

PROPOSED REPLACEMENT OF RENEWABLE ENERGY PLANT

Appropriate Assessment Screening Report

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BASIS OF REPORT

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CONTENTS

1.0 INTRODUCTION	4
1.1 General Description of the Project Site	4
1.2 Aim of the Report	5
1.3 Evidence of Technical Competence and Experience	5
1.4 Relevant Legislation	5
2.0 METHODS	6
2.1 General Approach	6
2.2 Baseline Information	6
2.3 Stage One: AA Screening	6
2.4 Stage Two: Appropriate Assessment	7
2.5 Sources of Information	7
2.6 Field Surveys	8
3.0 STAGE 1: APPROPRIATE ASSESSMENT SCREENING	9
3.1 Step 1 - Management of European Sites	9
3.2 Step 2 – Part 1: Project Description	9
3.3 Step 2 – Part 2: Potential Impact Factors	9
3.4 Step 3- Identification of Relevant European Sites	10
3.5 Step 4 - Part 1: Assessment of Likely Significant Effects of the Project	15
3.6 Step 4 – Part 2: Assessment of Likely Significant ‘In Combination’ Effects	15
3.7 Conclusion	26
4.0 REFERENCES	27

TABLES

Table 1 European Sites with potential Source-Pathway-Receptor links	11
Table 2 Description of European sites with potential Source-Pathway-Receptor Links	12
Table 3 All elements of the proposed project cumulatively assessed for their overall impact	17
Table 4 Planning Applications in Tipperary considered for In Combination Effects	18
Table 5 Planning Applications in Waterford considered for In Combination Effects	24

APPENDIX

APPENDIX 1 RELEVANT LEGISLATION	28
APPENDIX 2 DUST EMISSIONS.....	32
APPENDIX 3 AIR QUALITY.....	33

1.0 INTRODUCTION

SLR Consulting Ireland (SLR) was commissioned by Medite Europe DAC to prepare an Appropriate Assessment (AA) screening report, and if necessary, a Natura Impact Statement (NIS), for the proposed replacement of the existing biomass-fired boilers, biomass-fired thermal fluid heater, and gas-fired thermal fluid heater i.e. the Project.

1.1 General Description of the Project Site

The proposed project site ("the Project Site") is located within a well-established facility which manufactures environmentally produced, sustainable timber panel boards, specifically, medium-density fibreboard (MDF) by Medite Europe DAC. The Project Site is located at Redmondstown, Co. Tipperary within the Planning Authority of Tipperary County Council at approximate Irish Transverse Mercator coordinates 623945, 624141.

The Project Site is situated in an area surrounded by agricultural, residential and industrial lands, located approximately 4 km east of the centre of Clonmel town and approximately 0.9 km north of the N24. The site is accessed through a local road that connects to the N24. The Site is well screened and the existing buildings within the industrial facility are situated 50 m back from the local access road and are largely obscured from view due to the presence of abundant shrub and tree plantations at the site boundaries.

The River Anner flows to the east of the Project Site and connects as a tributary to the River Suir, which is approximately 1 km south of the subject site. A large industrial facility belonging to Bulmers Limited is located just south of the subject site, positioned directly adjacent to the N24 and accessed through entrances positioned along this national primary road.

The proposed project will be located on three parcels of land within the confines of the existing Medite site. Development Area 1 will accommodate the fuel reception, screening, loading, storage and conveying equipment and will be located at the western side of the Site. Development Areas 2 and 3 will accommodate the Line 1 and Line 2 energy plants, respectively. These energy plants will consist of a wood biomass fired Thermal Fluid Heater (TFH). These will be located to the south and east of development area 1, respectively.

Existing arrangements on Site;

- Medite Europe DAC was granted an Industrial Emission Licence (P0027-04) by the EPA on the 7th March 2017. They set a range of emission limit values (ELVs) for air emissions, dust emissions, noise emissions, and surface water emissions, and they apply parameters regarding monitoring and reporting of the same.
- Schedule A of the licence specifies the limitations on fuel that can be used in the boilers. As highlighted in Note 1, it is a requirement of the Licence that Medite can demonstrate that the wood waste used as a fuel is not hazardous and does not contain halogenated organic compounds or heavy metals as a result of treatment with preservatives or coating.
- Medite's operations have an Environment Management System Manual (ISO 14001:2015) in place which purpose is to gain a high-level understanding of all relevant internal and external issues that impact or have the potential to impact, positively or negatively, the ability of the EMS to achieve its intended outcomes.

1.2 Aim of the Report

The purpose of this report is to provide supporting information to assist the competent authority, in this case An Bord Pleanála, to carry out an Appropriate Assessment Screening and, if it considers it necessary, an Appropriate Assessment for adverse effects on the integrity of European sites resulting from the Proposed Replacement of Renewable Energy Plant at Medite, Clonmel, Tipperary.

1.3 Evidence of Technical Competence and Experience

Aisling Kinsella prepared this report. Richard Arnold carried out the technical review of this report.

Aisling Kinsella BSc (Hons) MSc – Senior Ecologist

Aisling is a Senior Ecologist with SLR and holds a BSc in Zoology from University College Cork and an MSc in Wildlife Management and Conservation from University College Dublin. Aisling has three years' experience in ecological consultancy. Her experience to date has included a range of survey types (bird, mammal, habitat etc.), project management and the preparation of numerous reports including ornithological, ecological impact assessment, appropriate assessment screening and Natura Impact Statements for a range of different projects and plans including the N22 Baile Bhuirne to Macroom Bypass and Cloghan Wind Farm.

Richard Arnold BSc (Hons) MRes MCIEEM CEnv – Technical Director

Richard has over 25 years of experience as a professional ecological consultant. Richard holds a BSc in Ecology from University of East Anglia and a MRes in Environmental Science from Lancaster University. This experience includes work on some of the largest development projects in the UK and Ireland, as well as some work in the Middle East. Richard has worked on projects in most development sectors and consequently has in depth knowledge of biodiversity legislation and planning guidance relating to nature conservation. Richard has worked on a variety of projects including the N6 Galway City Ring Road, Seven Hills Wind Farm Phases I and II.

1.4 Relevant Legislation

The main pieces of relevant legislation are as follows:

- The Habitats Directive 92/43/EEC.
- The Birds Directive 2009/147/EC.
- European Communities (Birds and Natural Habitats) Regulations 2011 – 2021.
- Planning and Development Acts 2000 to 2023 - PART XAB.

The relevant sections of the legislation are summarised in **Appendix A** of this report.

2.0 METHODS

2.1 General Approach

The methodology used in this report is based on guidance provided by the National Parks and Wildlife Service (NPWS, 2010), the Office of the Planning Regulator (OPR, 2021) and EC Guidance (EC, 2018), (EC, 2021) on the application of Article 6 of the Habitats Directive.

