An Coimisiún Pleanála

# Inspector's Report
# ACP-323526-25

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| **Development** | 10-year permission for Integrated Constructed Wetland (ICW) type Wastewater Treatment Plant (WWTP) for the treatment of wastewater from the Grangemockler agglomeration and ancillary works associated with the development including the associated pipework, fencing and landscaping.<br>A Natura Impact Statement (NIS) is submitted to the Planning Authority with this application. |
| **Location** | Townlands of Grangemockler, Currasilla Lower and Bleenaleen Lower, Grangemockler, County Tipperary |
| **Planning Authority** | Tipperary County Council |
| **Planning Authority Reg. Ref.** | 25/60566 |
| **Applicant** | Uisce Éireann |

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| **Type of Application** | Permission |
| **Planning Authority Decision** | Grant Permission |
| **Type of Appeal** | Third Party |
| **Appellants** | Bill and Marie Coady<br>Michael J. Coady<br>John Gus Fahy |
| **Observers** | None |
| **Date of Site Inspection** | 26th November 2025 |
| **Inspector** | Ian Campbell |

## 1.0 Site Location and Description

1.1. This appeal site has a stated area of 4.4 Ha and is located in the townlands of Grangemockler, Currasilla Lower and Bleenaleen Lower, to the east of the village of Grangemockler, Co. Tipperary.

1.2. The appeal site is irregular in shape with the main body of the site consisting of a rectangular shape area of land extending north-south parallel with the N76, which traverses the village. Four corridors, corresponding with an access road and the alignment of existing/proposed pipes, extend westward from the main body of the site.

1.3. The main body of the appeal site comprises grassland and is relatively flat, with the corridors comprising an access lane, roads and strips of land within fields. Wayleaves are indicated on the OS Map submitted with the planning application/appeal to the west of the site. The application documentation includes details of landownership and letters of consent.

1.4. The main body of the appeal site is surrounded by lands which are in agricultural use. Slievardagh housing development (and a private WWTP serving same) is located to the immediate west of the appeal site. A green palisade fencing forms part of the western boundary of the appeal site.

1.5. A watercourse (Currasilla Upper Stream) runs along the western boundary of the appeal site. A culverted bridge over the Currasilla Upper Stream is located to the north-west of the appeal site.

1.6. The Lingaun River is located south-west of the appeal site. The Currasilla Upper Stream is a tributary of the Lingaun River and joins it at a location c. 0.5 km south of the appeal site. There is a drainage ditch along the eastern boundary of the appeal site.

1.7. The appeal site is accessed from the N76 via a gravel laneway north of St. Mary's Catholic Church and community centre.

1.8. West of the main body of the appeal site, and within the red line boundary of the site, are 2 no. septic tanks with outfalls to the Lingaun River (i.e. Mill Park Septic Tank[1] and

[1] 88 PE

Lingaun Park Septic Tank[2]). These 2 no. septic tanks and the private WWTP[3] in the Slievardagh housing development provide primary level treatment prior to discharging to local watercourses (i.e. Currasilla Upper Stream in the case of the Slievardagh WWTP, and the Lingaun River in the case of the 2 no. septic tanks at Mill Park Septic Tank and Lingaun Park Septic Tank). The proposal provides for the decommissioning of the 2 no. septic tanks and the Slievardagh WWTP and the sealing of the associated outfalls, with the Slievardagh WWTP being redeveloped as a waste water terminal and pumping station with a stormwater overflow, with effluent being discharged following primary treatment in a new septic tank (north of the ICW) to the ICW[4] ponds for secondary level treatment before discharging via a new outfall to the Lingaun River.

## 2.0 **Proposed Development**

2.1. The development description contained in the public notices describes the proposed development as comprising an Integrated Constructed Wetland (ICW) type Wastewater Treatment Plant (WWTP) for the treatment of wastewater from the Grangemockler agglomeration[5] comprising of;

- 1 No. septic tank and 4 No. ICW ponds;
- Provision of a new terminal wastewater pumping station and stormwater management at the site of the existing Slievardagh Estate Developer Provided Infrastructure (DPI) WWTP, which is to be decommissioned;
- Decommissioning of 2 existing septic tanks (Mill River and Lingaun Park);
- Access road surrounding the ICW ponds;
- Ancillary works associated with the development including the associated pipework, fencing and landscaping;
- Pedestrian access via new footbridge over the Currasilla Stream;
- Upgrade existing culvert bridge under existing access road;

[2] 22 PE

[3] A Peat Fibre Biofilter System

[4] ICW's create a complex mixture of aerobic and anaerobic environments in which microbial communities provide chemical processes for wastewater treatment. These biological processes are unique to wetland systems and provide the basis for treatment. The result is that inorganic and organic pollutants can be physically removed through filtration, biologically degraded, absorbed by wetland plants, adsorbed to surfaces, or chemically transformed and stored within the wetland matrix (NIS page 6).

[5] The extent of the agglomeration is indicated on *Drawing No. 3221-RH-GM-P-014*.

- Installation of a ground mounted solar photovoltaic (PV) array.

The proposal also provides for the burial of section of ESB overhead cables.

2.2. The applicant states that an application will be made to the Office of Public Works (OPW) for a Section 50 consent for the replacement of the existing culvert at the Currasilla Upper Stream and for the new pedestrian bridge over the Currasilla Upper Stream.

2.3. The particulars submitted with the planning application/appeal provides the background to the proposal and a detailed description of the proposed development. The following is pertinent.

Background & Rationale for Proposal -

- Grangemockler WWTP is being upgraded to facilitate future growth in the agglomeration and achieve higher discharge standards compatible with the EPA Wastewater Discharge Authorisation (WWDA) Certificate of Authorisation. More specifically, the main drivers for the project are.
    - Allow for the future population increase in the area anticipated for the 30 year design.
    - Compliance with the Environmental Protection Agency (EPA) Wastewater Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007) requiring the provision of appropriate treatment for the Grangemockler Agglomeration.
    - Compliance with the Urban Wastewater Treatment Regulations, 2001 (S.I. No. 254/2001) requiring the provision of appropriate treatment for the Grangemockler Agglomeration.
- There is a need for a WWTP for the Grangemockler agglomeration, as has been set out by the EPA in their Waste Water Discharge Certificate of Authorisation (A0416-01) for the agglomeration, which states that Uisce Éireann shall maintain such available capacity within the waste water works as is necessary to ensure that there is no environmental risk posed to the receiving water environment as a result of the discharge.

- The current sewerage system (comprising the Mill River and Lingaun Park septic tanks and the Slievardagh WWTP[6]) only provide primary treatment prior to discharge to the River Lingaun.
- The applicant is seeking a 10-year permission for reasons which include - complexities of land acquisition; archaeological considerations; burial of overhead ESB cables; implementing NIS mitigation measures; and procurement delays.

The Proposal -

- The current agglomeration load is estimated to be 145 PE. Allowing for growth over a 30-year horizon, the design PE for the proposed WWTP is 250.
- The proposed development entails the decommissioning of 2 No. existing septic tanks (Mill River and Lingaun Park) and provision of a new terminal wastewater pumping station (which will collect flows from the new gravity mains and deliver effluent to the WWTP) at the site of the existing Slievardagh Estate WWTP, which is also proposed to be decommissioned.
- In total, 3 no. separate WWTP's which discharge at 3 no. sperate locations will be decommissioned and replaced with a single ICW WWTP, discharging to a new location on the River Lingaun.
- The proposal will provide primary treatment via 1 No. septic tank, followed by secondary treatment via the 4 No. wetland ponds (stated area 4,379 sqm).
- It is proposed to repurpose the Slievardagh WWTP existing outfall on the Currasilla Upper Stream as a stormwater overflow east of the new terminal pumping station site.
- After the decommissioning of the 2 No. existing septic tanks (Lingaun Park and Mill Park) the existing outfall pipes will be sealed.
- Proposed gravity sewers (225 mm) will be laid to collect wastewater within the village.
- The proposal will provide a new effluent discharge pipe (150 mm) and outfall to the Lingaun River.

[6] Referred to in the documentation as 'Developer Provided Infrastructure' (DPI).

- The proposed works include for the interception of the raw sewage being conveyed through the existing sewerage network immediately upstream of the current septic tanks, directing the flows via new gravity sewers to the new terminal pumping station and pumping to the proposed WWTP. Treated effluent will be discharged into the River Lingaun at the new discharge location further south (and downstream) of the existing discharge locations.
- The ICW design complies with the requirements of Uisce Éireann Constructed Wetlands Technical Guidance Document/Standard which has been developed considering the Department of Agriculture, Fisheries and Food: S133 - Minimum Specification for Integrated Constructed Wetlands and Ancillary Works.
- The use of 4 no. cells breaks up the flow of water across the ICW, and prevents preferential flow paths developing, while ensuring flows feeding each pond will be equally spread across in the inlet water zone.
- The ponds will be located between c. 20 metres to 44 metres from the Currasilla Upper Stream, and in excess of 65 metres from the closest dwelling.
- The proposed development requires no energy to operate.
- Vehicular movements during the operational phase of the proposal will be c. 1-2 per vehicles week.
- The wastewater treatment system is designed to function in a similar way to a natural wetland, and promotes biodiversity through the planting of native wetland species in each of the treatment ponds.
- During summer months there is limited discharge from ICW's due to evapotranspiration.
- The only above ground structures proposed are fencing on the WWTP site and 2 no. small kiosks (to house control equipment and welfare facilities). The terminal pumping station site currently has 2.4m high green palisade fencing surrounding its boundary which will be maintained. There is an area within the terminal pumping station site for the installation of solar PV panels (if required at a later stage).
- Storm water at the proposed site will be attenuated within French Drains.

