



An
Coimisiún
Pleanála

Inspector's Report PL-500346-WX-25

Development	Permission for the development consisting of a Battery Energy Storage System and all associated works.
Location	IDA Business & Technology Park, Rosslare Road, Co. Wexford, Y35 VNH4.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250770
Applicant(s)	European Refreshments Unlimited Company
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Naomi Kloss
Observer(s)	None
Date of Site Inspection	12 March 2026
Inspector	Claire McVeigh

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1.0 Site Location and Description

- 1.1. The subject site, a stated area of 0.15 ha, is located within the IDA Business and Technology Park to the south of Wexford Town. Sinnottstown Lane is located to the south of the Business and Technology Park. Vehicular access is off the Rosslare Road (R730) to the east, and via the existing internal road network. There are residential properties at Coolballow Road (L3507) to the northwest of the subject site with ground levels approximately 10-20m higher than the subject site.
- 1.2. European Refreshments is located within the most westerly portion of the IDA Business and Technology Park, and the subject site is accessed via a narrow bridge over a stream in close proximity to the security hut main entrance at the manufacturing plant. The topography of the site is gently sloping, draining eastwards near the Kerlog and Rathaspick watercourses. The permitted solar farm (please refer to section 4.0 planning history) has been partially constructed and the relatively flat lands are defined by mature hedges and trees along the western/northwestern boundary with green security fencing along the edges. I note that there are existing overhead lights that partially cross the proposed BESS compound.

2.0 Proposed Development

- 2.1. The proposed development the construction of a Battery Energy Storage System (BESS) ~7.3 MWh compound and all associated works.

The proposed development would consist of:

- The installation and operation of 1 no. battery energy storage system compound containing 18 battery racks, inverter/transformer skids, energy management system, electrical transformer an inverter units, CCTV and lighting to compound, underground cabling and ducting, boundary fencing, security entrance gates and all associated ancillary site development, landscaping and reinstatement works.
- The battery cubicles are approximately 2.6m high with fencing surrounding the proposed compound of 2.4 metres in height.
- A compacted gravel platform is proposed to be installed across the 20mx20m compound to support the BESS infrastructure.

- The BESS would be integrated with the existing photovoltaic (PV) system to store surplus energy generated during periods of high solar output. This stored energy can then be utilised during periods of low solar generation or high energy demand. It is stated that three smaller solar panel arrays (as granted under planning register reference 20231164 (ABP 318996-24) shall not be installed to facilitate the proposed development.
- Two no. staff welfare container structures (temporary to facilitate construction period only).

2.2. The following were submitted in support of the application:

- An outline Construction Environmental Management Plan, Outline Decommissioning Plan and outline Waste Management Plan.
- VEON Ecology letter/statement.
- A copy of the Ecological Impact Assessment, Natura Impact Statement and Flood Risk Assessment and Landscape Mitigation Plan that were submitted as for planning application register reference: 20231164 (ABP 318996-24) which refers to a Solar Farm project on the site. NB: These documents have not been altered to include the BESS proposals.
- Noise assessment prepared by MKO.

2.3. In response to a request for further information a Supplementary Flood Risk Assessment (Annex) was submitted.

2.4. Section 6.2 of the submitted planning report prepared by *Greenvolt Next* on behalf of the applicants states that minimal impermeable surface will be introduced. Surface water management will be addressed through localised attenuation within the site boundary, and no off-site discharge of surface water is proposed. No sanitary facilities are proposed with exception to the temporary facilities provided to accommodate construction at the site and wastewater/waste will be pumped and taken off site.

3.0 Planning Authority Decision

3.1. Decision

On the 7 November 2025 the planning authority granted permission subject to 7 no. conditions. See section 3.2.2 for summary of bespoke conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Initial report: - request for further information in respect to details of the proposed temporary staff welfare structures to include clarification regarding their intended use, any water/wastewater arrangements and timespan envisaged, supplementary flood risk assessment addressing the nature of the development proposed in the subject application, and a response to the third-party submission received.

EIA not required.

In respect to consideration of Appropriate Assessment - Refers to previous Appropriate Assessment undertaken by WCC and ABP in the assessment of application register reference 20231164 that the development would not cause significant effects on the Slaney Rover Valley SAC, the Wexford Harbour and Slobs SPA or any other Natura 2000 site.

Considers having regard to the previous NIS including mitigation measures, the supplementary report submitted with the application, the considerations and conclusions of the competent authorities under planning application 20231164, the nature of the proposed development and characteristics of the site that the development proposed in this application would not give rise to potential effects on Natura 2000 sites and that the information submitted is sufficient to reach that conclusion.

Unsigned /undated AA Screening Report and AA Screening Determination attached. Conclusion of assessment is that "*Significant impacts can be ruled out and stage 2 AA is not required*".

- Second report following receipt of further information: -

Is satisfied that the bulk of the proposed BESS is not at risk from flooding nor will it impact on the flows of surface water during flood events.

Notes the applicant's confirmation that the staff welfare facilities are for a temporary timespan to facilitate the construction works and that water and wastewater will be entirely off-site.

Sets out the applicant's response to the issues raised by the third party, including the noise and acoustic report which demonstrates compliance within guideline limits for sensitive receptors and the lighting plan ensures that lighting is directional and minimise spill beyond the site boundary. NB: It does not appear that a lighting plan was submitted with the application documentation.