The 2021 EC guidance describes a series of stages and steps which should be completed when carrying out the assessment and these are followed here with minor modifications. The assessment applies only to European Sites (SPAs and SACs). More specifically, it only applies to the qualifying interest features of such sites i.e. the features which are the reason that the site was designated.

2.2 Baseline Information

Ecological Desk Study

An ecological desk study comprising an online search for (i) European sites; (ii) Annex I habitats and Annex II species (of the Habitats Directive) and (iii) Annex I bird species (of the Birds Directive) of the Project site. The desk study area was extended where possible links to European sites and species populations occurred due to emissions to air and water, changes to hydrology, or mobile or migratory species populations by utilising the Source-Pathway-Receptor model.

Online resources included ecology data held by the National Biodiversity Data Centre, the National Parks and Wildlife Service, the Environmental Protection Agency, the Ireland Wetland Bird Survey (IWeBS) and Ordnance Survey Ireland (Geohive).

Field Survey

An ecological field survey was conducted on the 1st February 2022 and 12th July 2022 by SLR Ecologist Aisling Kinsella and on 15th and 16th September 2022 by SLR Ecologist Jonathon Dunn. These included a habitat survey to identify and map any habitats listed on Annex I of the Habitats Directive, habitats which have a supporting function for such habitats, habitats which may support Annex II species of the Habitats Directive and habitats which may support Annex I species of the Birds Directive. The habitats were classified using 'A Guide to Habitats in Ireland'¹.

Limitations

Desk study data is unlikely to be exhaustive, especially in respect of species, and is intended mainly to set a context for the study. It is therefore possible that important habitats or protected species not identified during the data search do in fact occur within proximity of the Project Site.

While the last Site visit was conducted on 16th September 2022, 16 months from the time this report is being written, the data collected is not considered to be out of date, as it is still within the recommended timeframe (i.e. 12-18 months) for the criteria set out by CIEEM (2019)².

2.3 Stage One: AA Screening

Stage One is a screening assessment, the purpose of which is to determine whether a plan or project requires more detailed assessment. There are two principal tests. The first considers whether the plan or project is needed for the management of a European site for the purpose of maintaining or restoring its conservation

¹ [A Guide to Habitats in Ireland - Fossitt.pdf \(npws.ie\)](#) (Last Accessed September 2023)

² [Advice-Note.pdf \(cieem.net\)](#)

interest. Any such plans or projects can usually be screened out of further assessment. The second test considers whether the plan or project, without specific mitigation measures, would be likely to have a significant effect on any European Site. This requires consideration of the project on its own and in combination with other plans or projects.

A project can only be screened out of further assessment if it is certain (beyond reasonable scientific doubt and on the basis of the best scientific knowledge) that there would be no significant effects on any European site without mitigation designed specifically to address potential impacts on the qualifying interest of such sites. Significant effects in this assessment are those which could undermine the conservation objectives of a qualifying interest feature. The process is used to determine which European Sites should be included in the later stages of the assessment. It can also be used to determine which qualifying interest features require further assessment.

2.4 Stage Two: Appropriate Assessment

Stage Two is a more detailed assessment, known as an “Appropriate Assessment” following the terminology in the legislation. This essentially repeats the second test of the screening assessment but in more detail and considering mitigation measures before reaching a conclusion. At this stage, the test is whether the project or plan will have an adverse effect on the integrity of any European site. This must be done in light of the conservation objectives for each of the sites and qualifying interest features that have been ‘screened in’ by the earlier stage of assessment. Any effect which could undermine the conservation objectives is considered an adverse effect on the integrity of the site, and vice versa. If the project is predicted to lead to adverse effects upon the integrity of the site, further stages of assessment are required before the project can be authorised.

2.5 Sources of Information

Sources of information for the assessment of the Project ‘alone’ include:

- Article 17 and Article 12 reports completed by the National Parks and Wildlife Service³;
- Site Synopses, Conservation Objectives and Standard Data Forms for the European sites⁴;
- Environmental Protection Agency (EPA) Maps⁵.
- Relevant chapters of the Environmental Impact Assessment Report as part of this application, in particular Chapter 2 – Project Description, Chapter 7 – Hydrology and Hydrogeology and Chapter 8 – Air were also reviewed.

Sources of information for the plans and projects for the ‘in-combination’ assessment were as above and also include:

- Tipperary County Development Plan 2022-2028⁶
- Regional Spatial & Economic Strategy for the Southern Region⁷
- Tipperary County Council planning portal⁸, Waterford County Council planning portal⁹, ePlan¹⁰ and myplan.ie¹¹ were accessed for information on other projects and plans.

³ <https://www.npws.ie/publications/article-17-reports?msclid=0c19d260b00a11ecaf5a935da63f219b> (last accessed January 2023)

⁴ <https://www.npws.ie/protected-sites> (last accessed January 2023)

⁵ <http://gis.epa.ie/> (last accessed January 2023)

⁶ [Tipperary County Development Plan 2022- 2028 | www.tipperarycoco.ie](https://www.tipperarycoco.ie) (last accessed January 2023)

⁷ [Southern Regional Assembly \(southernassembly.ie\)](https://southernassembly.ie) (last accessed January 2023)

⁸ [Select Search Type \(eplanning.ie\)](https://selectsearch.type.eplanning.ie) (last accessed January 2023)

⁹ [Waterford City & County Council : Online Planning Enquiries \(waterfordcouncil.ie\)](https://waterfordcityandcounty.ie/onlineplanningenquiries)

¹⁰ [ePlan::Find a planning application \(eplanning.ie\)](https://eplan.findaplanningapplication.eplanning.ie) (last accessed January 2023)

¹¹ <https://myplan.ie/> (last accessed January 2023)

2.6 Field Surveys

Site Visits

Three site visits were conducted by SLR Ecologists during the period February to September 2022 to inform the AA Screening.

Aquatic Surveys

Aquatic surveys were conducted on the River Anner, part of the Lower River Suir SAC, by specialist aquatic ecologists from Triturus Environmental Ltd. These surveys were conducted to establish baseline biological water quality conditions of the River Anner immediately upstream and downstream of the Medite facility. These data were used to inform the potential for impacts on the conservation objectives of the Lower River Suir SAC as a result of the Project and are discussed further in Section 3.5.

3.0 STAGE 1: APPROPRIATE ASSESSMENT SCREENING

3.1 Step 1 - Management of European Sites

The proposed development consists of the replacement of the existing biomass-fired boilers, biomass-fired thermal fluid heater, and gas-fired thermal fluid heater at the existing Medite facility. Therefore, it is not connected with, or necessary for, the management of a European site.