- No wastewater will discharge directly to any watercourse or drainage ditch.
- The project will take approximately 12 months to complete.
- The construction stage of the proposed scheme will include ancillary works, including;
    - Trench dewatering.
    - Testing works of new pipework and new manholes.
    - Road reinstatement works.
    - Provision of UÉ signage.
    - Temporary stream diversion/ overpumping and cofferdams.
    - Provision of appropriate trench/excavation side supports.
    - Disposal of surplus excavated materials.
    - Temporary traffic management.
    - Compounds.
- Instream works under the Currasilla Upper Stream will be required for –
    - the new effluent outfall at the Lingaun River;
    - replacement of the existing access culvert;
    - repurposing of existing outfall as stormwater overflow and pipeline installation (rising main and treated effluent discharge pipe).

  Instream works will take c. 4 weeks to complete.
- A clay liner is proposed to be used beneath the ponds.
- The existing flow of wastewater discharged will remain the same as the new sewage line will connect properties that are currently serviced by the existing septic tanks and WWTP. As the population grows, it is expected that the flow of wastewater will increase and the new ICW wastewater treatment system has been sized to treat the sewage generated by up to 250 PE.
- A Water Assimilative Capacity (WAC) assessment for the River Lingaun has been undertaken to assess the impact of the existing and future final effluent

flows. The WAC assessment will be part of a new wastewater discharge authorisation to be submitted to the EPA.

- The system will be subject to periodic inspection to ensure its effective operation. Inspection will include the health of plants in the ICW; confirmation the ICW is hydrated to the appropriate level; and confirmation that there are no blockages. Desludging of the septic tank will take place approximately twice per year. Groundwater sampling will be undertaken as agreed with the EPA.

2.4. The planning application/appeal was accompanied by the following reports;

- Planning & Environmental Report
- Appropriate Assessment Screening & Natura Impact Statement (NIS)[7]
- Environmental Impact Assessment Screening
- Cultural Heritage Screening Assessment (inc. geophysical survey)
- Flood Risk Assessment

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority issued a Notification of Decision to GRANT Permission on the 7th of August 2025 subject to 10 no. conditions. The following condition are pertinent;

**C1** – development to be carried out as per drawings and particulars submitted, and with the mitigation measures set out in the NIS, FRA, and Cultural Heritage Screening Assessment.

**C2** – requires applicant to engage with EPA (re. need to review Waste Water Discharge Certificate of Authorisation), within 6 months, and to furnish details of same to PA.

**C3 (b)** – requires certificate to be submitted to PA stating that the development has been constructed as per the permission granted within 4 weeks of the development's completion/commissioning.

[7] Includes Otter Survey Report and Tree Survey.

**C4** – requires details of maintenance contract for development to be submitted prior to commencement of development.

**C5** – prohibits discharge of silt laden water during construction to watercourse/drainage system.

**C7** – requires CEMP, to inc. Construction Stage Traffic Management Plan, to be submitted to PA prior to commencement of development. 7 (a) requires appointment of manager to oversee environmental control measures during construction phase. 7 (b) requires appoint of ecologist to oversee construction and development phase. 7 (c) requires Noise Management Plan.

**C9** – requires details of PV panels to be submitted to PA.

**C10** – requires pre-development archaeological testing to be carried out and submission of report on same.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The report of the Planning Officer generally reflects the decision to grant permission.

The report also notes –

- The proposal will improve wastewater treatment in Grangemockler.
- The management of connections to the proposal is a matter of Uisce Éireann.
- Noise and odour emissions are unlikely.
- The ICW is not located within 60 metre up-gradient of any well or spring used for potable water. The site is not located within a groundwater protection zone, nor is it 300 metres up-gradient of a public water supply. The closest public water spring is in Tullohea, c. 4kms to the south west.
- The proposal will not be readily visible/no adverse visual impacts are anticipated.
- The proposal will not result in any significant increases in traffic volumes/sightlines are acceptable.

- The proposal is deemed acceptable from a flood risk perspective.

3.2.2. Other Technical Reports

Roads/Greenway Section – report recommends that Further Information is sought in relation to the method by which the gravity main is to be laid across the N74, and states that the road, footpaths etc. should be adequately reinstated following the works.

Environmental Section – report recommends that Further Information is sought in relation to whether the proposal could cater for additional areas within the village; and recommends that conditions are attached to any grant of permission requiring the submission of a CEMP; the details of the PV panels are provided; stipulation of construction phase noise limits; and that regular maintenance of the ICW is in place.

## 3.3. Prescribed Bodies/Government Departments

Environmental Protection Agency (EPA) – submission notes the following;

- A Waste Water Discharge Certificate of Authorisation (Register No: A0416-01) is held by Uisce Éireann for the waste water discharges from the waste water works serving the agglomeration of Grangemockler.
- The certificate of authorisation relates to a population equivalent of 200 PE. The proposal will have a population equivalent of 250. The proposed development requires a review of the Waste Water Discharge Certificate of Authorisation. If permission is granted a condition should be attached requiring Uisce Éireann to submit an application for review of the certificate of authorisation within six months of the final grant of permission and before any development starts.
- Grangemockler agglomeration is listed as a significant pressure on River Lingaun under the Water Framework Directive.

DoEHLG – submission recommends that a condition is attached to any grant of permission requiring pre-development archaeological testing.

### 3.4. Third Party Observations

The report of the Planning Officer summarises issues raised in the observations submitted in respect of the planning application as follows;

- Issues concerning legal dispute regarding a bond for adjacent development.
- Request that proposed development serve the entire village.

## 4.0 Planning History

Appeal Site

There is no relevant recent planning history associated with the appeal site.

## 5.0 Policy Context

### 5.1 Ministerial Guidelines

5.1.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities (2010).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).

5.1.2. **Other Guidance**

- Department of Agriculture, Fisheries and Food: S133 - Minimum Specification for Integrated Constructed Wetlands and Ancillary Works (2011).
- Guidelines on Protection of Fisheries During Construction Work in and Adjacent to Waters, Inland Fisheries Ireland, (2016).

### 5.2. Development Plan

5.2.1. The relevant Development Plan is the Tipperary County Development Plan 2022-2028. The majority of the appeal site is not zoned under the Tipperary County Development Plan 2022-2028, being located outside the settlement boundary of the

village. An area of the appeal site, corresponding with the existing access to the north of the site, is zoned 'Amenity' in the Tipperary County Development Plan 2022-2028.

5.2.2. Grangemockler is identified as a 'Local Service Centre' in the settlement hierarchy of the Tipperary County Development Plan 2022-2028.

5.2.3 There are a number of Protected Structures in the vicinity of the appeal site (i.e. St. Mary's Catholic Church RPS. Ref. TRPS2956; Community Centre RPS. Ref. TRPS1163; and Hogan Memorial RPS. Ref. TRPS1519). There are a number of Recorded Monuments located to the west of the village (Ref.'s TS 071-020 (Ringfort); TS 071-029 (Ringfort); TS 071-030 (Enclosure); and TS 071-031 (Enclosure) refer_.

5.2.4. The provisions of the Tipperary County Development Plan 2022-2028 relevant to this assessment are as follows:

- Policy 11- 4 (protection of biodiversity)
- Policy 11- 7 (protection of water quality)
- Policy 11- 9 (Flooding)
- Policy 11 -10 (Flooding)

5.3 **Natural Heritage Designations**

- Lower River Suir SAC (Site Code: 002137) – appeal site is within SAC.

5.4. **EIA Screening**

See Form 1 and 3 (attached).

Part 1 of Schedule 5 of the Planning and Development Regulations 2001, as amended and Section 172(1)(a) of the Planning and Development Act 2000, as amended, require the carrying out of EIA if the proposed development would be of a class specified in Part 1 of Schedule 5 of the Planning and Development Regulations 2001, as amended. Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, and Section 172(1)(a) of the Planning and Development Act 2000, as amended, identify classes of development with specified thresholds for which EIA is required.

The following classes of development in the Planning and Development Regulations 2001, as amended, are of relevance to the proposal:

Schedule 5, Part 1:

13. Waste water treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC5 .

The proposed WWTP has a population equivalent of 250 PE. A mandatory EIA is therefore not required.

Schedule 5, Part 2:

10. Infrastructure Projects

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district[8], 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The area of the site of the proposed WWTP is 4.4 Ha. and is therefore significantly below the applicable 20 Ha. threshold.

11. Other Projects

(c) Waste water treatment plants with a capacity greater than 10,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule.

The proposed WWTP has a population equivalent of 250 PE. and is therefore significantly below the 10,000 PE threshold.

13. Changes, extensions, development and testing

Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:- (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

[8] In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.

The proposed development does not result in a change or extension which would result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, nor would it result in an increase in size greater than 25 per cent, or an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

The proposed development is sub-threshold in terms of EIA requirements arising from Class 10 (iv) and Class 11 (c), Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. As such, the criteria in Schedule 7 of the Planning and Development Regulations 2001, as amended, are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment and should be the subject of EIA.

