Response to Submissions

For Development at Pollnagroagh and Rathmorrissy

on behalf of Bord Gáis Energy Limited

July 2026

McCutcheon Halley

CHARTERED PLANNING CONSULTANTS

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Contents

1. Introduction

This report has been prepared by McCutcheon Halley Planning Consultants, in consultation with the project design team, in response to third-party submissions on the planning application for the construction of an open-cycle gas turbine power plant, primarily fuelled by Natural Gas, Above Ground Installation and ancillary development (Case Ref. ACP-324113-26).

The purpose of this report is to provide a response to the issues raised by prescribed bodies and the two hundred and six (206) third-party submissions received during the statutory consultation period.

In addition to the response received from Galway County Council, submissions were received from the following prescribed bodies:

- Department of Housing, Local Government and Heritage (DHLGH)
- Transport Infrastructure Ireland (TII)
- An Taisce
- Health and Safety Authority (HSA)
- Office of Public Works (OPW)
- Uisce Éireann
- Environmental Protection Agency (EPA)

1.1 Scope of the Current Application

The following introductory text should help clearly distinguish the scope of the current Strategic Infrastructure Development (SID) application from the separate transmission and gas connection consent processes.

The Applicant notes at the outset that a number of third-party submissions conflate the subject matter of the current application with separate infrastructure elements that are the subject of distinct statutory consent processes. In this regard, it is important that the Commission clearly distinguishes between the Proposed Development, which is the subject of the present application under section 37E of the Planning and Development Act 2000 (as amended), and other related project infrastructure that is subject to other consenting processes.

The current application relates solely to the proposed Cashla Peaker Plant, comprising a natural gas-fuelled electricity generation facility with dual-fuel capability, associated plant infrastructure, and an Above Ground Installation (AGI), all located within the townlands of Rathmorrissy and Pollnagroagh, Athenry, Co. Galway. The Proposed Development constitutes Strategic Infrastructure Development (SID) for the purposes of sections 37A–37J of the Planning and Development Act 2000 (as amended).

For the avoidance of doubt, the proposed 220kV substation and grid connection infrastructure required to connect the generating station to the existing Cashla 220kV Substation do not form part of the development for which permission is sought in this application. As electricity transmission infrastructure, these elements are subject to a separate statutory consent

process under sections 182A and 182B of the Planning and Development Act 2000 (as amended) and will be considered by the Commission pursuant to a standalone application, Case Ref: ACP-324162-26.

Similarly, the proposed gas transmission connection required to supply the generating station does not form part of the current application and will be subject to a separate consent process under section 39A of the Gas Act 1976 (as amended) that will be considered by the Commission for Regulation of Utilities (CRU).

Accordingly, although the interrelationship and cumulative effects of associated infrastructure have been assessed as part of the overall environmental assessment process, the proposed 220kV transmission infrastructure and gas connection infrastructure are not the subject of the present application and will be considered by the Commission and the CRU, respectively, pursuant to separate statutory consent procedures.

While the cumulative environmental effects of the associated electricity and gas infrastructure have been assessed within the EIAR, the detailed routing, design and consenting of those elements are subject to separate statutory consent processes. Accordingly, submissions relating specifically to the detailed design or routing of the electricity transmission or gas connection infrastructure should be considered within those respective consent processes and do not affect the determination of the current application.

1.2 EPA Licensing and Environmental Regulation

It is important to note that all emissions to the environment arising from the operation of the Proposed Development will be subject to regulation by the Environmental Protection Agency (EPA) under the Industrial Emissions licensing regime.

The Proposed Development cannot operate unless and until an Industrial Emissions Licence (IEL) has been granted by the EPA. Under the applicable statutory framework, an application for an IEL can only be made following the grant of planning permission for the Proposed Development. The EPA licensing process therefore constitutes a separate statutory consent and environmental regulatory regime which applies independently of, and subsequent to, the current planning application process.

The EPA is the competent statutory authority responsible for assessing, granting, regulating and enforcing IELs. Prior to the commencement of operation, the operator will be required to obtain an IEL from the EPA which will prescribe legally binding emission limit values, environmental monitoring requirements, reporting obligations, accident prevention measures, environmental management requirements and site closure obligations.

The EPA will independently assess the operational environmental effects of the facility prior to determining any licence application. This assessment will include Environmental Impact Assessment (EIA), insofar as relevant to the matters within the EPA's statutory remit, together with a detailed technical assessment of emissions and environmental controls associated with the operation of the facility.

Operational environmental controls, including emissions to air, water and land, noise emissions, the prevention of soil and groundwater contamination, fuel storage requirements, accidental spill prevention, environmental monitoring and compliance enforcement, fall within the statutory remit of the EPA under the IEL regime. The EPA will regulate the facility throughout its operational lifetime and through any eventual decommissioning and site closure process.

Emission limit values imposed under any IEL will be determined by the EPA in accordance with applicable European Union and national legislative requirements, including the Industrial Emissions Directive, and will be set at levels designed to protect human health and the environment in accordance with recognised international and national standards and guidelines.

The EIAR submitted with the current application demonstrates that the Proposed Development can operate within the applicable environmental standards and regulatory thresholds. The assessments undertaken confirm that emissions associated with the operation of the facility will comply with the relevant air quality, noise and environmental protection criteria and will not result in significant adverse effects on human health or the environment.

The proposed development cannot become operational unless an Industrial Emissions Licence has first been granted. As part of that independent assessment, the EPA will determine appropriate emission limit values, monitoring requirements, accident prevention measures and environmental management obligations having regard to Best Available Techniques and all relevant European and national legislation.

Accordingly, while these matters have already been assessed within the EIAR, they will also be subject to detailed independent regulatory assessment and ongoing enforcement by the EPA throughout the operational life of the facility.

1.3 Structure of Report

The report is structured as follows:

- A summary and response to key issues raised by Galway County Council is provided in Section 2.
- A summary and response to key issues raised by prescribed bodies is provided in Section 3. Where an issue has been addressed in an earlier comment, a cross-reference is provided to the response.
- A summary of the key issues raised in the third-party submissions is outlined in Section 4. Due to the volume of third-party submissions received, and the nature of these submissions which largely followed a standardised template, the key issues raised are addressed thematically to avoid unnecessary repetition and improve readability. Where an issue has been addressed in an earlier comment, a cross-reference is provided to the response.

2. Response to Galway County Council

2.1.1 Principle of Development

Galway County Council considered that the principle of the proposed development is supported by national, regional and local planning policy, including the Galway County Development Plan 2022–2028. The Planning Authority considered that the proposed peaker plant would contribute to security of electricity supply, facilitate the transition to increased renewable energy generation and align with policy support for electricity and gas infrastructure, subject to environmental and technical safeguards.

Response

Galway County Council concluded that the principle of the proposed development is consistent with national, regional and local planning policy and would contribute to security of electricity supply and the transition to increased renewable generation. The Applicant considers that this represents significant support from the Planning Authority for the overall planning merits of the proposal.

2.1.2 Public Consultation

Galway County Council noted that the applicant submitted a non-statutory Public Consultation Report outlining the engagement undertaken with the local community and other stakeholders in advance of the application. The Planning Authority was satisfied that the applicant had engaged with the public and relevant stakeholders in an appropriate and transparent manner as part of the pre-application consultation process. It did not raise any concerns in principle in relation to the approach taken to public consultation.

Response

The consultation process informed a number of refinements to the proposed development and ensured that issues raised by local residents and stakeholders were considered during project evolution. While not all concerns could be resolved, the engagement process formed an important part of the design development and environmental assessment process.

The Applicant welcomes Galway County Council's comments in relation to the public consultation approach adopted in advance of the submission of the planning application. The Applicant notes the Planning Authority's satisfaction that engagement with the local community and relevant stakeholders was undertaken in an appropriate and transparent manner as part of the pre-application consultation process.

2.1.3 Visual Impact, Design and Layout

Galway County Council noted that the proposed development is located within a rural landscape context comprising open pasture, field boundaries and dispersed one-off housing, with the M17 and M6/M18 junction forming part of the wider setting. It referred to the Landscape and Visual Impact

Assessment submitted with the EIAR, which found that views from surrounding roads are generally of low value with low to medium susceptibility, while visual effects on nearby dispersed residences would range from medium to high depending on the extent of existing infrastructure in view. The Planning Authority considered that the development would contribute to an intensification of industrial development in the area when assessed cumulatively with existing and proposed energy infrastructure. However, it also noted that the site is located within a Class 1 low landscape sensitivity area, outside designated scenic routes and protected views, and considered that, in the context of national energy policy and relevant case law, the wider public interest in renewable energy transition and security of supply carries significant weight in the assessment of landscape and visual effects.

Response

The Applicant notes Galway County Council's comments in relation to the landscape and visual context of the proposed development, including the rural character of the receiving environment, the presence of dispersed residential receptors, and the wider infrastructural context associated with the M17 and M6/M18 junction.

The Landscape and Visual Impact Assessment carried out as part of Chapter 6 Landscape and Visual, Volume 2 of the EIAR provides a detailed assessment of the receiving landscape, visual receptors and cumulative context. The Applicant notes that the site is located within a Class 1 low landscape sensitivity area, is not within or adjoining any designated scenic route or protected view and is situated within a landscape already influenced by strategic transport infrastructure and existing and proposed energy infrastructure.

It is acknowledged that the proposed development will introduce additional built infrastructure into the local landscape and that, for certain nearby residential receptors, visual effects may be experienced depending on orientation, distance, intervening screening and the extent to which existing infrastructure is already visible., The LVIA concludes that operational effects on the Central Galway Complex Landscape Type would be Slight Adverse and that effects on the Urban Environs/Athenry Landscape Character Type would be Neutral.

The design and layout of the proposed development have been informed by the findings of the LVIA and the broader environmental assessment process. Mitigation measures, including appropriate siting, layout, external finishes, boundary treatment and landscape planting, will assist in integrating the development into the receiving environment and reducing visual prominence over time.

While the development will introduce additional built infrastructure into the receiving landscape, the LVIA concludes that operational landscape effects would be Slight Adverse on the Central Galway Complex Landscape Type and Neutral on the Urban Environs/Athenry Landscape Character Type. The assessment also identifies significant visual effects for a limited number of nearby receptors, while effects beyond the immediate vicinity are generally assessed as slight or neutral and not significant in EIAR terms. Accordingly, the landscape and visual effects do

not outweigh the wider planning benefits associated with the proposed development. The Applicant further notes the Planning Authority's acknowledgement that, while cumulative landscape and visual effects must be considered, the proposed development is to be assessed in the context of national energy policy, renewable energy transition objectives and security of electricity supply and in accordance with the statutory 'national climate objective' and duties of relevant bodies under Sections 3 and 15, respectively, of the Climate Action and Low Carbon Development Act 2015 (as amended) (the "Climate Act") and the decision of the Supreme Court in Coolglass Wind Farm Limited v An Coimisiún Pleanála [2026] IESC 5". These matters are of significant public interest and carry substantial weight in the overall planning balance.

2.1.4 Designated Sites and Assessment Requirements

Galway County Council noted that a Natura Impact Statement and EIAR were submitted with the application and identified potential hydrogeological pathways to the Galway Bay Complex SAC, Inner Galway Bay SPA and Cregganna Marsh SPA. It stated that An Coimisiún Pleanála, as competent authority, should be satisfied that the proposal would not adversely affect the integrity of any European site, that the EIAR is sufficient for the purposes of environmental impact assessment, and that the proposed development would not have a significant effect on receiving water bodies for the purposes of the Water Framework Directive.

Response

The Applicant notes Galway County Council's comments in relation to designated sites, Appropriate Assessment, Environmental Impact Assessment and the Water Framework Directive. A Natura Impact Statement and EIAR were submitted with the application and provide a detailed assessment of the potential effects of the proposed development, including consideration of potential hydrogeological pathways to Galway Bay Complex SAC, Inner Galway Bay SPA and Cregganna Marsh SPA.

The Applicant considers that the NIS provides the necessary information to enable An Coimisiún Pleanála, as competent authority, to undertake Appropriate Assessment and to conclude, beyond reasonable scientific doubt, that the proposed development, either alone or in combination with other plans or projects, will not adversely affect the integrity of any European site, subject to the implementation of the mitigation measures identified. Accordingly, the information submitted enables the Commission to conclude that the proposed development will not adversely affect the integrity of any European Site, either alone or in combination with other plans or projects.

The EIAR also provides a comprehensive assessment of the likely significant effects of the proposed development on the receiving environment, including land, soils, geology, water, biodiversity and related pathways. The assessment demonstrates that, with the embedded design measures and proposed mitigation in place, the development will not give rise to significant adverse effects on receiving water bodies.

Please refer to the response set out under section 3.3.9 in relation to the Water Framework Directive.

2.1.5 Roads and Transportation

Galway County Council's Roads and Transportation Department raised a range of detailed concerns in relation to the proposed site access, the adequacy of the supporting traffic and transport documentation, the design and location of grid connection infrastructure within the public road, construction traffic management, abnormal load movements, and the protection and reinstatement of the public road network. It recommended that these matters be addressed through revised design information, technical assessments, road safety audits, management plans, licence requirements and specific conditions in the event of a grant of permission. The specific concerns are summarised in sections 2.1.5.1 to 2.1.5.8 below (inclusive). The specific conditions are addressed in Appendix 1.

2.1.5.1 Road Safety Traffic Concerns: Road Safety Auditing, Sightlines, Stopping Sight Distances and Forward Visibility

The Roads Department stated that sightlines and stopping sight distances for the proposed permanent substation entrance had not been adequately demonstrated. It requested revised site layout and longitudinal information, based on detailed topographical survey data, to show that 90m visibility can be achieved from a setback distance of 2.4m from the road edge. Supporting photographs were requested, together with details of any required boundary setbacks, including roadside walls, vegetation and stationary roadside objects such as overhead service poles. It also requested that the vertical envelope of visibility be demonstrated in accordance with the relevant TII standards. In addition, Galway County Council requested that any third-party boundaries affected by required sightline splays be clearly identified on revised drawings, and that written consent and supporting ownership details be provided where lands outside the applicant's control are needed to achieve visibility standards. The Roads Department also noted the absence of a Stage 1 / Stage 2 Road Safety Audit and required that such an audit be undertaken for the entire scheme, with all issues raised to be addressed in revised layouts. It further stated that a detailed Traffic and Transport Assessment should be prepared in accordance with TII guidance, and that this assessment should also consider indirect road safety impacts, including the effect of the proposed 20m public lighting mast and the absence of lux contouring and glare assessment.

Response

A sightline drawing was included in the Planning Application Drawing Pack prepared by AtkinsRéalis under Drawing PEK3-ATK-ZZ-01-DR-CE-901200 – Site Access Sightlines, which demonstrates the available visibility at the proposed entrance to the Cashla Peaker Plant. The sightline assessment includes longitudinal profiles taken along the edges of the sightline triangles and is based on a detailed topographical survey of the existing road corridor.

The assessment confirms that 90m stopping sight distance is achieved in both directions (east and west) from a setback distance of 3.0 m from the road edge, in accordance with TII Standard DN-GEO-03060. The vertical envelope of visibility has been assessed using a driver eye height of 1.05 m and object height of 1.05

m, demonstrating that unobstructed visibility is available within the required envelope.

The visibility assessment is demonstrated on Drawing PEK3-ATK-ZZ-01-DR-CE-901200. Additional photographs and illustrative profiles are provided below to assist in explaining the available horizontal and vertical visibility.

Figure 1 and Figure 2 illustrate views from the road looking east and west respectively. Figure 3 and Figure 4 illustrating the available vertical visibility in both directions. Figure 5 confirms that the existing wall to the east lies outside the visibility envelope, while vegetation and roadside obstructions to the west are identified for removal or relocation in drawing PEK3-ATK-ZZ-01-DR-CE-901200 – Site Access Sightlines.

It is proposed to remove all vegetation within the western sightline triangle and relocate overhead utility poles as required, such that no obstructions remain within the 90 m visibility splays. All identified obstructions will either be removed or relocated outside the sightline envelope, ensuring full compliance with the required visibility standards. The lands affected by these works are within the ownership of Paddy and Caroline Forde. Written consent from the landowners was submitted as part of the planning application documentation. Drawing PEK3-ATK-ZZ-01-DR-CE-901200 – Site Access Sightlines clearly identifies the extent of the sightline triangles and the associated works within these lands, including the removal and relocation of obstructions

The vertical geometry of the proposed access is designed to tie into the existing road levels, which have been confirmed by topographical survey, and the visibility assessment demonstrates that the required sightlines are achieved without the need for any revision to the entrance layout.

Figure 1 - View looking east

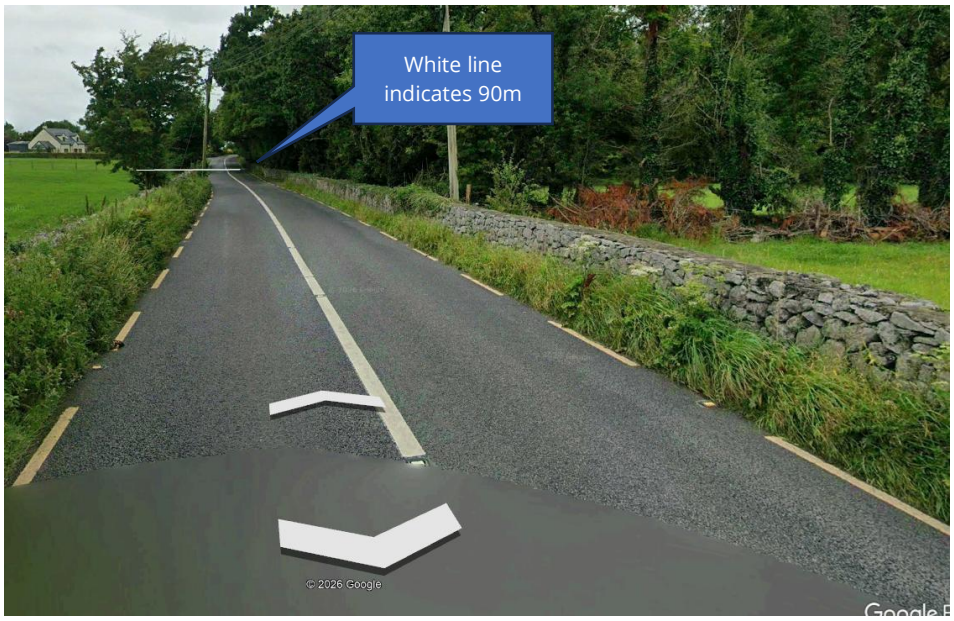

Figure 2 - View looking west

Figure 3 - Vertical profile east

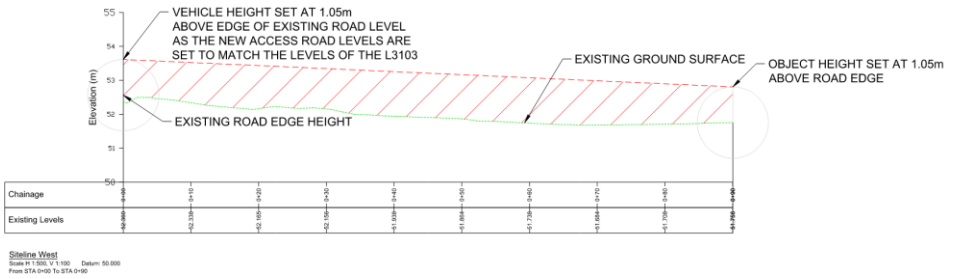

Figure 4 - Vertical profile west

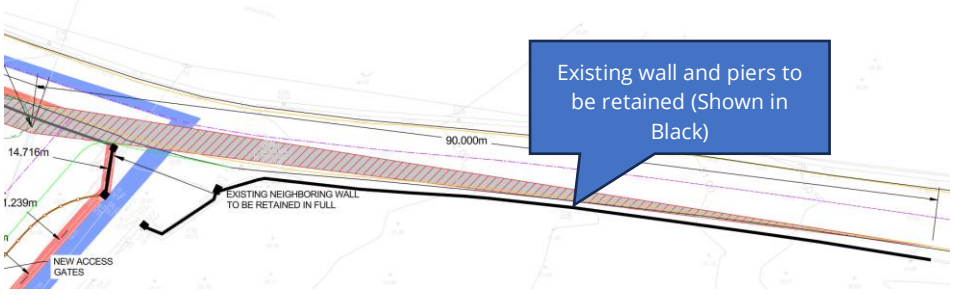

Figure 5 - Eastern sightline triangle and location of existing wall to be retained. Source: under Drawing PEK3-ATK-ZZ-01-DR-CE-901200 – Site Access Sightlines included in Planning Drawing Pack

In relation to the traffic assessment, the proposed development is below the thresholds requiring a full Traffic and Transport Assessment (TTA) due to the lack of operational trip generation. Table 2.1 within PE-PDV-02045 - Traffic and Transport Assessment Guidelines (TII) provides a list of thresholds at which the production of Traffic and Transport Assessments in relation to planning applications is recommended. The fundamental basis for the thresholds are related to trip generation – specifically in the operational phase. The proposed project is unique in that, during the operational phase, the trip generation is essentially nil. As a result, the development was determined to be sub-threshold.

A detailed assessment was, however, undertaken to determine and mitigate impacts during the construction phase. The details of this assessment are provided in Chapter 10 (Traffic) of the EIAR which includes details of the proposed Construction Traffic Management Plan (CTMP), Outline Construction Traffic Management Plan (OCTMP), Haulage Routes Pavement Analysis and a Haulage Routes Structural Assessment.

With regard to road safety auditing, a Stage 1/2 Road Safety Audit will be undertaken in accordance with the relevant TII standards and guidance. The audit findings and any associated design recommendations can be addressed during detailed design and prior to commencement of development, having regard to contractor-specific construction methodologies, traffic management arrangements and Roads Authority requirements. This approach is consistent with recommended Condition 20(vi) contained within Galway County Council's submission, which the applicant welcomes and which can appropriately secure completion of the audit and implementation of any agreed mitigation measures prior to commencement of development.

In respect of indirect road safety impacts associated with the proposed 20 m lighting mast, the mast forms part of the internal site lighting scheme and is not intended to illuminate the public road network. The detailed lighting design will be developed during the detailed design stage and will be designed to minimise light spill beyond the site boundary. The lighting scheme will incorporate directional luminaires, shielding and appropriate beam control measures to avoid glare or distraction to road users on the surrounding road network. A detailed lighting assessment, including lux contouring and glare analysis, will be completed during detailed design to demonstrate compliance with the relevant lighting standards and to confirm that the proposed lighting installation will not adversely affect road safety on the surrounding road network, including the strategic road network where relevant.

2.1.5.2 Site-Specific Grid Connection Infrastructure Drawings

Galway County Council raised a concern regarding the proposed location of 10 no. joint bays and associated communications infrastructure within the public road carriageway. It considered that the scale and depth of the proposed structures would effectively sterilise the roadway and interfere with the Council's ability to undertake future drainage, watermain and service

connection works. It therefore requested that the joint slabs be relocated off the public road and positioned within adjacent lands under the applicant's control as it had not been demonstrated that no practical off-carriageway alternative exists. The Roads Department also required that any joint bay structures be subject to a Technical Acceptance Report in accordance with the relevant standards and circulars, including certification from the relevant design, assessment and checking parties. Clarification was also requested regarding the type of lids proposed, compliance with TII standards, backfill and compaction standards, and ongoing maintenance responsibility for link box and chamber lids.

Response

EirGrid have been engaging with the Roads Sector and other key stakeholders for the last two or so years, on the understanding of the impacts and opportunities for laying HV cable in roads through a HV Forum. Through this working group, the focus is on consolidating all the specifications from the participating TII, Regional Management Offices (RMO) and EirGrid/ESBN relating to cables in roads. The understanding of this is that the final consolidated specification isn't readily available. Albeit the 'Interim Guidance to Road Authorities regarding the proposed placement of Medium or High Voltage electricity assets, including ducts, cables, and associated infrastructure under public roads' are welcomed, the technical working group still yet has to conclude on a final document, that aligns with the current EirGrid functional specifications.

As the work within the technical working group will still take time to be completed, the Department of Transport (DoT) prepared the aforementioned interim guidance note for Roads Authorities, which is understood to support authorities when reviewing planning submissions and engaging with developers. It is intended that it is interim. Not all the criteria within the guidance note are consistent with the EirGrid specifications. The current design complies with the EirGrid standards, cognizant of the interim guidance.

