

Ronan Megannety

Catherine

From: Andrew Sulley <Andrew.Sulley@hse.ie>
Sent: Thursday 19 February 2026 16:37
To: Appeals2
Subject: Case reference: SU19-323676 NEHS Observations
Attachments: NEHS sub SU19.323676 Sub Consent Lemanaghan Bog.pdf

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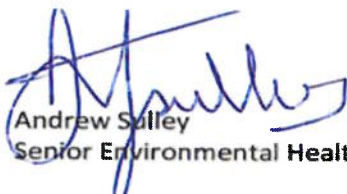
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Find enclosed NEHS observations on [Case reference: SU19.323676](#)

Lemanaghan Bog in the townlands of of Cooldorragh, Kilnagarnagh, Cappalalosset, Tumbeagh, Killaghintoher, Castleanmstrong, Leabeg, Conafurrish and Corrabeg, Lemanagh, Kilnagoolny, Straduff, Lisdermot, Derrica More, Rosfaraghan, Rashinagh, Cor Mor and Cor Ber and Corbane, Co. Offaly.

Any clarification required should be sent in the first instance to Andrew.sulley@hse.ie

Regards,


Andrew Sulley
Senior Environmental Health Officer

Oifigeach Sláinte Comhshaoil Sinsearach/Senior Environmental Health Officer
Timpeallacht Athrú Aeráide Aonad Tacaíochta Líonra/Environment Climate Change Network Support Unit

Seirbhís Náisiúnta Sláinte Comhshaoil, FSS/ National Environmental Health Service, HSE
Holland, Páirc Theicneolaíochta Plassey, Luimneach/ Holland Road, Plassey Technological Park, Limerick

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An tOifig Náisiúnta um Sláinte Chomhshaoil
Feidhmeannacht na Seirbhíse Sláinte,
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Páirc na Mílaoise, An Nás, Co. Chill Dara.

National Office for Environmental Health Services
2nd Floor, Oak House, Lime Tree Avenue
Millennium Park, Naas, Co. Kildare
Eircode: W91KDC2

National Environmental Health Service Submission Report

Date: 17th February 2026

Our reference: ID5545

Type of Consultation: Sub Consent

Lemanaghan Bog in the townlands of of Cooldorragh, Kilnagarnagh, Cappalallosset, Tumbeagh, Killaghintoher, Castleamstrong, Leabeg, Conafurrish and Corrabeg, Lemanagh, Kilnagoolny, Straduff, Lisdermot, Derrica More, Rosfaraghan, Rashinagh, Cor Mor and Cor Ber and Corbane, Co. Offaly.

Offaly County Council

[An Coimisiún Pleanála - Case reference: SU19.323676](#)

Enclosed are observations of the National Environmental Health Service on the above application for substitute consent

Any clarification on the content of this submission should be made in the first instance to Andrew Sulley, Senior Environmental Health Officer at:

Andrew.sulley@hse.ie


Andrew Sulley
Senior Environmental Health Officer

National Environmental Health Service Submission Report

Type of consultation: Substitute Consent with Remedial EIAR

Ref: [SU19.323676](#)

EHIS Reference number: ID5545

Proposed Development: Substitute Consent under the provisions of Section 177E of the Planning and Development Act 2000 (as amended) for peat extraction and ancillary works. Remedial Natura Impact Statement (r NIS) and Remedial Environmental Impact Assessment Report (EIAR) was submitted with this application.

General

The HSE is a statutory consultee under Article 28 of the Planning and Development Act 2000 (as amended) and has a remit to make observations on a planning application accompanied by an EIAR with regard to any likely significant effects on Public Health. The National Environmental Health Service (NEHS), as part of the HSE, can make observations on any planning application as a statutory consultee.

The objective of any observations by the NEHS are to inform the Planning Authority on any likely significant effects on Public Health and give an opinion on any proposed mitigation to protect Public and Environmental Health. Any observations made are to inform and assist the decision making of the Planning Authority in the planning process.

This submission is the observations and comments of the NEHS based on the submitted planning application and the accompanying Remedial Environmental Impact Assessment Report (rEIAR). The NEHS does not carry out any independent environmental monitoring or validation of any measurements or data reproduced in an rEIAR.

Criteria for Consideration of Likely Significant Effects on Public Health

The NEHS considers likely significant effects on Public Health as per the EPA issued National Guidance (known as the EIAR Guidance): ***Guidelines on the information to be contained in Environmental Impact Assessment Reports***, 2022 https://www.epa.ie/publications/monitoring--assessment/assessment/EIAR_Guidelines_2022_Web.pdf

Particularly section 3 of the EIAR Guidance on Human Health which is reproduced below:

Human Health

The recitals to the 1985 and 2011 Directives refer to 'Human Health' and include 'Human Beings' as the corresponding environmental factor. The 2014 Directive calls this factor 'Population and Human Health'.