3.2.2. Other Technical Reports

Senior Executive Scientist (Environment) (dated 29 April 2025) Requests that further information is sought for the following:

- An Ecological Impact Assessment, Natura Impact Statement, Flood Risk Assessment Report including proposed Battery Energy Storage System on site.
- Due to the presence of River Kerlog and River Rathaspick submit a proposal for water samples for monitoring of the water quality during construction and operational phase.
- Provide details if there will be spill/leakage coming from BESS how would contamination be prevented.
- Submit a detailed site layout map for temporary construction compound and welfare facilities to include: -
 - i. Welfare facilities such as toilets, rest area and a site office,
 - ii. Storage areas for tools
 - iii. Vehicle parking and refuelling
 - iv. Segregated waste storage
 - v. Bounded area.

3.2.3. Planning Conditions

Condition no. 1 Plans and particulars as amended by further information received 15 October 2025.

Condition 2 and 3 Development Contributions. Appendix 1 attached with Development Contributions calculation.

Condition 4 Lighting designed to avoid light spillage from development.

Condition 5 Noise restrictions.

Condition 6 Dust measurements and controls.

Condition 7 Landscaping carried out within 12 months from the date of the commencement of development.

Advice note attached: *Section 34(13) of the Planning and Development Act 2000 (as amended) reads "A person shall not be entitled solely by reasons of a permission under this section to carry out any development". This is referred to in the context of the need to avoid infringing on any way the rights of adjoining property owners.*

3.3. Prescribed Bodies

Health and Safety Authority: The approach of the authority to land-use planning is set out in the document '*Policy & Approach of the Health and Safety Authority to COMAH Risk-based Land Use Planning*'. It is available from our website (https://www.hsa.ie/eng/publications_and_forms/publications/chemical_and_hazardous_substances/guidance_on_technical_land_use_planning_advice/ Accessed 12 March 2026).

In that context, and in the Health and Safety Authority remit, in respect of this specific application the following points are relevant:

1. The application is covered by Regulations 24(2)(c) of S.I. 209 of 2015.
2. On the basis of the information supplied, the authority does not advise against the granting of planning permission in the context of Major Accident Hazards.
3. The advice is only applicable to the specific circumstances of this proposal at this period of time.

Future development around COMAH establishments has the potential to impact on the expansion of those establishments.

3.4. **Third Party Observations**

One third party submission /observation was received from Naomi Kloss, dwelling/ landowner northwest of the proposed site. In summary the points raised include:

- Lack of engagement with local residents/landowners with respect to the impact on the aquatic pathway which acts as a border with their property
- Fire risk concerns (battery overcharging, leakage, battery fires emitting hazardous fumes and battery degradation over time) - in addition gorse growing adjacent to European Refreshments company boundary could result in fire spread.
- The company is a designated Seveso site and as such have concerns regarding the plant and proximity to land. Suggest that there would need to be increased provision of hydrants and an improvement to infrastructure along Coolballow and Sinnottstown lane for emergency services to access the wider area around the plant.
- Noise levels regarding cooling fans, pumps, transformers etc. and lighting levels impact on residential amenity/privacy. CCTV will be invasive and present privacy issues. Acoustic study does not allow for the demographic in the area of people living in the immediate locality or consider into the future.
- Concern that accidents would result in significant impacts on ecology of the river/area and adjoining land and property.

4.0 **Planning History**

IDA Business and Technology Park, Rosslare Road, Wexford.

ABP-318996-24 Planning register reference 20231164 – Planning permission granted (2 September 2024) for Solar PV farm with all associated works, consisting of 44,172.66 m² of photovoltaic panels on a ground mounted system and carport

system, 2 cabins and ancillary cabling and electrical infrastructure. A Natura Impact Statement (NIS) was submitted with the application.

Pre-application consultation Reference Number P20250047

5.0 Policy Context

5.1. National Legislation and Policy

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

Section 15. (1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with –

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

5.1.2. Climate Action Plan, 2025 (referencing CAP2024)

The need for such flexible generation capacity is recognised as a national priority in the Government Policy Statement on Security of Electricity Supply, and in the Climate Action Plan 2024 and the Climate Action Plan 2025. The CAP 2025 emphasises the importance of grid reinforcement and demand management.

5.1.3. National Planning Framework: First Revision (April 2025)

Section 'Energy Security in Ireland' highlights the government published 'Energy Security in Ireland to 2030' report (November 2023) which sets out a range of mitigation measures including the need for additional capacity of indigenous renewable energy and energy storage.

National Policy Objective 69 Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas reductions as expressed in the most recently adopted carbon budgets.

5.2. **Regional Spatial and Economic Strategy (RSES) Southern Region.**

RPO 104 Energy Storage and Carbon Capture It is an objective to support investment in initiatives to develop innovation, advances in technology and pilot projects for the sustainable development of energy storage and carbon capture within the Region

5.3. **Development Plan - Wexford County Development Plan 2022-2028** (Note: Draft Variation No. 1 - To incorporate additional objectives with regard to the control of developments to which the SEVESO III Directive applies)

The subject site is not zoned.

Table 10-2 SEVESO Sites in County Wexford. Upper Tier: European Refreshments, Sinnottstown, Drinagh, Wexford.

Objective COMAH01 To control the following for the purposes of reducing the risk or limiting the consequences of a major accident (regard will be had to the provisions of the Major Accidents Directive and any regulations, under any enactment, giving effect to that Directive):

- The siting of Major Accident Hazard sites.
- The modification of an existing Major Accident Hazard site.
- Development in the vicinity of a Major Accident Hazard site as specified in the Planning and Development Regulations 2001 (as amended).