The placement of Joint Bays (10 in total) for this project have been strategically sited within natural widenings, hard shoulder areas, or access/ entrances into arable lands where available. 5 Joint Bays out of 10 in total are sited off the road curtilage as follows:

- *Joint Bay 01 within the Cashla Substation bell mouth*
- *Joint Bay 03 Discarded section of local road @ Ch1480m*
- *Joint Bay 05 with widened section of roadway @Ch.3190m*
- *Joint Bay 08, discarded section of local road @Ch.5850m*
- *Joint Bay 10 OCGT access road*

The remaining joint bays are located within the road curtilage (refer to the Construction Grid Connection Report enclosed in Appendix 2-7, Volume 3 of the EIAR). Galway County Council have raised concerns relating to the scale and depth of the proposed structures and the impact this could have on sterilising the roadway and interfering with the Council's ability to undertake future drainage, watermain and service connection works are noted. As set out in the project drawings enclosed in Volume 3 of the EIAR, Appendix 2-12, the current proposal provides for a typical depth of cover above Joint Bays of 300mm in paved roads

(refer to Drawing Ref. 300101269-DR-136-P2, Note 8B). The 5 no joint bays which are proposed within the road carriageway will be installed with a cover depth of 600 mm, ensuring sufficient clearance to accommodate future maintenance and drainage works while protecting the underlying cable infrastructure.

In accordance with the Department of Transport's 'Interim Guidance to Road Authorities regarding the proposed placement of Medium or High Voltage electricity assets, including ducts, cables, and associated infrastructure under public roads' (March 2026), the Joint Bay structures within the road will conform to standards required by the Roads Authorities and will have a concrete lid, unless exceptional circumstances arise and are otherwise agreed with the Roads Authority. The detailed design of the joint bay structures will be agreed with the roads authority via Technical Acceptance of joint box/bay structures beneath regional and/or local roads, carried out in accordance with DOT Circular RW 10/2021. In this regard, the applicant welcomes inclusion of condition 20 (Xiii) as set out in Galway County Council's submission on the planning application and as detailed in Appendix 1 of this report.

2.1.5.3 Haulage Route Analysis

The Roads Department requested a full haulage route analysis identifying all works required to accommodate construction and abnormal loads. This is to include any amendments to existing junctions, road widening, edge strengthening, signage measures, and tree or hedge clearance, together with articulated and abnormal load swept path analysis.

Response

A full haulage route analysis was undertaken for both abnormal load movements and construction-related vehicle access. This included a structural appraisal of bridges and structures (refer to Cashla Peaker Plant – Abnormal Load Assessment Report included in Appendix 2-6, Volume 3 of the EIAR. Document Ref. 0114485DG0025), pavement assessment (refer to Cashla Peaker Plant Pavement Analysis provided in Appendix 2-4, Volume 3 of the EIAR. Document Ref. 0114485DG0032), and AutoTrack swept path analysis of articulated and abnormal load vehicles. A summary of the haulage assessment is provided in Section 10.4.6 of the EIAR, with extracts from the full swept path analysis included in Section 11.4 of the Civil Engineering Planning Report (Document Ref: PEK3-ATR-ZZ-ZZ-RP-CE-300001 enclosed in Appendix 2-1 in Volume 3: Appendices of the EIAR).

The assessment identified a limited number of locations where temporary traffic management measures will be required, including at the Port Access on the Yellow Route, the transfer from the L5034 to the Tuam Road, and the right turn from the R339 to the R381 on the Red Route. Temporary signage removal and temporary relocation of street furniture were also identified where necessary to facilitate abnormal load movements. No tree or hedge clearance was identified as necessary. No road widening, junction amendments, edge strengthening, or pavement strengthening works were identified as necessary on the adopted haulage route. While widening at the R339/L3103 junction was identified as potentially required on one assessed option, that route was discounted due to the insufficient load-bearing capacity of the two-span bridge, as set out in the

aforementioned Abnormal Load Assessment Report. Articulated vehicle swept path analysis of the site entrance was also undertaken and submitted under Drawing PEK3-ATK-ZZ-01-DR-CE-901200 Site Access Sightlines. The pavement assessment confirmed that the existing road network will retain adequate residual service life following the abnormal load deliveries.

2.1.5.4 Construction Traffic Route

In relation to the grid connection works, Galway County Council requested details of the proposed construction traffic routes for concrete, tarmacadam and stone deliveries. It also requested a draft construction programme setting out the timing of ducting works, joint chamber construction, cable transport, cable pulling and jointing works. The Roads Department stated that the traffic management proposals should be revised to reduce the duration of road closures and minimise impacts on the public road margin, including consideration of alternative methodologies and the use of strategic passing bays to facilitate cabling and jointing works while maintaining traffic movement on narrow local roads.

Response

It should be noted that the proposed closure timeframes represent the worst-case scenario and are anticipated to be shorter than those indicated in the planning application.

As part of the Construction Traffic Management Plan (refer to Appendix 2.11 CTMP in Volume 3 of the EIAR, Document Ref: PEK3-ATR-ZZ-ZZ-RP-CE-300002) that was developed for the planning application, construction haul routes were identified in the vicinity of the site. These routes cover the national and regional road network. Haul routes for specific materials can only be identified once a contractor has been appointed. This principle also applies to the detailed programme for the timing of ducting works, joint chamber construction, cable transport, cable pulling and jointing works which will be developed prior to construction.

In addition, a detailed construction traffic management plan (CTMP) has been developed for the sections which will be subject to road closures. The CTMP provides details on routing of construction traffic, timing of material deliveries, detours during road segment closure periods and emergency procedures. It is also notes that cable joint chambers have been designed in strategic locations (such as junctions and wider roads) and to increased depths in order to reduce the impacts of traffic disruption as well as potential road sterilisation.

As recommended by Galway County Council, the applicant welcomes the inclusion of a condition requiring a revised CTMP to be submitted to the Roads Authority for agreement in advance of commencement of development (see Condition 23(i) of Appendix 1 of this report).

2.1.5.5 Transport Load Assessment

The Roads Department requested an assessment of the laden weight of HGVs and articulated vehicles transporting abnormal loads, with particular regard to route suitability and the capacity of culverts and bridges along the route.

Response

The laden weight of the transport vehicle, including the trailer, has been fully incorporated into the assessment. As outlined in Section 3.3.3 and Table 3-2 of the Abnormal Load Assessment Report, Appendix 2-6, Volume 3 of the EIAR, the applied loads are based on gross trailer weights (i.e. cargo + trailer), from which axle loads were derived and applied in the structural models.

With respect to the assessment methodology, the Abnormal Load Assessment Report follows the TII exceptional abnormal load assessment process, whereby a comparative assessment is undertaken in the first instance. The load effects from the EAL vehicle were directly compared against the governing design load models (HA+HB and LM1+LM3), as presented in Tables 5-1 and 5-2 of the Abnormal Load Assessment Report

In accordance with TII AM-STR-06048, a detailed capacity assessment is only required where the EAL load effects exceed the design load effects. As the comparative assessment demonstrated that the EAL effects are lower than the design effects for all structures on the preferred route (with the exception of DC-M17-005.00), no further capacity calculations were required.

While the comparative assessment identified DC-M17-005.00 as the only structure where the Exceptional Abnormal Load (EAL) effects exceeded the governing design load effects, this structure is located on the Red Route. Following the route appraisal, the Blue Route was identified as the preferred and viable transport route, as all structures along this route were demonstrated to safely accommodate the proposed EALs through the comparative assessment. In contrast, the Red Route presents a number of significant operational constraints, including tight turning movements and overhead electrical infrastructure, which adversely affect its suitability for the transport of the proposed loads. As the Red Route is not required for the transport operation and is not proposed as part of the preferred haul route, a detailed capacity assessment of DC-M17-005.00 was not considered necessary. Consequently, the assessment effort was focused on the preferred Blue Route, which has been demonstrated to be structurally suitable for the proposed abnormal load movements in accordance with the TII assessment methodology.

2.1.5.6 Directional Drilling in Proximity to Motorway Bridges

Galway County Council stated that a detailed structural survey would be required where directional drilling is proposed in proximity to motorway bridge structures.

Response

Detailed confirmatory surveys of each TII Eirspan Bridge encountered will be carried out, executing Principal Inspection Task Orders, to inform the detailed design phase. These will be assessed by including inspections, assessment and report preparation of structures.

Risk assessment and Method statements will be conducted by an approved Department of Transport (DTTAS) Bridge Asset Management System (BAMS) Qualified Engineering Inspector.

2.1.5.7 Culvert Installation Restriction

The Roads Department expressly noted that ducting installations over culverts within the public road would not be permitted.

Response

The Roads Authority's comment on culverts are noted and the applicant can confirm that the ducting installation will be carried out in accordance with Eirgrid's 220kV functional specification guidance. The 220kV cable route will be routed under existing infrastructure as recommended in the guidance document. Should exceptional circumstances arise, alternative arrangements will be subject to agreement with EirGrid to ensure compliance with the applicable standards, and the Roads Authority.

2.1.5.8 Road Opening Licence Requirement and Road Closure

Galway County Council advised that any works affecting the public road network, including junction works and grid connection infrastructure, would require a Road Opening Licence and possibly a Road Closure Licence. It also stated that preliminary trial holes under a Road Opening Licence would be required to confirm the cable route, and that separate licences and possible closures would be needed for the main construction works.

Response

The Applicant acknowledges these requirements and confirms that all works within the public road will be undertaken in full compliance with the requirements of Galway County Council and the relevant statutory provisions. All necessary Road Opening Licences, traffic management approvals and any associated road closure consents will be obtained in advance of the commencement of works. Works will be planned and implemented in consultation with the Roads Authority to minimise disruption to road users and to ensure that all reinstatement is carried out in accordance with the applicable standards and specifications.

2.1.6 Water and Wastewater

Galway County Council noted the hydrogeological sensitivity of the site, including the presence of a regionally important aquifer and potential karst features, and stated that the Commission should be satisfied that the development would not have a significant effect on receiving water bodies. It recommended that, in the event of a grant of permission, the applicant should enter into an agreement in respect of water supply and that conditions should apply to the proposed wastewater treatment system and its ongoing maintenance.

Response

The Councils confirmation that the proposed development will not have significant effects on receiving water bodies is acknowledged. The above recommendations are noted and related conditions welcomed (refer to Appendix 1 of this report). The proposed development has been designed, specifically taking account of the hydrogeological sensitivity of the site. A robust engineering design has been developed for the project, informed by the site specific geological and hydrogeological conditions, including the potential presence of onsite subsurface

karst geology. Section 11.4.2., Chapter 11 Land Soils and Geology, Volume 2 of the EIAR, sets out in detail the key design mitigation measures which have informed the iterative design process, and Environmental Impact Assessment (EIAR). These measures will ensure that the proposed development does not give rise to significant effects from the outset.

Key extracts from Section 11.4.2., Chapter 11 Land Soils and Geology, Volume 2 of the EIAR are replicated for ease as follows:

'11.4.2.1 Engineering measures (potential structural / geotechnical risk)

A robust karst protocol will be adapted during foundation construction comprising the following:

- *Soil strip across each foundation footprint to expose the bedrock surface.*
- *Targeted closely spaced proof coring to confirm the presence of any possible Karst within 15 to 20m of the bedrock surface.*
- *If no significant voids or Karst features are encountered during the proof coring process then Foundation Solution 1 will be adapted.*
- *If a significant Karst feature is encountered during the proof coring process then Foundation Solution 2 will be adapted.'*

'Conclusion

- *It is noted the boreholes and follow-on rotary coring did not encounter any Karst features. Similarly, the base of trial pits did not encounter any open depressions and all terminated on solid limestone bedrock. In Karst areas it is standard investigative practice to carry out geophysical surveying to assess for the presence of Karst. Based on the results of the geophysical survey, several anomalies have been identified across the site area. Notably, these anomalies exhibit very high resistivity levels and indicate potential air voids or clay filled voids at several resistivity points, ranging from A1 to A18. The presence of these high resistivity point suggests the possibility of karst formations or other subsurface pockets (either air voids or infilled with clay). The solutions as discussed above present the engineering solutions that will respond to the presence of karst, and at construction stage the robust karst protocols identified will be implemented to control and respond to any karst features encountered (AtkinsRealis, 2026).'*

'11.4.2.2 Engineering measures (potential environmental risk)

Engineering design solutions have been developed in response to assumed karst conditions present across the project site, as summarised below.

Fuel and Water Storage

- *Low sulphur diesel (secondary fuel) will be stored in two steel double-skinned full containment tanks, and further contained within a sealed concrete bunded area. The tanks will contain a combined quantity of ca. 5470 tonnes (or 6670m3) of low sulphur diesel fuel. The tanks will be designed in accordance with EN 14015 inclusive of all safety features*

required by the standard and as the result of safety design reviews during the detailed design stage.

- *Secondary back-up low sulphur diesel fuel will be offloaded on site from road tankers in a hard standing area with provision to collect any spilled low sulphur diesel to prevent any discharge to ground.*
- *The emergency low sulphur diesel (secondary fuel) generator will contain a quantity of low sulphur diesel fuel (up to 1000L) in a co-located tank sufficient for an estimated 24 hours operation. The engine's design will be compliant with the latest regulatory requirements which will be stated in the Site's Industrial Emissions (IE) operating licence.*

Water / Waste Streams

- *Demineralised water will be produced onsite using a treatment plant that converts potable water supplied by Uisce Éireann. Waste from demineralised water production will be stored in a contaminated firewater tank, constructed from sealed GRP or reinforced concrete. This waste stream will be stored in the contaminated firewater tank (which has been appropriately sized), as detailed in Chapter 2 Project Description, and removed for off-site disposal to a licensed wastewater treatment facility.*

Site Drainage Infrastructure & Firefighting System

- *Foul / Domestic wastewater will be conveyed to the proposed onsite WWTP, then stored in a sealed underground cesspool for off-site disposal by tanker. The system will be designed, installed, and tested in accordance with Uisce Éireann and Local Authority standards (IW-CDS-5030-03).*
- *The site will be an EPA (IE) licensed site and as such is limited in its discharge of stormwater to ground due to the possibility of contaminated firewater in the discharge. Any stormwater captured on hardstanding areas that is not contaminated will be discharged to ground via soakaway. Any stormwater which falls outside of the hardstanding areas will be allowed to discharge to ground.*
- *The new storm sewer network will be gravity fed and segregated into different sections to facilitate contaminated fire water collection. The areas will be controlled by actuator valves to control the flow path of the segregated areas (see drawing transmittal sheet).*
- *Stormwater is collected via a piped network and directed to a soakaway pond in the northeast. Hardstanding areas and kerbed roads ensure containment, with runoff captured by linear drains and gullies. Parking areas use sealed permeable paving. Pollution control includes hydrocarbon interceptors (IS EN858), a full retention forecourt separator at the fuel delivery area, and a Class 1 bypass separator before the soakaway.*
- *The IED licensed site must retain all potentially contaminated firewater generated during a fire event. This water must be stored on-site*

for subsequent off-site disposal via tanker. Contaminated firewater typically originates from high-risk areas such as buildings, generators, and turbines. Low-risk areas (i.e. roads without structures and grassed zones) are excluded from this requirement.

- *To manage contaminated firewater effectively, the stormwater drainage network will be divided into multiple zones. Each zone will be equipped with a sensor-controlled actuator valve. In the event of a fire, runoff from the affected zone will be diverted to the firewater tank, while rainfall from unaffected zones will continue to discharge to the site's soakaway system. This zoning approach helps minimize the required size of the contaminated firewater tank. Additionally, the firewater tank will serve as a holding tank for unrecoverable demineralised production water (as detailed above), requiring an extra 350 m³ of capacity. This brings the final total tank volume to 1,086 m³.*
- *Contaminated firewater will be captured via the stormwater system and directed to containment tanks for off-site treatment. The system accounts for concurrent rainfall (10-year, 24-hour storm event) and firefighting water. The site is divided into three catchments with actuator valves controlled by pH/contaminant probes (trigger range: pH 9). Only affected catchments divert runoff to containment, minimizing tank size while meeting EPA licensing requirements. This will link into the site SCADA system.'*

Furthermore, with respect to potable water supply, as stated in page 546 of the EIAR, 'The site will be supplied with a new 150 mm diameter water main which will come from Athenry. This new section of watermain will be installed by Uisce Éireann to the site entrance on the L3103 as outlined in the Confirmation of Feasibility.'

Uisce Eireann requested, at pre-application consultation stage, that "'Any and all potential impacts on the nearby reservoir as public water supply water source(s) are assessed, including any impact on hydrogeology and any groundwater/ surface water interactions." This has been addressed in the EIAR, as stated in page 575 ' The closest public reservoir is Ballydavid which is over 4km in a direct line from the Proposed Development. A public water supply such as this is assigned a very high importance, though the large distance from the site and the projects general lack of interaction with groundwater means that the risk to this receptor is negligible and thus has not been considered further. Additionally, reservoirs are typically hydraulically disconnected from the local groundwater regime thus it is considered extremely unlikely that changes to groundwater quality and flow would have the potential to impact the reservoirs.'

The above measures and site-specific design solutions, will ensure that there will be no discharge of contaminated water or potentially contaminated water to ground beneath the project site.

The development will not have a significant effect on receiving water bodies, during the construction, operational or decommissioning phases, as clearly demonstrated in Chapter 5 Biodiversity, Chapter 11 Land Soils and Geology and Chapter 12 Water, Volume 2 of the EIAR.

2.1.7 Flood Risk

The Planning Authority noted that the submitted site-specific Flood Risk Assessment concluded that the proposed development is not at significant flood risk, with the site identified within Flood Zone C and no historic flooding recorded. It stated that An Coimisiún Pleanála should be satisfied that the proposed development would not have a significant effect on the receiving environment in terms of flood risk.

Response

The Applicant has reviewed the Planning Authority's observations in relation to flood risk and confirms that a Stage 1 Flood Risk Assessment has been undertaken in accordance with the principles of The Planning System and Flood Risk Management Guidelines and can be found in Appendix 2-2, Volume 2 of the EIAR

2.1.8 Air Quality and Emissions

Galway County Council noted the EIAR conclusion that the proposed development will not have a significant effect on air quality, subject to the implementation of mitigation measures. It recommended that, where permission is granted, conditions should require compliance with dust mitigation measures and the submission of a dust and emissions monitoring programme.

Response

This recommendation is noted. All mitigation measures, as outlined in Chapter 7 Air Quality, and Chapter 18 Schedule of Environmental Commitments, Volume 2 of the EIAR, will be fully implemented, as relevant throughout the project. The requirement for dust and emissions monitoring is consistent with the relevant monitoring commitments as detailed in Section 7.8.1, Section 7.8.2 and Section 7.8.3, Volume 2 of the EIAR, which is replicated for ease as follows:

> ***7.8.1 Construction Phase***
>
> *Monitoring of construction dust deposition along the site boundary to nearby sensitive receptors during the construction phase of the Proposed Project will be carried out to ensure mitigation measures are working satisfactorily. This will be carried out using the Bergerhoff method in accordance with the requirements of the German Standard VDI 2119. The Bergerhoff Gauge consists of a collecting vessel and a stand with a protecting gauge. The collecting vessel is secured to the stand with the opening of the collecting vessel located approximately 2m above ground level. The TA Luft limit value is 350 mg/m2/day during the monitoring period of 30 days (+/- 2 days).*
>
> ***7.8.2 Operational Phase***
>
> *The Proposed Project will be subject to an Industrial Emissions Licence, which will be required for the facility to operate and is issued and regulated by the EPA. As part of an Industrial Emissions Licence, air emissions from the stack will be monitored continuously any time the plant is in operation. This monitoring will be undertaken using regulated*

and independently verified permanent monitoring equipment, which is subject to regular maintenance and calibration routines in line with statutory requirements. The relevant EU monitoring requirements for the Peaker Plant are given in BAT 4 of the Commission Implementing Decision (EU) 2021/2326 of 30 November 2021 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for large combustion plants. The Licensee will provide these results to the EPA under the conditions of an Industrial Emissions Licence, and they will also be available to the public on the EPA's website. The EPA will make regular unannounced inspections to the facility at their discretion and undertake monitoring of their own to verify the accuracy of the monitoring data being reported by the Licensee.

7.8.3 Decommissioning Phase

In terms of decommissioning activities, monitoring will be carried out in line with the implementation of the Closure, Restoration and Aftercare Management Plan (CRAMP), in line with EPA Industrial Emissions Licence requirements. Monitoring will remain in place for the duration of the decommissioning phase as required by the EPA. The site cannot be surrendered and formally closed until the EPA is satisfied that all closure, restoration and aftercare requirements have been met, in accordance with an Industrial Emissions Licence.

2.1.9 Noise and Vibration

Galway County Council noted the EIAR conclusion that operational noise from the proposed gas turbine can be mitigated to comply with applicable standards and that construction noise impacts on nearby sensitive receptors will be temporary and limited, subject to appropriate controls. It recommended that, in the event of a grant of permission, conditions should apply in relation to construction hours, implementation of noise and vibration mitigation measures, and the agreement of a noise compliance monitoring programme.

Response

This recommendation is noted and a response to the proposed conditions is provided in Appendix 1 of this report. All mitigation measures, as clearly outlined in Chapter 9 Noise and Vibration, and Chapter 18 Schedule of Environmental Commitments, Volume 2 of the EIAR, will be fully implemented, as relevant throughout the project. Refer also to Section 9.11.1, Section 9.11.2 and Section 9.11.3, Volume 2 of the EIAR, which is replicated for ease as follows:

9.11.1 Construction Phase

As the nearest sensitive location is at least 450 m away from the project and the calculated noise levels are sufficiently below the adopted thresholds, monitoring is not required.

9.11.2 Operational Phase

If required by the planning conditions, noise monitoring will be undertaken at periodic sample periods at the nearest NSL to the project works to confirm compliance with the operation noise criterion. Noise monitoring will be conducted in accordance with the ISO 1996-1.

9.11.3 Decommissioning Phase

Similar to the construction phase, noise and vibration monitoring is not required.

2.1.10 Fuel Storage, COMAH and Other Consents

Galway County Council noted that the proposed development would operate as a lower tier COMAH establishment and would also require an Industrial Emissions Licence from the EPA. It highlighted the need for appropriate fuel storage, bunding, spill prevention and continuous emissions monitoring during operation, and also noted that planning permission would not remove the requirement to obtain all other relevant licences, approvals and statutory consents.

Response

The above points are noted, and are consistent with the following:

- *Proposed development design, as submitted within the planning application;*
- *Volume 2 of the EIAR (specifically Chapter 7 Air Quality, Chapter 8 Climate, Chapter 9 Noise and Vibration, Chapter 11 Land, Soils and Geology, Chapter 12 Water, Chapter 15 Major Accidents and Disasters, and Chapter 18 Schedule of Environmental Commitments);*
- *Volume 3 of the EIAR, Appendix 15-1 COMAH Land Use Planning Assessment.*

Furthermore, the submission made by the HSA confirmed that the siting criteria for new establishments have been met and did not advise against permission on major accident hazard grounds. Refer to section 3.4 of this response template for further detail.

2.1.11 Decommissioning and Community Gain

The Planning Authority did not object in principle to the proposed operational lifetime of the peaker plant to 31 December 2050, but considered that greater clarity should be provided regarding the duration and details of the decommissioning phase. It also recommended that, having regard to the scale and nature of the proposal, a community gain proposal should be required in the event of a grant of permission.

Response

Decommissioning:

The Cashla Peaker Project will be licensed by the Environmental Protection Agency under the Industrial Emissions Directive regime. Accordingly, the decommissioning of the facility will be undertaken in accordance with the conditions of the Industrial Emissions licence and any associated EPA

requirements relating to closure, restoration, aftercare, licence surrender and financial provision.

A typical decommissioning expectation under licence would require licencee to:

- *Prepare and maintain a Closure, Restoration and Aftercare Management Plan; (CRAMP)*
- *Notify the EPA before permanent cessation or material cessation of the licensed activity;*
- *Safely decommission plant, infrastructure and storage areas;*
- *Remove or appropriately manage residual fuels, chemicals, raw materials and wastes;*
- *Prevent pollution during shutdown and dismantling;*
- *Assess and remediate any soil or groundwater contamination where relevant;*
- *Provide financial provision for closure/decommissioning liabilities where required;*
- *Demonstrate that the site has been left in a condition that does not pose an ongoing environmental risk before licence surrender is accepted*

Community Gain:

In respect of community gain, Bord Gáis Energy are committed to leaving a positive and lasting legacy in our local community to ensure that the people of Pollnagroagh, Rathmorrissy and the wider area share in the benefits of our project. At the planning stage we set up an initial sponsorship fund of €50,000 to support the valuable work being done by local sports clubs, charitable organisations, and community groups in the area. In the longer term, Bord Gais plan to establish a Community Benefit Fund, which will contribute to local community projects and initiatives that benefit the area. Subject to planning consent, the Cashla Peaker Project will establish a Community Benefit Fund (CBF) to engage transparently and positively with the local community, aiming to support local priorities, foster ongoing dialogue, and build construction phase support while leaving a lasting legacy. The fund aligns with our core values of care, delivery, collaboration, and courage, reflecting a commitment to responsible and accountable community partnership.