3.2 Step 2 – Part 1: Project Description

Existing Development

Medite Europe DAC commenced production of MDF on its 160-acre site in 1983. In 1994, MDF Production Line 2 was added. Technological developments in energy production from bark and wood wastes, two stage drying technology and high precision pressing governed the selection of the plant. In 2002, the original MDF production line (Line 1), was significantly upgraded, with the latest technologies in MDF forming, pressing and board handling. The Company's facility in Clonmel is designed to produce 425,000m³ of MDF per annum, and currently employs 170 people.

Proposed project

The proposed project will replace all three existing aging thermal energy systems serving both of Medite's two production lines, specifically;

- the two wood biomass fired boilers (18MW each) (TFH) (6MW) serving Production Line 1.
- the wood biomass fired Thermal Fluid Heater (19MW) serving Production Line 2.

The Proposed Development will also provide the thermal energy currently provided by the natural gas-fired Thermal Fluid Heater (TFH) (6MW) serving Production Line 1, which will be retained for backup purposes.

These systems will be replaced with 2 new renewable energy plants. These renewable energy plants will have rated thermal input capacity of up to 60 MW for the system serving Production Line 1 and 30 MW for the system serving Production Line 2. There will be no increase in current process water usage.

The Project will be located on three development areas within the confines of the existing Medite site. Development Area 1 will accommodate the fuel reception, screening, loading, storage and conveying equipment and will be located at the western side of the Site. Development Areas 2 and 3 will accommodate the Line 1 and Line 2 energy plants, respectively. These energy plants will consist of a wood biomass fired Thermal Fluid Heater (TFH). These will be located to the south and east of Development Area 1, respectively.

3.3 Step 2 – Part 2: Potential Impact Factors

The proposed project has the potential to result in the following impacts:

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

The habitats and species listed as qualifying interests (QIs) of any European sites in proximity to the project as well habitats and species that do not form QIs but which QIs rely on must therefore be assessed for effects from air emissions, dust and water discharge and these effects are considered further below.

3.4 Step 3- Identification of Relevant European Sites

The first step in identification of relevant European sites for further assessment is to identify those that will be at risk from likely significant effects where a Source-Pathway-Receptor link exists between the Project Site and the European site.

The relevant European sites are identified through a review of the nature and scale of the project, the project location relative to European sites, presence of ecological and landscape connectivity, such as along waterways, hedgerows and treelines between the Site and the European sites, known impacts and effects likely to arise as a result of this type of project, distance from European sites and the qualifying interests of the European sites.

Table 1 below provides a list of European sites and the Source-Pathway-Receptor links that exists between them and the Project Site. These sites were identified using the EPA tool¹² to identify European sites that could be within the zone of influence by considering hydrological or ecological connections which will be assessed as part of the screening process. **Table 2** provides a description of each site, the QIs and their specific conservation objectives, the potential impacts through the identified source-pathway-receptor links (labelled from the below list) and whether the QIs are screened in for further assessment or not.

Four potential Source-Pathway-Receptor links were identified. These are;

- A. **Source:** Air emissions (NOx) from the plant –
Pathway: Atmospheric dispersal by south-westerly winds and subsequent deposition –
Receptor: Sensitive vegetation and species that could be negatively affected by changes in nutrient levels.
- B. **Source:** Air emissions (NOx) from the plant –
Pathway: Atmospheric dispersal, direct deposition and/ or deposition in surrounding lands and subsequent run-off –
Receptor: Water quality.
- C. **Source:** Dust emissions –
Pathway: Atmospheric dispersal by south-westerly winds –
Receptor: Deposition of particulate matter that could lead to likely significant effects on sensitive vegetation and species.
- D. **Source:** Surface and ground water management within the Project Site –
Pathway: Surface water discharge and water abstraction into and from the River Anner –
Receptor: Water quality.

¹² [EPA Maps](#)

Table 1
European Sites with potential Source-Pathway-Receptor links

European Site	Site Code	Location at Closest Point to Project Site ¹³	Source-Pathway-Receptor links
Lower River Suir SAC	002137	60m west	A, B, C, D
Nier Valley Woodlands SAC	000688	9.1km south	A
Comeragh Mountains SAC	001952	9.9km south	A
River Barrow and River Nore SAC	002162	44.3km south-east	B, D

The River Anner flows in a southerly direction c.60m east of the Site. The River Anner forms part of the Lower River Suir SAC. The Lower River Suir SAC connects to the River Barrow and River Nore SAC c. 44.3km south east of the Site, where it is a tidal estuary at Waterford harbour. Therefore effects on terrestrial and freshwater QIs of a of the River Barrow and River Nore SAC, and their COs, can be screened out at this stage as there is no pathway for effects. There are no direct ecological or hydrological links between the Site and either the Nier Valley Woodlands SAC or Comeragh Mountains SAC and so the pathway for effects on these sites is through atmospheric dispersal of emissions. Both sites are located more than 9km from the Project Site.

¹³ When measured in a straight line over the shortest distance between the Site and the Natura 2000 site.

Table 2 Description of European sites with potential Source-Pathway-Receptor Links

European Site	Qualifying Interests	Conservation objectives	Source-Pathway-Receptor
Lower River Suir SAC 002137	<ul style="list-style-type: none"> Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Water courses of plain to montane levels with the <i>Ranunculon fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Taxus baccata</i> woods of the British Isles [91J0] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Alosa fallax fallax</i> (Twait Shad) [1103] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355] 	<p>To maintain or restore the favourable conservation condition of the habitats and species listed as qualifying interests for Lower River Suir SAC, which is defined by a specific list of attributes and targets.</p> <p>Detailed conservation objectives can be accessed at: ConservationObjectives.rdl (npws.ie)</p>	<p>I. Air emissions (NOx) from the plant [Source] – Atmospheric dispersal by south-westerly winds [Pathway] – Sensitive vegetation and species that could be negatively affected by changes in nutrient levels [Receptor]</p> <p>II. Dust emissions [Source]– Atmospheric dispersal by south-westerly winds [Pathway] – Sensitive vegetation and species that could be negatively affected by particulate matter [Receptor]</p> <p>III. Surface and ground water management within the Site [Source] – Surface water discharge and water extraction into and from the River Anner [Pathway] – Water quality [Receptor]</p> <p>Lower River Suir SAC SCREENED IN</p>