Volume 1

- Climate Action and Infrastructure Planning
- Infrastructure Strategy
- Water Supply

- Flood Risk and Surface Water Management
- Climate Action and the Environment
- Climate Action and Landscape

Volume 2: Development Management

Volume 7 Landscape Character

Volume 10 Energy Strategy - Objective ES37 To facilitate the development of Battery Energy Storage Systems and other energy storage technologies such as air storage and synchronous condensers at appropriate locations to ensure a reliable and secure energy supply, subject to normal planning and environmental criteria, including residential and visual impacts.

5.4. Wexford Town Local Area Plan 2024-2030 (Plan in preparation)

Plan current stated to be in preparation by the planning authority.

5.5. Natural Heritage Designations

The subject site is hydrologically linked to the Slaney River Valley SAC and Wexford Harbour and Slobs SPA and Wexford Slobs and Harbour proposed Natural Heritage Area (pNHA).

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

One third party appeal has been received from Naomi Kloss.

At the outset of the appeal submission, I note that the appellant sets out that they were not permitted to comment on further information submitted to the planning authority as the information received was deemed not to be significant. The appellant is concerned that the further information as submitted implies further future phasing of BESS development. In the interests of clarity my understanding of the submitted FI response does not imply that there will be future BESS development.

In summary, the key planning and environmental issues raised are:

- In respect to the issue highlighted of light trespass I note that this is stated to have occurred in October 2024 and related to light from the European Refreshments plant. The appellant is concerned that further light trespass could happen as a result of the subject application.
- Safety issues with respect to BESS technology which is in its infancy, concerns about thermal runaway events and inability of emergency services to have appropriate access and space in the event of a fire. No details provided on early warning detection systems, external hydrants and whether the existing water supply in the environs is sufficient for the task in hand. Highlights the existing gorse vegetation which could contribute to fire spread. Release of potential hazardous air emissions in the event of fire. Emergency response plan prepared after the application is insufficient to deal with the specific challenges and infrastructure deficits in the area (western and northern flank area). The development is landlocked and inaccessible. Previous access point has been closed along Sinnottstown Lane. Only one point of access, which may result in time delays responding to a fire event.
- SEVESO Site not addressed in the application.
- Surface water discharge into the River Kerlog - The applicant does not have legal easement for surface water discharge onto the appellant's land which abuts the river.
- Impact on ecology of adjoining watercourse - concerns about surface water run-off causing flooding, sedimentation and accidental spills hydrocarbons and other pollutants from the SEVESO site into the watercourse.

- Visual impact of the development in conjunction with the solar development. Elevated properties look directly on the subject site. Dispute the claim that the development is adequately screened from all sides.
- Existing noise levels are an issue with nighttime noise disrupting sleep. The noise study does not account for the dynamics of the area and vulnerable receptors not acknowledged. The noise report does not identify Kerlogue Nursing Home.
- Piecemeal development and lack of co-ordination.
- Procedural issues – Inaccurate mapping of site boundary and landownership issues.

I highlight to Commission the attached appendices to the appeal submission (Docs 1-19) which include copy of correspondence to Wexford County Council and their replies. Photographs and maps also are included.

7.2. Applicant Response

Submission prepared by *Greenvolt Next* on behalf of the applicant European Refreshments Unlimited Company.

- Confines the response to the matters directly related to the proposed BESS. Matters raised that all outside the scope including private civil issues (private property rights, alleged trespass, easements or civil disputes), land title, or alleged historical matters are considered to be outside the remit of this appeal.
- All planning issues relevant to the proposed development have already been comprehensively assessed through the planning application and the response to Further Information (FI) request.
- Issues relating to surface water drainage and flood risk, operational and fire safety, site boundaries and land ownership are addressed in the independent technical assessments which were accepted by the planning authority as compliant with all relevant planning, environmental and safety standards.

- Consider that no new or substantive planning grounds have been raised that would justify overturning the decision of Wexford County Council. Request that An Coimisiún Pleanála upload the grant of permission.

7.3. Planning Authority Response

- The subject site is located adjacent to the IDA Park in Drinagh in Wexford Town. The development is associated with the adjoining industrial facility which produces concentrate for soft drinks manufacturing which is exported worldwide.
- The development of a BES adjoins a permitted solar farm granted on appeal, reference ABP 26.318996. The proposed development is required to store energy and regulate the flow of energy from the solar arrays currently under construction. The power will predominantly be used in the adjoining industrial manufacturing unit (European Refreshments). The proposal is part of an overall package to reduce the dependence on fossil fuels but also to provide energy security to ensure continuity of production should there be any future power cuts.
- Having regard to the appellant's statement Wexford County Council refers to the planning recommendation report which assessed the development as submitted.
- The planning authority notes the need for the development to improve the sustainability targets of the manufacturing facility and to enhance the use of the power generated by the approved solar arrays.
- Consider that the development complies with the aims and objectives of the Wexford County Development Plan 2022-2028 and the proper planning and sustainable development of the area. Request that An Coimisiún Pleanála grants permission subject to the attached conditions. Seven no. conditions attached these are the same as those conditions attached to the decision to grant permission.

7.4. **Observations**

- None

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of development (including consideration of SEVESO designation)
- Operational and fire safety
- Surface water drainage and flood risk
- Noise impact
- Visual impact
- Site boundaries and land ownership

8.2. **Principle of development (including consideration of SEVESO designation)**

The development plan confirms that a Local Area Plan (LAP) is to be prepared for Wexford Town to replace the Wexford Town and Environs Development Plan 2009-2015 (previously extended but now expired). The subject lands are unzoned. As such the acceptability or otherwise of the proposed development must be assessed against normal planning and environmental considerations, including the current use of the site, pattern of development in the vicinity and appropriateness of the proposals set against the policies and objectives of the development plan.