The Cashla Peaker Project will establish a Community Benefit Fund to support local initiatives aligned with Bord Gáis Energy's values, managed by a third-party specialist to ensure effective administration and governance with funding released in stages before the plant's Commercial Operation Date (COD) and an ongoing post-COD commitment, emphasizing sustainability, diverse community support, and transparent governance

- ***Fund Purpose and Allocation:*** *The fund is intended to support local community projects, promoting climate action, sustainability, and energy-saving initiatives aligned with Bord Gáis Energy's values.*
  Management and Administration: *Bord Gáis Energy proposes engaging a third-party specialist to manage the fund, ensuring professional and independent administration.*

- ***Fund Allocation Strategy:*** *The fund should support not-for-profit community enterprises focused on low-carbon initiatives and local clubs and societies, funding community events, equipment, and facility improvements.*

Subject to a grant of planning permission and the project proceeding to operation, Bord Gáis Energy will establish a Community Benefit Fund for the Cashla Peaker Project. The fund will be operated independently and transparently and designed to support local community, social, environmental, educational, sustainability and energy-efficiency initiatives in Pollnagroagh, Rathmorrissy and the wider local area. The detailed governance, administration, eligibility criteria, geographic scope, timing of payments and reporting arrangements for the fund will be developed in consultation with local stakeholders and, agreed with the planning authority prior to commencement of development. In this regard, the applicant welcomes the inclusion of Condition 18 set out by Galway County Council in their submission and as detailed in Appendix 1 of this report.

2.1.12 Recommended Conditions

Overall, Galway County Council recommended a comprehensive suite of conditions addressing environmental mitigation and monitoring, Natura Impact Statement mitigation, water and wastewater, reinstatement bonds, noise and emissions monitoring, waste management, road safety, traffic management, road condition surveys, public road reinstatement, construction management and community gain.

Response

Refer to Appendix 1 for details of Applicant's response to each recommended condition.

3. Response to Prescribed Bodies

3.1 Department of Housing, Local Government and Heritage

The Applicant considers that the matters raised by the Department have been comprehensively addressed through the EIAR, Natura Impact Statement and supporting technical assessments. The proposed mitigation measures have been incorporated into the project design and will be implemented throughout the construction and operational phases. Accordingly, the information before the Commission provides a sufficient basis to conclude that the proposed development will not give rise to significant adverse effects on biodiversity or the integrity of any European Site.

3.1.1 Archaeology

The Department of Housing, Local Government and Heritage (DHLGH) noted that the EIAR includes a desk-based Archaeological Impact Assessment informed by advance archaeological geophysical survey, advance archaeological test excavation and walkover survey. It stated that it is broadly in agreement with the findings of the EIAR in relation to archaeology and cultural heritage.

The DHLGH recommended that any grant of permission should include the following conditions:

> *1. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 13 of the EIAR (February 2026) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.*
>
> *2. A Project Archaeologist shall be appointed to oversee and advise on all aspects of the scheme from design, through inception to completion.*
>
> > *a. The Project Archaeologist shall liaise with the Department of Housing, Local Government & Heritage and the Planning Authority to agree in advance an overall strategy for archaeological works to be carried out both in advance of and in parallel with construction of the development.*
> >
> > *b. This shall include the scope of any Archaeological Monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage.*
>
> *3. The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 13 of the EIAR (date February 2026) and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.*
>
> *4. The planning authority and the Department of Housing, Local Government & Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.*
>
> ***Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.***

Response

The applicant notes the above recommendation by the DHLGH and would welcome inclusion of the same should ACP be minded to grant permission for the proposed development.

3.1.3 Nature Conservation

In relation to nature conservation, the DHLGH reviewed the Natura Impact Statement and associated ecological documentation in support of the proposed development. It identified a number of European sites within the Zone of Influence and noted that the principal potential impact pathways include hydrological connectivity, air emissions and atmospheric deposition, disturbance arising from construction and operation, including artificial lighting, and in-combination effects with other plans and projects. The submission notes that while these pathways are acknowledged within the NIS, the level of analysis provided is not sufficient in all cases to allow for a definitive conclusion to be reached.

Response

While the Department has appropriately highlighted the need for robust ecological safeguards, the detailed ecological assessments demonstrate that the proposed mitigation measures are both technically appropriate and capable of avoiding or reducing potential effects to a level where no significant adverse impacts are predicted. The Applicant therefore considers that the concerns raised have been fully addressed through the assessment process. Specific cases identified in DHLGH response as not having sufficient analysis are discussed in the following sections.

***Hydrological connectivity** – refer to Section 3.1.4 below.*

***Air Emissions.** As stated in the NIS potential impacts due to air emissions and atmospheric deposition were considered in full in Chapter 7 Air Quality, Volume 2 of the EIAR. Potential for impacts on ecology (sensitive ecological receptors) were screened out based on the findings of Chapter 7 (See also Chapter 5 – Biodiversity section 5.5.1.3, Volume 2 of the EIAR), in which both construction and operational stages of the proposed development were considered.*

Potential impacts from dust during construction were found to be limited to within 50m from the site boundary or access roads and 250m for the site entrance. The sensitivity of the area is determined based on the distance to the source, the designation of the site, (European, National or local designation) and the potential dust sensitivity of the ecologically important species present. There are no sensitive ecological receptors that meet these criteria within the study area and therefore there is no potential for impacts to sensitive ecology from construction dust emissions and no further assessment is required. (See Chapter 7 Air Quality, Volume 2 of the EIAR for further detail). However, mitigation measures are set out in Chapter 7, Volume 2 of the EIAR to minimise dust during construction works.

The UKEA guidance Air emissions risk assessment for your environmental permit (UKEA, 2025) recommends that the screening distance for air emissions on protected conservation areas be increased to 15 km where emissions from "natural gas (or fuels with a similarly low sulphur content) fired combustion plants

with more than 500 megawatt thermal input, or from larger combustion plants using more sulphurous fuels with more than 50 megawatt thermal input", are being assessed. The Installation does not meet these criteria, therefore the screening distances of 10 km for SPAs and SACs, and 2 km for nationally designated sites is appropriate for this assessment. Ecological receptors included in the dispersion model included Galway Bay Complex SAC, Lough Corrib SAC, Monivea Bog SAC, Rahasane Turlough SAC, Cregganna Marsh SPA, Inner Galway Bay SPA and Rahasane Turlough SPA. During operation of the facility; as pollutant emission levels from the proposed facility were predicted to be less than 1% of the relevant critical level and critical load, it was determined that no further assessment was required and that the potential effect on ecology (sensitive ecological receptors) can be considered not significant (IAQM, 2020). (See Chapter 7 Air Quality, Volume 2 of the EIAR for further detail).

Noise / Disturbance. *The potential impacts on biodiversity due to Noise were assessed in full in Chapter 9 Noise and Vibration and Chapter 5 – Biodiversity section 5.5.1.2, Volume 2 of the EIAR.*

Construction stage : The potential noise impacts are associated with construction of the Cashla Peaker plant (Including AGI facility), access road to the L3103 and UGC route to Cashla substation (Including three HDD location under the M17 and M6). With regards to works within the main development site a worst-case scenario was taken. The noise levels relating to site clearance, ground excavation and mobile plant items (Breakers, dozers, tracked excavators and wheeled loaders) reach a maximum of 83 dB LAeq,T at a distance of 10 m. For this assessment, a worst-case scenario is assumed of 3 no. such items with a sound pressure level (SPL) of 83 dB at 10 m all operating simultaneously along the closest works boundary. This would result in a total noise level of 88 dB at 10 m and an equivalent combined sound power level of 116 dB LWA. Piling may become necessary in the event that there is a Karst feature under the foundation's footprint, a Drop Hammer (C.4.31) with sound power level of 116 dB LWA will be required. The total sound power level will be increased to 119 dB LWA. This worst-case scenario is the typical assumption made for developments of this size, on the basis that it is unlikely that more than 3 no. items of plant/equipment with equivalent noise levels would be operating simultaneously in such close proximity to each other.

In the case of works with the SPL of 116dB it was calculated that at 450m noise levels would have decreased to 49dB.

There are no European, National or local designated sites within 450m of the Proposed Project. Noise modelling found that beyond 450m levels will be below 50dB. Baseline noise levels in the area for day time ranged from 47- 62 dB. Therefore, it is not anticipated that there will be any impact on any sensitive, protected site. During site surveys bats were recorded foraging along the treeline along the northern boundary of the main site, however, no roosts were recorded. Bats generally hibernate from October to March, with some variation due to weather conditions. The proposed construction is to take place during normal working hours. As such works will not overlap with summer foraging period for bats.

The indicative total construction noise for the UGC route was calculated as 85 dB 10m from the works. The UGC is estimated to take 60 days to construct with the progressing along the line 100-150m per day. As such noise will not impact on any given area for more than one day during general construction of the UGC. The noise levels associated with the HDD location is lower than for general UGC construction at a max of 78 dB 10m from the works. Given that the UGC is located along existing road network any species using the area will be acclimatised to a similar level of noise associated with busy rural roads. As such no noise impact is expected for the cable route.

Operation stage: A number Scenarios were modelled for the noise levels associated with the operation of the Proposed Project. Of these the Day to Day operation scenario produced the highest level of noise. The model showed a quick drop off in noise levels with increasing distance from the facility. With the levels dropping below 50dB before leaving the boundary of the site in most directions. Given that there are no European or nationally important sites within 6km of the site there will be no impact on any site due to noise.

More specifically, as it relates to the potential to negatively impact on wintering / field feeding bird species, baseline studies noted that wintering bird activity in the area was generally low and species which were present were recorded at distances exceeding 450m from the main site (See Chapter 5 Biodiversity section 5.5.4.5, Volume 2 of the EIAR for further detail). Construction or operational impacts on wintering / field feeding birds was not therefore predicted.

The only bird species, which is a qualifying interest (QI) of a nearby SPA, recorded in the area during bird survey work was Golden plover; this was recorded during the wintering bird survey. Wintering Golden Plover is listed as QI species of Rahasane Turlough SPA (IE004089), Lough Corrib SPA (IE004042) and Inner Galway Bay SPA (IE 004031), all of which are over 7km from the proposed facility. A moderate sized flock of Golden Plover (n=46) was identified feeding and roosting on improved grassland, north of the circular groundwater fed ponds during the January 2025 field survey (i.e. on only of the four winter field visits). These ponds are located 460m north of the site. There were no records of Golden Plover feeding within the site.

Golden Plover disperses widely in the landscape during winter to avail of areas of suitable feeding ground, often using areas of improved agricultural grassland. The damp ground around the pond is likely to occasionally attract ground feeding birds such as Golden Plover, but as noted this area is outside of and 460m north of the site. It is also screened by a stone wall, a mature treeline immediately north of the site, another wall and a degraded hedgerow closer to pond. Furthermore, changes in land profile block the line of sight between the Site and the area where Golden Plover were observed.

NaturScot in "Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance, July 2022[1]" categorise Golden Plover as being of Medium "sensitivity to disturbance", with a flight initiation distance quoted as being between 200m –

[1] Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot

500m. The combination of distance, land profile and intervening screening is such that negative impacts to Golden Plover are not anticipated.

DHLGH also raised concerns regarding the potential for disturbance due to artificial light. Chapter 5 Biodiversity, Volume 2 of the EIAR presents results of the baseline bat surveys undertaken by Dr. Caroline Sheil on behalf of AtkinsRéalis. No Lesser Horseshoe bats (Rhinolophus hipposideros), which is listed on Annex II of the EU Habitats Directive, were recorded using the site. The proposed development site does not support suitable habitat for foraging or commuting Lesser Horseshoe bat (informed by ground surveys and 13 nights of static detector deployment). The nearest Lesser Horseshoe bat sites are Lough Corrib SAC (IE000297) (ca. 7km northwest) and Lough Fingall Complex SAC (IE000606) (12.4km south of the site). The proposed development site is outside the core foraging area for Lesser Horseshoe bat from these SACs[2].

Impacts on bats in general, including the potential lighting disturbance, during construction and operation were assessed in Chapter 5 Biodiversity of the EIAR under section 5.5.4.4.

***In-combination Impacts.** A detailed assessment of potential in-combination effects was carried out in section 6.3 of the NIS; all relevant plans and projects were considered.*

See response below in Section 3.1.4 in relation to Hydrological connectivity.

3.1.4 Hydrological Connectivity

The DHLGH considered that the Natura Impact Statement does not provide sufficient site-specific evidence to robustly demonstrate the absence of hydrological connectivity between the proposed development and relevant European sites. It stated that the assessment relies to a significant extent on general assumptions and does not adequately characterise potential indirect pathways, including surface water runoff during construction and accidental pollution events.

Response

The assessment has considered all potential source-pathway-receptor linkages between the proposed development and downstream European Sites. Where potential pathways were identified, these have been assessed in detail and appropriate mitigation incorporated into the project design. Consequently, no mechanism has been identified whereby the proposed development could adversely affect the conservation objectives of downstream designated sites.

Hydrological connectivity is described in detail in Chapter 4 of the NIS, all surface waterbodies in the surrounding area have been identified (See Figure 4-1 and 4.2). For further detail refer also to Chapter 11 – Land, Soil and Geology and Chapter 12 – Water, Volume 2 of the EIAR.

[2] NPWS & VWT (2022) Lesser Horseshoe Bat Species Action Plan 2022 2026. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

The proposed development Site does not possess any surface water features, such as ponds, drains or streams, with drainage being dominated by infiltration to groundwater.

As stated in the report the closest surface waterbody (with surface water hydrological connection to other waterbodies) within the same catchment is located 6km from the proposed project. There is no overland connection from the site.

The proposed development is located within a karst landscape in which drainage is dominated by infiltration to groundwater, rather than having a surface network of drains or streams which drain lands within or close to the site. The immediate environs of the site are further populated by several ponds which appear to be fed by groundwater (all outside the site boundary), further evidence of karstic characteristics of the Site.

There are no drainage channels overlapping the proposed development with surface water going to ground due to the karst nature of the underlying bedrock. As such there is no hydrological connectivity via surface waters. However, as stated in the NIS hydrogeological connectivity was considered in full given the karst geology of the area (refer to Chapter 11 – Land, Soil and Geology, Volume 2 of the EIAR).

3.1.5 Ornithology and Disturbance

The DHLGH considered that the breeding and wintering bird surveys were limited in scope and duration and did not provide a sufficiently comprehensive assessment of bird usage of the wider area, including lands that may be functionally linked to nearby Special Protection Areas. It also considered that disturbance effects arising from lighting, noise, human activity and operational processes were not adequately assessed, and that the Zone of Influence applied in the ornithological assessment was too limited.

Response

The design and scope of the ornithological surveys were appropriate and proportionate to the nature, scale and location of the proposed development, and were informed by a combination of desk study, preliminary site appraisal and habitat characterisation. The survey approach was developed having regard to the existing baseline conditions, including the predominantly open, exposed and intensively managed agricultural character of the site, the absence of wetland habitat within the development footprint, the limited availability of suitable roosting, nesting or foraging habitat for birds of conservation concern, and the existing influence of surrounding transport and infrastructure corridors. The scope of survey was also informed by desktop review of previous bird records, the location and qualifying interests of designated sites within the wider area, and the identification of any potential ecological corridors or functionally linked habitat. On this basis, the survey methodology was targeted to the receptors and impact pathways most likely to be relevant, including breeding birds, wintering birds, field-feeding species and potential disturbance pathways. The survey work therefore provided a robust and proportionate baseline for the assessment presented in Chapter 5 Biodiversity, section 5.4.2.7, Volume 2 of the EIAR.

<u>Wintering bird survey:</u> Bird Survey methodology undertaken for the proposed development included a series of line transects, field scans and distribution mapping from vantage points affording good views. The bird surveys were conducted in accordance with the methodology described by Bibby et al. (2000), BirdWatch Ireland (2021) and line transect methodologies presented in BirdWatch Ireland (2012). The survey area extent was based on the footprint and surrounding environs of the proposed development.

A widely used method for wetland and waterbirds is that described by Bibby (2000) as a 'look-see' approach which is an instantaneous count from one or more (or continuous) viewpoints over a subject waterbody or larger wetland area/site. The walkover surveys were supplemented by two Vantage Point look-see locations which provided an overview of the northern section of the study area, in particular the access road serving the proposed Peaker plant.

Four field walkover surveys were undertaken between December 2024 and February 2025, between 08.00 – 17.00 hrs, during suitable weather conditions (Bibby et al. 2000). Surveys were carried out on December 19th and 30th 2024, 25th January 2025 and 27th February 2025.

The results of the breeding bird survey found that the undulating terrain of the proposed Peaker Plant footprint is suboptimal as roosting habitat for large waders and wildfowl as it does not provide required sightlines to detect approaching disturbances. In addition, the development footprint does not support any wetland areas or localised ponds or waterbodies.

The access road footprint follows field boundaries to the north / north-east of the Peaker plant and comprise rough improved grassland and adjoining dry stone walls. Two circular ponds, most likely fed by groundwater, are located ca. 260m west / north-west of the proposed access road. These ponds and their margins provide the most suitable habitat for wintering birds within the study areas and environs with Mallard using these ponds during the site visit of December 30th 2024. A moderate sized flock of Golden Plover (n=46) was identified grazing and roosting on improved grassland, north of the circular groundwater fed ponds during the January 2025 survey. These birds were likely passing through the site, utilising the improved grassland habitat as opportunistic grazing habitat. Golden Plover feed on a variety of soil and surface-living invertebrates, principally beetles and earthworms, but also plant material such as berries, seeds and grasses, and in winter are known to be attracted to mown grass or close-grazed pastures, stubbles, fallows, harvest-fields and other farmlands of open character, including flood lands (Cramp 1977-1993). There is no suitable breeding habitat for Golden Plover within the proposed development site and its adjoining habitats. Individual Snipe were identified (flushed during the surveys) utilising the improved grassland habitat within the Peaker plant footprint and to the north of the Peaker plant. Snipe routinely utilised damp and poor draining grassland habitats as temporary / opportunistic winter roosting and foraging sites.

Other passerine, corvid and thrush; i.e. non-waterbird or waterfowl species were identified using the site and its environs during the site walkover survey. These species include Starling (small flocks grazing on extensive grassland), Wren, Meadow Pipit, Stonechat, Fieldfare, Rook, Dunnock, Robin, Blackbird, Woodpigeon, Redwing, Mistle Thrush, Pied Wagtail and Hooded Crow. Buzzard

was also heard calling offsite, on pastoral lands to the east of the proposed Peaker plant in January 2025 and February 2025

Breeding bird surveys: Breeding bird Survey methodology undertaken two line transects with all birds seen or heard recorded (Bibby et al. 2000 & BirdWatch Ireland, 2012). Birds were recorded in three distance bands from the observer: <25m, 25-100m and >100m.

Three survey visits were conducted; an early breeding season survey (before May 15th) to identify and determine the occurrence abundances of resident breeding birds and two later breeding season surveys (after May 15th) to identify the occurrence and abundance of migratory breeding bird species.

The survey area extent and the line transect locations are based on the footprint and surrounding environs of the proposed development.

Three field walkover surveys were undertaken on 2nd and 23rd of May 2025 and 26th of June 2025, during suitable weather conditions (Bibby et al. 2000).

The findings of the breeding bird survey display an assemblage of commonly occurring and widespread passerine, corvid, thrush and migratory warbler and hirudine species. The majority of the species identified during the breeding bird survey were associated with the site boundaries and outer margins of the study area, in particular the linear woodland and scrub habitats which support resident species such as Goldcrest, Goldfinch, Blackbird, Robin, Wren, Dunnock and Song Thrush, in addition to migratory Willow Warbler (occurring near the Peaker plant's southern boundary).

The footprint of the proposed Peaker plant is mostly unsuitable for breeding passerine and wader species due to its open nature and dominance of a species poor improved grassland sward, use by grazing livestock and mowing regime and consequent absence of breeding habitat and refugia. Nonetheless, this area and the more extensive areas of improved grassland to the north displayed territorial (displaying / singing males) Meadow Pipit (only red list species recorded during the breeding bird surveys) and Skylark. Other species typically associated with the study area and environs included Hooded Crow, Rook and Starling, the latter two species occurring in elevated numbers following silage harvesting. Migratory hirudine species Swallow, Sand Martin and House Martin were identified foraging to the west of the proposed access road over two circular groundwater fed pond habitats. Both Mallard and Moorhen were identified within the groundwater fed ponds during the May 02nd survey, however confirmed evidence of breeding behaviour was not established during this survey or during subsequent surveys in mid-May and late June 2025.

Other passerine and migratory species identified using the site and its environs outside of the transect survey periods include Goldcrest, Goldfinch, Swallow and Chaffinch (May 02nd 2025)

When considering the risk of disturbance, the findings of Chapter 7 - Air Quality & Chapter 9 - Noise and Vibration, Volume 2 of the EIAR, were also taken into account. With potential impacts for air up to 250m and noise 450m from the site (construction and operation phases). Land use in the area is intensive agriculture, with predominately stonewall boundaries with intermittent sparse hedgerows.

The site is also bordered to the south and west by the M17/18 and M6 Motorways. As such the scope of the surveys was in line with the sensitivity of the area. Further detail is given on potential impacts to bird species in Chapter 5 Biodiversity, Volume 2 of the EIAR.

Construction activities will be temporary and subject to appropriate environmental management measures designed to minimise disturbance. Operational activities are not predicted to result in significant disturbance to qualifying bird species or their supporting habitats. The Applicant therefore considers that the concerns raised regarding ornithological impacts have been satisfactorily addressed.

3.1.6 Bats and Lighting

The Department noted that the bat survey work was limited to a preliminary walkover and a period of static detector monitoring in summer and did not constitute a comprehensive multi-season assessment. It highlighted uncertainty regarding commuting, dispersal and swarming behaviour, the lack of detailed roost assessment, and the absence of a bat-specific lighting impact assessment despite the extent of the proposed permanent lighting infrastructure. It therefore considered that the potential for lighting-related disruption of commuting routes and displacement from foraging habitat had not been adequately assessed.

Response

The design and scope of the bat surveys were appropriate and proportionate to the nature, scale and location of the proposed development, and were informed by a combination of desk study, preliminary site appraisal, habitat characterisation and expert opinion. The survey approach was developed having regard to the existing baseline conditions, including the predominantly open, exposed and intensively managed agricultural character of the site. The bat surveys methodology was based on the most recent Conservation Trust guidelines (2023), as stated in Section 5.2.2.1 of Volume 2 of the EIAR. Chapter 5 Biodiversity, Volume 2 of the EIAR presents results of the baseline bat surveys undertaken by Dr. Caroline Sheil on behalf of AtkinsRéalis. No Lesser Horseshoe bats (Rhinolophus hipposideros), which is listed on Annex II of the EU Habitats Directive, were recorded using the site.

Although bats use the site of the Proposed Project for commuting and/or foraging there was no evidence of bats roosting on the site of the Proposed Project. Within the Site there is a single small concrete shed. It was concluded that the shed could be used as a night-roost by bats as well as a foraging perch for brown long-eared bats specifically, and thus the shed could be low-medium potential for bats. However, as per Section 5.4.2.1.3 of the EIAR, it was noted that the shed is not regularly used by bats (total of 2 no. calls in the area), and as such the shed can be considered as being of low potential as no clear roosting signs were apparent.

Most of the linear boundaries encompassing the Site have no potential to house roosting bats, however the treeline along the north-western boundary does. There are mature trees, including ash (Fraxinus excelsior) and sycamore (Acer pseudoplatanus), which are sheltered and could be suitable for roosting and foraging bats. Thus, this treeline is considered to have medium potential for

roosting bats. However, no bats were recorded roosting in any trees during the surveys.