European Site	Qualifying Interests	Conservation objectives	Source-Pathway-Receptor
Nier Valley Woodlands SAC 000688	<ul style="list-style-type: none"> Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] 	<p>To restore the favourable conservation condition of the habitat listed as a qualifying interest for Nier Valley Woodlands SAC, which is defined by a specific list of attributes and targets that can be found at:</p> <p>ConservationObjectives.rdl (npws.ie)</p>	<p>As above for atmospheric dispersion only.</p> <p>Nier Valley Woodlands SAC SCREENED IN</p>
Comeragh Mountains SAC 001952	<ul style="list-style-type: none"> Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Blanket bogs (* if active bog) [7130] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] <i>Hamatocaulis vernicosus</i> (Slender Green Feather-moss) [6216] 	<p>To maintain or restore the favourable conservation condition of the habitats and or species listed as qualifying interests for Comeragh Mountains SAC has been selected, which is defined by a specific list of attributes and targets that can be found at:</p> <p>CO001952.pdf (npws.ie)</p>	<p>As above for atmospheric dispersion only.</p> <p>Comeragh Mountains SAC SCREENED IN</p>
River Barrow and River Nore SAC 002162	<ul style="list-style-type: none"> Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Reefs [1170] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] 	<p>To maintain or restore the favourable conservation condition of the habitats and or species listed as qualifying interests for Comeragh Mountains SAC has been selected, which is defined by a specific list of attributes and targets that can be found at:</p> <p>Site specific cons obj (npws.ie)</p>	<p>Same as for the Lower River Suir due to downstream connectivity between the Lower River Suir SAC and River Barrow and River Nore SAC</p> <p>River Barrow and River Nore SAC SCREENED IN for QIs which occur downstream of the confluence with the River Barrow is downstream of Waterford where the river is classified as an estuary.</p> <ul style="list-style-type: none"> Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Reefs [1170]

European Site	Qualifying Interests	Conservation objectives	Source-Pathway-Receptor
	<ul style="list-style-type: none"> Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and Callitricho-Batrachion vegetation [3260] European dry heaths [4030] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Alosa fallax fallax</i> (Twait Shad) [1103] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355] <i>Trichomanes speciosum</i> (Killarney Fern) [1421] <i>Margaritifera durrovensis</i> (Nore Pearl Mussel) [1990] 		<ul style="list-style-type: none"> Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Alosa fallax fallax</i> (Twait Shad) [1103] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]

3.5 Step 4 - Part 1: Assessment of Likely Significant Effects of the Project

There are four European sites for which there is a direct connection (source-pathway-receptor link) with the Site; Lower River Suir SAC, Nier Valley Woodlands SAC, Comeragh Mountains SAC and River Barrow and River Nore SAC. It has been identified that, for these European sites, the dispersal and deposition of nutrients as a result of air emissions (including dust) from the facility may result in likely significant effects on the habitats and species for which these European sites are designated. It has also been identified that the surface and ground water management within the Site may result in a change of water quality and quantity within the Anner River, which may result in likely significant effects on the Lower River Suir SAC and, less likely, the River Barrow and River Nore SAC.

As described in **Table 2** there are no other pathways and therefore, likely significant effects can be excluded from all other impact sources.

The potential for likely significant effects on screened-in European sites from air emissions, dust emissions and water management from the Site is considered further below.

Air Quality

Air Emissions

Air emissions from the Site will be dispersed beyond the Site boundary and result in the deposition of nutrients which may alter the structure and functioning of sensitive habitats and species designated as qualifying interests for European sites. Therefore, air emissions from the Site have the potential to result in likely significant effects on European sites and will be carried forward into the Stage 2 Assessment.

Dust Emissions

The Lower River Suir SAC is located within approximately 60m of the Project Site. A construction dust assessment was conducted as part of this application (see Appendix B). The sensitivity of the area with respect to ecological impacts as a result of dust emissions was considered to be 'high', as defined by IAQM, 2016. Therefore, dust emissions from the Site may have the potential to result in likely significant effects on European sites and will be carried forward into the Stage 2 Assessment.

Surface and Ground Water Quality and Quantity

Surface Water Abstraction

The Project includes extraction of surface water from the River Anner, which is part of the Lower River Suir SAC which could result in likely significant effects.

Surface Water Discharge

The Project includes discharge of surface water from the River Anner, which is part of the Lower River Suir SAC which could result in likely significant effects on the Lower River Suir SAC and the River Barrow and River Nore SAC which is connected downstream.

3.6 Step 4 – Part 2: Assessment of Likely Significant 'In Combination' Effects

In combination effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location. Cumulative in-combination effects can occur where a proposed development results in individually insignificant impacts that, when considered in-combination with each other or with impacts of other proposed or permitted plans and projects, can result in significant effects. The approach to assessing cumulative effects is therefore three-fold:

1. All elements of the proposed project are cumulatively assessed for their overall impact (Table 6);

2. All elements of the proposed project are cumulatively assessed with the existing operations at the Site;
3. All elements of the proposed project are cumulatively assessed with other existing, consented or planned projects (Tables 7 & 8).

Other plans and projects that should be considered when establishing cumulative effects are:

- projects for which consent has been applied but which are awaiting determination;
- projects which have been granted consent, but which have not yet been started or which have been started but are not yet completed (i.e., under construction);
- projects which have been refused permission, but which are subject to appeal, and the appeal is undetermined;
- constructed projects whose full environmental effects are not yet felt and therefore cannot be accounted for in the baseline.

Plans such as the National Planning Framework, the Regional Economic and Spatial Strategy and Development Plan and projects referenced therein.

Tables 6 and 7 below set out the major planned developments, resulting from a search of the Tipperary and Waterford County council online planning portals, within the vicinity of the Project Site. These developments have been assessed for their potential to create likely significant 'in-combination' effects with regard to air quality and water quality on European sites.

All other developments in the surrounding townlands that have been granted planning permission in the last five years are restricted to single house extensions or farm building developments and none have the potential to give rise to any significant adverse cumulative impacts on the local environment.