The applicant has submitted an Environmental Impact Assessment Screening Report (EIASR) with the application addressing issues which are included for in Schedule 7A of the Planning and Development Regulations 2001, as amended. I have carried out an EIA screening determination of the project (see Form 3 appended this report). I have had regard to the information provided in the applicant's EIASR and other related assessments and reports included in the case file. I concur with the nature and scale of the impacts identified by the applicant and note the range of mitigation measures proposed. I am satisfied that the submitted EIASR identifies and describes adequately the effects of the proposed development on the environment. I have concluded that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report (EIAR) is not therefore required. This conclusion is based on:

a) The nature and scale of the project, which is below the thresholds in respect of Class 10 (iv) and Class 11 (c), Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended.

b) Relevant policies and objectives in the Tipperary County Development Plan 2022 - 2028, and the results of the Strategic Environmental Assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).

c) The pattern of existing and permitted development in the area.

d) Notwithstanding the location of the site within a sensitive location specified in article 109(4)(a) the Planning and Development Regulations, 2001, as amended i.e. a

Special Area of Conservation (SAC), the site is primarily comprised of Improved Agricultural Grassland (GA1), there are no Annex I habitats within the boundary of the site and the habitat on the site is unrelated to the Lower River Suir SAC habitats and species.

e) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage, and Local Government (2003).

f) The criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended.

g) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.

h) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the Natura Impact Statement.

I consider that any issues arising from the proximity/connectivity to European Sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment).

## 6.0 The Appeal

### 6.1. Grounds of Appeal

3 no. third-party appeals were lodged against the decision to grant permission. The grounds of appeal made by each appellant may be summarised as follows;

John Gus Fahy:

- The proposed development does not accommodate future development within the village or make provision for connecting local business or the existing primary school.

Michael. J. Coady:

- The proposed development is welcome.

- The proposed development may pose constraints to the development of the village and should address infrastructure gaps in the village, particularly noting that numerous homes and business rely on outdated septic tanks.
- The existing situation results in the discharge of effluent to a watercourse which could be remedied if the proposal was to serve the entire village.

Bill & Marie Coady:

- The proposed development should be expanded to cater for other housing estates, the school, community hall, church and businesses, which are served by outdated septic tanks and resulting in environmental impacts. It would be more viable to factor these development into the proposal at this stage, rather than at a later point in time.

### 6.2. Applicant Response

The applicant submitted a response in respect of the third party appeal submissions, summarised as follows;

- The proposed development has been sized to cater for existing and future agglomeration loadings of Grangemockler agglomeration.
- The provision of additional sewer networks is exempted development available to Uisce Éireann (under Class 58 of the Planning and Development Regulations), therefore it does not form part of the scope of the project or this planning application.
- The provision of additional sewerage network will be based on the connection applications when received.
- The sizing of the WWTP considers key infrastructure in the Grangemockler agglomeration such as St. Mary's Catholic Church primary school, commercial users, allowances for growth and additional 10% headroom as per Uisce Éireann Wastewater Asset Planning - Growth and Headroom Technical Guidance Note.
- This project supports the aims and objectives of the National Planning Framework (NPF) by eliminating the current discharge of primary treated

effluent to the fluvial waters of the River Lingaun and also provides wastewater infrastructure to serve existing and planned future populations.

- The proposed development complies with the policies and objectives of the Tipperary County Development Plan 2022 - 2028, and does not have an adverse impact upon the character of the area or the amenities of adjoining properties.
- An appended document to the applicant's submission sets out the basis for the 250 PE calculation. The document notes that the proposal allows for the future connection of all existing properties within the agglomeration and future growth in the town. The local school is noted as being catered for within the design calculations.

### 6.3. Planning Authority Response

None received.

### 6.4. Further Responses

The EPA, as a Prescribed Boby, submitted the following response to the appeal;

- a Waste Water Discharge Certificate of Authorisation (Register No: A0416-01) is held by Uisce Éireann for the waste water discharges from the waste water works serving the agglomeration of Grangemockler for a population equivalent (p.e.) of 200. Currently, there is no application for a review of this Certificate of Authorisation with the Agency.
- the planning application relates to a waste water treatment system designed for 250 p.e. and proposed change to the treatment system. The proposed development requires a review of the Waste Water Discharge Certificate of Authorisation. If permission is granted a condition should be attached requiring Uisce Éireann to submit an application for review of the certificate of authorisation within six months of the final grant of permission.
- Grangemockler agglomeration is listed as a significant pressure on the River Lingaun under the Water Framework Directive.

- Article 17(i) of the Waste Water (Discharge Authorisation) Regulations 2007 as amended, requires licence applications in respect of the waste water discharge from a WWTP with a capacity of >10,000 p.e. to be accompanied by an Environmental Impact Assessment Report (EIAR). If a review Certificate of Authorisation application is received for A04016-01, under Article 25(1) of the Regulations, the Agency shall carry out a preliminary examination of, at the least, the nature, size or location of the development. It is noted that the planning application relates to a waste water treatment system designed for 250 p.e.

6.5. **Observations**

None received.

## 7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the appeals, the applicant's response to same, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Adequacy/Capacity of Proposal (subject of appeals)
- Impact on Water Quality
- Flood Risk
- Issues Arising
- Appropriate Assessment

7.2. **Adequacy/Capacity of Proposal**

7.2.1. The crux of the appeals is that the proposed development should serve the entire village. In response, the applicant notes that the proposed development caters for existing agglomeration loadings and also the future connection of all existing properties within the agglomeration. The applicant's submission notes that the local school is also catered for within the design calculations. The applicant further notes

that the provision of additional sewerage network will be based on connection applications.

7.2.2. From reviewing the appeal submissions it appears that the concerns are founded on an assumption that the proposed development is restricted to catering for development within specific parts of the village. Having reviewed the applicant's submission to the appeals, which is accompanied by a detailed breakdown of the 250 PE capacity of the proposal, it is clear that the proposed development will serve all existing properties within the agglomeration of Grangemockler, including the local school and businesses, and will provide for the future growth of the settlement. I note that the appellants do not request that permission for the proposed development is refused, but rather that the proposal caters for the entire village. Having regard to the information set out in the applicant's submission I am satisfied that the proposed development adequately caters for existing and future development within the settlement and accordingly I recommend that permission should be granted for the proposed development.

### 7.3. Impact on Water Quality

7.3.1. The proposed development entails the upgrade of waste water treatment within the village, from an existing situation where effluent from 2 no. septic tanks and a WWTP is discharged having only undergone primary treatment to a situation where the effluent being discharged will have undergone an additional level of treatment, i.e. secondary treatment via the ICW, prior to discharge to the Lingaun River.

7.3.2. I have assessed the proposed development 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 and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 nature and extent of the proposed development (i.e. the proposal will improve the quality of discharge to the Lingaun River).

- The mitigation measures proposed during the construction phase of the proposed development i.e. NIS.

- Noting that discharge will be subject to a Waste Water Discharge Certificate of Authorisation issued by the EPA.
- The proposal to use a clay liner beneath the ponds.
- The findings of the Site Specific Flood Risk Assessment.

7.3.3. I note that the Lingaun, Currasilla Upper and Ninemilehouse watercourses are classified as Lingaun_020 under the Water Framework Directive (WFD), that Lingaun_020 has a WFD Status of "Moderate" and is "At Risk" of not meeting its WFD objectives by 2027, and as noted (above) the proposed ICW will provide secondary treatment thereby providing an improvement to the quality of the effluent discharged into the Lingaun River catchment

7.3.4. 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. (See Appendix 4 for WFD Screening Matrix).

### 7.4. Flood Risk

7.4.1. The applicant has submitted a SSFRA with the planning application. The SSFRA identifies potential sources of flooding, and also includes a hydrological and hydraulic assessment. The SSFRA notes the sources of flood risk as fluvial (from the Currasilla Upper Stream and Ligaun River) and pluvial associated with hill side run-off at the ICW site. A potential for groundwater to be intercepted during construction stage excavation works is also identified.

7.4.2. Flood mapping for the site has been prepared based on hydraulic model calculations undertaken by the applicant. Parts of the ICW site have been identified as being within Flood Zone A (i.e. 0.45 ha of the site) and B (i.e. 0.56 ha of the site), with the remaining

1.4 ha within Flood Zone C. The entire WWTP site, and part of the access road are within Flood Zone A. Wastewater infrastructure is deemed to be a 'highly vulnerable development' in relation to flood risk and in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities those parts of the proposed development situated with Flood Zones A and B have been subject to the justification test (see Table 4-12 of the SSFRA) which sets out flood risk mitigation measures (see page 28 of the SSFRA).

7.4.3. The SSFRA concludes the following;

- The proposed ICW will be constructed within Flood Zone C (fluvial). The fluvial flood risk to the ICW site can be readily managed with site drainage works.

- The proposed WWPS site is/will remain at high flood risk. It will be feasible to implement measures to manage the short duration flood risk at the site without increasing flood risk in adjacent lands.

- Access to both the ICW and WWPS sites are through high flood risk areas. The WWPS and its associated control kiosk, will, however, remain readily accessible via existing footpaths during flood events.

- A portion of the proposed new Lingaun Park sewer will be in a high flood risk area. It will be feasible to implement measures to manage the short duration flood risk along the sewer.