The application proposes a supplementary element to the previously permitted solar farm (see section 4.0) to facilitate storage of energy generated during periods of high solar output. The proposed BESS would support the operation of the solar farm and assist with managing the variable nature of the renewable energy generated to power the manufacturing plant. As such, I am of the opinion that the proposal is consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as

amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, Climate Action Plan 2025 (including Climate Action Plan 2024), National Policy Objective 69, Regional Policy Objective 104 and development plan objective ES37 (please refer to section 5.0 of my report) in terms of supporting technology for renewable energy generation.

The appellant highlights in their submission that European Refreshments is a designated upper tier SEVESO¹ site. I acknowledge same and note that as such Objective COMAH01 of the development plan requires the control of development in the vicinity of such a major accident hazard for the purposes of reducing the risk or limiting the consequences of a major accident. The Health and Safety Authority (HSA) in their report do not advise against the granting of planning permission in the context of major accidents hazards. They note, however, that future development around COMAH establishments has the potential to impact on the expansion of those establishments.

I highlight to the Commission the current proposed variation no. 1 of the development plan on public consultation (Submissions can be made up until 5pm Thursday 12 March 2026) includes additional objectives with regard to the control of developments to which the SEVESO III Directive applies taking into account the latest HSA's Guidance on Technical Land-Use Planning Advice for Planning Authorities and COMAH Establishment Operators (Version 2 Updated February 2023). The HSA's report in respect to the subject application does reference the latest 2023 guidance.

Taking into account the HSA report, I am of the opinion that the proposed use is acceptable in principle having regard to the potential synergy with the permitted solar arrays to help reduce non-renewable energy demand from the manufacturing plant consistent with the Climate Act and consider it would accord with development plan objective ES37 (Volume 10 Energy Strategy) which seeks to facilitate the development of Battery Energy Storage Systems (BESS) at appropriate locations to ensure a reliable and secure energy supply.

¹ SEVESO III Directive (2012/18/EU) was adopted taking into account, amongst other factors, the changes in EU legislation on the classification of chemicals and the increased rights for the public to access information and justice and is the main EU legislation dealing with the control of onshore major accident hazards involving dangerous substances. The Directive aims to prevent major accident hazards involving dangerous substances and chemicals and the limitation of their consequences for people and the environment (Section 10.9 Wexford County Development Plan 2022-2028).

8.3. Operational and fire safety

- 8.3.1. The appellant has raised a number of issues with respect to the operation and safety in the event of a fire. At the outset I note that a report from the Chief Fire Officer was not received in respect of the application and from the information submitted it is unclear whether direct engagement has occurred between the applicant and the local authority fire service prior to the application being submitted.
- 8.3.2. Section 4.4 of the 'Planning Report' prepared by *Greenvolt Next* submitted with the application outlines fire safety and containment measures and a Fire Risk Assessment (FRA) for BESS is set out in the Outline Construction Environmental Management Plan (CEMP). The FRA is stated to have been prepared in alignment with Health and Safety Authority (HSA) guidance and International best practice standards, including NFPA 855, IEC 62933 and ESB Network safety protocols and reflects recommendations outlined in the third-party Fire Risk Assessment (FRA) conducted by ORS. In the interests of clarity an FRA prepared by ORS is not included with the planning application documentation.
- 8.3.3. In the planning report prepared by *Greenvolt Next* it is stated that the strategy proposed for a 'controlled burn' will be formally discussed and agreed upon with Wexford Fire Service and would be detailed in the Emergency Response Plan (ERP) and Construction Environmental Management Plan (CEMP). In the submitted FRA it is stated that a dedicated fire access route will encircle the BESS compound for emergency response vehicles. No further details or drawings are provided of same. The detail of the emergency access routes and integration of site-specific water sources and fire hydrants are stated would be included in the agreed Emergency Response Plan (ERP).
- 8.3.4. It is highlighted by the appellant that there is only one access point to the proposed BESS location and that there are limitations to the access route. From my site visit I would concur that the subject site is accessible by the internal route through the IDA Business and Technology Park only. I also highlight to the Commission that overhead lines transverse a portion of the subject site. I am of the opinion that plans and particulars detailing the site-specific dedicated fire access routes are necessary as part of the planning application documentation, as there may be implications for the proposed compound's location to achieve adequate separation distances. In

addition, the detail of the site-specific water sources, fire hydrants and fire water runoff containment measures may result in modification to the proposed design and layout of the BESS compound including revised landscape mitigation measures.

- 8.3.5. In the absence of a report from the Chief Fire Officer agreeing to such site specific details, I am unable to conclude with certainty that the proposed development has sufficiently designed in adequate measures for both firefighting and the containment of firewater runoff in the event that a 'controlled burn' strategy is not accepted by the local authority fire service. On this basis I recommend that planning permission is refused.

8.4. Surface water drainage and flood risk

- 8.4.1. As noted in section 2.0 of my report the proposed development includes for a compacted gravel platform across the 20mx20m compound to support all BESS infrastructure and each battery container (a prefabricated unit) would be positioned on the compacted gravel base. Three 1 MW Power Conversion System (PCS) units are proposed to be installed in standalone metal enclosures adjacent to the battery containers and placed on the compacted gravel base.
- 8.4.2. There is conflicting information submitted in terms the proposals with respect to surface water management. The planning report submitted initially with the application states that the existing drainage pattern of the site will be maintained and that the permeable gravel surface will support natural infiltration reducing the risk of surface water runoff. The Flood Risk Assessment (FRA) submitted in response to a request for further information sets out mitigation measures including SuDS integration (including the use of swales and permeable surfaces) for the BESS compound to manage surface water and elevated concrete plinths for the BESS equipment to ensure flood resilience. No detailed drawings or surface water calculations of the proposed SuDS measures have been included with the application documentation.
- 8.4.3. The appellant raises concerns in respect to the potential impact of increased surface water runoff into the river, which forms a shared boundary with their landholding, in respect to increased flood risk and the potential for detrimental impacts to the watercourse and its ecology. I consider that the proposed installation of a compacted