Table 3
All elements of the proposed project cumulatively assessed for their overall impact

	Source: Dust emissions Receptor: Sensitive vegetation and species.	Source: Surface and ground water management within the Project Site Receptor: Water quality
Source: Air Emissions (NOx)	The deposition of particulate matter and the deposition of NOx could combine to create a cumulative adverse effect on sensitive vegetation and species within the Lower River Suir SAC	The discharge of suspended solids and the deposition of NOx to the River Anner could combine to create a cumulative adverse effect on water quality within the Lower River Suir SAC
Source: Dust emissions	-	The discharge of suspended solids and the deposition of particulate matter to the River Anner could combine to create a cumulative adverse effect on water quality
Source: Surface and ground water management within the Project Site	The discharge of suspended solids and the deposition of particulate matter to the River Anner could combine to create a cumulative adverse effect on sensitive vegetation and species	-

Table 4
Planning Applications in Tipperary considered for In Combination Effects

Development	Planning Register Reference	Integrated Pollution Control (IPC) or Industrial Emissions Directive (IED) License	Development Description	Status	Potential for In Combination Effects (Y/N) ¹⁴	Reasoning
MSD Ireland Ballydine, Kilsheelan, Clonmel, Co. Tipperary	P. REF. 21407 EIA Portal Ref. 2021056	Chemicals Act (Control of Major Accident Hazards involving dangerous Substances) Regulations 2015 (S.I. 209 of 2015) applies	construction of a proposed three-storey pilot plant manufacturing facility sized approximately 3,266 square metres and approximately 20.75 metres high and located and linked to the existing factory 03 manufacturing building and located south of the O.S.D. manufacturing facility, currently under construction (ref. 20/693). The project development also includes the following: a) An equipment yard housing plant, equipment and abatement system, vents and equipment housings including a covered waste tank, b) Roof mounted equipment and vents, c) Modifications to existing underground utilities including a surface water attenuation tank, underground storage tanks and miscellaneous works, d) The extension of the temporary contractors' compound, currently under construction and additional local temporary contractor parking together with a second compound directly adjacent to the proposed facility, e) Revised landscaping and site-works, f) Modifications to the existing internal roads layouts, site lighting, pipe bridges, links, bunded tanks and supporting structures, and a truck staging area, g) Modifications to the existing car park layout to allow for the inclusion of additional accessible car parking spaces and electrical charge points, h) Alterations to the elevations of Factory 03 to accommodate the proposed development. This application consists of a development for an activity for which a licence under Part IV of the Environmental Protection Agency Acts 1992 to 2011 is required. An Environmental Impact	Grant Date: 05/09/2021	Y	Potential for adverse cumulative effects as a result of water and air quality

¹⁴ Y for yes; N for No

Development	Planning Register Reference	Integrated Pollution Control (IPC) or Industrial Emissions Directive (IED) License	Development Description	Status	Potential for In Combination Effects (Y/N) ¹⁴	Reasoning
			Assessment Report (EIAR) and a Natura Impact Statement (NIS) accompany this planning application.			
MSD Ireland (Ballydine)	P. Ref. 211365		development on this site of circa c.7.48 hectares. The development will consist of a 10-year permission for the construction of a Solar PV Energy Development comprising installation of Solar Photovoltaic (PV) panels on ground mounted frames/support structures within existing field boundaries, underground cabling and ducting, 1 no. customer control building, 1 no. switchgear and transformer building, site perimeter (stock proof) security fence and associated access gates, maintenance track, landscaping and all associated site development works. A temporary construction compound will be provided and vehicular access is via the existing access route from N24 serving the Ballydine 110kv substation to south-west of the site. This application relates to development for the purposes of an activity requiring a licence under the Industrial Emissions Directive. A Natura Impact Statement (NIS) will be submitted to the Planning Authority with the application.	Grant Date: 08/02/2022	Y	Potential for adverse cumulative effects as a result of air quality
ABO Wind Ireland Limited Knockroe, Kilnagranagh, Newtowndrangan, Tullowcussaun, Ballyvadlea, Ballyhomuck, Kilburry West, Milestown, Bannixtown, Quartercross, Clare More, Killusty North, Killusty South, Kiltinan,	P. Ref. 211502 EIA Portal Ref. 2021214		a ten-year permission of a wind farm project. The development will consist of: Construction of up to 7 no. wind turbines with a maximum overall tip height of 150m, comprising a tower of between 75-95m high, to which three blades of between 55-70m in length will be attached; Associated hard stand areas at each turbine; 1 no. 30m permanent meteorological mast and all associated infrastructure and works; 1 no. 38kV electrical substation and all associated infrastructure and works; 20kV underground cables facilitating the connection of turbines to 38kV electrical substation and all associated infrastructure and works; Circa 19km of 38kV underground cabling and all associated works along public roads to facilitate the connection of the proposed 38kV wind farm electrical	Decision Date: 27/10/2022	N	No emissions to air or water

Development	Planning Register Reference	Integrated Pollution Control (IPC) or Industrial Emissions Directive (IED) License	Development Description	Status	Potential for In Combination Effects (Y/N) ¹⁴	Reasoning
Loughcapple, Grange Beg, Miltown Britton, Mullenranky, Kilmore,, Ballinvoher, Redmondstown and Ballyvaughan, Co. Tipperary			substation to the existing 38/110kV Doon substation in the townland of Ballyvaughan; Provision of a new site entrance on the L2035; Upgrading of existing agricultural tracks and construction of new site tracks and all associated works as required; A temporary site compound and all associated works; Demolition of 2 no. derelict buildings; Provision of 2 no. cattle underpasses circa 400m and circa 580m to the east of the new site entrance; and all associated infrastructure and site development works. The proposed underground cabling works located within the public road corridor cross Protected Structure RPS S121 (Loughcapple Bridge). An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and will be submitted with the application			
Michael O'Neill Ballinamore, Clonmel, Co. Tipperary	P. REF. 211535		Fill the existing gravel pit and reinstate to levels, including all associated site development works at Ballinamore, Clonmel, Co. Tipperary	Grant Date: 22/01/2022	N	No emissions to air or water
Seamus Walsh Plant Hire Ltd. Ballinamore, Clonmel, Co. Tipperary	P. Ref. 19600807		Fill the existing gravel pit and reinstate to levels including all associated site development works. This site is within the attendant grounds of Anner Castle, Ballinamore, a Protected Structure R.P.S. 2/N.I.A.H. Ref. 22207713	Grant Date: 09/10/2019	N	No emissions to air or water
Grian PV Ballyboe Ltd Ballyboe, Clonmel, Co. Tipperary	P. Ref. 21403		amend the design of the approved development (Planning Ref: 19/600239) which comprises consent for the development of a temporary (30 years) solar farm with an export capacity of 12 MW comprising of photovoltaic panels on ground mounted frames with associated infrastructure including 4 no. inverter housing cabins, 1 no. control building,	Grant Date: 24/06/2021	N	No emissions to air or water