- The WWPS rising main to the ICW and the treated effluent main routes will involve pipeline crossings under the Currasilla Upper Stream at two locations and will additionally be partially in high flood risk areas. It will be feasible to implement measures to manage the short duration flood risk along these pipelines.

- The excavation works for construction of the WWPS, ICW septic tank and the scheme pipelines will likely intercept groundwater and dewatering, and water quality management would be necessary to facilitate working in the dry.

- The upgrade of Culvert A will reduce upstream flood risk in the Currasilla floodplain.

- The construction of the proposed pedestrian bridge (Culvert C) will increase flood risk in the upstream Currasilla adjacent to Slievardagh, however this increase will not be significant (<2cm during a 1 in 1000year flood event) and the houses at Slievardagh will remain in Flood Zone C.

Having regard to the findings and conclusions of the SSFRA, and in particular noting the mitigation measures proposed, I am satisfied that the proposed development would not increase the risk or extent of flooding within the site, or on adjacent third party lands, and is acceptable from a flood risk perspective.

### 7.5. Issues Arising

7.5.1. Duration of Permission – the applicant requests that permission is granted for a duration of 10 no. years in light of issues which include, the complexities of land acquisition; archaeological considerations; the implementation NIS mitigation measures and to take account of procurement delays. Having regard to the nature and extent of the proposed development, and the issues outlined by the applicant above I consider that a ten year permission is reasonable and warranted in this instance.

7.5.2. Development Contributions – the Notification of Decision to Grant Permission issued by Tipperary County Council did not include a planning condition requiring the payment of a development contribution. The report of the Planning Officer notes that the proposed development is not of a class of development to which development contributions apply. I have reviewed the Tipperary County Council Development Contribution Scheme 2020, including Section 10, which concerns exemptions and reductions, and Section 11 'points to note'. Section 11 (page 16) provides for a 100% reduction in respect of developments comprising 'wastewater infrastructure that deliver additional capacity/supply for the catchment population for a minimum period of 10 years post project delivery'. Noting the nature of the proposal, including the 30 year growth horizon for the proposed development, I consider that the proposed development would not attract a development contribution. Should the Commission

grant permission for the proposed development I recommend that a condition requiring the payment of a development contribution is not attached.

7.5.3. Archaeology – I note the presence of archaeology in the vicinity of the appeal site, and I note that the Notification of Decision to Grant Permission issued by Tipperary County Council included a planning condition requiring pre-development archaeological testing, and that this was also recommended in the observation from the DoEHLG. Should the Commission grant permission for the proposed development I recommend that a condition requiring the carrying out of pre-development archaeological testing is attached.

7.5.4. Requirements of EPA – the observation of the EPA to the Planning Authority recommended that a condition be attached requiring the applicant to submit an application for a review of the existing Waste Water Discharge Certificate of Authorisation (Register No: A0416-01) which is held by Uisce Éireann for the waste water discharges from the waste water works serving the agglomeration of Grangemockler. Condition no. 2 of the Notification of Decision to Grant Permission issued by Tipperary County Council reflected this recommendation. Noting the nature of the proposed development, and the recommendation of the EPA to the Planning Authority, I recommend that a planning condition is attached to any grant of permission requiring Uisce Éireann to submit an application for review of the certificate of authorisation prior to commencement of development.

## 7.6. Stage 1 - Appropriate Assessment Screening

7.6.1. In accordance with Section 177U of the Planning and Development Act, 2000, as amended, and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects the Lower River Suir SAC (Site Code: 002137) in view of the conservation objectives of a number of qualifying features of this site. 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.

## 7.7. Stage 2 – Appropriate Assessment

7.7.1. Following screening for the need for Appropriate Assessment it was determined that the proposed development could result in significant effects on the Lower River Suir SAC (Site Code: 002137) in view of the conservation objectives of this site, and Appropriate Assessment was deemed to be required. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and evaluated for effectiveness. Possible in-combination effects are also considered. A full description of the proposed development, including construction methodology, is set out on pages 6-11 of the NIS submitted by the applicant and the potential impacts from the construction and operational phases are set out on pages 46 - 62 of the NIS.

7.7.2. Following an examination, analysis and evaluation of the NIS, as set out within Appendix 3 of this report, and all associated material submitted, I consider that in light of the mitigation measures proposed, that adverse effects on the integrity of Lower River Suir SAC (Site Code: 002137) can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed.
- Application of planning conditions to ensure application of these measures.

## 8.0 Recommendation

8.1. Having regard to the above it is recommended that permission is granted based on the following reasons and considerations and subject to the attached conditions.

## 9.0 Reasons and Considerations

Having regard to:

(a) The nature, scale and extent of the proposed development,

(b) The provisions of the Tipperary County Development Plan 2022-2028,

(c) The conclusion of the Site Specific Flood Risk Assessment,

(d) The conclusion of the Appropriate Assessment,

it is considered that subject to compliance with the conditions set out below, the proposed development would appropriately cater for Grangemockler agglomeration, would not result in flooding, adverse impacts on water quality, and would not have a significant impact on ecology or on European Sites in the vicinity, and, would be in accordance with the proper planning and sustainable development of the area.

## 10.0 **Conditions**

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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, received by the Planning Authority on the 17th day of June 2025. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.<br>**Reason:** In the interest of clarity. |
| 2. | The period during which the development hereby permitted may be carried out shall be ten years from the date of this Order.<br><br>**Reason:** Having regard to the nature of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years. |
| 3. | The mitigation measures contained in the Natura Impact Statement (NIS) submitted to the Planning Authority on the 17th day of June 2025 shall be implemented and shall be supervised by a suitably qualified ecologist.<br>**Reason:** To protect the integrity of European Sites. |

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| 4. | The flood risk management measures in the Flood Risk Assessment Report submitted to the Planning Authority on the 17th day of June 2025 shall be implemented.<br><br>**Reason:** To address potential impacts from flooding at the site and in the vicinity. |
| 5. | The recommendations contained in the Cultural Heritage Assessment Ecological submitted to the Planning Authority on the 17th day of June 2025 shall be implemented.<br><br>**Reason:** To protect and preserve archaeological and built heritage. |
| 6. | Prior to commencement of development, the applicant shall submit an application for review of the relevant Waste Water Discharge Certificate of Authorisation to the Environmental Protection Agency (EPA).<br><br>**Reason:** In the interest of environmental protection and to reflect the proposed changes to wastewater collection, treatment and discharge within Grangemockler Agglomeration. |
| 7. | The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:<br><br>(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;<br>(b) Location of areas for construction site offices and staff facilities;<br>(c) Details of site security fencing and hoardings;<br>(d) Details of on-site car parking facilities for site workers during the course of construction;<br>(e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; |

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| | (f) Measures to obviate queuing of construction traffic on the adjoining road network;<br>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;<br>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;<br>(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;<br>(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;<br>(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;<br>(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.<br>(m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the Planning Authority;<br><br>**Reason:** In the interest of amenities, public health and safety and environmental protection |
| 8. | The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the Planning Authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The |

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| | report shall include an archaeological impact statement and mitigation strategy.<br><br>Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required.<br><br>Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the National Monuments Service, shall be complied with by the developer.<br><br>No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the Planning Authority.<br><br>The Planning Authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.<br><br>**Reason:** To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest. |
| 9. | Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.<br><br>**Reason:** In the interest of public health. |

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.

Ian Campbell
Senior Planning Inspector

28th January 2026

## Appendix 1 - Form 1- EIA Pre-Screening

| | |
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| **An Bord Pleanála Case Reference** | ACP-323526-25 |
| **Proposed Development Summary** | 10-year permission for Integrated Constructed Wetland (ICW) type Wastewater Treatment Plant (WWTP) for the treatment of wastewater from the Grangemockler agglomeration and ancillary works associated with the development including the associated pipework, fencing and landscaping. |
| **Development Address** | Townlands of Grangemockler, Currasilla Lower and Bleenaleen Lower, Grangemockler, County Tipperary |

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| **1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?** (that is involving construction works, demolition, or interventions in the natural surroundings) | **Yes** | X |
| | **No** | |

**2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?**

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| **No** (If Yes - EIA is mandatory. No Screening required. EIAR to be requested). | Class - **N/A** |

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?**

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| **Yes** The proposed development is of a Class but is sub-threshold. | 10. Infrastructure Projects (iv) Urban development which would involve an area greater than 2 hectares in the case |

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| | of a business district[9], 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.<br><br>The area of the site of the proposed WWTP is 4.4 Ha. and is therefore significantly below the 20 Ha. threshold.<br><br>11. Other Projects<br><br>(c) Waste water treatment plants with a capacity greater than 10,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule.<br><br>The proposed WWTP has a population equivalent of 250 PE. and is therefore significantly below the 10,000 PE 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)?** | |
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| **Yes** | Schedule 7A submitted - Screening Determination required (Complete Form 3) |

**Inspector: Ian Campbell** **Date: 28th January 2026**

[9] In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.