No further trees or structures that might support roosting bats were noted. No structures that might support roosting Lesser Horseshoe bats are present within the site. Swarming behaviour, which is associated with mating in Lesser Horseshoe bat, is not predicted for this site due to the absence of any roosting features, suitable foraging areas, commuting routes and / or bat Lesser bat activity associated with the site. While swarming behaviour is a spring activity (i.e. before our survey window), the absence of any roosting structures is such that it is not predicted to occur on the site. As noted above, the nearest Lesser Horseshoe bat sites are Lough Corrib SAC (IE000297) (ca. 7km northwest) and Lough Fingall Complex SAC (IE000606) (12.4km south of the site). The proposed development site is outside the core foraging area for Lesser Horseshoe bat from these SACs[3].

While, a total of 6 species of bat were recorded foraging on the site during the activity surveys; common pipistrelle (Pipistrellus pipistrellus), soprano pipistrelle (P. Pygmaeus), Nathusius' pipistrelle (P. nathusii), Leisler's bat (Nyctalus leisleri), whiskered bat (Myotis mystacinus) and brown long-eared bat (Plecotus auritus), the majority of the Site is considered too exposed to represent ideal foraging conditions for bats. Bat activity was highest along the mature treeline at the north-western boundary. The landscape plan for the proposed Peaker Plant includes extensive tree planting along the entire boundary of the plant and hedgerow along the access road which will provide additional buffering of noise and light pollution, along with additional habitat for bats.

The lighting strategy has been developed having regard to current ecological guidance and has been designed to minimise light spill beyond operational areas. Together with habitat retention and proposed mitigation measures, this will minimise potential effects on bat commuting routes and foraging habitat.

A detailed assessment of potential impacts on bats has been including Chapter 5 Biodiversity, Volume 2 of the EIAR.

3.1.7 Mitigation Measures

The Department stated that many of the mitigation measures proposed in the Natura Impact Statement are described in general terms and do not contain sufficient detail regarding implementation or effectiveness. It noted that mitigation measures relied upon for Appropriate Assessment purposes must be precise, certain and capable of implementation, and concluded that the information submitted does not provide sufficient certainty in this regard.

Response

In its submission, the Department states that "The NIS proposes a range of mitigation measures; however, many of these are described in general terms and lack sufficient detail regarding their implementation and effectiveness. There is a reliance on standard best practice measures without clear demonstration of their

[3] NPWS & VWT (2022) Lesser Horseshoe Bat Species Action Plan 2022 2026. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

adequacy in the specific context of this site." Notably, the Department has not identified any specific mitigation measures that are imprecise or lacking in detail. The Department has also not explained what actual concerns it has with best practice measures being implemented.

The mitigation measures provided in the NIS are robust and precise with actionable measures for the construction stage. Specific measures have been provided for all aspects of the construction of the proposed plant and underground cable route which have potential to cause impact. Detailed measures for surface water runoff, foundations and piling (if required), a robust karst protocol, Horizontal Directional Drilling (HDD), dewatering, storage of fuels/lubricants and hydraulic fluids, machinery refuelling and maintenance. See Section 6.2 of the NIS for full mitigation measure details (NIS – Cashla Peaker Plant V3 Final).

An Environmental Clerk of Works will on site during construction as per the mitigation measures. They will monitor all works on a daily basis ensuring that the mitigation measures set out in the NIS, EIAR and CEMP are fully adhered too.

Galway Bay Complex SAC, Cregganna Marsh SPA and Inner Galway Bay SPA were screened in for the NIS as a weak hydrogeological connection exists due to the presence of karst bedrock in the area. Given the distance to these sites via groundwater the potential for impact was considered low as significant dilution would occur between the proposed development the above listed European sites. However, the precautionary principle was applied to assess the worst case scenario. It is concluded by the authors of the NIS that the combination of construction methods and mitigation measures set out, will ensure that there will be no adverse effects on the integrity of Galway Bay Complex SAC, Cregganna Marsh SPA or Inner Galway Bay SPA and their QI/SCI species and habitats, or any other European site.

3.1.8 Overall Recommendation

On the basis of the information submitted, the Department concluded that it cannot be established, beyond reasonable scientific doubt, that the proposed development would not adversely affect the integrity of European sites, either alone or in combination with other plans or projects. It stated that further information is required in relation to hydrological connectivity, artificial lighting and disturbance, the ornithological baseline, bat impacts, mitigation measures and in-combination effects before such a conclusion can be reached.

Response

Clarifications to comments on hydrological connectivity, artificial lighting and disturbance, the ornithological baseline, bat impacts, mitigation measures and in-combination effects have been provided in the preceding sections. In short the relevant detail as it relates to European sites and their Qualifying interests and associated Conservation objectives has been sufficiently discussed within the NIS. Which has taken into account the sensitivity and suitability of the habitats present on and neighbouring the proposed Peaker Plant site, along with potential pathways for impact, given the proposed construction methods, design detail and emissions.

A broader assessment of potential impacts on biodiversity is provided in Chapter 5 Biodiversity, Volume 2 of the EIAR.

As such and in light of the design details and mitigation measures set out in the NIS, it has been concluded beyond reasonable scientific doubt by the authors of the NIS that there will be no residual impacts and the Proposed Project, alone or in combination with other plans and projects, will not have an adverse effect on the integrity any European sites.

3.2 Transport Infrastructure Ireland

Transport Infrastructure Ireland (TII) acknowledged that the proposed development has the potential to contribute to national objectives relating to renewable energy generation, greenhouse gas reduction and security of energy supply. It notes that the submission is made in relation to the provisions of official policy and in relation to national road network maintenance and safety to ensure the proposed development can proceed complementary to the requirements of official policy concerning maintaining the strategic capacity and safety of the national road network.

The Applicant welcomes the constructive observations of TII and confirms that the proposed development has been designed having regard to the protection of the national road network. Where appropriate, matters relating to detailed construction management and traffic operations can be addressed through planning conditions and ongoing engagement with TII during project implementation.

3.2.1 Transportation of Abnormal and Exceptional Abnormal Loads

TII identified that the project would involve the transportation of abnormal and exceptional abnormal loads to the site as set out in the application documentation. It noted that, while the applicant has engaged in the permitting process and prepared an Exceptional Abnormal Load Report, the statutory process set out in Department of Transport Circular RW18 of 2024 should be fully completed. It further advised that the following alteration to the proposed condition wording set out in Section 2.3.7 of the Planning Statement should be made and included by the Commission in any decision to grant permission:

> "Proposed Condition;
>
> *'Prior to the first delivery of any abnormal or exceptional abnormal load associated with the development, the applicant shall submit to, and agree in writing, with the relevant the Roads Authority(s) an Abnormal Load and Exceptional Abnormal Load Management Plan. The Plan shall confirm the final haul route, pre- and post-delivery condition surveys of the public road network (including bridges and culverts where required), any necessary accommodation works, traffic management measures, and confirmation of statutory abnormal load permits and Garda escort arrangements. Prior to the first delivery of any exceptional abnormal load, the permitting process required under Department of Transport*

Circular RW18 of 2024 ('Exceptional Abnormal Loads') shall be completed to the satisfaction of the planning authority.

'The delivery of abnormal or exceptional loads may take place outside standard construction working hours where required under the statutory abnormal load permitting process and as agreed with the relevant Roads Authority(s).

'Reason: In the interests of road safety, protection of public infrastructure, and the orderly management of abnormal load movements'."

Response

The Applicant notes TII's comments in relation to the transportation of abnormal and exceptional abnormal loads and confirms that the statutory permitting process required under Department of Transport Circular RW18 of 2024 will be fully completed prior to the first delivery of any exceptional abnormal load associated with the Proposed Development.

The Applicant welcomes the inclusion of a condition as recommended by TII should ACP be minded to grant permission for the proposed development.

3.2.2 Management of the National Road Network

The submission emphasised the need for consultation with all relevant road authorities, PPP concessionaires and Motorway Maintenance and Renewal Contractors in relation to haul routes, delivery timetabling, temporary works, accommodation works and traffic management measures. It also noted that any works affecting the national road network should comply with the relevant standards, road safety audits, approvals and reinstatement requirements, in the interests of safeguarding the strategic function, safety and integrity of the national road network.

Response

The Applicant acknowledges the requirements outlined in relation to the management of the national road network, including the need for consultation with relevant road authorities, PPP concessionaires and maintenance contractors, and the requirement to comply with applicable standards, approvals, road safety audits and reinstatement procedures.

A comprehensive Exceptional Abnormal Load (EAL) Assessment has already been undertaken in accordance with the TII EAL Management Flow Chart and associated standards and can be found enclosed in Appendix 2.6, Volume 3 Appendices of the EIAR. This process identifies the required level of assessment based on the characteristics of the proposed loads and the infrastructure affected, and establishes the appropriate methodology for structural verification and route selection.

As part of this process:

- *Consultation has been undertaken with all relevant stakeholders, including TII, Iarnród Éireann, the PPP motorway operator and the relevant local authorities, to agree assessment standards and obtain the necessary structural information for the affected assets.*

- *As-built drawings and inspection records were obtained where available to inform the structural review and assessment of all relevant structures along the proposed route.*
- *Structural assessments have been carried out in accordance with applicable TII standards (AM-STR-06030, AM-STR-06048, DN-STR-03020) and Eurocode requirements, adopting a conservative approach where necessary.*

The EAL assessment concludes that the preferred haul route (Blue Route) is suitable for the transport of the proposed abnormal loads under controlled conditions, with all assessed structures demonstrating adequate capacity when assessed against the relevant design load criteria.

The assessment also defines the operational controls required to protect the integrity and safety of the network, including:

- *controlled vehicle speeds,*
- *use of designated lanes, and*
- *traffic management measures to restrict concurrent loading on structures during crossings.*

It is noted that engagement with the relevant authorities has already been initiated as part of the preliminary permitting process, and this will be continued through detailed design and pre-construction stages. All necessary approvals, including:

- *EAL permits,*
- *traffic management approvals,*
- *road safety audits, and*
- *any required agreements with PPP operators or maintenance contractors*

will be obtained in advance of works.

Based on the above, it is considered that the requirements of the Roads Authority in respect of the protection, safety and integrity of the national road network have been fully addressed through the completed EAL assessment and associated stakeholder engagement, with remaining matters appropriately managed through standard permitting and detailed design processes.

The Transport Assessment demonstrates that the predicted traffic associated with both the construction and operational phases can be accommodated without giving rise to unacceptable impacts on the safety, efficiency or carrying capacity of the national road network.

3.2.3 Grid Connection and HDD Motorway Crossings

TII acknowledged that the proposals for the grid connection are set out in a concurrent Electricity Development Application case ref. VA07.324162 and that they intend on making a separate submission on the application. Notwithstanding the above, a number of observations were made for the consideration of the Commission in relation to the proposed grid connection as follows:

- The application involves proposed HDD motorway crossings. The submission stated that such crossings would require consent under Section 53 of the Roads Act, together with any other necessary licences, approvals or third-party access arrangements. The submission provides guidance on general requirements for directional drilling under a motorway and advised that consultation would be required with TII and any other relevant parties e.g. PPP Companies, MMaRC Contractors and local road authorities.
- TII referred the commission to Department of Transport Circular RW 07 of 2025 and the 'Interim Guidance to Road Authorities (placement of Medium or High Voltage electricity assets)' and the associated update issued with Circular RW 05 of 2026. In particular, the submission identified the need for engagement with the roads authority to determine the 'optimal solution' for grid connection routing.
- TII identified the proposals under the Gannow windfarm, case ref. PL07.500493 where it appears to utilise the same sections of local road in some instances. The submission noted that clarification may be necessary to demonstrate that the proposals can both be accommodated in the finite road space, where proposed grid connection routes interact and that opportunities to co-ordinate proposals in that regard, to ensure deliverability and to mitigate impact on the road network, may be available. The submissions also noted that the Gannow windfarm proposes only one HDD crossing of the motorway whereas the grid connection application proposes three, noting that there may be opportunities the optimise the impact on the strategic national road network.

Response

The Applicant acknowledges TII's comments regarding the proposed HDD motorway crossings. All required consents, licences, approvals and access arrangements, including consent under Section 53 of the Roads Act 1993 where applicable, will be obtained prior to commencement of any HDD works beneath the motorway network.

The detailed design and construction methodology will be developed in consultation with TII, the relevant PPP Company, MMaRC Contractor, Galway County Council and any other relevant parties. The HDD works will be undertaken in accordance with applicable standards and requirements to ensure the safety and integrity of the motorway network.

AtkinsRéalis undertook early and sustained pre-application engagement with Galway County Council on behalf of the applicant in relation to the proposed Cashla Peaker Plant, with particular focus on the grid connection route, associated cable routing constraints, joint bay locations, and interface with the local road network. AtkinsRéalis prepared and circulated agendas, a roadmap of actions and deliverables, supporting presentation material, meeting minutes, traffic management information, and relevant technical inputs to facilitate

informed discussion with Galway County Council and other stakeholders. This engagement helped clarify the Council's expected role, the information required to support review of the proposed route, and the follow-on actions needed to progress the grid connection and abnormal load interfaces in a structured manner. A summary of the consultation is provided in section 1.10 of the Chapter 1 Introduction, Volume 2 of the EIAR and details of the alternative grid connection routes assessed are presented in Chapter 3 Reasonable Alternatives, Volume 3 of the EIAR. The alternative routes were assessed using a multicriteria analysis (MCA) for 7 no. potential grid route options in accordance with the EirGrid 2021 Multi-Criteria Analysis Guidelines. The current route option presents the optimal routing identified in accordance with the 'Interim Guidance to Road Authorities (placement of Medium or High Voltage electricity assets)'.

The Applicant acknowledges TII's observations regarding the proposed Gannow Wind Farm grid connection. The potential cumulative interaction between the two proposals has been assessed in Chapter 16 (Cumulative Impacts) of the EIAR, including the shared sections of the local road network. The assessment considers the potential effects should both developments proceed concurrently and concludes that the principal cumulative impact would arise during construction, with mitigation provided through phased construction programming, implementation of the Construction Traffic Management Plan and appropriate diversion signage.

The Applicant notes that the Gannow Wind Farm proposal is the subject of a separate planning application and that its detailed design, implementation and programme are matters for its promoter. The Applicant therefore does not consider it appropriate to comment on the deliverability of that proposal.

For completeness, it is noted that, at the time of preparing the EIAR, no Grid Connection Agreement or connection offer was in place for the proposed Gannow Wind Farm connection to Cashla Substation, whereas the Proposed Development has secured a grid connection offer through the relevant EirGrid process. Nevertheless, the cumulative assessment has conservatively assumed that both projects could proceed concurrently and has evaluated the resulting cumulative effects accordingly.

Chapter 16 concluded that, assuming that the Gannow windfarm project proceeds and the construction phases overlap, the Proposed Project and the Gannow Windfarm will result in short-term, significant impacts on the local road network, specifically along L-7108 and L-7109, due to full road closures during grid connection works. Comprehensive traffic management plans, phased construction scheduling, and clear diversion signage are proposed as detailed in the CTMP presented in Appendix 2-11, Volume 3 of the EIAR. As set out in section 4.6.5 of this response, the CTMP explicitly provides that continuous access to all properties, farms and businesses will be maintained throughout the construction phase. No other significant impacts are anticipated for the Proposed Project during any other phase.

Maintaining appropriate separation distances from existing underground services is standard engineering practice and will be implemented in accordance with the requirements of the relevant utility owners and applicable standards. Where localised service congestion or other site-specific constraints are

encountered, the relevant utility or service provider will be consulted to agree an appropriate and practicable separation distance.

In the case of maintaining electrical clearances, the horizontal separation between cable circuits will maintain thermal interdependence and prevent mutual heating effects, overheating and derating of the circuits, in compliance with EirGrid requirements. In general, for parallel runs of cables, a separation of 2 meters from other HV networks can proceed as normal without causing this de-rating effect.

The proposed alignments diverge in the vicinity of the motorway crossings due to the different engineering, environmental, land access, and land ownership constraints applicable to each project. Consequently, a common HDD crossing solution has not been incorporated into the design of the Proposed Development.

3.2.4 Motorway Reservation

TII requested clarification that any permission granted would not extend to works within the M6, M17 or M18 motorway reservations. It stated that, based on the information submitted, the proposed development can be carried out outside the motorway reservation and requested that this be expressly reflected in any decision with the following condition:

> *"Proposed Condition;*
>
> *This permission does not approve nor imply consent for any works within the M6, M17 and M18 Motorway Reservations.*
>
> ***Reason; In the interests of clarity as to the construction of this permission and to safeguard the strategic function and maintain levels of safety on the national road motorway network in accordance with National Strategic Outcome no. 2 of the National Planning Framework, RPO 6.5 of the Northern and Western Regional Assembly Regional Spatial and Economic Strategy and Policy Objective NR 1 of the Galway County Development Plan, 2022 – 2028.****"*

Response

The TII observation is noted and agreed. It is confirmed that the proposed development does not include, nor require, any works within the M6, M17 or M18 motorway reservations. All elements of the development are located outside the motorway reservation extents.

3.2.5 External Lighting

The submission also identified the potential for external lighting associated with the proposed development to affect road safety on the adjoining motorway network through glare, overspill or distraction. It therefore recommended that all external lighting be designed, installed and maintained so as to avoid adverse effects on road users, with details to be agreed prior to commencement by way of the following planning condition:

> *"Proposed Condition;*

All external lighting shall be designed, installed and maintained to ensure no incidence of glare, overspill or potential distraction to road users on the adjoining motorway network. Lighting shall be directed and cowled, where warranted, and all external lighting details shall be agreed with the planning authority prior to commencement of development. Agreement with the planning authority shall provide for monitoring and subsequent modification or amendment to external lighting where glare, overspill or potential distraction to road users arises.

Reason; In the interests of safeguarding the strategic function and maintaining levels of safety on the national road motorway network in accordance with National Strategic Outcome no. 2 of the National Planning Framework, RPO 6.5 of the Northern and Western Regional Assembly Regional Spatial and Economic Strategy and Policy Objective NR 1 of the Galway County Development Plan, 2022 – 2028*."*

Response

External lighting has been designed to provide the minimum illumination necessary for operational and safety purposes while avoiding unnecessary light spill beyond the site. This approach also assists in reducing potential impacts on nearby ecological receptors and road users.

The TII observation in relation to external lighting is noted and agreed. The final detailed lighting design will take full account of potential glare, light spill and overspill, and will be developed to ensure that the proposed lighting does not adversely affect the adjacent motorway network or road users on the surrounding local road network.

The lighting design will incorporate appropriate directional fittings and mitigation measures to control light distribution and minimise obtrusive light. As demonstrated in the submitted AGI Lighting Report, the design has been developed using appropriate modelling and assessment of illuminance, luminance and glare. Reference is made to the previously submitted Lighting Report EIAR Appendix 2 Part 8.

Detailed lighting specifications, including lux levels and final layout/design parameters, will be submitted to the Planning Authority for agreement prior to commencement of development. The proposed condition, including provisions for monitoring and modification where required, is therefore accepted.

3.2.6 Greenway and Active Travel Considerations

Finally, TII recommended consultation with Galway County Council in relation to any greenway or active travel proposals in the vicinity of the proposed works.

Response

Consultation with GCC is ongoing and no greenways/active travel proposals have been identified in the area.

3.3 An Taisce

3.3.1 Project Timeframe and Operational Emissions

An Taisce raised concerns regarding the apparent inconsistency between the 10-year permission period sought and references within the application documents to operation of the peaker plant until 31 December 2050. It highlighted the scale of projected annual operational greenhouse gas emissions and submitted that the implications of the proposed operational timeframe, including cumulative emissions over the lifetime of the development, require clarification and careful assessment.

Response

The concerns regarding operational emissions are recognised. However, it is important to distinguish between the presence of emissions and the significance of their environmental effects. The detailed air quality assessment demonstrates that emissions from the proposed development will remain within applicable statutory environmental standards and will not result in significant adverse effects on human health or the environment. Furthermore, operational emissions will be independently regulated by the EPA through the Industrial Emissions licensing regime.

The introductory paragraph of An Taisce's submission dated 24 April 2026 states, inter alia:

> *"It is noted that a 10-year permission period is being sought, yet repeated references are made in the application particulars to the Peaker Plant operating until 31 December 2050, a point requiring clarification by the planning authority as a preliminary matter. Such an operational timeframe until the end of 2050 would lead to total emissions of between 455,133 tCO2e (lower estimate) and 465,213 tCO2e, if 2029 is taken as the baseline year for start of operations due to the construction timeframe expected to commence in Q2 2027 and last approximately 18 months. Furthermore, this would extend the proposal's operations to the end of 2050 when net-zero across all sectors is supposed to be achieved, which is considered to be inappropriate and in contravention of Ireland's legally-binding decarbonisation obligations".*

*The submission appears to conflate the proposed 10-year duration, or 'appropriate period', of the permission with the proposed operational period of the proposed development. The duration of the permission may be stipulated by the Commission pursuant to s41 of the Planning and Development Act 2000 (as amended) ("**PDA 2000**"). To clarify, the proposed 10-year permission period that is being sought is the period within which the applicant will be permitted to carry out the proposed development (ie, construction works, commissioning, etc) subject of the permission granted.*

*In practice, a 10-year period is now standard for strategic infrastructure development ("**SID**"), which the Commission will be aware of from numerous other SID permissions that it has granted (eg, ABP-319566-24 for a 600MW CCGT development in Co Kerry). This 10-year period is to ensure that planning permission does not lapse before all other relevant consents and other material*

matters, such as grid connection, finance, construction contracts, etc, are in place to enable development to commence. Although the applicant anticipates commencement of development in Q2 2027, which is expected to take 18 months to complete, a 10-year duration is sought for the foregoing reasons.

The proposed operational period of the project is separate to the proposed 10-year duration of the permission. The applicant has proposed an operational period of "to no later than 31 December 2050" [4]*. This specific operational period has been proposed by the developer as it accords with the Government's 'national climate objective' as defined by s3(1) of the Climate Action and Low Carbon Development Act 2015 (as amended) (the "**Climate Act**"), which is to achieve a climate neutral economy "by no later than the **end of** the year 2050" (**emphasis added**).* [5]

*The proposed operational period also aligns with related EU law and policy, such as Regulation (EU) 2021/1119 (the "**EU Climate Law**") and the European Green Deal* [6]*, and with Irish policy such as the Climate Action Plan 2025 ("**CAP25**")* [7] *and 'Energy Security in Ireland to 2030'* [8]*, all of which share the goal of achieving climate neutrality by the end of 2050. It is noted that the Commission attached a condition to Board Order ABP-319566-24 for a 660MW CCGT development in the following terms:*

> *"2. The operational use of the proposed development shall expire on the 31st day of December, 2050, unless a subsequent planning permission to continue operating has been secured. Reason: in the interests of clarity and consistency with statutory climate action targets".*

It also important to note again here that the Supreme Court has confirmed in Coolglass [9] *that the concept of net zero allows for emissions generating projects. Its judgment provides, inter alia:*

> *"86. The second reason the judgment given is more important. It acknowledges that the concept of net zero contemplates a balance between projects, and can encompass some which may be emission generating, but are of particular economic, social, and community advantage, and other projects. Because the national climate objectives are stated as a total global figure, the refusal of permission for a particular project which is said to be climate friendly, and the grant of permission for one which may create greenhouse gases, may still be consistent with the overall achievement of climate targets. A target is a net one to be assessed globally. But if that is so, and it is, the qualified consistency obligation imposed by s. 15(1) cannot be the sole or even*

[4] See, for example, sections 1.2, 2.1, 2.4, and 5.1.4 of the McCutcheon Halley planning statement (the "Planning Statement") submitted with the application

[5] See, for example, section 2.5.3 of the Planning Statement

[6] See, for example, section 6.1 of the Planning Statement

[7] See, for example, section 6.2.8 of the Planning Statement

[8] See, for example, section 2.5.1 of the Planning Statement).