Development	Planning Register Reference	Integrated Pollution Control (IPC) or Industrial Emissions Directive (IED) License	Development Description	Status	Potential for In Combination Effects (Y/N) ¹⁴	Reasoning
			1 no. customer cabin (substation), 1 no. DNO substation, temporary construction compound, ducting and electrical cabling, perimeter agricultural fencing, mounted CCTV cameras and internal access tracks subject to 16 conditions. Amendments proposed are: - Although the height of the solar panels is increased from 2.7m to a maximum 3.2m, the glint and glare impacts will reduce due to advancements in the assessment and software used. The panel tilt angle will change from between 15 and 25 degrees to 15 and 30 degrees; - The number of solar modules will reduce from 39,168 to 30,060 and the number of pile driven poles installed will increase from 2,548 to 4,258; - Although there will be an increase in the number of Inverter Substations from 4 to 6, these have a lower noise output and will therefore result in lower noise impacts; - An increase in CCTV cameras along the perimeter fence from 8 to 12; - Although the road will remain at a width of 3.5m, the point where it connects from the southern to northern lands is moved to use the existing access; - An almost identical footprint which will increase by 0.03% to 4.08%; and – Increase the output from 12MW to 16MW			
Grian PV Ballyboe Ltd Ballyboe, Clonmel, Co. Tipperary	P. Ref. 19600239		a 10 year permission. The development will consist of a solar farm with an export capacity of 12 MW compositing of photovoltaic panels on ground mounted frames with associated infrastructure including 4 No. Inverter Housing cabins, 1 No. control building, 1 No. customer cabin (substation), 1 No. DNO substation, temporary construction compound, ducting and electrical cabling, perimeter agricultural fencing, mounted CCTV cameras and internal access tracks.	Grant Date: 30/10/2019	N	No emissions to air or water

Development	Planning Register Reference	Integrated Pollution Control (IPC) or Industrial Emissions Directive (IED) License	Development Description	Status	Potential for In Combination Effects (Y/N) ¹⁴	Reasoning
			The planning application will be accompanied by a Natura Impact Statement			
S.O.D. Produce Limited Ballynaraha, Kilsheelan, Clonmel, Co. Tipperary	P. Ref. 21475		construction of (i) Potato storage shed (ii) Potato grading/processing shed (iii) Concrete yard and all associated site works	Grant Date: 06/07/2021	N	No emissions to air or water
Michael and Breda O'Neill Ballyknockane, Clonmel, Co. Tipperary	P. Ref. 211449		filling the remaining void in the existing quarry and reinstate to levels (Extension of Duration of P. Ref. 16600603)	Decision Date: 22/11/2021	N	No emissions to air or water
Grian PV Ltd Horsepasture/Doon, Clonmel, Co. Tipperary	P. Ref. 211051		To amend the design of the substation of the approved development (Planning Reference 16601136) which comprises consent for the development of a solar farm with an export capacity of 11.188 MW comprising of photovoltaic panels on ground mounted frames with associated infrastructure including 7 no. inverter housing cabins, 1 no. control building, 1 no. customer cabin (substation), 1 no. DNO substation, temporary construction compound, ducting and electrical cabling, perimeter agricultural fencing, mounted CCTV cameras and internal access tracks	Decision Date: 08/12/2021	N	No emissions to air or water
Grian PV Ltd Horsepasture/Doon, Clonmel, Co. Tipperary	P. Ref. 16601136		The development will consist of a solar farm with an export capacity of 11.188 MW comprising of photovoltaic panels on ground mounted frames with associated infrastructure including 7 no. inverter housing cabins, 1 no. control building, 1 no. customer cabin (substation), 1 no. DNO substation, temporary construction compound, ducting and electrical	Decision Date: 25/04/2017	N	No emissions to air or water

Development	Planning Register Reference	Integrated Pollution Control (IPC) or Industrial Emissions Directive (IED) License	Development Description	Status	Potential for In Combination Effects (Y/N) ¹⁴	Reasoning
			cabling, perimeter agricultural fencing, mounted CCTV cameras and internal access tracks			
Allez Farms Sladagh, Lisronagh, Clonmel, CO. Tipperary	P. Ref. 22505		1. a stable building consisting of 48 no. stables, foaling boxes, internal corridors and ancillary storage areas 2. A single storey building consisting of reception, staff office & facilities along with a security staff and employee accommodation quarters 3. Ancillary building consisting of saw dust store, hay barn and covered dungstead area 4. 2 no. roofed horse walker 5. 1 no. roofed lunging ring 6. Demolition of existing derelict /disused building/stable/shed/structure and construction of new 6 no. stables with two-storey section containing storage and staff welfare facilities 7. Reclad existing shed to existing yard 8. Modification of the existing entrance yard to the northern boundary and the creating of a new entrance to the western boundary 9. All associated site development works including loading ramp, internal roads, car-parking, effluent tank, treatment systems with associated and percolation areas, yards and all associated site works above and below ground. This application is accompanied by Natura impact statement.	Decision Date: 27/09/2022 Third Party Appeal Lodged on 11/10/2022 ABP- 314803-22	Y	Potential for adverse cumulative effects as a result of water quality

Table 5
Planning Applications in Waterford considered for In Combination Effects

Planning Applications in Waterford considered for In Combination Effects Development	Planning Register Reference	Development Description	Status	Potential for In Combination Effects (Y/N)	Reasoning
Board of Management Presentation Secondary School Clonmel. Presentation Secondary School Clonmel, Dungarvan Rd, Greenan, Clonmel, Co. Waterford	P. Ref. 2225	The installation of 6kWp (28 SQM) of photo-voltaic panels on the roof of an existing building	Decision Date: 08/03/2022	N	No potential cumulative effects arising from air or water quality (i.e. no air emissions or water discharge to the River Anner from this project)
Board of Management Presentation Secondary School Clonmel. Presentation Secondary School Clonmel, Dungarvan Rd, Greenan, Clonmel, Co. Waterford	P. Ref. 2123	To redevelop the All-Weather Pitch, including excavation, filling and regrading, fencing and lighting and new All-Weather Surface	Decision Date: 27/07/2021 Third Party Appeal Lodged on 23/08/2021 ABP- 311202-21 Granted on 12/08/2022	N	No potential cumulative effects arising from air or water quality (i.e. no air emissions or water discharge to the River Anner from this project)
National Broadband Ireland Comeragh MD	P. Ref. 21798	Section 254 Licence Application - for the erection of overground telecommunications infrastructure comprising the erection of 31.454 km of new overground fibre optic cables on existing timber poles and the erection of 23 new poles (2021WD0309)	Grant Date: 07/10/2021	N	No potential cumulative effects arising from air or water quality (i.e. no air emissions or water discharge to the River Anner from this project)
National Broadband Ireland DA 034 Clonmel, Comeragh MD	P. Ref. 211148	Section 254 Licence for overground electronic communications infrastructure and associated physical infrastructure (MD T1 2021WD0576)	Grant Date: 09/03/2022	N	No potential cumulative effects arising from air or water quality (i.e. no air emissions or water discharge to the River Anner from this project)

Hydrotricity Ltd., Toor, Glen Upper and Glen Lower Co Waterford	P. Ref. 21830 EIA Portal Ref. 2021177	A 7 year planning permission for a hydro electric scheme on the Glasha River at Toor, Glen Upper and Glen Lower, Co. Waterford. The scheme will comprise the installation of a water extraction structure and fish pass, 2.92 km of pipeline, a turbine house, a transformer building, an ESB substation and a three phase overhead line connection (150m long) from an existing ESB pole to the new ESB substation including all associated site works. A Natura Impact Statement (NIS) and an Environmental Impact Assessment Report (EIAR) will accompany this Application	Deemed withdrawn 15/08/2022	N	Application withdrawn
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3.7 Conclusion

On the basis of the objective information likely significant effects arising from unmitigated changes in air and water quality and quantity cannot be excluded for the proposed Project, individually or in combination with each other or with other plans or projects, for the following European sites:

- Lower River Suir SAC
- Nier Valley Woodlands SAC
- Comeragh Mountains SAC
- River Barrow and River Nore SAC

These European sites are therefore screened in for further assessment at Stage 2.

