. A complete source-pathway-receptor chain identified, and further assessment required.	
Other QIs			
N/A	Not at risk	Rationale for exclusion: Outside the zone of influence / no pathway. No suitable habitat present on the site and the site is located beyond the foraging range for all SCIs of the SPA.	

The above table is based on the documentation and information provided on the file and the consideration of the conservation objective relating to the SPA. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests identified.

Assessment of issues that could give rise to adverse effects in view of conservation objectives

Having considered the key sources for impacts that could give rise to adverse effects as established at the screening stage, it is considered that the issues that could give rise to adverse effects in view of the conservation objectives for the Wexford Harbour and Slobbs SPA (Site Code: 004076) are as follows:

Water quality degradation

By reason of a potential hydrological connection to the Wexford Harbour and Slobbs SPA, the NIS assesses that the proposed development has the potential to impact the wetlands habitat associated with the SPA. The wetland habitat lies 16.8km downstream of the project site and the potential effect arises in terms of changes to water quality due to runoff or percolation of pollutants into surface and ground water bodies as a result of activities within the site.

The SPA is noted to be of international importance for several species of waterbirds, and regularly supports +20,000 waterbirds, and is identified as one of the top three sites in the country for numbers and diversity of wintering birds, and is one of the two most important sites in the world for Greenland White-fronted Goose. The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 4,241ha, other than that due to natural patterns of variation.

Given the distance between the proposed site and the SPA, together with the fact that there is no watercourse present within the application site, there is therefore, no realistic pathway for effects on the SPA.

Mitigation measures and conditions

The mitigation measures detailed in the NIS relate to the protection of potential receiving waters from the accidental release of hydrocarbons into downgradient watercourses and European Sites. As there is no construction phase associated with this appeal, specific measures proposed relate to the operational phase and maintenance events which will occur at the site. The measures proposed are industry standard and are established and proven in terms of efficacy. In terms of the decommissioning phase, a decommissioning plan has been prepared for the site.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to the water environment and by arresting

these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented. Mitigation measures related to water quality are captured in Planning conditions 3 of the Inspectors Report.

In-combination effects

Plans and projects that could act in combination with the proposed development, within 25km of the project site, are detailed and assessed in the NIS. I am satisfied that in-combination effects have been assessed adequately. As there is no construction activities proposed, I am satisfied that the applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of the Wexford Harbour and Slob SPA (Site Code: 004076) in view of the conservation objectives set for Wetlands (2012).

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Wexford Harbour and Slob SPA considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts are unlikely, and would be temporary in nature. Mitigation measures are described to prevent pollutants spillages during maintenance activities discharging to watercourses connected to the SPA. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented and conditioned if permission is granted.

In-combination effects have been fully considered and with the implementation of mitigation measures as described, I am satisfied that no in-combination effects arise which would undermine the conservation objectives of this European site.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Wexford Harbour and Slob SPA (Site Code: 004076). Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, I consider that adverse effects on site integrity of the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076) can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The nature of the proposed development which excludes any construction phase. There are, therefore, no direct effects arising on any Natura 2000 site.
- A detailed assessment of operational and decommissioning impacts associated with the project.
- An assessment of in-combination effects with other plans and projects.
- Effectiveness of mitigation measures proposed.
- Application of planning conditions to ensure application of these measures.
- No significant effects on the qualifying interests of European sites or supporting habitats, arising from the project.
- The proposed development will not affect the attainment of conservation objectives for the Slaney River Valley SAC (Site Code: 000781) or the Wexford Harbour and Slobbs SPA (Site Code: 004076) or prevent or delay the restoration of favourable conservation condition for identified Qualifying Interests.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Slaney River Valley SAC (Site Code: 000781) and the Wexford Harbour and Slobbs SPA (Site Code: 004076).