While no specific guidance on the meaning of the term Human Health has been issued in the context of Directive 2014/52/EU, the same term was used in the SEA Directive (2001/42/EC). The Commission's SEA Implementation Guidance states 'The notion of human health should be considered in the context of the other issues mentioned in paragraph (f)'. (Paragraph (f)⁴⁷ lists the environmental factors including soils, water, air etc). This is consistent with the approach set out in the 2002 EPA EIS Guidelines where health was considered through assessment of the environmental pathways through which it could be affected, such as air, water or soil, namely:

'The evaluation of effects on these pathways is carried out by reference to accepted standards (usually international) of safety in dose, exposure or risk. These standards are in turn based upon medical and scientific investigation of the direct effects on health of the individual substance, effect or risk. This practice of reliance upon limits, doses and thresholds for environmental pathways, such as air, water or soil, provides robust and reliable health protectors [protection criteria] for analysis relating to the environment.'

In an EIAR, the assessment of impacts on population & human health should refer to the assessments of those factors under which human health effects might occur, as addressed elsewhere in the EIAR e.g. under the environmental factors of air, water, soil etc.. The Advice Notes provide further discussion of how this can be addressed.

Assessment of other health & safety issues are carried out under other EU Directives, as relevant. These may include reports prepared under the Industrial Emissions, Waste Framework, Landfill, Strategic Environmental Assessment, Seveso III, Water Framework Directive, Floods or Nuclear Safety Directives⁴⁸. In keeping with the requirement of the amended Directive, an EIAR should take account of the results of such assessments without duplicating them.

The NEHS therefore considers likely significant effects within a population and Human Health context that uses a source – pathway- receptor model, based on emissions through environmental media and population exposure. The exposure of populations, if any, is then considered against recognised health protection criteria.

Whilst EIAR Guidance recognises the requirement to identify sensitive receptors within the assessment process, the Planning Authority should be clear that it is within a Population health approach.

A Population Health approach to the sensitivity of receptors would not consider individual specific sensitivity of a human receptor, but the sensitivity of the established land use or service provision. For example, a school would be considered a sensitive receptor within a Population Health approach, but an individual student who was particularly sensitive to noise attending the school would not be specifically considered in the assessment criteria. A health care facility that provided services for people with recognised noise sensitivity would be considered in its entirety as a particular noise sensitive location.

The Population Health approach therefore has important differences in how likely significant effects on Population and Human Health are considered in EIA. The assessment should consider established land development and use and service provision and activities within communities and not individual members of communities.

It is recognised that rEIA considers existing development and the significance of the effects and not predicted likely significant effects from a proposed development, but it is recommended that the Planning Authority follows the above methodology when consider Public and Environmental Health in their decision making.

The NEHS notes the following:

This rEIAR provides a description of:

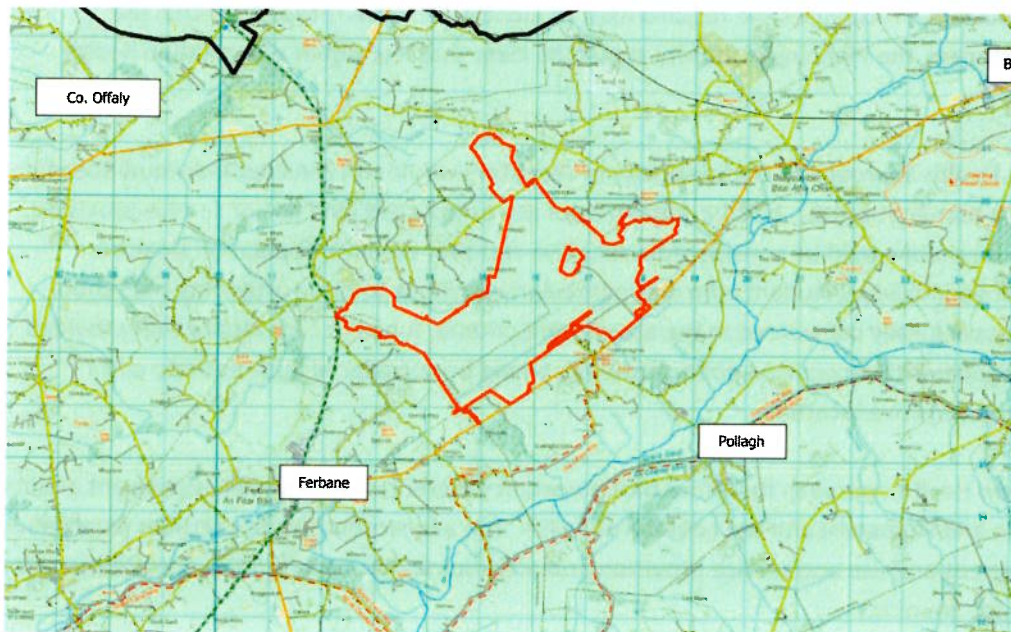
1. The activities employed at the Application Site from 1950 at the onset of preparation works up to July 1988;
2. A description of the baseline environment as of July 1988;
3. A description of peat extraction and ancillary activities at the Application Site from July 1988 to the cessation of peat extraction in June 2020;
4. A description of the management of the Application Site since June of 2020; and, 5. A description of the activities intended to be carried out at the Application Site into the future.