4.0 REFERENCES

CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

DoHELG (2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government. Dublin.

European Commission (2018). *Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats Directive' 92/43/EEC*.

European Commission (2021) Assessment of Plans and Projects in relation to Natura 2000 sites – Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011)

European Union Habitats Directive, (1992). *Council Directives 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora*.

IAQM (2019). A guide to the assessment of air quality impacts on designated nature conservation sites. Institute of Air Quality Management.

NPWS (2017) *Conservation Objectives for Lower River Suir SAC 002137*. National Parks & Wildlife Service, Department of the Environment, Heritage & Local Government, Dublin.

NPWS (2021) *Conservation Objectives for Nier Valley Woodlands SAC 000668*. National Parks & Wildlife Service, Department of the Environment, Heritage & Local Government, Dublin.

NPWS (2011) *Conservation Objectives for River Barrow and River Nore SAC 002162*. National Parks & Wildlife Service, Department of the Environment, Heritage & Local Government, Dublin.

Triturus Environmental Ltd. (2022) Medite Biological Water Quality Report, River Anner, Clonmel, Co. Tipperary.

Appendix 1 Relevant Legislation

European Nature Directives (Habitats and Birds)

The Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora) forms the basis for the designation of Special Areas of Conservation. Similarly, Special Protection Areas are classified under the Birds Directive (Council Directive 2009/147/EEC on the Conservation of Wild Birds). Collectively, Special Areas of Conservation (SAC) and Special Protection Areas (SPA) are referred to as the Natura 2000 network. In general terms, they are considered to be of exceptional importance for rare, endangered or vulnerable habitats and species within the European Community.

Under Article 6(3) of the Habitats Directive an appropriate assessment must be undertaken for any plan or project that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An appropriate assessment is an evaluation of the potential impacts of a plan or project on the conservation objectives of a Natura 2000 site¹⁵, and the development, where necessary, of mitigation or avoidance measures to preclude negative effects.

Article 6, paragraph 3 of the EC Habitats Directive 92/43/EEC ("the Habitats Directive") states that:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public"

The Habitats Directive is transposed into Irish law by the EC (Birds and Natural Habitats) Regulations 2011 – 2021. Part XAB of the Planning and Development Acts 2000 to 2023 transposes Article 6(3) and 6(4) of the Habitats Directive in respect of land use plans and proposed projects requiring development consent.

EC (Birds and Natural Habitats) Regulations 2011 to 2021 – Part 5

Part 5 of the EC (Birds and Natural Habitats) Regulations 2011 – 2021 sets out the circumstances under which an 'appropriate assessment' is required. Section 42(1) requires that *'a screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.'*

Section 42(2) expands on this, stipulating that a public authority must carry out a screening for Appropriate Assessment before consent for a plan or project is given, or a decision to undertake or adopt a plan or project is taken. To assist a public authority to discharge its duty in this respect, Section 42(3)(a) gives them the authority to direct a third party to provide a Natura Impact Statement and Section 42(3)(b) allows them to request any additional information that is considered necessary for the purposes of undertaking a screening assessment.

Section 42(6) requires that *'the public authority shall determine that an Appropriate Assessment of a plan or project is required where the plan or project is not directly connected with or necessary to the management of*

¹⁵ Also referred to as European Sites in the Planning and Development Acts 2000 – 2023.

the site as a European Site and if it cannot be excluded, on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site’.

Planning and Development Acts 2000 to 2023¹⁶ - PART XAB

The relevant sections of Part XAB of the Planning and Development Acts 2000 – 2023 are set out below.

Screening for appropriate assessment

Section 177U requires that— (1) *A screening for appropriate assessment of a draft Land use plan or application for consent for proposed project shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed project, individually or in combination with another plan or project is likely to have a significant effect on the European site.*

(2) *A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—*

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed project is given.

(3) *In carrying out screening for appropriate assessment of a proposed project a competent authority may request such information from the applicant as it may consider necessary to enable it to carry out that screening, and may consult with such persons as it considers appropriate and where the applicant does not provide the information within the period specified, or any further period as may be specified by the authority, the application for consent for the proposed project shall be deemed to be withdrawn.*

(4) *The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed project, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed project, individually or in combination with other plans or projects, will have a significant effect on a European site.*

(5) *The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed project, as the case may be, is not required if it can be excluded, on the basis of objective information, that the draft Land use plan or proposed project, individually or in combination with other plans or projects, will have a significant effect on a European site.*

(6) (a) *Where, in relation to a proposed project, a competent authority makes a determination that an appropriate assessment is required, the competent authority shall give notice of the determination, including reasons for the determination of the competent authority, to the following—*

(i) the applicant,

(ii) if appropriate, any person who made submissions or observations in relation to the application to the competent authority, or

(iii) if appropriate, any party to an appeal or referral.

(b) Where a competent authority has determined that an appropriate assessment is required in respect of a proposed project it may direct in the notice issued under paragraph (a) that a Natura impact statement is required.

¹⁶ <http://revisedacts.lawreform.ie/eli/2000/act/30/revised/en/html> (Updated to 24 September 2020)

(c) Paragraph (a) shall not apply in a case where the application for consent for the proposed project was accompanied by a Natura impact statement.

(7) A competent authority shall, as soon as may be after making the Land use plan or making a decision in relation to the application for consent for proposed project, make available for inspection by members of the public during office hours at the offices of the authority, and may also publish on the internet —

(a) any determination that it makes in relation to a draft Land use plan under subsection (4) or (5) as the case may be, and reasons for that determination, and

(b) any notice that it issues under subsection (6) in relation to a proposed project.