gravel base for the entire compound and concrete plinths represent a different impact in terms of surface water penetration to that of the permitted solar arrays. In this respect, I am of the opinion that it has not been adequately demonstrated how surface water runoff would be managed. In addition, as stated above there may also need to be firewater run-off containment measures subject to the strategy employed in the event of a fire, which has not been designed for. Therefore, in conclusion on this point given the lack of certainty in respect to overall surface water management based on the information as presented by the applicant, I am of the view that the level of information provided in respect to surface water management proposals is not adequate and at a level of detail to draw satisfactory conclusions in relation to the proper and satisfactory management of the volume of surface water to be generated. The proposed development would, therefore, give rise to a potential source of water pollution, would be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.

Please also refer to section 9.0 Screening for Appropriate Assessment in respect to the assessment of potential hydrological impacts.

8.5. Noise impact

- 8.5.1. The subject site is located on the western edge of the industrial manufacturing landholding adjacent to a transitional residential and rural zone within the inner arch of the N25 (Wexford Bypass).
- 8.5.2. The applicant has submitted a Noise Assessment prepared by *MKO* which focuses on the potential impacts of noise emitted directly by the proposed BESS noting that the facility would be entirely automated requiring only sporadic visits by maintenance personnel as such traffic noise impacts would not arise. It is explained that there are no national mandatory noise limits applicable to commercial, industrial or energy infrastructure installations, however, noise criteria appropriate to commercial emissions are set out in Table 1 of the submitted assessment having regard to World Health Organisation (WHO) guidance and EPA guidance.
- 8.5.3. In respect to the proposed BESS, noise emissions from the proposed equipment would cut in and out as required on a 24/7 basis. Noise emissions are stated to arise from 18 battery modules, an inverter and a transformer. Within the modules

emissions would arise from heating, ventilation and air conditioning fans. The proposed development would not give impulsive emissions. Operational noise levels at receptors were modelled and predicted levels at receptors are considerably lower than the 55dB daytime, 50 dB evening and 45 dB nighttime criteria (see Table 3 of the submitted MKO Noise Assessment. It is stated in the noise assessment that due to the proposed development having predicted noise levels of more than 10dB lower than criteria it is “*mathematically impossible for the proposed development to contribute to any scenario where combined emissions with other facilities, including the ERUC premisses and permitted solar farm will exceed the identified criteria*”. In this respect it is set out that the proposed development would not give rise to significant cumulative effects.

- 8.5.4. I note that applicant is concerned that the noise assessment did not identify Kerlogue Nursing home as a vulnerable receptor. The nursing home is located approximately 1km north/northeast of the subject site, close to the junction of the Coolballow Road and the R730 Rosslare Road, and as such I accept that this would be considered as the immediate locality. As such I do not agree with the appellant that it should have been included in the assessment.
- 8.5.5. I acknowledge the statement of competence of the acoustics expert responsible for the preparation of the noise assessment and I accept the conclusions that the proposed development would give rise to impacts at receptors which would be deemed ‘not significant’ or less. In conclusion, I do not consider that the proposed development should be refused permission by reason of noise impact.

8.6. Visual Impact

- 8.6.1. The appellant has submitted photographs of a neighbouring field and the subject site (Document 9 and Document 10) prior to the construction of the solar farm to demonstrate the visual impact of same. It is considered by the appellant that the development is adequately screened from all sides and is concerned that the visual impact would be made worse by the BESS system.
- 8.6.2. The proposed BESS battery cubicles are approximately 2.6 metres in height with the proposed transformer at approximately 2.8m in height. A 2.4m high perimeter fence (green security fencing) is proposed to surround the compound.

- 8.6.3. In respect to the site boundary at the proposed location of the BSES it appears that some of the planting has been removed/cut back along the riverbank (River Kerlog) to facilitate the provision of the security fencing along this northern boundary. An accurate landscape plan of the proposed BESS and planting proposals for same has not been submitted. In the event the Commission is minded to grant permission I recommend that a landscaping condition be attached.
- 8.6.4. From my site inspection I viewed the subject site from the Coolballow Road and internally within the IDA Business & Technology Park. Whilst I accept that the visual impact of the permitted solar farm is more evident from the appellant's position I would concur with the applicant that by reason of the relatively the low profile, limited scale and its proposed position against the existing manufacturing plant backdrop that the proposed development would not result in a significant visual impact over and above the existing impact on the established visual amenities of the area.
- 8.6.5. In respect to visual impact of increased lighting, I note that the applicant states that the lighting plan is directional and minimises spill beyond the site boundary. From my review of the case file a lighting plan does not appear to have been included. In the event the Commission is minded to grant permission I recommended that a lighting condition be attached.

8.7. Site boundaries and land ownership

- 8.7.1. In terms of the accuracy of the site boundary as mapped on the application documentation the Commission is not an arbiter of title and the extent to which it is required to interrogate these issues is limited. In terms of the legal interest and landownership boundary, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

8.8. Conclusion

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act

2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, consistent with the Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State. The policy framework, including Objective ES37 of the development plan is consistent with climate objectives and the proposed development of a BESS would be supported by the existing policy.