[9] Coolglass Wind Farm Limited v An Bord Pleanála [2026] IESC 5

> *principal determinant of the refusal or grant, or grant subject to conditions (subject to practicability) of planning permission. Considerations of proper planning and sustainable development are necessarily taken into account in any decision, and the High Court judgment correctly recognises that emission creating developments may be properly permitted."* [10]

Since the Supreme Court's decision in Coolglass, the High Court has confirmed that the national climate objective does not require net zero use of gas to be achieved now or in 2050. In Friends of the Irish Environment [11]*, Humphreys J held, inter alia:*

> *"70. …Insofar as concerns an overall complaint about breach of the 2015 Act (heading (d)), I have largely dealt with that above. The applicant has not shown that the margin of evaluation has been exceeded.* ***Net zero by 2050 does not mean zero use of gas right now (or even necessarily at that point – the grid still needs to be stabilised). Some combination of different energy sources is going to be necessary to stabilise the grid and to supply actual energy needs pending the delivery of massively increased renewables****. The EIAR puts the matter in a way that comes acceptably within the 2015 Act: "… without a supply of gas-powered electricity generation, Ireland would not meet its 80% by 2030 renewable energy electricity target, in turn allowing Ireland to meet its national carbon reduction target.* ***Furthermore, direct operational emissions from the Proposed Development will be covered by the EU ETS****." (****emphasis added****)*

Reference should be made to the minutes of the SID pre-application meeting between the developer and Galway County Council dated 13 February 2025. [12] *It notes that the Proposed Development will operate for a limited number of hours per annum and will be covered by the EU ETS (emissions trading system). It states, inter alia:*

> *"Mr. Porter [of AWN Consulting] highlighted the low hours of operation for the Peaker plant, estimating less than 100 hours annually, which accounts for only 1% of the time.* ***He noted that this would result in very low emissions and that the plant would fall under the EU ETS and carbon pricing mechanisms****. While the initial fuel would be natural gas, projections indicate an increasing fraction of renewable gas in the network by 2028 (15%) and 2036 (30%). He explained that carbon capture would not be feasible for this type of operation, given its limited hours of use, but emphasised the plant's low-emission profile". (****emphasis added****)* [13]

The Proposed Development is a peaker plant that is designed to support the national electricity grid intermittently, at times when renewable energy generation

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[10] See MHC letter at Appendix 1.2 of Volume 3 of the EIAR submitted with the within application

[11] Friends of the Irish Environment CLG v An Coimisiún Pleanála [2026] IEHC 205

[12] See Appendix 3 to the Planning Statement

[13] Also see section 8.3.1.2 of EIAR Volume 2 – Main EIAR submitted with the within application

is unable to meet electricity demand. As such, emissions from the Proposed Development are anticipated to decrease approaching 2050 as more renewables supply the grid in line with the targets set out in the Climate Action Plan.

The emissions likely to be emitted from the Proposed Development, and their effect on Ireland's ability to meet the national climate objective, are set out in Chapter 8 Climate of the EIAR Volume 2 – Main EIAR. The approach for cumulatively assessing these effects is unique owing to the fact that the receptor of greenhouse gases is the global climate and is therefore not geographically constrained. For this reason, it is explained in Chapter 8 and at section 16.3.6 of the Main EIAR that:

> *"With respect to the requirement for a cumulative assessment the Institute of Sustainability and Environmental Professionals (ISEP) (ISEP, 2022) and TII (TII, 2022a) guidance on which the assessment is based states that:*
>
> > *'the identified receptor for the GHG Assessment is the global climate and impacts on the receptor from a project are not geographically constrained, the normal approach for cumulative assessment in EIA is not considered applicable.* ***By presenting the GHG impact of a project in the context of its alignment to Ireland's trajectory of net zero and any sectoral carbon budgets, this assessment will demonstrate the potential for the project to affect Ireland's ability to meet its national carbon reduction target. This assessment approach is considered to be inherently cumulative'.***
>
> *As per the above, the cumulative effect of the proposed project in relation to GHG emissions is considered is as assessed in Chapter 8 Climate and is considered direct, long-term, negative and slight, which overall is not significant in EIA terms".* (**emphasis added**)

Section 2 of An Taisce's submission to the Commission calls for "a national cumulative assessment of existing, permitted and proposed gas power plants of the nature proposed (for back-up generation purposes)" to be carried out to "allow for a meaningful assessment of the extent to which the 'minimum' 2GW allowance in the Climate Action Plan (CAP) has been surpassed". An Taisce's reasoning for calling for this national assessment includes, inter alia, that:

> *"Without a maximum having been set by the CAP, the planning authorities must ensure that runaway installation at a national level does not occur and exacerbate emissions impact, requiring a degree of coordination and cumulative assessment against carbon budgets".*

An Taisce effectively calls on the Commission to cumulatively assess existing, permitted and proposed gas power plants against set an upper limit of acceptability where none has been set by Government policy. It is not the role of the Commission to do so and it would be entirely inappropriate for the Commission to apply its own upper limit where national policy has set a minimum target only. It is also not a function of the Commission to call into question or audit the underlying modelling or projections which gave rise to the minimum target. As explained above, the cumulative effect of the proposed project in relation to GHG emissions has been assessed in Chapter 8 of the EIAR Volume 2 –

Main EIAR. The Commission is not required to undertake a different or additional assessment to ensure that the cumulative effects of the proposed project with other gas projects have been adequately assessed.

*An Taisce also relies, in this respect, on the decision of the UK Supreme Court in R (Finch) [14], regarding a challenge to a UK grant of planning permission for an oil extraction site. It is important to note that the UK decision is not binding in Irish law and the Commission is under no obligation to follow it. Further, R (Finch) was dealing with a question which does not apply to the proposed Cashla Peaker Plant development, namely the need to assess 'scope 3' GHG emissions caused by the combustion of the oil once refined and used as fuel. The proposed Cashla Peaker Plant development does not extract natural gas, it uses natural gas in its operation and the emissions from such use are fully assessed. The gas is not transported or sold for use elsewhere so the question raised in R (Finch) does not arise. It is worth noting, however, that An Taisce describes the UK Supreme Court's judgment as having found that the EIA Directive imposes "**no geographical limitations** on the scope of environmental effects to be assessed". This finding is at odds with An Taisce's submission that a national cumulative assessment should be carried out. The UK Supreme Court finding aligns, however, with the ISEP and TII guidance outlined above, and which guidance has been applied in the preparation of the EIAR submitted with the application.*

3.3.2 Carbon Budgets

An Taisce submitted that the proposal should be assessed against the relevant sectoral emissions ceilings and carbon budgets until the end of 2050, including the likely tightening of future carbon budgets arising from projected exceedances. It expressed concern that the EIAR does not adequately address the implications of increasingly stringent carbon budgets and the noted absence of specific operational phase mitigation measures for greenhouse gas emissions.

Response

The Applicant acknowledges the importance of Ireland's climate obligations and carbon budget framework. However, the assessment of compliance with national carbon budgets is a matter for Government policy and national energy planning. The role of the Commission in the current application is to determine whether the proposed development accords with the proper planning and sustainable development of the area, having regard to the applicable legislative and policy framework and the environmental effects identified through the EIAR.

In relation to future carbon budgets, the Climate Change Advisory Council submitted proposed carbon budgets for the periods 2031-2035 and 2036-2040 to the Government in December 2024, as well as updated analyses of mitigation options, in which the Council considered temperature neutrality pathways rather than constraining Ireland to meeting net zero emissions.

The Council does not propose sectoral ceilings, as these are the responsibility of the Government. The allocation of sectoral ceilings will determine the challenges

[14] R(Finch) v Surrey County Council (UKSC/2022/0064)

for each sector and the essential support that Government will have to provide. The Council considers that a scheduled technical reassessment of carbon budgets based on methodological changes to the national inventory should be a routine undertaking on foot of the conclusion of each carbon budget period, i.e. on a 5 yearly basis. The first such opportunity for reassessment will arise in April 2027 when the inventories for 2021-2025 are finalised and such a review should be programmed to occur every five years thereafter.

At the time of this EIAR, the proposed carbon budgets have not been finalised or published in a new Climate Action Plan, nor are updated sectoral emissions ceilings for post 2030 currently available. The assessment in Chapter 8 Climate, Volume 2 of the submitted EIAR has taken the information available into account, including Ireland's overall net zero by 2050 trajectory.

3.3.3 Cumulative Assessment

The submission stated that a cumulative assessment should be undertaken of existing, permitted and proposed gas-fired power plants in order to determine whether the Climate Action Plan target for flexible gas-fired generation has already been exceeded. It questioned the conclusion in the EIAR that cumulative greenhouse gas effects are not significant and submitted that a broader national assessment of cumulative emissions and fossil fuel lock-in is required.

Response:

See our response at section 3.3.1 above.

*This submission appears to be based on a misunderstanding of CAP25. It is important to note that CAP25 does not place an upper limit on the amount of new flexible gas-fired plant that can be developed to support the energy transition. Rather, CAP25 sets a minimum target of achieving "**at least** 2GW" of "**new** flexible gas plant" by 2030 (**emphasis added**). This has been confirmed by the High Court in Friends of the Irish Environment [15], wherein Humphreys J held, inter alia:*

> *"71. The complaint that allowance for gas projects has been used up (heading (e)) was not made by the applicant to the decision-taker and so no relief should be granted on that basis here. Even if it had been so made, the policy is not as rigid as the applicant makes out and no exceedance of the margin of evaluation has been demonstrated. In particular, **the new gas-based energy provision is phrased as a minimum ("at least"), not a maximum**."*

Accordingly, it would be incorrect for the Commission to treat this minimum target as an upper limit on the number of new flexible gas plant developments that can be permitted.

It follows from a correct reading of CAP25 that there is no need to determine whether the CAP25 target has been exceeded. It is not possible to exceed a target that does not place an upper limit on the amount of GW of new flexible gas plant that can be developed. Even if such an assessment was to be carried out, it would

[15] Friends of the Irish Environment CLG v An Coimisiún Pleanála [2026] IEHC 205

*be incorrect to include flexible gas plant that existed before the adoption of the minimum target, because the minimum target is to achieve at least 2GW of "**new** flexible gas plant".*

At page 3 of An Taisce's submission, it states:

> *"While it is true that CAP24/25 does not directly specify an upper limit or maximum and therefore there may not be a legal preclusion under CAP 24/25 on permitting capacity above the 2 GW target, adherence to the legally binding carbon budgets and sectoral ceilings will legally limit the amount of additional gas-fired generation that can be brought on stream".*

Notably, An Taisce's submission is silent as to how carbon budgets and sectoral ceilings could legally limit the amount of additional gas fired generation that can be brought on stream. In fact, there is no such legal limitation. In Friends of the Irish Environment, the High Court held, inter alia, that:

> *"41. (xi) A final important context is that while s. 15(1) requires consistency with a range of climate instruments and objectives, the carbon budgets and sectoral emissions ceilings (SECs) are omitted. Thus, while inevitably, the climate instruments referred to in s. 15(1) will refer to budgets and SECs, the extent to which such mention translates into a mandatory duty to act consistently must be viewed from the starting point of the lack of independent statutory obligation in that regard".*

Therefore, it is not correct to say that carbon budgets and sectoral ceilings legally limit the amount of new flexible gas plant that can be permitted by the Commission.

Existing gas-fired power generation is accounted for in the EPA's national greenhouse inventory (i.e. the existing baseline), while permitted or proposed developments are accounted for under the EPA's Ireland's Greenhouse Gas Emissions Projections 2024-2055 inventory.

The future projections inventory effectively constitutes a national assessment of cumulative GHG emissions. The proposed development, both individually and in national context (i.e. cumulatively), is in line with Ireland's net zero by 2050 trajectory and national policy relating to flexible gas-fired generation, which is required to transition fully to renewable energy generation.

A not significant effect is therefore considered appropriate for the proposed development in terms of GHG emissions.

3.3.4 Hydrogen and Biomethane

An Taisce highlighted significant uncertainty regarding the future deployment of hydrogen and biomethane at the scale required to displace fossil gas combustion. It submitted that the possible future use of these fuels should not be treated as a credible mitigation measure or relied upon as justification for the project, given the uncertainty surrounding feasibility, timing, emissions reduction performance and associated infrastructure requirements.

Response

The proposed generating plant has been designed with future fuel flexibility in mind, recognising the anticipated evolution of Ireland's energy system over the operational life of the facility. While the availability of alternative fuels will depend upon future national infrastructure and policy development, the proposed development has not been designed in a manner that would preclude future transition where technically and commercially feasible.

While the proposed development is designed to accommodate future changes to the fuel sources in accordance with GNI's proposals, the assessment of the proposed development does not rely on future use of hydrogen or biomethane as mitigation or justification. The approach to such fuels is explained in Section 1.3.3 of Chapter 1 – Introduction & Methodology, Volume 2 of the EIAR:

> *"It is noted that the turbine is technically capable of operating on alternative gaseous fuels, including biomethane and hydrogen. This is subject to the future decarbonisation of the national gas network, as anticipated in relevant Government and gas system operator policy such as Gas Networks Ireland's (GNI) strategy for decarbonisation 'Pathway to a Net Zero Carbon Network' published in 2024 and the 'National Biomethane Strategy' published by the Government in 2024.* ***However, the operational life sought has been assessed on a conservative, worst case basis assuming continued operation on natural gas, in order to ensure compliance with national climate policy and legal requirements****." (****emphasis added****)*

The potential for future emissions reductions is outlined in Section 8.11 of Chapter 8 – Climate of the Main EIAR, but it is clearly stated that "However it should be noted that the Air Quality impact assessment (Chapter 7), Climate impact assessment (Chapter 8) and EIAR have not relied on the following text, which is provided for information purposes only." This is supported by Section 8.5.1.4 (p.431) of Chapter 8– Climate of the Main EIAR which states

> *"With the implementation of the Pathway to a Net Zero Carbon Network (GNI, 2024) and the National Biomethane Strategy (Government of Ireland, 2024d), it is likely that emissions from the operational phase will reduce as the proportion of biomethane in the national gas grid increases.* ***However due to uncertainties in carbon intensity of biomethane production, the reduction in GHG emissions from the operational phase of the proposed development has not been quantified****." (****emphasis added****)*

Accordingly, An Taisce's submission is not correct insofar as it implies that future use of hydrogen and biomethane is relied upon as mitigation or justification for the proposed development.

3.3.5 Consideration of Alternatives

The submission argued that the EIAR does not adequately consider reasonable alternatives, particularly zero-emissions storage options such as long-duration energy storage. It submitted that the alternatives assessment

is overly narrow in focusing on gas technologies only and that greater justification is required as to why non-fossil alternatives were not assessed.

Response

The Applicant considered a range of reasonable alternatives during project evolution, including alternative technologies, site layouts, plant configurations and operational arrangements. The preferred option was selected following consideration of environmental effects, technical feasibility, operational requirements and planning considerations. The alternatives assessment therefore satisfies the requirements of Article 5 of the EIA Directive by demonstrating that environmental considerations informed the design evolution of the project.

Reasonable alternatives with respect to alternative fuels, including non-fossil alternatives were assessed, as detailed in Section 3.4.4, Chapter 3, Volume 2 of the EIAR (pg. 149- 153).

Fuel

Any alternative fuel source would need to be compliant with the capabilities of the available gas turbines. Whilst it is possible to combust natural gas with a percentage of hydrogen fuel, this could only be economically viable if this combination was provided via the existing GNI transmission system. Biomethane first began flowing into the GNI gas network in 2019 through the injection point in Cush, Co. Kildare.

Biomethane is a carbon-neutral renewable gas made from farm and food waste through a process known as anaerobic digestion. GNI has unveiled its Pathway to a Net Zero Carbon Network, outlining how the national gas network can transport 100% renewable gas by 2045, thereby playing an essential role in transitioning Ireland to a carbon-neutral economy. GNI's decarbonisation pathway, consistent with current energy and climate action policy, focuses on ultimate network repurposing to transport only renewable gases. By the end of the period, the existing national gas network will split into two distinct renewable gas networks, biomethane and hydrogen. Delivery of CAP25 targets will be important milestones for GNI on its pathway to decarbonisation. Ireland's Long-term Strategy on Greenhouse Gas Emissions Reduction was published in July 2024. The Strategy outlines the approach to achieving climate neutrality by 2050 and beyond. Section 8 of the Strategy includes information on Pathways to Climate Neutrality by Sector, including the electricity sector which gas networks fall under. This section focusses primarily on electricity generation rather than gas. It references the current GHG emissions within the electricity sector and the need to decarbonise the electricity sector, primarily through the use of renewable forms of generation which will in turn allow for the decarbonisation of other sectors such as transport and industry. Section 8 of the Strategy states "Zero-emissions gas will also be required in a climate neutral pathway in order to support the intermittency of wind and solar generation" Reference is also made to the potential for green-hydrogen as a strategy to deliver zero emissions electricity and decarbonising the grid.

As mentioned above, GNI has developed its Pathway to a Net Zero Carbon Network, which outlines how the national gas network can transport 100% renewable gas by 2045, thereby playing an essential role in transitioning the

electricity sector to climate neutrality in line with the points set out in the Long-term Strategy on Greenhouse Gas Emissions Reduction.

The Peaker Plant is designed to accommodate this future change in accordance with GNI's plans for the transmission system.

The use of the low sulphur diesel (secondary fuel) as the main source of fuel is not economically favourable compared to gas fuel. Such an option would also require significant additional infrastructure to store and transfer the fuel to site.

Secondary Fuel

Two secondary fuel types were considered for the Proposed Project:

- *Hydrotreated Vegetable Oil (HVO)*
- *Low sulphur diesel*

Based on a comprehensive review (as detailed in Chapter 3, Volume 2 of the EIAR), HVO was considered as a potential secondary fuel option due to its lower carbon intensity and greenhouse gas emissions profile, as well as its lower emissions profile. However, at present, there is no demonstrably secure, scalable, and verifiable supply of certified HVO available to the applicant at this time to support the long-term operational requirements of critical peaking plant infrastructure. In addition, the rapidly increasing demand for HVO across multiple sectors raises concerns about future availability and supply reliability.

HVO is produced from a wide range of feedstocks and the integrity of its sustainability credentials depend heavily on strong certification systems and supply chain transparency. HVO supplies that meet CEN Standard EN15940 and of Directive (EU) 2023/2413 (RED III) would be required to ensure integrity. As demand grows for HVO made only from verified waste-derived and sustainable feedstocks, the market may face tightening supply, higher scrutiny, and increased risk of supply chain stress.

HVO supply in Ireland is still building out, whereas diesel has mature logistics and strategic reserves of approximately ninety days via NORA (National Oil Reserves Agency). HVO's scale is currently uncertain as the same limited waste-oil feedstocks are being drawn into new SAF (Sustainable Aviation Fuel)/RED III mandates.

When assessing potential manufacturers, there were limitations regarding which suppliers could guarantee turbine performance when operating on fuels other than diesel, in this instance HVO. To preserve the commercial viability and competitiveness of the procurement process, the project could not restrict itself to a subset of manufacturers based solely on this criterion.

There is limited practical experience with the use of HVO in large industrial turbines, and as a result, adopting this fuel at this scale could present a reliability risk as an early adopter. Note that while two projects have been granted planning permission to operate on HVO, the availability, contracting arrangements, and risk profile associated with such supply chains are project-specific. Neither of those projects are currently operational. Because neither plant has entered commissioning or commercial service, no performance data, reliability evidence, or system-wide impacts of HVO as a primary fuel are available. This makes the

technology's actual behaviour in Ireland's grid conditions — including ramping, emissions consistency, fuel quality stability, and lifecycle carbon benefits — unproven in practice.

The proposed plant is designed to remain fuel-flexible within the parameters of the assessed development, allowing for the substitution of lower-carbon fuels, including HVO or equivalent alternatives, where such substitution would not result in any increase in environmental effects and would remain subject to applicable regulatory controls, should a secure and reliable supply become available in the future.

Having regard to the assessment of reasonable alternatives undertaken as part of the EIAR, the applicant considers that the proposed fuel strategy represents a proportionate and policy-compliant response to the requirements of critical peaking plant infrastructure at this time. While the potential use of lower-carbon fuels such as HVO has been carefully considered the absence of a demonstrably secure, scalable and verifiable supply suitable for long-term emergency generation means that such fuels cannot presently be relied upon for this development without introducing unacceptable operational risk.

3.3.6 Energy Security

An Taisce submitted that, rather than enhancing energy security, additional gas-fired generation may deepen dependence on fossil fuels and increase the risk of stranded assets as decarbonisation progresses. It contended that the proposal should be assessed in the context of national obligations to reduce fossil fuel reliance and in light of other already permitted or proposed flexible gas generation projects.

Response

The proposed development should also be considered in the context of Ireland's transition towards a renewable electricity system. As the proportion of variable renewable generation increases, additional flexible generation capacity is required to maintain electricity system stability and security of supply during periods of low renewable output or unexpected system events. The proposed peaking plant is intended to fulfil this supporting role and is therefore complementary to, rather than a substitute for, renewable energy generation. In this regard, the proposed development supports the continued integration of renewable energy while contributing to the resilience and reliability of the national electricity system.

See our responses at sections 3.3.1 and 3.3.3 above which demonstrate that the Proposed Development aligns with national climate obligations.

It is inconceivable that additional or new flexible gas plant that is designed to facilitate the energy transition whilst providing security of energy supply, will have the effect of increasing dependence on fossil fuels. In fact, the opposite is true. As reflected in the legislation, policies, and caselaw discussed in the previous sections, the need to develop new flexible gas fired plant is to ensure the future grid is stabilised with efficient back-up systems in a net zero economy. As noted above, the High Court's decision in Friends of the Irish Environment confirms that "some combination of different energy sources is going to be necessary to stabilise

the grid and to supply actual energy needs pending the delivery of massively increased renewables". Without a stable supply of gas-powered electricity generation to support intermittent renewable energy sources, Ireland will not meet its 80% by 2030 or 90% by 2040 (compared to 1990 levels) renewable energy electricity targets under the EU Climate Law.

It is also worth noting the opening paragraph of the judgment in Friends of the Irish Environment which states:

> *"The environmentalist's rallying-cry 'keep it in the ground' has considerable logic and scientific support behind it. Apart from small amounts turned into not-exactly-eco-friendly plastic and other synthetic products, virtually all fossil fuels extracted are combusted, directly increasing greenhouse gas (GHG) emissions. In keeping with this, the Climate Change Advisory Council recommended a near immediate end to coal and oil-fired energy generation, with gas-fired production to be phased out in the medium term. Why then, the applicant effectively asks, does the commission find itself approving a gas-fired power plant? In the relevant context of the extent of renewable generation on stream at present, a phenomenon known as Dunkelflaute (dark lull) affects wind and sunlight-powered generation – the all-too-familiar time when there is little of either. A gas plant can act as a resilience backbone to provide relatively rapid and relatively controllable power to bridge the gap between intermittent renewable generation and demand. Gas plants are highly dispatchable, i.e., can be quickly ramped up or down to maintain grid stability. Potentially some of them can be repurposed over time for use with renewable fuels. While it is beyond question that the combustion of all fossil fuels is poisonous for the planet, gas is nowhere near as bad as peat, coal or oil in terms of GHG emission intensity. And within that, efficient gas-based energy production such as this project is better than inefficient production. The commission took the view that this project will provide 'back-up to a renewables-based electricity grid and will contribute to the resilience of the overall energy supply network. 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'. CAP24 refers expressly (p. 155, emphasis added) to 'Delivery of **at least** 2 GWs of new flexible gas-fired generation'. Without taking in any way from the supreme importance of the issues regarding the climate emergency so thoroughly raised by the applicant as a seasoned and respected environmental NGO, the primary legal question here is whether the applicant has come up with any sufficiently convincing legal basis to displace the commission's reasoned conclusion in that regard".*

The applicant in that case failed to overturn the Commission's decision to grant permission for 600MW CCGT plant. The High Court's summary of the practical importance of new flexible gas plant to the energy transition applies directly to the Proposed Development.

3.3.7 Population and Human Health

The submission also raised concerns regarding potential effects on population and human health, noting emissions associated with open cycle gas turbine plants including nitrogen oxides, carbon monoxide and particulates. It submitted that these matters should be more fully articulated in the EIAR in relation to potential effects on the local community, including more vulnerable receptors.

Response

The Human Health assessment undertaken as part of the EIAR considered potential effects arising from air quality, noise, traffic and other environmental pathways. Having regard to the predicted environmental effects and proposed mitigation measures, no significant adverse effects on population or human health were identified.

Chapter 7 Air Quality considered the effects of nitrogen oxides (NOx), carbon monoxide (CO) and sulphur dioxide (SO_2) on a variety of receptors (refer to see Section 7.3.3.2 of Chapter 7 Air Quality, Volume 2 of the EIAR), taking the proposed development boundary into account as a receptor, as well as receptors presented as a grid over a 10km^2 area. Individual sensitive receptors such as residential properties, healthcare facilities and schools within the study area were reviewed and also included in the dispersion modelling assessment, to determine the effect of the NOx, CO and SO_2 on human health.