(8) In this section ‘consent for proposed project’ means, as appropriate —

(a) a grant of permission,

(b) a decision of the Board to grant permission on a planning application or an appeal,

(c) consent for development under Part IX,

(d) approval for development that may be carried out by a local authority under Part X or Part XAB or development that may be carried out under Part XI,

(e) approval for development on the foreshore under Part XV,

(f) approval for development under section 43 of the Act of 2001,

(g) approval for development under section 51 of the Roads Act 1993, or

(h) a substitute consent under Part XA.

(9) In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

(10) In deciding upon an application under section 176A or a determination review or an application referral under section 176C, a planning authority or the Board, as the case may be, shall, where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

Natura impact report and natura impact statement

Section 177T states that— (1) (a) A Natura impact report means a statement for the purposes of Article 6 of the Habitats Directive, of the implications of a Land use plan, on its own or in combination with other plans or projects, for one or more than one F722 [European site] , in view of the conservation objectives of the site or sites.

(b) A Natura impact statement means a statement, for the purposes of Article 6 of the Habitats Directive, of the implications of a proposed project, on its own or in combination with other plans or projects, for one or more than one F722 [European site] , in view of the conservation objectives of the site or sites.

(2) Without prejudice to the generality of subsection (1) , a Natura impact report or a Natura impact statement, as the case may be, shall include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for one or more than one F722 [European site] in view of the conservation objectives of the site or sites.

(3) F723 [As respects a draft National Planning Framework, the Government shall prepare a Natura impact report in relation to a draft Land use plan and the following bodies shall also prepare a Natura impact report in relation to a draft Land use plan] —

F724 [(a) as respects a draft regional spatial and economic strategy, the regional assembly for whose area the draft strategy is made,]

F725 [(aa) as respects a draft National Planning Framework, the Minister.]

(b) as respects a draft planning scheme in respect of all or any part of a strategic development zone, the planning authority (which term shall be construed in accordance with section 168(5)) for whose area the draft scheme is made,

(c) as respects a draft development plan or draft variation of a development plan, the planning authority for whose area the draft plan or draft variation is made, and

(d) as respects a draft local area plan, the planning authority in whose area the local area concerned is situate.

(4) The applicant for consent for proposed project may, or if directed in accordance with subsection (5) by a competent authority, shall furnish a Natura impact statement to the competent authority in relation to the proposed project.

(5) At any time following an application for consent for proposed project a competent authority may give a notice in writing to the applicant concerned, directing him or her to furnish a Natura impact statement F726 [...] .

F722 [(6) Where an applicant for consent for proposed project who, having been directed in accordance with subsection (5) , fails to furnish a Natura impact statement within the period specified in the notice, or any further period as may be specified by the competent authority, the application for consent for the proposed project shall be deemed to be withdrawn.]

(7) (a) Without prejudice to subsection (1) a Natura impact report or a Natura impact statement shall include all information prescribed by regulations under section 177AD .

(b) Where appropriate, a Natura impact report or a Natura impact statement shall include such other information or data as the competent authority considers necessary to enable it to ascertain if the draft Land use plan or proposed project will not affect the integrity of the site.

Project Ireland 2040 – The National Planning Framework (2018)

The National Planning Framework (NPF) sets the overarching context for planning policy in Ireland and has identified the requirement for growth of approximately one million additional people in Ireland by 2040. This means planning for a substantial increase in the number of people and jobs on the island of Ireland.

For northern and western region assembly area which includes County Mayo this means:

- A target of 150,000-175,000 additional people i.e. a population of around 1 million.
- Around 110,000 additional people in employment i.e. 450,000 in total.

Under the objective of ‘**Securing Compact and Sustainable Growth**’, the NPF states that the physical form of urban development in Ireland is one of our greatest national development challenges. It states that more than anything else, getting the physical form and location of future development right offers the best prospects for unlocking regional potential.

The strategy as set out in the NPF is ‘compact development that focuses on reusing previously developed land. This requires focus on four key areas:

The ‘liveability’ or quality of life of urban places;

Making the continuous regeneration and development of existing built up areas as attractive and as viable as greenfield development;

Tackling legacies such as concentrations of disadvantage in central urban areas;

Linking regeneration and redevelopment initiatives to climate action.

Appendix 2 Dust Emissions

Monitored (Adjusted) Period Ambient Concentrations

Site ID	Receptor	NO ₂		NO _x		NH ₃		SO ₂	
		µg/m ³	Data Capture %	µg/m ³	Data Capture %	µg/m ³	Data Capture %	µg/m ³	Data Capture %
AQ1	Lower River Suir SAC	4.2	100.0	6.4	100.0	3.9	100.0	1.4	100.0
AQ2	Residential Dwellings (Roadside of N24)	6.5	100.0	-	-	-	-	2.1	100.0
AQ3	Residential Dwellings (Roadside of N24)	14.3	100.0	-	-	-	-	1.4	100.0
AQ4	Lower River Suir SAC	6.4	66.7	7.9	100.0	3.1	100.0	1.8	100.0
AQ5	Lower River Suir SAC	8.0	100.0	10.6	100.0	4.3	100.0	1.9	100.0
AQ6	Powerstown National School	6.1	100.0	-	-	6.8	100.0	1.4	100.0
AQ8	Residential Dwellings	5.7	66.7	-	-	-	-	1.4	66.7
AQ9	Residential Dwellings	5.3	100.0	-	-	-	-	1.4	100.0
AQ10	Residential Dwellings (Roadside of N24)	18.6	100.0	-	-	-	-	1.4	100.0

Appendix 3 Air Quality

The proposed development will include infrastructure for the storage and processing of additional biomass fuels, located within Development Area 1. Infrastructure will include a new fuel reception and storage plant, including the conveying infrastructure to transport the fuel to the energy plants. The fuel reception units, storage plant and conveyors will be covered to minimise any potential dust emissions. Furthermore, three additional fugitive dust emission points will be introduced to Development Area 1, representing proposed silos, where material will be stored in enclosed spaces. These emission points will utilise filters to abate potential fugitive emissions releases. All proposed potential dust sources within Development Area 1 are fugitive. Furthermore, all potential diffuse dust sources associated with the transport, handling and storage of wood materials will be controlled with use of Best Available Techniques (BAT), as prescribed within the site's Dust Management Plan, as per the Wood-Based Panels BAT Conclusions (BATc). The residual dust source emission potential associated with proposed activities in Development Area 1 is there considered to be negligible.

The nearest sensitive human receptor is located >350m from the boundary of Development Area 1. Furthermore, Development Area 1 is currently used for storage of exposed materials in open stockpiles and comprises an existing dust emission point (Edge Trim silo - Air Emission A2-20) (proposed to be removed). The proposed development represents a continuation of operational activities and will not result in an increase in the production of MDF.

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