## Form 3 - EIA Screening Determination

| A. CASE DETAILS | | |
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| **An Bord Pleanála Case Reference** | ACP - 323526-25 | |
| **Development Summary** | 10-year permission for Integrated Constructed Wetland (ICW) type Wastewater Treatment Plant (WWTP) for the treatment of wastewater from the Grangemockler agglomeration and ancillary works associated with the development including the associated pipework, fencing and landscaping. | |
| | **Yes / No / N/A** | **Comment (if relevant)** |
| **1.** Was a Screening Determination carried out by the PA? | Yes | The Planning Authority undertook a preliminary examination of the proposed development and noted that having regard to the nature, size and location of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development and that the preparation of an EIAR is not required. |
| **2.** Has Schedule 7A information been submitted? | Yes | N/A |
| **3.** Has an AA screening report or NIS been submitted? | Yes | AA Screening report and NIS |
| **4.** Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR? | No | The proposed development requires a review of the Waste Water Discharge Certificate of Authorisation which the existing WWTP operates under. Comments from the EPA were invited but none were received. |
| **5.** Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA | Yes | SEA undertaken as part of Development Plan.<br><br>Flood Risk Assessment submitted.<br><br>NIS submitted. |

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| **B. EXAMINATION** | **Yes/ No/ Uncertain** | **Briefly describe the nature and extent and Mitigation Measures (where relevant)** (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) **Mitigation measures** –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect. | **Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain** |
| **This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith** | | | |
| **1. Characteristics of proposed development** (including demolition, construction, operation, or decommissioning) | | | |
| **1.1** Is the project significantly different in character or scale to the existing surrounding or environment? | No | The site comprises agricultural lands. The proposed development entails a change from amenity grassland and agricultural grassland to wetland. The adjoining lands to the north, south and east are used for agriculture. In the context of existing environment in the area the project is not significantly different in character or scale to its existing surrounding environment. | No. |
| **1.2** Will construction, operation, decommissioning or demolition works cause | Yes | The proposal will involve the construction of an | No. |

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| physical changes to the locality (topography, land use, waterbodies)? | | ICW. The only above ground structures proposed are fencing on the WWTP site and 2 no. small kiosks. The proposal will provide a new effluent discharge pipe and outfall to the Lingaun River and the replacement of an existing culvert bridge over the Currasilla stream. The existing flow of waste water being discharged is expected to remain the same. Instream works will be required for the new effluent outfall at the Lingaun River, replacement of the existing access culvert, repurposing of an existing outfall as stormwater overflow and pipeline installation (rising main and treated effluent discharge pipe) under the Currasilla Upper stream.<br><br>In the context of the wider locality the change to the landscape is not considered significant. | |
| **1.3** Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply? | Yes | The proposal will require use of land. The pond area is 4,379 sqm. The quantity of 'cut' from the site is estimated to be (approx. 2,580 m3 of topsoil). The proposal does not entail | No. |

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| | | significant use of natural resources. | |
| **1.4** Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment? | No | Plant/machinery used will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for the activity on the site. Any impacts would be local and temporary in nature and the implementation of standard practice measures would satisfactorily mitigate potential impacts. | No. |
| **1.5** Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances? | No | Plant and machinery may give rise to potentially harmful materials, such as fuels and oil leak. Noise and dust emissions during construction phase are likely. Any impacts would be local and temporary in nature and the implementation of standard practice measures would satisfactorily mitigate potential impacts. Discharges from the ICW at operational stage will be required to be within specific Emission Limit Values (ELV's) and will be subject to a Waste Water | No. |

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| | | Discharge Certificate of Authorisation from the EPA. | |
| **1.6** Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea? | No | A clay liner is proposed to be used beneath the ICW ponds to protect groundwater. Mitigation measures are proposed to mitigate effects from fugitive emissions to groundwater and watercourses. The proposed development will improve wastewater discharge quality into the Lingaun River. The secondary treatment of discharge will ensure that the effluent released into the Lingaun River is within acceptable Emission Limit Values (ELVs). | No. |
| **1.7** Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation? | No | Some noise and vibration impacts during construction phase of the proposal will arise. Given the scale of excavation required such impacts are not expected to be significant. Operational noise and odour will be similar to current levels. | No. |
| **1.8** Will there be any risks to human health, for example due to water contamination or air pollution? | No | Significant risks/impacts to human health from water contamination or pollution from operational discharges are not expected. Discharges | No. |

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| | | will be in compliance with the ELVs and in accordance with the Waste Water Discharge Authorisation. Mitigation measures proposed to mitigate effects from water pollution during construction phase. | |
| **1.9** Will there be any risk of major accidents that could affect human health or the environment? | No | No risk of major accidents given nature of project. | No. |
| **1.10** Will the project affect the social environment (population, employment) | No | The proposed development will provide essential infrastructure for the village. The proposal may result in localised increase in employment during construction phase. An emergency response plan will be developed to address emergency overflows during power outages or system failures. In the event of a catastrophic failure, flows will back up from the inlet works of the WWPS, overflow at the Storm Water Overflow (SWO) chamber into the stormwater tank, and, if necessary, overflow into the Currasilla Stream. Effluent from an Emergency Overflow (EO) will be screened via a 10mm screen before discharge. The WWPS site is currently in the flood plain and will | No. |

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| | | incorporate the flooding mitigation measures. | |
| **1.11** Is the project part of a wider large scale change that could result in cumulative effects on the environment? | No | N/A | No. |
| **2. Location of proposed development** | | | |
| **2.1** Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:<br>• European site (SAC/ SPA/ pSAC/ pSPA)<br>• NHA/ pNHA<br>• Designated Nature Reserve<br>• Designated refuge for flora or fauna<br>• Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan | Yes | The appeal site is within Lower River Suir SAC (Site Code: 002137). The site is primarily comprised of Improved Agricultural Grassland (GA1), there are no Annex I habitats within the boundary of the site and the habitat on the site is unrelated to the Lower River Suir SAC habitats and species. A NIS has been submitted with the planning application which includes mitigation measures to address potential impacts on Lower River Suir SAC. Following the carrying out of Appropriate Assessment, adverse effects arising from the proposed development have been excluded for Lower River Suir SAC (Site Code: 002137).<br><br>There are no Recorded Monuments within the site. There are a number of Recorded archaeological monuments in the vicinity of the site. A | No. |

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| | | condition requiring predevelopment testing of the appeal site is recommended by the DoEHLG. Test excavations carried out. | |
| **2.2** Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project? | No | Site surveys were undertaken as part of the NIS. Physical evidence of otter was found along the Currasilla Upper stream and Lingaun River however no otter holts were identified within 150 metres of the proposed works areas and as such no disturbance of otter holts is expected. Mitigation measures are proposed in the NIS to address potential impacts on otter. The appeal site is deemed to be of 'moderate' suitability for bats. Two trees are identified for felling as part of the proposed works which were identified as having 'low-moderate' potential to support roosting bats. If bats are confirmed to be roosting in either tree, a derogation licence will be applied for from the NPWS prior to felling. Mitigation measures are included in the NIS to address impacts on bats. The removal of vegetation may temporarily displace | No. |

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| | | some bird species. The impact is not deemed significant, considering the availability of habitat in the wider area. The ICW enhances biodiversity in an area that was previously lacking in biodiversity (Improved agricultural grassland). | |
| **2.3** Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected? | No | There are a number of Recorded archaeological monuments in the vicinity of the site. A condition requiring predevelopment testing of the appeal site is recommended by the DoEHLG. Test excavations carried out. | No. |
| **2.4** Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals? | No | No such resources on or close to site. | No. |
| **2.5** Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk? | No | Currasilla Upper Stream runs along the western boundary of the appeal site and the Lingaun River is located south-west of the appeal site. The proposal will provide a new effluent discharge pipe and outfall to the Lingaun River and the replacement of an existing culvert bridge over the Currasilla Upper Stream. The existing | No. |

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| | | flow of waste water being discharged is expected to remain the same. Instream works will be required for the new effluent outfall at the Lingaun River, replacement of the existing access culvert, repurposing of an existing outfall as stormwater overflow and pipeline installation (rising main and treated effluent discharge pipe) under the Currasilla Upper Stream. A clay liner is proposed beneath the ponds to mitigate potential impacts on ground water. The NIS submitted contains a number of specific mitigation measures to address potential impacts on water quality in the surface water network around the site. The proposed ICW ponds are located within Flood Zone C and the FRA submitted notes that the it will be feasible to implement measures at the WWPS site which will appropriately manage the short duration flood risk at site by design without increasing flood risk in adjacent lands. The proposed development will provide for secondary treatment of effluent, thereby | |

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| | | improving overall water quality in the Lingaun River. | |
| **2.6** Is the location susceptible to subsidence, landslides or erosion? | No | N/A | No. |
| **2.7** Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project? | No | Traffic generation associated with the proposal is not significant. The effects from increases in traffic during construction will be temporary. Operational phase traffic is expected to be c. 2 vehicles per week. | No. |
| **2.8** Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project? | No | Site is located adjacent to the village. Given the nature of the proposed development significant impacts on are anticipated on nearby sensitive land uses, including school, church, community centre. The implementation of standard practice measures would satisfactorily mitigate potential impacts. | No. |
| **3. Any other factors that should be considered which could lead to environmental impacts** | | | |
| **3.1 Cumulative Effects:** Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase? | No. | N/A | No. |
| **3.2 Transboundary Effects:** Is the project likely to lead to transboundary effects? | No. | N/A | No. |
| **3.3** Are there any other relevant considerations? | No. | N/A | No. |
| **C. CONCLUSION** | | | |
| **No real likelihood of significant effects on the environment.** | X | EIAR Not Required | |
| **Real likelihood of significant effects on the environment.** | | EIAR Required | |

## D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

1. the criteria set out in Schedule 7, in particular
   (a) the limited nature and scale of the proposed development, which does not come under Class 13 Part 1 of Schedule 5 of the Planning and Development Regulations 2001, as amended, and is significantly below the threshold(s) in respect of Class 10 (iv) 'Infrastructure Projects' and also Class 11(c) 'Other Projects' as set out in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended.