For the purposes of this rEIAR, the Project is defined under three different timeframes termed 'phases':

'Peat Extraction Phase': peat extraction and ancillary activities at the Application Site from July 1988 to the cessation of peat extraction in June of 2020 (July 1988 – June 2020). The Peat Extraction Phase is described in detail in Sections 4.4 to 4.8 of Chapter 4.

'Current Phase': the management of the Application Site since June 2020 (June 2020 to present). The Current Phase is described in detail in Sections 4.8 to 4.9 of Chapter 4.

'Remedial Phase': the activities intended to be carried out at the Application Site into the future. The Remedial Phase is described in detail in Sections 4.10 of Chapter 4.



Scoping rEIA

The HSE were informed of the scoping of the rEIA and made a submission on scoping the rEIA in September 2022 and confirmed this in August 2024.

The areas raised in the submission by the NEHS have been considered in the rEIA and reported in the rEIAR. The NEHS is satisfied that there are no additional assessments that should be undertaken with regard to the likely significant effects on Public or Environmental Health.

The NEHS has no record of any complaints or public health concerns regarding the operation of the site prior to stopping extraction in 2020 or any operations post 2020 to date.

Future land Use

Lemanaghan DAC, a joint venture between SSE Renewables and Bord na Móna (BnM), a subsidiary of Bord na Móna plc. (i.e the Applicant) are proposing a wind energy development consisting of 15 Turbines with an overall blade to tip height of 220m.

It is the understanding of the NEHS that future proposed use of a development applying for Substitute Consent is not a consideration in a Remedial EIA. In this regard, any future planning application for proposed development will be referred to the HSE for observations on the likely significant effects on Public and Environmental Health. It is the understanding of the NEHS that this will be a separate process independent of the Substitute Consent application.

Any appropriate observations will be made to the Planning Authorities on receipt of any application.

Population and Human Health

The following is noted from the rEIAR:

There is no dust, water quality, noxious gas emission data prior to the commencement of the IPC Licence condition compliance requirements in 2000. Since 2000, the Applicant has not undertaken annual dust monitoring at the Application Site, however the closest monitoring location to the Application Site is Pollagh, located approximately 4.3km southeast of the Application Site, and there have not been any non-compliance events in relation to dust deposition recorded. Furthermore, there have been three third-party complaints to excessive dust deposition in Pollagh. All complaints were dealt with by the Applicant. Long term monitoring of NO₂, PM₁₀ and PM_{2.5} at nearby monitoring stations or comparative locations indicate there were no exceedances to the daily or annual thresholds of NO₂, PM₁₀ and PM_{2.5} in the atmosphere. Since 2000, the Application Site has been operating under IPC Licence noise limits. There have been no incidents of noise exceedances or noise complaints pertaining to peat extraction and ancillary activities at the Application Site since records began.

As a result, the potential impacts from peat extraction and ancillary activities were consistent with the baseline environment, and arising potential impacts on water quality from sediment, hydrocarbons, wastewater are all assessed as having moderate potential impacts. Available water

quality data or upstream and downstream watercourses, and discharge water quality monitoring from the bog, do not indicate any significant impacts on water quality occurred during the Peat Extraction Phase.

Dust emissions during the Peat Extraction Phase had the potential to impact nearby human receptors. The Study Area was deemed of medium sensitivity in relation to dust soiling and of low sensitivity to dust related human health impacts. It was determined that there was an overall medium risk of dust soiling impacts and an overall low risk of dust-related human health impacts. As part of the IPC Licence for the Application Site a number of dust control measures were required to be implemented. In addition, dust monitoring was required to ensure dust emissions were not causing issue at nearby sensitive receptors, the results of which indicated that dust emissions from site works were elevated on occasion but the majority of the time were insignificant.

NEHS Comments: In remedial EIA it is beneficial to obtain 'lived experiences' of residents who have lived through the lifetime of the development with regard to dust and noise. Formal or informal complaints are not the only indicator of community concerns or impacts during the lifetime of a development.

Consideration to the effects of land take and purchase on the local land owners is an important aspect of the remedial EIA with regard to Population and Human Health.

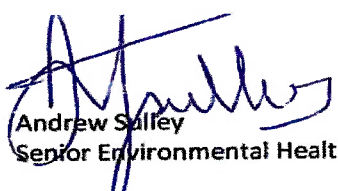
Chapter 11 – Noise and Vibration

The NEHS has considered Chapter 11 and notes the conclusion. The NEHS has no additional observations to make.

Chapter 17 – Schedule of Mitigation

The NEHS has considered Chapter 17 and the tabulated mitigation measures during each phase. The NEHS is of the opinion that there was adequate protection of Public and Environmental Health during the phases of the development and for the final remediation phase. The conclusions are supported by no reported complaints to the NEHS or adverse events associated with the phases of development but are based on information provided in the rEIAR. The lived experiences and 3rd Party submissions may not concur with the reports in the rEIAR and should be considered and given due weight during the decision-making process.

The above conclusion is not, however, considered as rationale for future development of the site with regard to protection of Public Health, which should be subject to Environmental Assessment on likely significant effects from any proposal and include meaningful public consultation as part of the process.


Andrew Salley
Senior Environmental Health Officer