The results of this assessment (refer to Section 7.4.2.1 of Chapter 7 Air Quality, Volume 2 of the EIAR) present the maximum concentrations determined by the model at all of these receptor types (boundary, grid and individual sensitive receptors) and concluded that the maximum concentrations were well below the relevant ambient air quality limit values at all modelled receptors.

No significant effect on human health was therefore predicted

3.3.8 Monitoring

An Taisce noted that the EIAR states that there are no monitoring requirements in relation to climate and submitted that post-consent monitoring of greenhouse gas emissions and other significant environmental effects should be considered, in the interests of transparency, environmental protection and compliance with the EIA Directive.

Response

The applicant notes the above comments and wishes to confirm that, monitoring and reporting of greenhouse gas emissions (GHG) emissions under an EPA GHG permit, will be required for the operational phase of the proposed development..

Environmental monitoring will continue throughout the operational life of the facility in accordance with the requirements of the GHG permit and Industrial Emissions Licence. This will ensure that environmental performance is independently regulated and that any necessary corrective actions can be implemented where required.

3.3.9 Water Framework Directive

The submission stated that the proposal should be assessed against Article 4 of the Water Framework Directive, particularly having regard to the acknowledged vulnerability of the groundwater environment beneath the site and uncertainties regarding groundwater movement. It submitted that consideration should be given to whether the project could result in deterioration of water status or prejudice the attainment of good status objectives.

Response

WFD Status (Surface Water Bodies)

The Proposed Project is located within the Galway Bay South East catchment area (ID Code: 29) and the CARROWMONEASH [Oranmore]_SC_010 sub catchment area (EPA, 2025). The Clare [Galway] water body has been assigned a WFD Status 2016-2021 of Moderate and is 'At Risk' of failing to achieve 'Good' status by 2027. The CLARINBRIDGE_040 water body has been assigned a WFD Status of 'Poor' and is 'At Risk' of failing to achieve 'Good' status by 2027 and the CLARINBRIDGE_030 water body has been assigned a WFD Status of 'Poor' and is 'At Risk' of failing to achieve 'Good' status by 2027. The Oranmore Bay (Code: IE_WE_170_0500) water body has been classified as 'Not at risk' of failing to meet 'Good' quality standard under the WFD by 2027. The Inner Galway Bay North (Code: IE_WE_170_0000) water body has been classified as 'Not at risk' of failing to meet 'Good' quality standard under the WFD by 2027. The Corrib Lower lake (Code: IE_WE_30_666a) water body has been classified as 'Not at risk' of failing to meet 'Good' quality standard under the WFD by 2027 (EPA, 2025).

WFD Status (Groundwater Bodies)

The Proposed Project is within two ground waterbodies including: Clarinbridge (European Code: IE_WE_G_0008) which is classified as 'Good' and is 'Not at risk' of failing to achieve good WFD status by 2027 and Groundwater Dependent Terrestrial Ecosystems Galway Bay Complex Fens (SAC000268) (European Code: IE_WE_G_0087) which is classified as 'Good' and is 'Not at risk' of failing to achieve good status by 2027.

The conceptual understanding of the Groundwater Dependent Terrestrial Ecosystems Galway Bay Complex Fens is presented in Section 12.3.2.4.2 Chapter 12 Water, Volume 2 of the EIAR (pg 573).

The conceptual model for the Clarinbridge Groundwater Body is described in detail in Section 12.3.2.4.1, Chapter 12 Water, Volume 2 of the EIAR (pg 572).

Conclusion – Risk of deterioration of WFD status / effects on the attainment of good WFD status objective

Article 4 of the Water Framework Directive (WFD) requires Member States to protect, enhance and restore water bodies, with the objective of achieving and maintaining at least good ecological and chemical status and preventing deterioration. The EIAR addresses matters relevant to WFD compliance, including in Chapter 11 Land, Soils and Geology and Chapter 12 Water, Volume 2. These chapters identify the relevant surface water and groundwater bodies, describe

their WFD status and risk classification, characterise the hydrological and hydrogeological setting, assess potential construction, operational and decommissioning effects, and set out embedded design and mitigation measures to protect water quality and groundwater.

The Proposed Development has been designed having specific regard to the hydrogeological sensitivity of the site, including the potential presence of onsite subsurface karst geology. A robust engineering design has been developed, informed by site-specific geological and hydrogeological conditions. Section 11.4.2 of Chapter 11 Land, Soils and Geology, Volume 2 of the EIAR, sets out the key design mitigation measures that informed the iterative design process, with further details provided in Chapter 2 Project Description, Volume 2 of the EIAR.

The mitigation measures detailed in Chapter 5 Biodiversity, Chapter 11 Land, Soils and Geology and Chapter 12 Water, Volume 2 of the EIAR, together with site-specific design solutions such as engineered drainage, double-bunded tanks, hardstanding and designated waste storage, will ensure that there will be no discharge of contaminated or potentially contaminated water to ground beneath the project site. The OCEMP also sets out detailed spill risk and best-practice measures to prevent pollutants from entering the aquatic environment.

There are no surface water features within the site or its immediate vicinity (within 2km), and no overland hydrological pathway has been identified. Potential impacts to groundwater receptors, including Clarinbridge and the GWDTE Galway Bay Complex Fens, are considered negligible with the implementation of the mitigation measures set out in the EIAR and OCEMP from the outset of the works. The NIS also confirms that, with these measures in place, the Proposed Development will not have a significant impact on water quality within either the Clarinbridge Groundwater Body or the GWDTE Galway Bay Complex Fens Groundwater Body.

On this basis, the Proposed Development will not result in deterioration of the status of any surface water body or groundwater body and will not prejudice the achievement of good status objectives under the WFD. Having regard to the assessment undertaken within the EIAR, the absence of surface water features within the site, the lack of an overland hydrological pathway, the engineered containment of potentially contaminated water, the proposed karst protocol and the implementation of mitigation measures, the need for a separate standalone WFD has been screened out.

3.3.10 Habitats Directive Legal Requirements

Finally, An Taisce emphasised the legal requirements arising under Article 6(3) of the Habitats Directive and relevant case law, including the need for complete, precise and definitive findings capable of removing all reasonable scientific doubt as to the absence of adverse effects on European sites. It submitted that the competent authority must ensure that these standards are met in relation to the direct, indirect and cumulative effects of the proposed development.

Response

The applicant notes the comments regarding legal requirements arising under Article 6(3) of the Habitats Directive. In this regard, the Applicant and its environmental consultants consider that the NIS included with the planning application provides the necessary information to enable An Coimisiún Pleanála, as competent authority, to undertake Appropriate Assessment and to conclude, beyond reasonable scientific doubt, that the proposed development, either alone or in combination with other plans or projects, will not adversely affect the integrity of any European site, subject to the implementation of the mitigation measures identified.

Accordingly, the Applicant considers that sufficient information has been provided to enable the Commission to undertake an Appropriate Assessment and conclude, beyond reasonable scientific doubt, that the proposed development will not adversely affect the integrity of any European Site, either alone or in combination with other plans or projects.

3.4 Health and Safety Authority

3.4.1 Land Use Planning Advice

The HSA concluded, on the basis of the information submitted, that the siting criteria for new establishments have been met and, accordingly, did not advise against the granting of planning permission in the context of major accident hazards. The Authority also drew attention to the need to consult with the local authority emergency services regarding local access/egress arrangements, fire prevention and emergency response issues. The submission noted that while risks are considered sufficiently low, there remains a possibility of a major accident to the environment which should be taken into account in external emergency planning by the local competent authorities. It further advised that any changes to the dangerous substances stored on site, or their location, could alter its assessment and that planning conditions should be imposed in this regard.

Response

The Applicant notes the HSA's conclusion that the siting criteria for new establishments have been met and that the Authority does not advise against the granting of permission in the context of major accident hazards. This conclusion is welcomed and is consistent with the COMAH Land Use Planning assessment submitted with the application.

The Applicant acknowledges the HSA's comments regarding consultation with local authority emergency services, emergency planning, and the control of dangerous substances stored on site. Appropriate engagement will be undertaken with the relevant competent authorities at the detailed design and pre-operational stages. The development will be operated in accordance with the substances, quantities and locations assessed in the application documentation, and any material changes would be subject to the appropriate statutory notification, assessment and consent procedures.

3.5 Office of Public Works

3.5.1 Section 50 Consents

The Office of Public Works (OPW) noted that any new culverts or bridges, or modifications to existing culverts or bridges required as part of the proposed development or associated access arrangements, would require consent under Section 50 of the Arterial Drainage Act 1945, as amended. This requirement also extends to elements of the proposed grid connection where cables or ducting may interfere with bridge or culvert openings, or where new support structures span watercourses.

Response

The Applicant notes the OPW's comments regarding Section 50 consent requirements under the Arterial Drainage Act 1945, as amended. Any new culverts or bridges, or modifications to existing culverts or bridges required to facilitate the proposed development or associated access arrangements, will be subject to the necessary Section 50 consent process, where applicable.

3.5.2 Flood Risk Assessment

The submission also recommended that a site-specific flood risk assessment be undertaken for the proposed development and its construction. This assessment should consider all sources, pathways and receptors of flood risk, including nearby drainage district channels, and should be prepared in accordance with The Planning System and Flood Risk Management guidelines.

In addition, the OPW raised concerns regarding the statement in the submitted Stage 1 Flood Risk Assessment that there were no available flood maps and no flooding indicated at the site. It noted that floodinfo.ie includes important disclaimers and limitations on map use, and that updates to the mapping had been ongoing since the application was submitted, including in the vicinity of the proposed development. It also noted that since the submission of this application, updates have been ongoing on floodinfo.ie which include the surrounding area of the proposed development. On that basis, the OPW concluded that the statement could not be relied upon as factual and that a more thorough and rigorous local flood risk analysis should be carried out.

Response

A Stage 1 Flood Risk Assessment has been undertaken in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), which adopts a source–pathway–receptor approach and considers all potential flood mechanisms, including fluvial, pluvial, groundwater, overland flow, artificial drainage systems and infrastructure failure and can be found in Volume 3: Appendices of the EIAR under Appendix 2- Part 2 Flood Risk Assessment.

The submitted Stage 1 FRA (Appendix 2 Part 2, Volume 3 of the EIAR) includes a comprehensive review of available datasets and baseline information, including OPW Flood Maps, historical flood records, Geological Survey Ireland (GSI)

mapping, hydrological features and local planning policy. The assessment confirms that:

- *The site is located within Flood Zone C, defined as having a low probability of flooding (<0.1% AEP).*
- *There are no mapped fluvial or coastal flood extents affecting the site.*
- *The nearest watercourse (River Clarin) is located approximately 3.9 km from the site, with no hydraulic connectivity or flood pathway to the development.*
- *No evidence of historical flooding exists at the site, based on OPW records and historic mapping.*
- *GSI mapping confirms that there are no alluvial deposits within the site, and no evidence of groundwater flooding susceptibility affecting the site itself. While a small, localised area of historical groundwater flooding is identified in the wider area (as shown on Figure 8 from Floodinfo.ie), this is located outside the site boundary, does not extend toward the proposed development, and is not associated with any recorded historical flood warnings or events.*
- *There are no drainage districts, culverted systems or artificial drainage infrastructure in the vicinity that could act as flood pathways.*

With respect to the OPW comment regarding the statement that "no flood maps were available", the Applicant acknowledges that OPW Floodinfo mapping is subject to ongoing updates and inherent limitations. The FRA has therefore not relied solely on Floodinfo outputs but instead incorporates a multi-source, evidence-based assessment, including historical mapping, hydrological review, GSI datasets and site-specific topographical considerations. This aligns with the intent of the Guidelines to consider all sources, pathways and receptors of flood risk.

The findings of the Stage 1 FRA demonstrate that there are no credible flood sources or pathways that could give rise to flood risk at the site, and that the development will not increase flood risk elsewhere. In accordance with the staged approach set out in the Guidelines, and given the absence of identified flood risk, progression to Stage 2 or Stage 3 assessment is not required. The reader is referred to Figure 6, Figure 7, Figure 8 & Figure 9 for reference.

Notwithstanding this, the design of the proposed development has incorporated appropriate measures to address residual and climate-related risks, including:

- *Implementation of SuDS-based surface water management,*
- *Discharge to ground via infiltration, and*
- *Consideration of extreme rainfall events and groundwater behaviour.*

These measures are detailed within the Engineering Planning Report (EIAR Volume 3, Appendix 2 Part 1) and ensure that the development is resilient to potential future changes in climate and rainfall intensity.

On this basis, the Applicant considers that the submitted Stage 1 Flood Risk Assessment is robust, compliant with national guidance, and adequately addresses the OPW concerns.

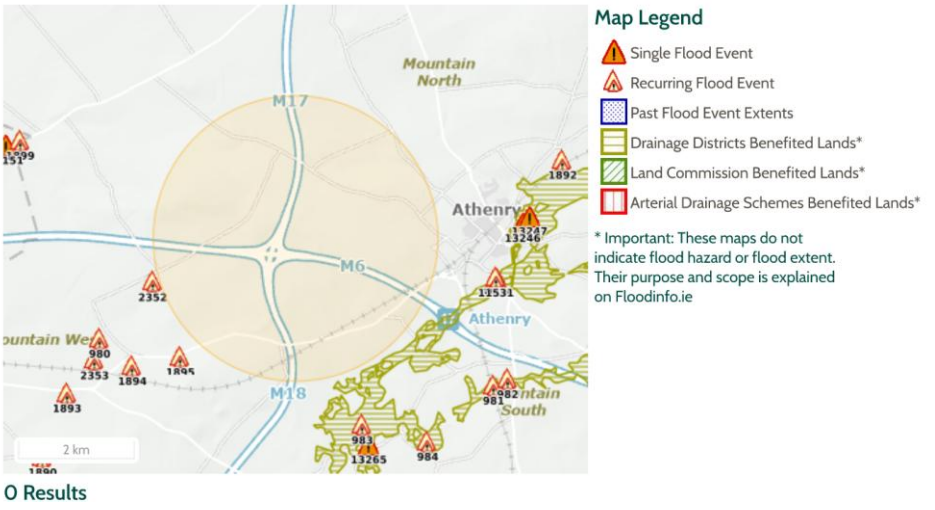

Figure 6 - OPW Floodinfo mapping

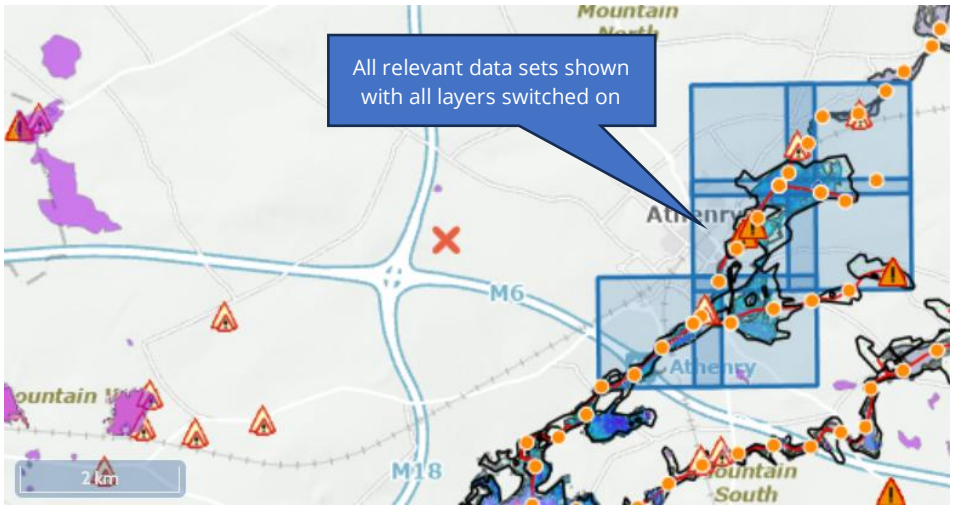

Figure 7 - OPW Floodinfo mapping with all layers

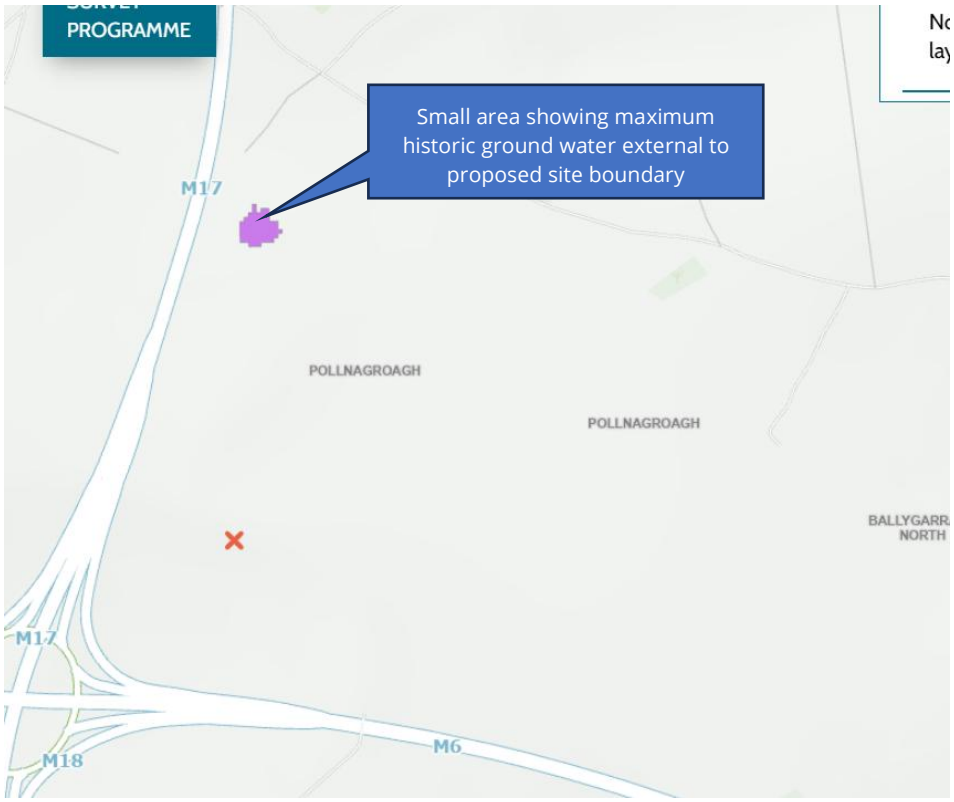

Figure 8 - Groundwater flooding near site

Figure 9 - Arterial drainage schemes and watercourses near the site

3.6 Uisce Éireann

3.6.1 Water Connection

Uisce Éireann (UÉ) confirmed that a Confirmation of Feasibility has issued in respect of a connection to the public water supply and advised that, while a connection is feasible, it will require a water network extension to be installed by UÉ and funded by the applicant, together with the upsizing of

approximately 2km of existing water mains and a further extension along the public road. It also noted that tank filling would be restricted to off-peak night-time hours between the hours of 12am and 6am. It would be the responsibility of the applicant to ensure an automated system was in place.

Response

The Uisce Éireann observation is noted and accepted. The Applicant acknowledges that, while a connection to the public water supply is feasible, it will require network reinforcement works, including off-site mains upgrades and extensions, to be delivered by Uisce Éireann and funded by the Applicant.

The requirement for tank filling to be restricted to off-peak night-time hours (00:00–06:00) is noted. An automated control system will be incorporated into the detailed design to ensure compliance with these operational constraints. Details of this system will be developed at detailed design stage and submitted to Uisce Éireann and the Planning Authority for agreement.

The Applicant also acknowledges that a Connection Agreement will be entered into with Uisce Éireann in advance of any connection works.

The Applicant welcomes continued engagement with Uisce Éireann and the local authority to ensure that the final water supply infrastructure and operational controls are appropriately designed, coordinated and implemented in accordance with all requirements.

3.6.2 Public Water Source Protection

UÉ observed that the proposed development is located within the drinking water abstraction catchment for the Tuam Regional Water Supply. The submission noted that the proposed development is not located within a groundwater catchment/Zone of contribution. UÉ's assessment concluded that there are no streams or drains identified on site and requested that the comprehensive mitigation measures set out in Chapter 12 of the EIAR and the Construction and Environmental Management Plan be implemented throughout construction, operation and decommissioning. It further recommended that the applicant enter into a connection agreement prior to commencement, avoid building over public infrastructure, maintain required separation distances, protect public drinking water sources and ensure that all water and wastewater infrastructure is designed and constructed in accordance with Uisce Éireann standards.

Response

The above observations and recommendations are noted.

The Applicant will ensure that the relevant comprehensive mitigation measures (as detailed in Chapter 5 Biodiversity, Chapter 11 Land Soils and Geology and Chapter 12 Water, and Chapter 18 Schedule of Environmental Commitments) in Volume 2 of the EIAR will be fully implemented.

It is also noted that site specific design solutions (such as engineered drainage, double bunded tanks, hardstanding and designated waste storage), will

ensure that there will be no discharge of contaminated water or potentially contaminated water to ground beneath the project site.

The development will not have a significant effect on receiving water bodies (including drinking water sources), during the construction, operational or decommissioning phases, as clearly demonstrated in Chapter 5 Biodiversity, Chapter 11 Land Soils and Geology and Chapter 12 Water, Volume 2 of the EIAR.

The Applicant also acknowledges that a Connection Agreement will be entered into with Uisce Éireann in advance of any connection works.

The Applicant welcomes continued engagement with Uisce Éireann and the local authority to ensure that the final water supply infrastructure and operational controls are appropriately designed, coordinated and implemented in accordance with all requirements (ensuring the avoidance of building over public infrastructure, maintaining required separation distances, and protecting public drinking water sources.

3.7 Environmental Protection Agency

3.7.1 Industrial Emissions Licence

The EPA submission does not raise an objection to the proposed development. The principal issue identified relates to the requirement for an Industrial Emissions Licence should the development fall within Class 2.1 of the EPA Act 1992, as amended. The EPA notes that no licence application has yet been received, but confirms that, should one be submitted, the EIAR and all matters relating to emissions to the environment will be assessed under the EPA's statutory licensing regime. Any licence granted would include conditions requiring compliance with applicable National and EU environmental standards and the use of Best Available Techniques. The EPA also notes that it cannot issue a Proposed Determination on a licence application until a planning decision has been made.

Response

The Applicant notes the EPA's observations regarding the Industrial Emissions licensing process and confirms that the proposed development has been designed having regard to the requirements of the Industrial Emissions Directive and Best Available Techniques. The detailed operational controls identified by the EPA will be addressed through the subsequent Industrial Emissions Licence application, providing an additional layer of environmental regulation beyond the planning process.

The Applicant notes the EPA's submission and as set out in section 1 of this report, confirms that an application for an Industrial Emissions Licence will be made to the EPA following the grant of planning permission and prior to commencement of operation.

The EIAR submitted with the current application demonstrates that the Proposed Development can operate within the applicable environmental standards and regulatory thresholds during the operational phase. The assessments undertaken confirm that emissions associated with the operation of the facility will comply

with the relevant air quality, noise and environmental protection criteria and will not result in significant adverse effects on human health or the environment.

The Applicant considers that the statutory planning process and the EPA licensing process are complementary and together provide a comprehensive framework for assessment, regulation and control of the Proposed Development. In the event that permission is granted, the development will not operate unless and until all required EPA authorisations are obtained and complied with.

4. Response to Public Submissions

Please also refer to Appendix 3.

4.1 Public Consultation

Summary:

The submissions received raise a number of issues in relation to public and community consultation. In general, concerns were expressed regarding the accessibility and clarity of the application documentation, including the EIAR and associated technical reports, with a number of observers indicating that the volume and technical nature of the material made it difficult for members of the public to engage fully with the proposal.

Submissions also raised concerns regarding the extent and effectiveness of engagement with local residents, community groups and other stakeholders in the vicinity of the site, particularly those considered to be most directly affected by the proposed development.

A number of submissions also requested a more extensive examination of the issues raised, including, in some instances, the convening of an oral hearing.

Response

The Applicant acknowledges that a number of submissions express dissatisfaction with the public consultation process. While it is recognised that not all concerns can be resolved through consultation, the Applicant undertook a comprehensive programme of non-statutory engagement prior to submission of the application. Galway County Council acknowledged this engagement and did not raise any concern in principle regarding the approach taken.

Community engagement formed an integral part of the project development process. Consultation commenced at pre-application stage, before the SID application was finalised, so that feedback could be received at a point when it could inform the project design and preparation of the EIAR. Bord Gáis Energy remains committed to providing information as the project progresses through the planning, construction and operational phases, should permission be granted.