2. the results of other relevant assessments of the effects on the environment submitted by the applicant (i.e. Appropriate Assessment Screening Report and NIS, the Flood Risk Assessment and Cultural Heritage Screening Assessment).

3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including the mitigation measures set out in the NIS and the FRA.

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

## Appendix 2 - Appropriate Assessment Screening Determination

| Screening for Appropriate Assessment<br>Test for likely significant effects | |
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| **Step 1: Description of the project and local site characteristics**<br>**Case file**: ACP-323526-25 | |
| **Brief description of project** | 10-year permission for Integrated Constructed Wetland (ICW) type Wastewater Treatment Plant (WWTP) for the treatment of wastewater from the Grangemockler agglomeration and ancillary works associated with the development including the associated pipework, fencing and landscaping.<br>Detail set out in section 2.0 of the Inspector's report. See also Section 4 of the NIS for details of the proposed development. |
| **Brief description of development site characteristics and potential impact mechanisms** | A detailed description of the development site is provided in Section 1.0 of the Inspector's report and detailed specifications of the proposal are provided in the Appropriate Assessment Screening Report, the NIS and other planning documents provided by the applicant. |

| | | |
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| | The site is located within the Lower River Suir SAC. Impact mechanisms include - the release of polluted run-off (inc. silt, hydrocarbons etc.) to surface and ground water during the construction phase of the proposed development, disturbance to aquatic species from instream works, including otter, and also disturbance to otter during the operational phase of the proposal. | |
| **Screening report** | Yes (prepared by Ryan Hanley) | |
| **Natura Impact Statement** | Yes (prepared by Ryan Hanley) | |
| **Relevant submissions** | <u>Environment Section</u> –<br>- report recommends that Further Information is sought in relation to whether the proposal could cater for additional areas within the village and recommends that conditions are attached to any grant of permission requiring the submission of a CEMP; details of the PV panels; stipulation of construction phase noise limits; and that regular maintenance of the ICW is in place.<br><br><u>EPA -</u><br>- submission (to PA) notes that a Waste Water Discharge Certificate of Authorisation is held by Uisce Éireann for the waste water discharges from the waste water works serving the | |

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| | agglomeration of Grangemockler. The certificate of authorisation relates to a population equivalent of 200p.e. The proposal will have a population equivalent of 250. The proposed development requires a review of the Waste Water Discharge Certificate of Authorisation. If permission is granted a condition should be attached requiring Uisce Éireann to submit an application for review of the certificate of authorisation within six months of the final grant of permission and before any development starts.<br>- Grangemockler agglomeration is listed as a significant pressure on River Lingaun under the Water Framework Directive.<br>• Submission from EPA also made to ACP. In addition to the above points the submission to ACP also notes that Article 17(i) of the Waste Water (Discharge Authorisation) Regulations 2007 as amended, requires licence applications in respect of the waste water discharge from a WWTP with a capacity of >10,000 p.e. to be accompanied by an Environmental Impact Assessment Report (EIAR). If a review Certificate of Authorisation application is received for A04016-01, under | |

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| | Article 25(1) of the Regulations, the Agency shall carry out a preliminary examination of, at the least, the nature, size or location of the development. It is noted that the planning application relates to a waste water treatment system designed for 250 p.e. | |
| | | |

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

4 no. European sites were identified as being within a potential zone of influence of the proposed development as detailed in Table 1 below.

| **European Site (code)** | **Qualifying interests (summary) Link to conservation objectives (NPWS, date)** | **Distance from proposed development** | **Ecological connections** | **Consider further in screening Y/N** |
|---|---|---|---|---|
| Lower River Suir SAC (Site Code: 002137) | - Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]<br>- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] | Within site boundary | Within site boundary | **Y** |

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| | - Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]<br>- Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]<br>- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]<br>- Taxus baccata woods of the British Isles [91J0]<br>- Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]<br>- Austropotamobius pallipes (White-clawed Crayfish) [1092]<br>- Petromyzon marinus (Sea Lamprey) [1095]<br>- Lampetra planeri (Brook Lamprey) [1096]<br>- Lampetra fluviatilis (River Lamprey) [1099] | | | |

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| | - Alosa fallax fallax (Twaite Shad) [1103]<br>- Salmo salar (Salmon) [1106]<br>- Lutra lutra (Otter) [1355]<br>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002137.pdf - 28th March 2027 | | | |
| River Barrow and River Nore SAC (Site Code: 002162) | - Estuaries [1130]<br>- Mudflats and sandflats not covered by seawater at low tide [1140]<br>- Reefs [1170]<br>- Salicornia and other annuals colonising mud and sand [1310]<br>- Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]<br>- Mediterranean salt meadows (Juncetalia maritimi) [1410]<br>- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] | c. 9.2 km north of appeal site | The River Barrow and River Nore SAC is located in a different WFD Catchment (Nore and Barrow) to the proposed works (Suir). The hydrological connection from the appeal site to the River Barrow and River Nore SAC is c. 55km. | **N** |

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| | - European dry heaths [4030]<br>- Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]<br>- Petrifying springs with tufa formation (Cratoneurion) [7220]<br>- Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]<br>- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]<br>- Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]<br>- Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]<br>- Austropotamobius pallipes (White-clawed Crayfish) [1092]<br>- Petromyzon marinus (Sea Lamprey) [1095] | | There is no likely significant impact from the proposed works on the QI of this SAC. | |

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| | - Lampetra planeri (Brook Lamprey) [1096]<br>- Lampetra fluviatilis (River Lamprey) [1099]<br>- Alosa fallax fallax (Twaite Shad) [1103]<br>- Salmo salar (Salmon) [1106]<br>- Lutra lutra (Otter) [1355]<br>- Vandenboschia speciosa (Killarney Fern) [6985]<br><br>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf - 6th June 2025 | | | |
| River Nore SPA (Site Code: 004057) | - Kingfisher (Alcedo atthis) [A229]<br><br>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004233.pdf - 2nd June 2024 | c. 11.8 km north-east of appeal site | The River Nore SPA is located in a different WFD Catchment (Nore) to the proposed works (Suir). It is | **N** |

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| | | | located upstream of the Suir/Barrow confluence, located c. 55km downstream from the site. Given the small scale and nature of the proposed works and the indirect hydrological connectivity there is no likely significant impact from the proposed works on the SCI of this SPA. | |
| Hugginstown Fen SAC | - Alkaline fens [7230] | c. 15 km east of appeal site | Hugginstown Fen SAC is located in the Blackwater | **N** |

| | | | | |
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| (Site Code: 000404) | https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000404.pdf - 17th July 2019 | | (Kilmacow) catchment which is a separate tributary of the River Suir. In addition, the site does not contain the Alkaline fens [7230] habitat. Therefore, there is no likely significant impact from the proposed works on the QI of this SAC. | |

Ecological walkover surveys of the site were carried out between July and October 2023 and in March 2025 (five assessments in total). Habitats were classified in accordance with The Heritage Council's 'A Guide to Habitats in Ireland' (Fossitt, 2000). Habitats on the site are described at Section 5.2 (and mapped see Fig. 5.1) of the AASR. The main habitat type on the site and its immediate surroundings is Improved Agricultural Grassland (GA1) for livestock grazing.

There are no Annex I habitats within or adjacent to the proposed works boundary.

No invasive plant species were identified on the site during the ecological surveys.

No species protected under the Flora (Protection) Order 2022 (S.I. No. 235/2022) were identified in the proposed works area on review of the NPWS Flora (Protection) Order 2022 Map Viewer and NBDC database.

The NPWS site specific conservation objectives data (last updated April 2022) marked both the River Lingaun and Currasilla stream in Grangemockler as Otter Habitat. Otter surveys were undertaken of the Currasilla Upper Stream and the Lingaun River. Physical evidence of otter was found but no potential otter holt was located during the otter survey (separate otter survey appended to AASR/NIS).

The surrounding landscape is deemed to have a 'moderate' suitability for bats (index rating of 22.78). 2 no. trees identified for felling were identified as having 'low-moderate' potential to support roosting bats due to potential roosting features.

The proposed works are in an area of 'moderate' groundwater vulnerability. There are no Karst areas within proximity to the proposed works. The GSI Bedrock Aquifer is designated as a 'Poor Aquifer - Bedrock which is generally unproductive except for Local Zones'.

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

The proposed development could result in direct and indirect effects on the above SAC. Sources of impact and likely significant effects are detailed in the Table below.