Notwithstanding the relatively small scale of the proposed BESS, by reason of the nature of the proposal and its sensitive location between two hydrological pathways I am of the opinion that interconnected issues relating to operational/ fire safety and surface water management, as set out above in my assessment, cannot be addressed by way of condition given uncertainty and contradictory information presented in the planning application documentation. Both these interconnected issues give rise, in my opinion, to a lack of certainty in respect to likely significant effects on the connected European Sites (please see section 9.0 of my report and Appendix 2) and whether the proposed development may jeopardise the water body in reaching its WFD objectives (please see section 10.0 and Appendix 3) and for this reason a refusal is recommended.

9.0 Screening for Appropriate Assessment (AA)

I highlight to the Commission that it is determined in the submitted statement by *Veon Ecology* that given the proposed BESS installation is fully contained within the existing redline boundary of the previously approved solar farm development (Planning application ref. no. 20231164) and there is no change to the original project footprint such that no further ecological surveys are considered necessary for this phase of the project. A copy of the Ecological Impact Assessment (EclA) and Natura Impact Statement (NIS) in respect of that application have been included in the planning application documentation for the subject application. For the avoidance of doubt the submitted Natura Impact Statement (NIS) does not include the subject application proposals for a BESS.

I highlight to the Commission that the report received from the Senior Executive Scientist (Environment), but not referenced in the planner's reports, recommends that the applicant be requested to submit as further information a EclA, NIS and FRA including the proposed BSES on the site. Please refer to section 3.2 of my report for details.

Within the *Veon Ecology* statement, it is further set out that the integration of the BESS does not introduce any additional land take, does not pose a risk of habitat loss or degradation. *Veon Ecology* state that no new or cumulative adverse effects on protected species or sensitive ecological areas are anticipated. Notwithstanding this statement I note that potential hydrological impacts associated with the overall development are referred to in the statement by *Veon Ecology* as being mitigated through measures already outlined in the EclA submitted for the PV solar development project. Notwithstanding, that the project must be screened out without a reliance on mitigation measures, given the different nature of the subject proposal I am of the view that the sufficiency of these mitigation measures for the BESS project has not been evidenced.

Having carried out screening for Appropriate Assessment of the project, I am of the opinion that the nature of the works proposed are different to the permitted solar farm (including the construction methods, materials, contamination spill/leakage risk and fire risk) and given the sensitivity of the subject site's location between two hydrological pathways to the European Sites I am of the view that the applicant has not sufficiently demonstrated that no significant effects are likely to occur.

Furthermore, there is uncertainty that the conclusion provided by *Veon Ecology* relies on mitigation measures intended to avoid or reduce harmful effects of the project on the European Sites. On this basis, it is not possible to exclude the possibility that the proposed development alone would result in significant effects on Slaney River Valley SAC (Site Code:000781) and/or Wexford Harbour and Slobs SPA (Site Code: 004076) from effects associated with potential hydrological impacts without a reliance on mitigation measures.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

This determination is based on the following:

- The nature of the works with respect to the BESS are different to the previously approved solar farm. As such, the evidence provided in the submitted application including a copy of Natura Impact Statement (NIS) prepared for [ABP-318996-24] Planning register reference 20231164 and statement from *Veon Ecology* does not sufficiently demonstrate the likely effects taking into account the proposed Battery Energy Storage System (BESS) project in view of conservation objectives.
- The conclusion, as contained in the statement prepared by *Veon Ecology*, that the project is unlikely to result in any significant effects on the relevant Natura 2000 sites relies on mitigation measures.

10.0 Water Framework Directive (WFD)

10.1. See Appendix 3.

Water deterioration concerns were raised in the appeal by the third party. Please refer to section 9.0 and Appendix 2 in respect to screening for AA.

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 & 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, and in particular the contradictory information submitted in respect to the surface water strategy, I am not satisfied that 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.

I have not recommended a refusal on this basis however, given the substantial reasons for refusal relating to surface water management, operational and fire risk and for issues relating to screening for Appropriate Assessment.

11.0 Recommendation

11.1. I recommend that planning permission is refused for the reasons and considerations set out in 12.0 below.

12.0 Reasons and Considerations

1. Having regard to the contradictory information provided within the planning application documentation in respect to surface water management proposals it is considered that the information provided, including a lack of proposals for the containment of firewater runoff if a controlled burn strategy is not accepted by the local authority fire service, is not adequate or at a level of detail to draw satisfactory conclusions in relation to the proper and satisfactory management of the volume of surface water to be generated. The proposed development would, therefore, give rise to a potential source of water pollution, would be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.
2. The Commission is not satisfied that the proposed development has sufficiently designed in adequate measures for both firefighting access and the containment of firewater runoff in the event that a 'controlled burn' strategy is not accepted by the local authority fire service. As such, given the nature of the development and the lack of detailed site-specific fire safety information it has not been demonstrated that the proposed development would not give rise to a risk of a fire hazard and would not be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. On the basis of the information provided with the planning application and the appeal, the Commission is not satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on either the Slaney River Valley Special Area of Conservation (Site Code: 000781) and/or the Wexford Harbour and Slobbs Special Protection Area (Site Code: 004076). In such circumstances, the

Commission is precluded from granting permission for the proposed development.