A range of communication channels was used to maximise awareness of the project and provide accessible opportunities for engagement. These included public information events, locally distributed information, direct correspondence with stakeholders, print media activity, a dedicated project website, and project

contact details for follow-up queries. Following submission of the application, a hard copy of the EIAR was also made available in Athenry public library. This multi-channel approach was intended to enable members of the public, including those without technical expertise, to understand the nature and purpose of the proposed development, identify the principal environmental topics under assessment, raise questions and receive timely responses.

The leaflet distribution area was selected on a reasonable and proportionate basis having regard to the location and nature of the proposed development, the surrounding settlement pattern, nearby residential receptors, local roads, the community catchment and the grid connection route. The May 2025 and December 2025 leaflet drops provided plain-English information directly to households and premises within the area most likely to be aware of, affected by, or interested in the proposed development. Wider awareness was supported by public information events, newspaper notices, 20 consultation posters displayed locally, the project website, stakeholder correspondence and the availability of the Community Liaison Officer.

The consultation process is summarised in Section 1.11 of Volume 2 of the EIAR and in the Cashla Peaker Plant Non-Statutory Public Consultation Report submitted with the application. Engagement included local residents, landowners, businesses, community groups, a local concern group, TDs, councillors and other stakeholders. The process was supported by a Community Liaison Officer, who acted as an accessible point of contact between the local community and the project team. The CLO attended local meetings, engaged with landowners and residents, participated in leaflet drops, and attended a meeting with local concern group representatives and elected representatives, including TDs and county councillors, on 16 October 2025. The CLO's mobile number and email address were made available from the outset and formed part of the project communication strategy.

Feedback received through consultation was recorded, reviewed and directed to the relevant project team members and technical specialists for consideration in the EIAR. Bord Gáis Energy used the Atlas stakeholder management system to record stakeholder details and interactions, including letters, emails, telephone calls, meeting notes and submissions. The most frequent issues raised related to potential health impacts from air emissions, operating hours, potential diesel use, construction disruption, visual impact, noise, construction traffic and the Community Benefit Fund. These matters are addressed in the relevant sections of the EIAR, with a summary of key feedback and cross-references provided in Section 1.11 of Volume 2. Bord Gáis Energy also committed to acknowledging queries within 72 hours and to providing timely and appropriate responses.

The Applicant also took steps to ensure that public-facing material was fit for purpose and accessible to a non-technical audience. The project website, consultation brochure and information boards used at public consultation events explained the key elements of the project, the main environmental topics under assessment and the process for raising queries or concerns. Technical issues raised by members of the public were directed to the appropriate specialists for response and, where relevant, addressed in the EIAR.

The Applicant considers that the non-statutory consultation approach supported the principles underpinning the Aarhus Convention, including early access to project and environmental information, opportunities for participation at an early stage, and transparency in how issues raised were recorded and considered. While the statutory public participation process is provided through the SID application procedure before An Coimisiún Pleanála, the Applicant's early engagement supplemented that process by making information available in advance of the application, providing accessible points of contact, recording feedback received and ensuring that relevant matters were considered by the project team and addressed in the EIAR where appropriate.

Bord Gáis Energy's approach to community engagement is also informed by its Code and Values, which set expectations for engagement to be undertaken with integrity, fairness, responsibility and respect. The Applicant considers that the consultation process to date has established communication channels and stakeholder records that can continue to support transparent engagement, timely responses to queries and the provision of project updates. Bord Gáis Energy remains committed to ongoing engagement throughout the SID application process and, should permission be granted, through the construction and operational phases. A Community Liaison and Engagement Plan could also be developed if required by condition.

On this basis, the Applicant considers that the consultation process provided meaningful opportunities for public participation and that the issues raised through consultation were appropriately recorded, reviewed and considered as part of the project assessment.

4.2 Project Need and Climate Policy Compliance

4.2.1 Project Need

Summary

The submissions raise a number of issues regarding the need for the proposed development. In particular, a number of observers question whether sufficient justification has been provided for the development, having regard to the availability of alternative technologies and the extent to which the proposal has demonstrated that it represents the most appropriate response to future electricity demand. Concerns are also expressed that the proposal relies on assumptions regarding operational requirements and future energy needs that, in the view of some observers, remain uncertain.

Related to this, a number of submissions contend that alternative approaches, including battery storage, renewable energy generation, demand response measures and other grid flexibility solutions, should have been more fully examined. Concerns were also raised in relation to the lack of information on turbine efficiency and the efficiencies of closed-cycle technology.

Response

A recurring theme throughout the submissions is whether additional flexible electricity generation capacity is required having regard to increasing levels of

renewable generation and battery storage. While these technologies will continue to play an increasingly important role in Ireland's electricity system, they perform different functions and are not directly interchangeable. The proposed development is intended to provide flexible peaking capacity capable of responding rapidly to fluctuations in electricity demand and renewable generation output, thereby supporting the secure operation of the national electricity system. The need for flexible generation should therefore be considered as complementary to, rather than competing with, renewable energy development and electricity storage technologies.

The assessment of project need is not based solely on projected electricity demand but also on maintaining system resilience, ensuring security of supply and facilitating the continued integration of renewable generation. These considerations are reflected within national energy policy and the relevant evidence relied upon in support of the application.

See responses to sections 3.3.1, 3.3.3, and 3.3.6 above.

Under Article 5(1)(d) of the EIA Directive, an EIAR must describe the reasonable alternatives studied by the developer, explain the main reasons for the chosen option, and show how environmental effects influenced the decision-making process. It is not necessary to assess every conceivable alternative.

Reasonable alternatives were assessed, as detailed in Chapter 3, Volume 2 of the EIAR and demonstrated that environmental considerations were integrated throughout project evolution. Alternatives were examined in relation to site selection, plant technology, fuel type, scale, operational life, grid connection, transport logistics and design configuration. The preferred option was selected because it provided the most balanced solution when environmental, technical, operational, planning and energy-security criteria were considered together.

4.2.2 Climate Policy Compliance

Summary

The submissions also raise concerns regarding the consistency of the proposed development with national and EU climate and energy policy objectives. It was noted that the Commission must ensure that it complies with its obligations under section 15(1) of the Climate Action and Low Carbon Development Act 2015 and CAP 24 and CAP 25.

In particular, a recurring issue raised is that the development would introduce new fossil fuel infrastructure with an operational lifespan extending to 2050, which a number of observers consider to be inconsistent with decarbonisation targets and the transition to a low-carbon energy system. It was contended that the proposed development which includes fossil gas electricity generation if it was satisfied that the Technical Screening Criteria under the Taxonomy Regulations and the Delegated Regulation were complied with.

Several submissions state that the proposal could contribute to long-term fossil fuel dependency and may delay or displace investment in lower-carbon alternatives. On this basis, observers contend that the development is not

aligned with broader climate policy commitments or the direction of national energy transition policy.

Response

The Applicant acknowledges the concerns raised regarding the compatibility of the proposed development with Ireland's climate objectives. However, the proposed development must be considered within the broader context of the national energy transition, which requires both increased renewable generation and sufficient flexible generation capacity to maintain electricity system reliability. The proposal should therefore be viewed as facilitating the transition towards a lower-carbon electricity system rather than delaying it.

See responses to sections 3.3.1, 3.3.3, 3.3.6, and 4.2.1 above.

The submissions made in relation to the Taxonomy Regulation are not applicable in this context. These include, for example, the letter from FP Logue LLP dated 22 April 2026 appended to the submission made by BPS Planning & Development Consultants on behalf of Athenry Peaker Plant Concern Group.

*The Taxonomy Regulation[16] and the Delegated Regulation [17], and the 'do no significant harm' ("**DNSH**") principle outlined in same, do not apply to planning decisions or environmental impact assessment ("**EIA**"). Article 1 of the Taxonomy Regulation defines its scope and application, as follows:*

> *"Article 1*
>
> *Subject matter and scope*
>
> *1. This Regulation establishes the criteria for determining whether an economic activity qualifies as environmentally sustainable for the purposes of establishing the degree to which an investment is environmentally sustainable.*
>
> *2. This Regulation applies to:*
>
> *(a) measures adopted by Member States or by the Union that set out requirements for financial market participants or issuers in respect of financial products or corporate bonds that are made available as environmentally sustainable;*
>
> *(b) financial market participants that make available financial products;*
>
> *(c) undertakings which are subject to the obligation to publish a non-financial statement or a consolidated non-financial statement pursuant to*

[16] Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088

[17] Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives

> *Article 19a or Article 29a of Directive 2013/34/EU of the European Parliament and of the Council (68), respectively."*

As appears from article 1, the purpose of the Taxonomy Regulation is to establish criteria for determining whether an economic activity qualifies as environmentally sustainable for the very specific purpose of establishing the degree to which an investment is environmentally sustainable. It seeks to achieve this by providing a common classification system to guide investors and improve transparency in financial markets. It does not extend this purpose to the making of planning and land use decisions by national planning authorities.

The Taxonomy Regulation therefore does not apply, or even purport to apply, to development consents or EIA processes. There is no legal basis for the read across which the submissions attempt and their reliance on the Taxonomy Regulation and the Delegated Regulation is legally misconceived and does not provide any valid basis for objecting to the Proposed Development.

Arguments made in a planning context in relation to the Taxonomy Regulation and Delegated Regulation were rejected by the High Court in Friends of the Irish Environment. The High Court held, inter alia, that the applicant's arguments in this respect were:

> *"90. …an imaginative attempt to read into domestic law an obligation to give effect to finance law provisions on sustainability (specifically, Regulation (EU) 2020/852 of the European Parliament and the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment and amending Regulation (EU) 2019/2088 (OJ L 198/13 22.6.2020, p. 13-43) (the Taxonomy Regulation), or the Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 (the Delegated Regulation)) via the 2015 Act.*
>
> *91. The basic problem is that the taxonomy regulation is a transparency/ reporting tool, not a substantive obligation requiring planning decision-takers to act in an environmentally friendly manner".*

Any submissions made in relation to the Taxonomy Regulation and Delegated Regulation should therefore be dismissed by the Commission.

4.3 Site suitability

Summary

The submissions raise a number of concerns regarding the suitability of the proposed site and its proximity to existing residences and other sensitive receptors. In particular, observers question whether a development of this scale and nature is appropriate in this rural location, having regard to the surrounding pattern of dispersed housing, agricultural land use and the general character of the area. Concerns are also expressed regarding the relationship of the proposed development to nearby dwellings and the extent to which adequate separation distances have been achieved. A number of submissions contend that the proposal would introduce an industrial-type development into an unsuitable setting and, when considered alongside existing and proposed infrastructure in the area, would contribute to the cumulative industrialisation of the locality. Some observers also

question whether sufficient justification has been provided for the selection of this site in preference to alternative locations.

Response

A number of submissions question the suitability of the site due to its rural setting and proximity to existing residences. Site selection formed part of the project evolution process and considered environmental, technical and operational constraints together with planning policy considerations. The selected site provides appropriate access to the existing electricity transmission and gas networks while avoiding significant environmental constraints identified during the alternatives assessment. The Applicant therefore considers that the site represents an appropriate location for the proposed development having regard to the strategic infrastructure function of the project and the findings of the environmental assessments.

The Applicant notes the concerns raised in relation to site suitability, proximity to residential receptors, rural character, cumulative infrastructure and site selection. These matters are addressed in detail in the Planning Statement and EIAR. The proposed site was selected having regard to a range of technical, environmental and planning considerations, including proximity to existing electricity and gas transmission infrastructure, road access, availability of lands of sufficient scale, environmental constraints, landscape sensitivity and the ability to accommodate appropriate mitigation.

The Planning Statement identifies that the site is strategically located at the interface of the M18 and M17 motorways, within an established infrastructure corridor characterised by significant transport, gas and electricity transmission infrastructure. The existing Mayo–Galway gas transmission pipeline traverses the southern portion of the site, and the site is located in proximity to the existing Cashla 220kV Substation. These factors were material to the site selection process and support the suitability of the location for strategic energy infrastructure.

The Applicant acknowledges that the surrounding area includes agricultural lands and dispersed rural housing. However, the Planning Statement confirms that the closest residential dwelling is located approximately 850m north of the site, with other dwellings situated greater than 1km from the site, and that dwellings to the west and south within 1km are separated from the site by the M17 and M6 motorway. The proposed development has therefore been sited with substantial separation from nearby residential receptors and has been assessed in the EIAR in respect of population and human health, air quality, noise, landscape and visual effects, traffic, biodiversity, water and major accidents. The conclusion of these assessments found that there would be no significant effects on receptors.

The site is also located within the Oranmore and Athenry Strategic Economic Corridor identified in the Galway County Development Plan 2022–2028. The Planning Statement notes that this corridor is designated as a regionally significant location for large-scale enterprise and industrial development and benefits from the convergence of motorway, rail, gas, electricity and telecommunications infrastructure. The siting of the proposed development within this corridor is therefore consistent with the Development Plan objective of

directing nationally and regionally significant infrastructure and enterprise-related activity to appropriate strategic locations.

The Applicant further notes that the site lies within the Central Galway Complex Landscape Character Type and within an area of low landscape sensitivity, described in the County Development Plan as unlikely to be adversely affected by change. The Landscape and Visual Impact Assessment carried out to inform Chapter 6 Landscape and Visual, Volume 2 of the EIAR, concludes that, while the development will introduce new built infrastructure into the local landscape, significant residual visual effects are limited and principally confined to the immediate context of the site, with effects reducing over time as mitigation planting establishes.

Having regard to the site's location within an established infrastructure corridor and Strategic Economic Corridor, its proximity to existing gas and electricity transmission infrastructure, its separation from nearby dwellings, its low landscape sensitivity classification, and the mitigation and environmental safeguards identified in the EIAR, the Applicant considers that the proposed site is suitable for the development and that the proposal represents an appropriate and policy-supported form of strategic energy infrastructure in this location.

4.4 Environmental Protection

4.4.1 Air Quality & Public Health

Summary

The submissions raise a number of recurring concerns regarding the potential effects of the proposed development on public health and local air quality, together with the adequacy of the assessment methodology adopted. In particular, many observers refer to emissions associated with plant operation, including start-up, ramp-up, testing phases and possible diesel use, the boilers contained within the AGI Compound and express concern regarding the potential for repeated short-term emission peaks and cumulative long-term exposure over the operational life of the development. Particular emphasis is placed on the proximity of nearby residences, schools, childcare facilities, sports clubs and other community receptors, with a number of submissions highlighting potential implications for vulnerable groups, including children, older persons and individuals with existing respiratory conditions. Several submissions also refer specifically to pollutants such as nitrogen oxides and particulate matter and question whether peak emissions, cumulative effects and worst-case operating scenarios have been adequately assessed. A further recurring issue raised relates to uncertainty regarding the likely frequency and duration of plant operation, with observers contending that the assessment relies on assumed or typical operating patterns rather than robust worst-case scenarios. It is further submitted that this uncertainty limits confidence in the extent to which the likely air quality and human health effects of the proposed development have been fully assessed. Related concerns are also raised regarding the extent to which the modelling reflects the demand-led nature of the facility and whether the likely environmental and human health effects may therefore be underestimated.

Response

The Applicant recognises that concerns regarding air quality and human health are of particular importance to nearby communities. These matters have been assessed using recognised assessment methodologies and conservative modelling assumptions. The assessment demonstrates that predicted pollutant concentrations remain below applicable statutory standards and that no significant adverse effects on human health are anticipated.

Operational emissions will also be independently regulated by the EPA through the Industrial Emissions licensing process, providing ongoing environmental oversight throughout the operational life of the facility. The EPA will also have oversight during the decommissioning phase in line with the CRAMP requirements.

Chapter 7 Air Quality, Volume 2 of the EIAR, has assessed the effects of the operation of the dual-fuel turbine on natural gas as well as operation of the dual-fuel turbine in liquid fuel mode (such as in an emergency where there is interruption of the natural gas supply to the site, as well as other operations such as scheduled testing and maintenance). The hours of operation in both fuel modes assessed in Chapter 7 Air Quality, Volume 2 of the EIAR, constitute the maximum hours of operation proposed and will be conditioned by the EPA as such under a future Industrial Emissions Licence. The hours of operation proposed in both fuel modes, as assessed in Chapter 7 Air Quality Volume 2 of the EIAR, are precautionary i.e. a maximum number of hours has been assessed which are greater than the amount that will be required by the proposed development in reality. Chapter 7 has therefore assessed the worst-case operations scenario.

Any emissions to air during operation on natural gas or low sulphur diesel will also be subject to Emission Limit Values (ELVs) under the Industrial Emissions Licence. ELVs constitute the maximum allowable emissions to air from the proposed development. Chapter 7 has assessed emissions to air in both natural gas and liquid fuel mode at these limits.

Chapter 7 Air Quality Volume 2 of the EIAR, considered the effects of nitrogen oxides (NOx), carbon monoxide (CO) and sulphur dioxide (SO_2) on a variety of receptors (see Section 7.3.3.2 of Chapter 7 Air Quality, Volume 2 of the EIAR), taking the proposed development boundary into account as a receptor, as well as receptors presented as a grid over a 10 km^2 area. Individual sensitive receptors such as residential properties, healthcare facilities and schools within the study area were reviewed and also included in the dispersion modelling assessment, to determine the effect of the NOx, CO and SO_2 on human health. The results of this assessment (see Section 7.4.2.1 of Chapter 7 Air Quality, Volume 2 of the EIAR) present the maximum concentrations determined by the model at all of these receptor types (boundary, grid and individual sensitive receptors) and concluded that the maximum concentrations were well below the relevant ambient air quality limit values at all modelled receptors. No significant effect on human health was therefore predicted.

Furthermore in Chapter 7, a quantitative assessment of the air quality effects of the 10 no. boilers as part of the AGI Boiler House Kiosk was screened out as the

thermal input of each boiler is 144.3 kW, which is below the 1 MW thermal input threshold for requiring registration as Medium Combustion Plant under the Medium Combustion Plant Regulations (S.I. No. 595 of 2017) and are therefore considered minor sources of emissions to air with no potential for significant effects on air quality. In terms of the effect on climate, GHG emissions form the boilers were screened out on the basis that these will be less than 1% of the total emissions from the proposed development and will not significantly affect the conclusions of the assessment, according to the Institute of Sustainability and Environmental Professionals (ISEP) 2025 guidance Assessing Greenhouse Gas Emissions and Evaluating their Significance.

4.4.2 Water & Groundwater

Summary

The submissions raise a number of concerns regarding the potential effects of the proposed development on water and groundwater resources. In particular, many observers refer to the karst geology underlying the site and the associated vulnerability of groundwater, including private wells, agricultural water supplies, and wider hydrogeological pathways. Concerns are raised regarding the storage and handling of diesel and other hazardous materials, with submissions referring to the potential for spills, leaks, runoff, bund overtopping, firewater runoff and accidental releases to affect groundwater quality. A number of submissions also question whether sufficient site-specific hydrogeological assessment has been undertaken, particularly in relation to nearby receptors, private wells, agricultural holdings, and the potential movement of contaminants through karst features.

Response

The concerns raised regarding groundwater, surface water and drinking water protection have been comprehensively considered through the EIAR, Flood Risk Assessment and Natura Impact Statement. The proposed drainage design, pollution prevention measures and operational controls ensure that unacceptable impacts on water quality are not predicted.

The proposed development has been designed, specifically taking account of the hydrogeological sensitivity of the site. A robust engineering design has been developed for the project, informed by the site specific geological and hydrogeological conditions, including the potential presence of onsite subsurface karst geology. Section 11.4.2., Chapter 11 Land Soils and Geology, Volume 2 of the EIAR, sets out in detail the key design mitigation measures which have informed the iterative design process, and Environmental Impact Assessment (EIAR).

Key extracts from Section 11.4.2., Chapter 11 Land Soils and Geology, Volume 2 of the EIAR (AtkinsRealis, 2026) are replicated for ease as follows:

'11.4.2.1 Engineering measures (potential structural / geotechnical risk)

A robust karst protocol will be adapted during foundation construction comprising the following:

- *Soil strip across each foundation footprint to expose the bedrock surface.*
- *Targeted closely spaced proof coring to confirm the presence of any possible Karst within 15 to 20m of the bedrock surface.*
- *If no significant voids or Karst features are encountered during the proof coring process then Foundation Solution 1 will be adapted.*
- *If a significant Karst feature is encountered during the proof coring process then Foundation Solution 2 will be adapted.'*

'Conclusion

- *It is noted the boreholes and follow-on rotary coring did not encounter any Karst features. Similarly, the base of trial pits did not encounter any open depressions and all terminated on solid limestone bedrock. In Karst areas it is standard investigative practice to carry out geophysical surveying to assess for the presence of Karst. Based on the results of the geophysical survey, several anomalies have been identified across the site area. Notably, these anomalies exhibit very high resistivity levels and indicate potential air voids or clay filled voids at several resistivity points, ranging from A1 to A18. The presence of these high resistivity point suggests the possibility of karst formations or other subsurface pockets (either air voids or infilled with clay). The solutions as discussed above present the engineering solutions that will respond to the presence of karst, and at construction stage the robust karst protocols identified will be implemented to control and respond to any karst features encountered.'*

'11.4.2.2 Engineering measures (potential environmental risk)

Engineering design solutions have been developed in response to assumed karst conditions present across the project site, as summarised below.

Fuel and Water Storage

- *Low sulphur diesel (secondary fuel) will be stored in two steel double-skinned full containment tanks and further contained within a sealed concrete bunded area. The tanks will contain a combined quantity of ca. 5470 tonnes (or 6670m3) of low sulphur diesel fuel. The tanks will be designed in accordance with EN 14015 inclusive of all safety features required by the standard and as the result of safety design reviews during the detailed design stage.*
- *Secondary back-up low sulphur diesel fuel will be offloaded on site from road tankers in a hard standing area with provision to collect any spilled low sulphur diesel to prevent any discharge to ground.*
- *The emergency low sulphur diesel (secondary fuel) generator will contain a quantity of low sulphur diesel fuel (up to 1000L) in a co-located tank sufficient for an estimated 24 hours operation. The engine's design will be compliant with the latest regulatory requirements which will be stated in the Site's Industrial Emissions (IE) operating licence.*

Water / Waste Streams

- *Demineralised water will be produced onsite using a treatment plant that converts potable water supplied by Uisce Éireann. Waste from demineralised water production will be stored in a contaminated firewater tank, constructed from sealed GRP or reinforced concrete. This waste stream will be stored in the contaminated firewater tank (which has been appropriately sized), as detailed in Chapter 2 Project Description, Volume 2 of the EIAR, and removed for off-site disposal to a licensed wastewater treatment facility.*

Site Drainage Infrastructure & Firefighting System

- *Foul / Domestic wastewater will be conveyed to the proposed onsite WWTP, then stored in a sealed underground cesspool for off-site disposal by tanker. The system will be designed, installed, and tested in accordance with Uisce Éireann and Local Authority standards (IW-CDS-5030-03).*
- *The site will be an EPA (IE) licensed site and as such is limited in its discharge of stormwater to ground due to the possibility of contaminated firewater in the discharge. Any stormwater captured on hardstanding areas that is not contaminated will be discharged to ground via soakaway. Any stormwater which falls outside of the hardstanding areas will be allowed to discharge to ground.*
- *The new storm sewer network will be gravity fed and segregated into different sections to facilitate contaminated fire water collection. The areas will be controlled by actuator valves to control the flow path of the segregated areas (see drawing transmittal sheet PEK3-ATR-ZZ-ZZ-RG-CE-000001).*
- *Stormwater is collected via a piped network and directed to a soakaway pond in the northeast. Hardstanding areas and kerbed roads ensure containment, with runoff captured by linear drains and gullies. Parking areas use sealed permeable paving. Pollution control includes hydrocarbon interceptors (IS EN858), a full retention forecourt separator at the fuel delivery area, and a Class 1 bypass separator before the soakaway.*
- *The IED licensed site must retain all potentially contaminated firewater generated during a fire event. This water must be stored on-site for subsequent off-site disposal via tanker. Contaminated firewater typically originates from high-risk areas such as buildings, generators, and turbines. Low-risk areas (i.e. roads without structures and grassed zones) are excluded from this requirement.*
- *To manage contaminated firewater effectively, the stormwater drainage network will be divided into multiple zones. Each zone will be equipped with a sensor-controlled actuator valve. In the event of a fire, runoff from the affected zone will be diverted to the firewater tank, while rainfall from unaffected zones will continue to discharge to the site's soakaway system. This zoning approach helps minimize the required size of the contaminated firewater tank. Additionally, the firewater tank will serve as a holding tank for unrecoverable demineralised production water (as*

detailed above), requiring an extra 350 m³ of capacity. This brings the final total tank volume to 1,086 m³.