**Screening matrix**

| **Site name** | **Possibility of significant effects (alone) in view of the conservation objectives of the site** | |
|---|---|---|
| | **Impacts** | **Effects** |
| Lower River Suir SAC (Site Code: 002137) | The site is within the SAC. | There are no Annex I habitats within or adjacent to the proposed works boundary and the site does not have any significant link to the qualifying interests of the Lower River Suir SAC. |
| | Potential for impact on SAC downstream from instream works. | Subsequent impacts on water quality sensitive species/habitats. Instream works have potential to impact aquatic species using the Currasilla Upper Stream via direct disturbance. |
| | Water pollution arising from uncontrolled release of pollutants, to ground water and surface water | Subsequent impacts on water quality sensitive species/habitats. |

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| | (e.g. run-off, silt, fuel, oils, sediment etc.).<br><br>Disturbance to otter. | <br><br>Otter are also present along the Currasilla Upper Stream and Lingaun River and may be subject to direct disturbance as a result of the proposed construction works, and also during maintenance and inspection during operational phase. |
| | Likelihood of significant effects from proposed development (alone): **Yes** | |

**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, 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 following European Site;

- Lower River Suir SAC (Site Code: 002137).

I concur with the applicant's findings that such impacts could be significant in terms of the stated conservation objectives of the SAC when considered on their own in relation to pollution related pressures and disturbance on qualifying interest habitats and species.

Having regard to the distance of the development site to River Nore SPA, the nature of the proposed development, and the availability of suitable alternative lands in the vicinity, I do not consider that there is a potential likelihood of significant effects on Kingfisher, the single SCI for which River Nore SPA is designated for.

**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 objective information provided by the applicant, I conclude that the proposed development could result in significant effects on Lower River Suir SAC (Site Code: 002137) in view of the conservation objectives of a number of qualifying interest features of this site.

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 3 - Appropriate Assessment – AA Determination

| **Appropriate Assessment** |
| --- |
| The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section. |
| Taking account of the preceding screening determination at Appendix 2 of the Inspector's report (above), the following is an Appropriate Assessment of the implications of the proposed development in view of the relevant conservation objectives of Lower River Suir SAC (Site Code: 002137) based on the scientific information provided by the applicant.<br><br>The information relied upon includes the following:<br>• Planning & Environmental Report<br>• Environmental Impact Assessment Screening<br>• Appropriate Assessment Screening Report, prepared by Ryan Hanley<br>• Natura Impact Statement, prepared by Ryan Hanley<br>• Site Specific Flood Risk Assessment (SSFRA) |

- Drawings

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that 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 are included and assessed for effectiveness.

**Submissions/observations**

**Environment Section (Tipperary County Council)** -

- report recommends that Further Information is sought in relation to whether the proposal could cater for additional areas within the village; and recommends that conditions are attached to any grant of permission requiring the submission of a CEMP; details of the PV panels; stipulation of construction phase noise limits; and that regular maintenance of the ICW is in place.

**EPA** – submission notes;

- that a Waste Water Discharge Certificate of Authorisation is held by Uisce Éireann for the waste water discharges from the waste water works serving the agglomeration of Grangemockler. The certificate of authorisation relates to a population equivalent of 200p.e. The proposal will have a population equivalent of 250. The proposed development requires a review of the Waste Water Discharge Certificate of Authorisation. If permission is granted a condition should be attached requiring Uisce Éireann to submit an application for review of the certificate of authorisation within six months of the final grant of permission and before any development starts.

- Grangemockler agglomeration is listed as a significant pressure on River Lingaun under the Water Framework Directive.

Submission from EPA also made to ACP. In addition to the above points the submission to ACP also notes that Article 17(i) of the Waste Water (Discharge Authorisation) Regulations 2007 as amended, requires licence applications in respect of the waste water discharge from a WWTP with a capacity of >10,000 p.e. to be accompanied by an Environmental Impact Assessment Report (EIAR). If a review Certificate of Authorisation application is received for A04016-01, under Article 25(1) of the Regulations, the Agency shall carry out a preliminary examination of, at the least, the nature, size or location of the development. It is noted that the planning application relates to a waste water treatment system designed for 250 p.e.

**Lower River Suir SAC (Site Code: 002137)**
**Summary of Key issues that could give rise to adverse effects (from screening stage):**
**(i) Water Quality Degradation (construction, in particular instream works)**
**(ii) Direct disturbance to Aquatic Species, inc. otter (construction, in particular instream works and operation)**

| **Qualifying Interest features likely to be affected** | **Conservation Objectives** | **Potential adverse effects** | **Mitigation measures (summary)**<br><br>NIS Section 8 (see summary below) |
|---|---|---|---|
| Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion | To maintain the favourable conservation | Impact on water flow and disturbance to riverbed substrate | - Method statement will be agreed and approved with Inland Fisheries Ireland (IFI) and the National Parks and |

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| vegetation [3260], | condition of Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation in the Lower River Suir SAC. | resulting in excess sediment during instream works.<br><br>Release of sediment laden waters, wastes, or other pollutants during construction phase of the proposed development impacting ground and surface water quality, resulting in water quality degradation and/or alteration of habitat quality would undermine | Wildlife Service (NPWS) prior to construction.<br>- Instream works method statement will be agreed and approved with IFI and NPWS prior to construction.<br>- Preparation of CEMP prior to works commencing, will capture the mitigation measures in the NIS.<br>- Appointment/presence of Ecological Clerk of Works during construction, and for instream works.<br>- Site compounds will be at least 50 metres from watercourse.<br>- Inspection of imported material for invasive species.<br>- Emergency response plan in place to address release of silt/pollutants.<br>- No storage of machinery, soil etc. within areas susceptible to flooding.<br>- Instream works at the Lingaun River will be restricted to the new final | |

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| | | conservation objectives. | effluent outfall location. Works will be carried out from the bank, construction machinery will not cross the riverbed at this location.<br>- Instream works at the Currasilla Upper stream will be restricted to the two pipeline crossing locations, the outfall locations and the existing culvert upgrade. This will not involve machinery on the riverbank.<br>- In accordance with IFI guidelines and considering the potential for spawning lamprey (including Sea Lamprey) in the Lingaun, all instream works will be undertaken between August and September.<br>- Instream works will only be carried out in dry, low flow conditions.<br>- There will be an agreed Method Statement with IFI and NPWS which will permit electrofishing under licence | |
| Sea Lamprey (Petromyzon marinu) [1095] | To restore the favourable conservation condition of Sea Lamprey, Brook Lamprey and River Lamprey in the Lower River Suir SAC. | Instream works could cause disturbance to Sea Lamprey, Brook Lamprey and River Lamprey.<br><br>Impact on water flow and disturbance to riverbed substrate resulting in excess sediment during instream works.<br><br>Release of sediment laden | | |

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| | | waters, wastes, or other pollutants during construction phase of the proposed development impacting ground and surface water quality, resulting in water quality degradation and/or alteration of habitat quality would undermine conservation objectives. | to be carried out in the partially dammed (Lingaun River) and dammed (Currasilla Upper Stream) instream works areas. Any crayfish present will be trapped and translocated under licence out of the dammed area.<br>- For instream works on the Currasilla Upper stream, the instream works area will be blocked off, electrofished under licence and the flow of the stream will be pumped downstream. This pump will have a filter to prevent aquatic fauna from entering the pump. A silt curtain will be placed immediately downstream of the works area as a precautionary measure to protect water quality and prevent suspended solids migrating downstream. An oil sock will be suspended at water level along the silt curtain to trap any minor | |

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| | | | loss of hydrocarbons from machinery and prevent migration to downstream.<br>- For instream works at the Lingaun River, sterile sandbags will used to build a cofferdam around the works area. This area will be kept dry by pumping out water and discharging water to a settlement pond or settlement tank outside of the flood zone and at least 10 metres from any watercourse. A silt curtain will be placed around the sandbag cofferdam as a precautionary measure to protect water quality of the Lingaun River and prevent suspended solids migrating downstream. An oil sock will be suspended at water level along the silt curtain to trap any minor loss of hydrocarbons from machinery and prevent migration to downstream. | |

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| | | | - Sondes will be employed upstream and downstream of all instream works areas to continually monitor water quality during the construction period, and trigger alarms where there is a 20% difference in turbidity.<br>- Piling activities for the pedestrian bridge foundations or otherwise will begin with a ramp-up or soft start procedure to minimise noise impact on aquatic species in the works area.<br>- The new proposed culvert design will comply with IFI guidelines as per “Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters”.<br>- Final design of drainage and silt trapping systems will be agreed with IFI.<br>- Triple silt fencing will be place along the site boundary between the | |

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| | | | proposed works area and all watercourses and drainage ditches.<br>- Vegetation clearance will not be stockpiled along the riparian zone of any watercourse or drainage ditch.<br>- Any water encountered during excavation works will be discharged to a settlement pond or settlement tanker.<br>- Inspection of machinery for leaks.<br>- No storage of machinery or fuel within 20 metres of a watercourse.<br>- Use of bunds for storage of materials with pollution potential.<br>- Use of spill kits and oil booms.<br>- Use of pre-cast concrete where possible. Prohibition of concrete washing out on site.<br>- Confirmatory otter survey completed prior to works, and if otter holt identified specific measures outlined. Quarterly otter monitoring of site for 1 year. | |

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| | | | - Use of mammal proof fencing.<br>- Works to be carried out during daylight. | |
| Brook Lamprey (Lampetra planeri) [1096] | | | As above | |
| River Lamprey (Lampetra fluviatilis) [1099] | | | | |
| Salmon (Salmo salar) [1106] | To restore the favourable conservation condition of Atlantic Salmon in Lower River Suir SAC. | Instream works could cause disturbance to salmon.<br><br>Impact on water flow and disturbance to riverbed substrate resulting in excess sediment during instream works.<br><br>Release of sediment laden | As above. | |