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, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Claire McVeigh

12 March 2026

Appendix 1 - Form 1

Case Reference	PL-500346-WX
Proposed Development Summary	Permission for the development consisting of a Battery Energy Storage System (BESS).
Development Address	IDA Business & Technology Park, Rosslare Road, Co. Wexford, Y35 VNH4.
	In all cases check box /or leave blank
<p>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</p> <p>(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</p>	<p><input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.</p> <p><input type="checkbox"/> No, no further action required.</p>
<p>2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1.</p> <p>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	N/A
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>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?</p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8</p>	

<p>of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>N/A</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>N/A</p>

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)?	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Appendix 2 – Screening for Appropriate Assessment

Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	<p>The installation of a Battery Energy Storage System (BESS) and all associated works. Temporary welfare facilities (2 no. temporary containers) are proposed to facilitate construction. Please refer to section 2.0 of my report for detail.</p> <p>Previously planning permission was granted for a solar farm under planning register reference 20231164 (ABP-318996-24) for a larger site area encompassing the subject site (13.95ha). It is intended to install the BESS instead of the permitted panels.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site comprises a greenfield site to the immediately northeast of the recently constructed PV solar panel development. Total area stated as 0.15 ha.</p> <p>The site is located to the north of Sinnotstown Lane to the south of Wexford town centre. The site is bounded by agricultural land to the west and north and to the east by the IDA Business and Technology Park. The subject site adjoins the Kerlog River (Code: 12K22), the Rathaspick River (Code: IE_SE_12R020920) and the Pembrokestown River. As stated in the EclA (copy submitted from Reg.Ref. 20231164) the landscape character of the wider area is of gently undulating topography with dominant features of field boundaries with broadleaf species.</p> <p>There are residential properties and farms within the surrounding environs of the site.</p> <p>The site is not located within or directly adjacent to any European Site.</p>
Screening report	<p>A statement has been submitted by <i>Veon Ecology</i> in respect to the proposed BESS.</p> <p>I highlight to the Commission that the statement does not identify any Natura 2000 sites by name.</p>

	A copy of the Ecological Impact Assessment (EclA) and Natura Impact Statement (NIS) for planning register reference 20231164 (herein referred to as solar farm development) has been included with the subject application. The planning report prepared by Greenvolt Next confirms that these documents have not been altered for the BESS proposal.
Natura Impact Statement	Not for this project. As already noted above, a copy of the NIS in respect of the permitted solar farm development is included with the subject application.
Relevant submissions	None relating to AA.

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

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Special Area of Conservation: Slaney River Valley SAC (Site Code: 000781)	https://www.npws.ie/protected-sites/sac/000781 (accessed 09/03/26). Conservation Objectives NPWS 2011.	Approximately 1km northeast of the subject site and 1.3 km instream distance.	Hydrological connection.	Y
Special Protection Area: Wexford Harbour and Slobbs SPA	https://www.npws.ie/protected-sites/spa/004076 (accessed 09/03/2026)	Approximately 1.1km east of the subject site. Approximately	Hydrological connection.	Y

(Site Code: 004076)		1.8km instream distance.		
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

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

³if no connections: N

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

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Special Area of Conservation: Slaney River Valley SAC (Site Code: 000781) QI list: Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Water courses of plain to montane levels with the Ranunculion fluitantis and	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Increased surface water runoff. Potential firewater runoff.	Direct: None Indirect: Possibility of significant effects cannot be ruled out without further analysis and assessment.

<p>Callitriche-Batrachion vegetation [3260]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaité Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>		
<p>Wexford Harbour and Slob SPA (Site Code: 004076)</p> <p>QI list:</p> <p>Little Grebe (Tachybaptus ruficollis) [A004]</p> <p>Great Crested Grebe (Podiceps cristatus) [A005]</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Grey Heron (Ardea cinerea) [A028]</p> <p>Bewick's Swan (Cygnus columbianus bewickii) [A037]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p>	<p>Direct: None</p> <p>Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Increased surface water runoff.</p> <p>Potential firewater runoff.</p>	<p>Direct: None</p> <p>Indirect: Possibility of significant effects cannot be ruled out without further analysis and assessment</p>

<p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Mallard (<i>Anas platyrhynchos</i>) [A053]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Scaup (<i>Aythya marila</i>) [A062]</p> <p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Hen Harrier (<i>Circus cyaneus</i>) [A082]</p> <p>Coot (<i>Fulica atra</i>) [A125]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p> <p>Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]</p>		
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Wigeon (<i>Mareca penelope</i>) [A855] Little Tern (<i>Sternula albifrons</i>) [A885] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone): Uncertain	
	If no, is there likelihood of significant effects occurring in combination with other plans or projects? Uncertain	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* Uncertain	

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

There is uncertainty whether the conclusion provided by *Veon Ecology* relies on mitigation measures intended to avoid or reduce harmful effects of the project on the European Sites.

It is not possible to exclude the possibility that the proposed development alone would result in significant effects on Slaney River Valley SAC (Site Code:000781) and/or Wexford Harbour and Slobs SPA (Site Code: 004076) from effects associated with potential hydrological impacts without a reliance on mitigation measures.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Screening Determination

Significant effects cannot be excluded

Having carried out screening for Appropriate Assessment of the project, I am of the opinion that the nature of the works proposed are different to the permitted solar farm (including the construction methods, materials, contamination spill/leakage risk and fire risk) and given the sensitivity of the subject site's location between two hydrological pathways to the European Sites I am of the view that the applicant has not sufficiently demonstrated that no significant effects are likely to occur. Furthermore, there is uncertainty that the conclusion provided by *Veon Ecology* relies on mitigation measures intended to avoid or reduce harmful effects of the project on the European Sites. On this basis, it is not possible to exclude the possibility that the proposed development alone would result in significant effects on Slaney River Valley SAC (Site

Code:000781) and/or Wexford Harbour and Slobs SPA (Site Code: 004076) from effects associated with potential hydrological impacts without a reliance on mitigation measures.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

This determination is based on the following:

- The nature of the works with respect to the BESS are different to the previously approved solar farm. As such, the evidence provided in the submitted application including a copy of Natura Impact Statement (NIS) prepared for [ABP-318996-24] Planning register reference 20231164 and statement from Veon Ecology does not sufficiently demonstrate the likely effects taking into account the proposed Battery Energy Storage System (BESS) project in view of conservation objectives.
- The conclusion, as contained in the statement prepared by Veon Ecology, that the project is unlikely to result in any significant effects on the relevant Natura 2000 sites relies on mitigation measures.