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| | | waters, wastes, or other pollutants during construction phase of the proposed development impacting ground and surface water quality, resulting in water quality degradation and/or alteration of habitat quality would undermine conservation objectives. | | |
| Otter (Lutra lutra) [1355] | To maintain the favourable conservation condition of Otter in Lower River Suir SAC. | Proposed works adjacent to the Currasilla Upper | As above. | |

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| | | Stream and the Lingaun River could cause disturbance to commuting or foraging otter. Access for otter along the Currasilla Upper Stream and its riverbanks may be affected by the the pedestrian bridge and culvert.<br><br>Disturbance to riverbed substrate resulting in excess sediment during instream works. | | |

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| | | Release of sediment laden waters, wastes, or other pollutants during construction phase of the proposed development to the Currasilla Upper Stream and the Lingaun River could impact water quality and the prey species of otter. | | |
| Twaite Shad (Alosa fallax) (1103) | To restore the favourable conservation condition | Instream works could cause | As above. | |

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| | of Twaite Shad in the Lower River Suir SAC. | disturbance to Twaite Shad.<br><br>Disturbance to riverbed substrate resulting in excess sediment during instream works.<br><br>Release of sediment laden waters, wastes, or other pollutants during construction phase of the proposed development impacting ground and surface water quality, resulting in | | |

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|---|---|---|---|---|
| | | water quality degradation and/or alteration of habitat quality would undermine conservation objectives. | | |
| White-clawed Crayfish (Austropotamobius pallipes) (1092) | To maintain the favourable conservation condition of White-clawed Crayfish in the Lower River Suir SAC. | As above. | As above. | |
| The above table is based on the documentation and information provided on the file, and publicly available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002137.pdf and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.<br><br>The NIS submitted by the applicant notes that the proposed development will have no potential for adverse effects on the following QI of Lower River Suir SAC – | | | | |

- Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330];
- Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430];
- Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0];
- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0];
- Taxus baccata woods of the British Isles [91J0]; and;
- Margaritifera margaritifera (Freshwater Pearl Mussel) [1029];

on the basis of the location of the development site relative to the particular QI within the SAC/absence of Source-Pathway-Receptor and due to water quality not being a target attribute of the particular QI.

Regarding Freshwater Pearl Mussel, the NIS notes that Salmon are involved in a stage of the Freshwater Pearl Mussel life cycle, however, these Freshwater Pearl Mussels are located within the Clodiagh catchment, with which there is no viable pathway to Salmon returning to their river of origin to spawn. As Salmon migrate to the rivers which they spawned in, it is highly unlikely that any salmon located within the Lingaun River will be associated with the Freshwater Pearl Mussels located within the Clodiagh catchment.

I am satisfied that the proposed development would not result in ex-situ effects on birds species associated with SPA's in the wider area noting the distance of the site to the nearest SPA (i.e. River Nore SPA which is c. 11.8 km from the site and Mid-Waterford Coast SPA which is c. 34 km from the site). Should bird species associated with these SPA's occasionally use the site for feeding, foraging, resting etc. there is ample suitable alterative habitats in the vicinity.

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

Regarding Loss of Habitat, there are no Annex I habitats within or adjacent to the proposed works boundary and the site does not have any significant link to the qualifying interests of the Lower River Suir SAC.

**(i) Water quality degradation**

Deterioration of water quality and substrates in the designated site, resulting in adverse impacts to qualifying interests that the SAC has been designated for.

**Mitigation measures and conditions**

- Standard and Best Practice Construction Procedures and specific mitigation measures set-out at Section 8 of NIS.

**(ii) Disturbance to Aquatic Species**

Direct disturbance to aquatic species (inc. otter), impact on water flow and disturbance to riverbed substrate resulting in excess sediment during instream works.

**Mitigation measures and conditions**

- Standard and Best Practice Construction Procedures and specific mitigation measures set-out at Section 8 of NIS.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to the qualifying interests of the SAC by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented.

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| **In-combination effects**<br>I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development was considered in-combination with other plans and projects in the area that could result in cumulative impacts on designated sites. No other plans and projects could combine to generate significant effects when mitigation measures are considered. I am satisfied that the applicant has demonstrated that no significant residual effects will remain post the application of mitigation measures. | |
| **Findings and conclusions**<br>The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European Site. Based on the information provided, I am satisfied that adverse effects arising from the proposed development can be excluded for Lower River Suir SAC (Site Code: 002137). No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants and minimise disturbance to aquatic species. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted.<br><br>**Reasonable scientific doubt**<br>I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.<br><br>**Site Integrity**<br>The proposed development will not affect the attainment Conservation objectives of Lower River Suir SAC (Site Code: 002137). Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects. | |

## Appendix 4 - Water Framework Directive (WFD) Screening Matrix

| WFD IMPACT ASSESSMENT STAGE 1: SCREENING | | | |
|---|---|---|---|
| **Step 1: Nature of the Project, the Site and Locality** | | | |
| **An Bord Pleanála ref. no.** | **ABP-323526-25** | **Townland, address** | Townlands of Grangemockler, Currasilla Lower and Bleenaleen Lower, Grangemockler, County Tipperary |
| **Description of project** | | The proposed development comprises,<br><br>10-year permission for Integrated Constructed Wetland (ICW) type Wastewater Treatment Plant (WWTP) for the treatment of wastewater from the Grangemockler agglomeration and ancillary works associated with the development including the associated pipework, fencing and landscaping. | |
| **Brief site description, relevant to WFD Screening** | | A watercourse (Currasilla Upper Stream) runs along the western boundary of the appeal site. A culverted bridge over the Currasilla Upper Stream is located to the north-west of the appeal site. The Lingaun River is located south-west of the appeal site. The Currasilla Upper Stream is a tributary of the Lingaun River | |

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| | and joins it c. 0.5 km south of the appeal site. There is a drainage ditch along the eastern boundary of the appeal site.<br><br>The proposed works are in an area of moderate groundwater vulnerability. There are no Karst areas within proximity to the proposed works. The GSI Bedrock Aquifer is designated as a 'Poor Aquifer - Bedrock which is generally unproductive except for Local Zones'. |
| **Proposed surface water details** | The proposal will provide a new effluent discharge pipe and outfall to the Lingaun River and the replacement of an existing culvert bridge over the Currasilla Upper Stream. The existing flow of waste water being discharged is expected to remain the same. Instream works will be required for the new effluent outfall at the Lingaun River, replacement of the existing access culvert, repurposing of an existing outfall as stormwater overflow and pipeline installation (rising main and treated effluent discharge pipe) under the Currasilla Upper Stream.<br><br>Storm water at the proposed site will be attenuated within French Drains.<br>No wastewater will discharge directly to any watercourse or drainage ditch. |
| **Proposed water supply source & available capacity** | N/A. |

| | |
|---|---|
| **Proposed wastewater treatment system & available capacity, other issues** | An ICW is proposed which will provide secondary treatment of effluent prior to discharge to the Lingaun River. |
| **Others?** | N/A. |

**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** | Within site | Lingaun_020 IE_SE_16L01 0200 | Moderate | At Risk | - Agriculture<br>- Urban Waste Water | Run-off to surface and ground water |
| **Transitional** | N/A | N/A | N/A | N/A | N/A | N/A |
| **Coastal** | N/A | N/A | N/A | N/A | N/A | N/A |
| **Groundwater** | 0 | Mullinavat IE_S_G_155 | Good | Not At Risk | N/A | Infiltration to groundwater |
| **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.** | | | | | | |
| **CONSTRUCTION PHASE** | | | | | | Componer |

| No. | Component | Water body receptor (EPA Code) | Pathway (existing and new) | Potential for impact/ what is the possible impact | Screening Stage Mitigation Measures | Residual Risk (yes/no)<br>Detail | **Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.** |
|---|---|---|---|---|---|---|---|
| 1. | **River** | Lingaun_020 IE_SE_16L01 0200 | Via watercourse within site. | Siltation, pH (concrete), hydrocarbon spillages. | Standard construction practice, submission of a CEMP. | No. | Screened out. |
| 2. | **Transitional** | N/A | N/A | N/A | N/A | N/A | N/A |
| 3. | **Coastal** | N/A | N/A | N/A | N/A | N/A | N/A |
| 4. | **Groundwater** | Mullinavat IE_S_G_155 | Pathway exists. | Hydrocarbon spillages. | Standard construction practice, submissi | No. | Screened out. |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | on of a CEMP. | | |
| **OPERATIONAL PHASE** | | | | | | | |
| 1. | **River** | Lingaun_020 IE_SE_16L01 0200 | Via watercourse on site.<br><br>New outfall to Lingaun River. | None envisaged. | N/A | ICW will provide secondary treatment to effluent. | Screened out. |
| 2. | **Transitional** | N/A | N/A | N/A | N/A | N/A | N/A |
| 3. | **Coastal** | N/A | N/A | N/A | N/A | N/A | N/A |
| 4. | **Groundwater** | Mullinavat IE_S_G_155 | Pathway exists. | None envisaged. | N/A | ICW will provide secondary treatment to effluent. | Screened out. |

| DECOMMISSIONING PHASE | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1. | N/A | N/A | N/A | N/A | N/A | N/A | N/A |