Appendix 3 - Water Framework Directive (WFD) Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-500346-WX	Townland, address	IDA Business & Technology Park, Rosslare Road, Co. Wexford, Y35 VNH4.
Description of project		Permission for the development of a Battery Energy Storage System (BESS).	
Brief site description, relevant to WFD Screening		The subject site is positioned between two watercourses, the Kerlog River and Rathaspick River, which adjoin the site. The Kerlog River is a relatively small watercourse flowing from the south-west to north -east adjacent to the western boundary of the wider landholding. The Rathaspick River is classified as a depositing/lowland river. The aquatic evaluation of the Kerlog River and Rathaspick River are of local importance (higher value) (as taken from the EclA relating to ABP-318996-24 Planning register reference 20231164 submitted with the subject application).	
Proposed surface water details		Application form indicates proposed surface water disposal to public sewer/drain.	

Proposed water supply source & available capacity		Public mains water supply indicated on application form. No details provided in respect to water supply for the purposes of fire extinguishment/firewater runoff containment.				
Proposed wastewater treatment system & available capacity, other issues		Existing public sewer connection identified on the application form. Not relevant to subject proposal as the water and wastewater management for the temporary welfare facilities (in place for duration of construction phase) will be off site, with potable water brought to the site and all wastewater and effluent will be removed by licensed contractors with no discharge to land or watercourses.				
Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection - For clarity in referencing below, as noted already in section 2.0 of my report, the structures numbered 1-130 are in Tipperary County Council administrative area, e.g. Tower 124 and Poleset 23.						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status (16-21)	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)

River Waterbody	12m	Kerlog River EPA Rathaspick_ 010 IE_SE_12R 020920	Moderate	Review	None identified	Surface water runoff
River Waterbody	50m (from proposed compound)	Rathaspick River EPA Rathaspick_ 010 IE_SE_12R 020920	Moderate	Review	None identified	Surface water runoff

Groundwater Waterbody	Immediately underneath.	Fardystown IE_SE_G_0 64	Good	Review	None identified	Maps indicate moderate ground water vulnerability and low sub-soil permeability.
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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

No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) 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.	Surface	As above	Surface runoff	Construction: risk of pollution from fuel spillages, oil leakages, release of	Mitigation measures proposed as part of solar farm development.	Uncertain as mitigation measures for the BESS	Uncertain

				particular matters and other accidents would lead to contamination of surface water run-off and degradation of water quality in the vicinity of the site.	Standard surface water mitigation measures contained in Outline Construction Environmental Management Plan (CEMP)	project have not been set out.	
2.	Ground	As above	Drainage	Spill/leakage from the BESS.	No mitigation measures identified specific for BESS.	As above	Uncertain
OPERATIONAL PHASE							

3.	Surface	As above	Surface runoff	Operation: Spill/leakage from the BESS. Firewater runoff.	No mitigation measures identified specific for BESS. No mitigation measures provided in respect to containment proposals for firewater runoff.	Uncertain	Uncertain
4.	Ground	As above	Drainage	Operation: Spill/leakage from the BESS. Firewater runoff.	No mitigation measures provided in respect to containment proposals for firewater runoff.	Uncertain	Uncertain
DECOMMISSIONING PHASE							

5.	Surface and Ground	As above	Surface water and drainage.		Outline decommission plan.	No	Screened out.
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STAGE 2: ASSESSMENT

Details of Mitigation Required to Comply with WFD Objectives

Surface Water

Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1: Surface Water</u> Prevent deterioration of the status of all bodies of surface water	<u>Objective 2: Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3: Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)

	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction works	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of SuDS integration for BESS compound including the use of swales and permeable surfaces.	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of SuDS integration for BESS compound including the use of swales and permeable surfaces.	NA	NA	NO
Stormwater drainage	Adequately designed SUDs features, permeable paving etc	Adequately designed SUDs features,	NA	NA	NO

		permeable paving etc			
Fire safety and containment measures	Firewater containment strategy agreed with Wexford Fire Service and detailed in the Emergency Response Plan (ERP) and Construction Environmental Management Plan (CEMP).	Firewater containment strategy agreed with Wexford Fire Service and detailed in the Emergency Response Plan (ERP) and Construction Environmental Management Plan (CEMP).	NA	NA	NO
Details of Mitigation Required to Comply with WFD Objectives					
Groundwater					
Development/Acti vity e.g. abstraction, outfall, etc.	<u>Objective 1:</u> <u>Groundwater</u> Prevent or limit the input of pollutants	<u>Objective 2:</u> <u>Groundwater</u> Protect, enhance and restore all	<u>Objective 3: Groundwater</u> Reverse any significant and sustained upward trend in the concentration of		Does this component comply with WFD Objectives

	into groundwater and to prevent the deterioration of the status of all bodies of groundwater	bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	any pollutant resulting from the impact of human activity	1, 2 & 3? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	
Construction works	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of SuDS integration for BESS	NA	NA	NO

	compound including the use of swales and permeable surfaces.			
Stormwater drainage	Adequately designed SUDs features, permeable paving etc	NA	NA	NO
Fire safety and containment measures	Firewater containment strategy agreed with Wexford Fire Service and detailed in the Emergency Response Plan (ERP) and Construction Environmental Management Plan (CEMP).	NA	NA	NO