- *Contaminated firewater will be captured via the stormwater system and directed to containment tanks for off-site treatment. The system accounts for concurrent rainfall (10 year, 24 hour storm event) and firefighting water. The site is divided into three catchments with actuator valves controlled by pH/contaminant probes (trigger range: pH 9). Only affected catchments divert runoff to containment, minimizing tank size while meeting EPA licensing requirements. This will link into the site SCADA system.'*

Furthermore, with respect to potable water supply, as stated in page 546 of the EIAR, 'The site will be supplied with a new 150 mm diameter water main which will come from Athenry. This new section of watermain will be installed by Uisce Éireann to the site entrance on the L3103 as outlined in the Confirmation of Feasibility.'

The above measures and site-specific design solutions, will ensure that there will be no discharge of contaminated water or potentially contaminated water to ground beneath the project site during the operational phase.

A comprehensive site-specific hydrogeological assessment has been undertaken, which included a robust baseline and impact assessment of all relevant surface water / groundwater receptors (including private wells, and surround land-uses), and the potential movement of contaminants through karst features. Refer to Chapter 12- Water, Volume 2 of the EIAR.

The Applicant will ensure that the relevant comprehensive mitigation measures (as detailed in Chapter 5 Biodiversity, Chapter 11 Land Soils and Geology and Chapter 12 Water, and Chapter 18 Schedule of Environmental Commitments) in Volume 2 of the EIAR will be fully implemented.

The findings of the comprehensive site-specific hydrogeological assessment (Section 12.6, Chapter 12, Volume 2 of the EIAR) are summarised as follows:

'The impact on the Water Environment is likely to be imperceptible, temporary and not significant as a result of the Proposed Project.

The impact on Water Environment during operation is likely to have an imperceptible, permanent and not significant.

With regard to the groundwater and surface water effects during decommissioning of the Peaker Plant and the associated underground transmission gas pipeline the following is noted:

- *Full decommissioning of the plant and pipeline will be done in accordance with prevailing best practice and undertaken by GNI. It is not anticipated that best practice decommissioning will adversely impact the water environment and presents no specific residual impacts.*
- *All decommissioning works will be carried out in accordance with the Environmental Liabilities Risk Assessment (ELRA) and a Closure,*

Restoration and Aftercare Management Plan (CRAMP) which will be subject to approval from the EPA prior to commencement of the operational phase.

- *Once decommissioning works are completed, the site will be reinstated and returned to a condition compatible with the surrounding land use, including the application of suitable soils and reseeding where required.'*

The development will not have a significant effect on receiving water bodies (including drinking water sources and private wells), during the construction, operational or decommissioning phases, as clearly demonstrated in Chapter 5 Biodiversity, Chapter 11 Land Soils and Geology and Chapter 12 Water, Volume 2 of the EIAR.

4.4.3 Soil Contamination & Impacts on Agriculture

Summary

The submissions also raise concerns regarding the potential for soil contamination arising from the proposed development. In particular, observers refer to the risk of contamination associated with the storage and use of diesel and other hazardous substances, as well as the potential for routine losses, accidental spills, and major accident scenarios to result in long-term effects on soils and agricultural lands. A recurring issue raised is the potential impact on farming activity, including ACRES, organic and derogation farming, together with concerns regarding the adequacy of containment, mitigation and ongoing management measures over the operational life of the development.

Response

Construction activities will be undertaken in accordance with a Construction Environmental Management Plan incorporating appropriate measures for soil handling, pollution prevention and the management of accidental spillages. These measures will minimise potential impacts on agricultural land and soil resources.

A robust engineering design has been developed for the project, informed by the site specific geological and hydrogeological conditions, including the potential presence of onsite subsurface karst geology. Section 11.4.2., Chapter 11 Land Soils and Geology, Volume 2 of the EIAR, sets out in detail the key design mitigation measures which have informed the iterative design process, and EIAR. These measures and site-specific design solutions will ensure that there will be no discharge of contaminated water or potentially contaminated water to ground beneath the project site.

The Applicant will ensure that the relevant comprehensive mitigation measures (as detailed in Chapter 5 Biodiversity, Chapter 11 Land Soils and Geology and Chapter 12 Water, and Chapter 18 Schedule of Environmental Commitments) in Volume 2 of the EIAR will be fully implemented.

The findings of the comprehensive site-specific Land, Soils and Geology assessment (Section 11.8, Chapter 11 – Land, Soils and Geology, Volume 2 of the EIAR are summarised as follows:

'The impact on land take is likely to have a negative slight impact on the environment as there is no mitigation for long-term land take of fertile soils. As a result, there will be no significant effects to land during the construction phase as a result of the Proposed Project. The impact to land contamination, overall soils and geology is likely to have a negative imperceptible impact resulting in no significant effects during the construction phase.'

'The impact to land contamination is likely to have a negative imperceptible impact resulting in no significant effects during the operational phase.'

'The impact on soils is likely to have a positive slight impact resulting in no significant effects during the decommissioning phase.'

The risk of contamination associated with the storage and use of diesel and other hazardous substances, as well as the potential for routine losses, accidental spills, and major accident scenarios to result in long-term effects on soils and agricultural lands has been comprehensively assessed in Chapter 11 Land Soils and Geology, Chapter 12 Water, and Chapter 15 Major Accidents and Disasters, Volume 2 of the EIAR. No long-term significant adverse effects will occur, during the construction, operational or decommissioning phases.

Furthermore, the Peaker Plant will operate under an IE licence issued by the Environmental Protection Agency (EPA), ensuring that all emissions are strictly controlled. The licence sets enforceable Emission Limit Values (ELVs) for various media including air, water, and noise, providing clear limits to protect both the environment and human health. Continuous monitoring, reporting, and EPA oversight, guarantee compliance. These regulatory safeguards will ensure that the plant operates safely, that the containment, mitigation and ongoing management measures over the operational life of the development are adequate, and will minimise potential environmental impacts while contributing to the reliable supply of electricity necessary to support Ireland's transition to a low-carbon, net zero energy system.

The plant's performance data will be accessible via. a Licence & Enforcement Access Portal (LEAP), the EPA's public-facing interface, allowing members of the public to view information on the plant's performance. This transparency ensures accountability. During its operation, the Peaker Plant will be minimally crewed with a small, dedicated team who will be responsible for ensuring compliance with the operating IE licence, carrying out routine maintenance, attending meetings, accepting deliveries and security services.

4.4.4 Noise & Vibration

Summary

Across the submissions, comments relating to noise and vibration generally raise concern that the proposed development would introduce significant disturbance into an otherwise quiet rural environment, particularly during both the construction and operational phases. Observers refer to potential noise from plant operation, start-up and shut-down activity, heavy goods vehicle movements, diesel testing, and associated site activity, and contend

that these impacts could adversely affect nearby dwellings, schools, farms, and local businesses. A number of submissions also express concern that vibration arising from construction works, traffic, and plant infrastructure has not been adequately assessed, particularly in relation to residential amenity, adjoining lands, and sensitive rural receptors. Overall, the comments suggest that noise and vibration effects have been underestimated, that cumulative and worst-case scenarios have not been fully considered, and that the proposal would result in an unacceptable deterioration in local amenity and quality of life.

Response

AWN is the noise consultant for this project and prepared Chapter 9 Noise and Vibration, Volume 2 of the submitted EIAR and carried out the assessments presented therein. AWN undertook baseline noise monitoring, conducted detailed noise modelling with consideration of cumulative impacts and prepared the noise and vibration section of the submitted EIAR.

Detailed noise modelling has been undertaken for both the construction and operational phases of the proposed development. Full details of the noise model and inputs are given in Appendix 9.3, Volume 3 of the EIAR. The noise assessment demonstrates that under both normal and emergency operational scenarios, predicted noise levels comply with the relevant assessment criteria and will not result in significant adverse effects on nearby sensitive receptors

The noise and vibration assessment carried out as part of the submitted EIAR is considered robust, comprehensive, and in line with best practice as set out in Sections 9.5.1 and 9.5.3, Volume 2 of the EIAR. The following sections refer to and highlight relevant previous statements within the submitted EIAR and address the items raised in the summary of submissions above.

Construction Noise and Vibration

As per section 9.6.2.3., Volume 3 of the EIAR, the noise measurements were performed using RION NL-53 and RION NL-52 Sound Level Meters. Before and after the survey the measurement apparatus was check and calibrated using a Brüel & Kjær Type 4231 Sound Level Calibrator. Please see Appendix 2 of this response document for details of the instrumentation used in the baseline noise surveys, including applicable calibration certificates.

The EIAR chapter on noise and vibration sets out construction noise and construction vibration guidance used in the assessment in Section 9.5.3.2. Specific construction noise and vibration criteria are set out various sections as follows:

- *Construction Phase Noise Criteria for construction activity in general in Section 9.5.3.3*
- *Construction Phase Noise Criteria for construction traffic in Section 9.5.3.4*
- *Construction Phase Vibration Criteria in Section 9.5.3.5*

The construction phase assessment of the proposed development is described in the following sections of the EIAR:

- *Construction Phase of the Main Site in Section 9.8.1.1, where the effects are found to be negative, not significant and short-term;*
- *Construction of the Underground Cable in Section 9.8.1.2, where the effects are found to be negative, not significant and temporary;*
- *Noise from Horizontal Directional Drilling (HDD) in Section 9.8.1.3 for the underground grid connection where the effects are found to be negative, slight-to moderate and temporary;*
- *Vibration from construction in general is discussed in section 9.8.1.4, where the effects are found to be neutral, imperceptible and short-term;*
- *Vibration from HDD in section 9.8.1.5, where the effects are found to negative, slight-to moderate and temporary, and*
- *Construction Traffic in section 9.8.1.6, where the effects are found to be neutral, imperceptible and short-term.*

Operational Noise

The EIAR noise and vibration sets out operational noise guidance used in the assessment in Section 9.5.3.6. Specific construction noise and vibration criteria are set out various section as follows:

Operational Phase Noise Criteria are described in Section 9.5.3.6. Based on the specific baseline noise survey, the selected noise criteria are 9.5.3.6.4, based on residential uses:

- *Daytime Periods: 55 dB LAr,T;*
- *Evening Periods: 50 dB LAr,T;*
- *Night-time Periods: 45 dB LAeq,T, and*
- *Emergency Operation: 55 dB LAeq,T.*

Details of the modelling parameters used and the input noise emission data are provided in Volume 3 Appendix 9.3 of the EIAR.

Predicted noise levels are presented in Table 9-22 are in the range 33 to 35 dB for normal operations and 20 to 26 dB for emergency operations. These values are well below the night-time noise criteria listed above, and therefore well below the criteria for evening and daytime periods.

Note that the LAeq,T acoustic parameter is used for night-time periods because, as stated in Section 9.5.3.6.4, "plant noise emissions will be designed such that they have no tonal and impulsive characteristics at the nearest NSL", and as such the LAr,T will have the same value as the LAeq,T. This commitment is derived from a standard EPA requirement under for licenced sites, where the NG4 guidance applies.

In addition, the assessment of significance of the predicted noise levels is presented in Tables 9-23 to Table 9-25. The effects are negative and long-term and range from imperceptible to slight-to-moderate.

Underestimation of Effects

The submitted noise impact assessment in the EIAR is robust and has been carried out in line with current standards and best practice guidelines. The submitted EIAR Noise and Vibration assessment demonstrates that the proposed development

will be constructed and can operate within the noise criteria derived from the relevant guidance. This document has referenced the relevant sections of the EIAR to comprehensively address the concerns and comments relating to noise and vibration within the submitted summary of submissions.

4.4.5 Lighting

Concerns were raised in a number of submissions regarding the potential lighting impacts associated with the proposed development. In particular, observers submitted that permanent and operational lighting would introduce an intrusive urbanising element into the receiving rural environment, adversely affecting the existing character of the area and the amenity of nearby residential properties and farms. It was contended that lighting associated with the plant, access arrangements, and security infrastructure could result in excessive illumination, glare, and night-time disturbance, with potential effects on nearby dwellings, agricultural activities, and the wider landscape setting. Some submissions also raised concern regarding the adequacy of the assessment of lighting impacts, particularly in relation to adjoining landowners, livestock, and the cumulative visual effect of the development when viewed in combination with other site infrastructure. Overall, the comments maintain that the lighting impacts of the proposal have not been fully or adequately assessed and that the development would give rise to an unacceptable erosion of rural amenity and landscape character.

Response

A comprehensive lighting assessment was completed as part of the planning submission and to inform the design of the project (refer to Appendix 2.3, Volume 3 of the EIAR). The operational lighting for the Proposed Project has been designed in line with Bat Conservation Trust guidance (GN 08/23) as much feasibly possible given operational requirements. In relation to the above summary of submissions on this theme the following design measures are noted:

1. *All perimeter luminaires will be facing into the site*
2. *All luminaires will be dark sky compliant with no upward light*
3. *All perimeter luminaires will be installed with back baffles to reduce light spill*

To minimise light disturbance to bats during the Construction Phase, no construction activities will take place after dark where possible. Where construction works require lighting during evening time, directional lighting will be used to direct light away from trees and hedgerows used by bats. The operational lighting for the proposed project has been designed in line with Bat Conservation Trust guidance (GN 08/23) as much as feasibly possible given operational requirements.

It is noted that there is existing street lighting along the M6 in the vicinity of the M18 interchange. With the exception of the proposed AGI in the south-east of the site the light levels have been designed so as to be less than 1 lux before reaching the existing field boundary. The key area identified for commuting and foraging bats during the bat surveys was the mature treeline along the northern field

boundary. Light levels will be below 1 lux before reaching this boundary and in most cases less than 0.5 lux. Additionally, the extensive screening planting will reduce light spill further as the trees mature.

The impact of all elements of the project, including lighting, on the character of the area was assessed as part of the preparation of Chapter 6 Landscape and Visual. This has been addressed in sections 2.1.3 and 4.7.1 of this response template.

4.5 Biodiversity & Designated Sites

4.5.1 Loss of Habitat and Tree Removal

Summary

A recurring concern relates to the reported removal of mature woodland, trees, and vegetation in advance of the application, with submissions arguing that this has already resulted in habitat loss and reduced the ecological value of the site. Observers contend that the loss of existing screening and vegetation is significant in biodiversity terms and may also undermine the accuracy of the ecological baseline used in the assessment.

Response

The Applicant acknowledges the importance attached by local residents to the protection of biodiversity. Comprehensive ecological surveys have informed both the design of the project and the mitigation strategy. Subject to implementation of the proposed mitigation measures, no significant adverse effects on protected habitats or species are predicted.

A third-party appeal submission includes a video from an unknown date and that is said to be of the site and asserts that the lands formerly comprised a biodiversity-rich holding with woodland which has since been cleared. It is incorrectly claimed that the clearance was to facilitate the proposed development. It is important to note that the applicant did not have ownership or control of the site at the time this video was taken nor was it in control of the site at the time of the clearance. The site clearance was not carried out upon the instruction of the applicant and the applicant has no knowledge or details of same. Accordingly, the application has been prepared and assessed based on the existing condition of the site at the time of submission, which represents the appropriate baseline for consideration. No further comment is considered necessary in this regard.

4.5.2 Impacts on Protected Species and Local Ecology

Summary

A number of submissions raise concern regarding potential impacts on protected species and local ecological receptors, including bats, ponds, and habitats associated with the rural landscape. In particular, it is argued that the development could affect species movement, foraging, roosting, and the ecological function of adjoining lands and landscape features.

Response

The potential for impacts on protected sites (European and national) and sensitive habitats or species as a result of the Proposed Peaker Plant construction or

operation have been considered in detail in the EIAR and NIS. These reports have been prepared in line with all relevant European and national legislation, and the most up to date guidance documents available. Where required design and mitigation measures have been developed to reduce any potential impacts. In addition, the landscaping plan includes significant tree planting along the boundary of the site and new hedgerows along the access road which are habitats that are rare in the area. The EIAR and NIS concluded that there would be no significant impact on protected species or local ecology due to construction or operation of the Proposed Project (no adverse effects on the integrity of Natura 2000 sites which were screened in for the NIS). Please also refer to response set out in section 3.1 of this report which deals with similar themes.

4.5.3 Designated Sites

Summary

Concerns were raised in a number of submissions regarding the potential for indirect effects on designated sites, including Natura 2000 sites, arising from the site's location within a sensitive karst hydrogeological environment. In particular, observers referred to the possibility that fuel spills, contaminated runoff, firewater, or other pollutants could travel through groundwater or other hydrological pathways and affect downstream ecological receptors and European sites. Some submissions also questioned the adequacy of the Natura Impact Statement and the associated assessment, particularly in relation to pathway connectivity, accidental events, cumulative effects, and worst-case scenarios.

Response

Clarifications to comments on hydrological connectivity, artificial lighting and disturbance, the ornithological baseline, bat impacts, mitigation measures and in-combination effects have been provided in section 3.1.3 to 3.1.8 of this document. In short the relevant detail as it relates to European sites and their Qualifying interests and associated Conservation objectives has been sufficiently discussed within the NIS, with regard to the sensitivity and suitability of the habitats present on and neighbouring the proposed Peaker Plant site and potential pathway for impact give the proposed construction methods, design detail and emissions.

A broader assessment of potential impacts on biodiversity is provided in Chapter 5 Biodiversity, Volume 2 of the EIAR.

In relation to potential impacts due to fuel spills, contaminated runoff, firewater, or other pollutants extensive detail has been provide on methods used to prevent contamination of ground or surface waters (NIS – Cashla Peaker Plant V3 Final, Sections 1.3.5 – 1.3.8). Measures include sealed concrete bunded areas for fuel delivery and storage, control measures to divert contaminated water away from the stormwater soakaway to underground storage tanks, and an onsite package domestic Waste Water Treatment Plant (WWTP) which will discharge to a underground storage tank, that will be emptied by tanker once a week and taken to a WWTP for disposal by a licensed disposal company.

4.6 Roads and Traffic Safety

4.6.1 Road Network Capacity and Suitability

Summary

Concerns were raised in a number of submissions regarding the suitability of the local road network to accommodate the traffic associated with the proposed development. In particular, observers submitted that the L3103 and surrounding local roads are narrow, rural in character, and constrained in width and alignment, and are therefore not considered suitable for the volume and type of traffic that would arise during both the construction and operational phases. Particular concern was expressed in relation to the movement of heavy goods vehicles, abnormal loads, fuel deliveries, and construction traffic on roads which currently serve local residential, agricultural, and school-related functions.

Response

The Transport Assessment has considered the concerns raised regarding construction traffic, road safety and local accessibility. The assessment demonstrates that the existing road network can accommodate the predicted traffic associated with the proposed development and that appropriate traffic management measures will minimise temporary construction effects. Construction traffic will be managed through a Construction Traffic Management Plan to be agreed with the relevant authorities prior to commencement of development.

The concerns raised in relation to the suitability and capacity of the local road network, including the L3103 and surrounding rural roads, are noted. A detailed assessment of traffic generation, road capacity, abnormal load transport and mitigation measures has been undertaken and is set out within Chapter 10 Traffic and Transportation, Volume 2 of EIAR, supported by the Construction Traffic Management Plan (EIAR Volume 3, Appendix 2 Part 11), Exceptional Abnormal Load Report (EIAR Volume 3, Appendix 2 Part 6), and Pavement Analysis report (EIAR Volume 3, Appendix 2 Part 4).

Construction Traffic and Network Capacity

Baseline traffic surveys undertaken on the L3103 indicate relatively low existing traffic volumes, with peak flows of approximately 280 pcu/hr (AM peak) compared to an assessed road capacity of approximately 1,500 vehicles/hr.

The Construction Traffic Management Plan confirms that even under a worst-case construction scenario, the cumulative traffic generated by the development remains well within the available capacity of the local road network, with the resulting impact described as negligible. (EIAR Volume 3 - Appendix 2 - 11 CTMP).

Construction traffic is also temporary in nature, with the construction phase being the only period during which any perceptible increase in traffic occurs. (EIAR Volume 3 - Appendix 2 - 11 CTMP).

Control and Phasing of Construction Traffic

A comprehensive Construction Traffic Management Plan (CTMP) will be developed by the contractor and implemented in consultation with Galway County Council, TII and other relevant authorities prior to commencement of works.

The CTMP includes the following key mitigation measures: (EIAR Volume 3 - Appendix 2 - 11 CTMP),

- *Routing strategy: HGV traffic will be directed via national and regional roads (M6, M17, M18, R339, R348) and routed away from local communities where possible, limiting reliance on local roads such as the L3103. (EIAR Volume 3 - Appendix 2 - 11 CTMP),*
- *Traffic management measures: Including temporary traffic controls, signage, speed management and enforcement procedures. (EIAR Volume 3 - Appendix 2 - 11 CTMP),*
- *Restricted delivery hours: HGV movements will be limited to off-peak periods (typically 09:00–16:00 weekdays) to avoid interaction with peak commuter and school traffic. (EIAR Volume 3 - Appendix 2 - 11 CTMP),*
- *Community protection measures: Deliveries will avoid school opening/closing times and sensitive local events. (EIAR Volume 3 - Appendix 2 - 11 CTMP),*
- *On-site parking and shuttle systems: To prevent roadside parking and minimise local traffic interaction. (EIAR Volume 3 - Appendix 2- 11 CTMP),*

These measures will be monitored and updated throughout the construction phase as part of an adaptive ("live") CTMP. (EIAR Volume 3 - Appendix 2 - 11 CTMP),

Heavy Goods Vehicles and Abnormal Loads

The number of heavy vehicle movements associated with construction has been quantified and is relatively low when distributed over the construction period (e.g. approximately 4 two-way HGV movements per hour during peak earthworks activities). (EIAR Volume 3 - Appendix 2 - t 11 CTMP),

Abnormal loads (e.g. turbine, generator, transformer) will be limited to a small number of movements (3 no.), and will:

- *Be transported outside peak hours (including potential night-time delivery),*
- *Be escorted and controlled,*
- *Follow a pre-assessed and approved haul route (Blue Route),*
- *Be subject to detailed permitting and coordination with An Garda Síochána and the road authorities, and*
- *Be preceded by route surveys and structural assessments of bridges and pavements. (EIAR Volume 3 - Appendix 2 - t 11 CTMP), (EIAR Volume 3 - Appendix 2- 6 EAL Report)*

The Abnormal Load Assessment confirms that the selected route can safely accommodate these loads under controlled conditions. (EIAR Volume 3 - Appendix 2- 6 EAL Report)

Pavement Capacity and Structural Suitability

A detailed pavement structural assessment of the haulage routes, including sections of the L3103, has been undertaken using FWD testing, GPR surveys and IAPDM analysis.

This assessment concludes that:

- *All assessed pavement sections have sufficient structural capacity to accommodate the abnormal load transport. (EIAR Volume 3 - Appendix 2 - 4 Pavement Analysis)*
- *The cumulative loading from heavy transport represents only a small proportion of residual pavement life, with no strengthening works required. (EIAR Volume 3 - Appendix 2 - 4 Pavement Analysis)*
- *The combined impact of background traffic and construction traffic remains well within the long-term structural capacity of the network. (EIAR Volume 3 - Appendix 2 - 4 Pavement Analysis)*

Road Safety and Environmental Controls

The Outline Construction Environmental Management Plan (CEMP) further supports the CTMP and includes measures for:

- *Traffic risk assessment and mitigation,*
- *Monitoring and compliance during construction, and*
- *Coordination with stakeholders to minimise impacts on local communities. (EIAR Volume 3 - Appendix 2.10. CEMP)*

While the concerns raised in submissions regarding the rural nature of the local road network are acknowledged, the assessment demonstrates that:

- *The existing network has adequate capacity to accommodate the proposed traffic,*
- *Construction traffic impacts are temporary and controlled,*
- *Robust traffic management and routing strategies are in place to minimise impacts on local receptors, and*
- *The structural integrity of roads and structures has been verified for heavy and abnormal loads.*

Accordingly, the proposed development can be accommodated on the existing road network without significant adverse impact, subject to the implementation of the CTMP and associated mitigation measures.

4.6.2 Construction Traffic and Associated Disruption

Summary

A number of submissions raised concerns regarding the extent of construction traffic likely to be generated by the proposed development and the associated disruption that may arise over the construction period. In this regard, observers referred to the potential for road closures, temporary traffic management measures, delivery constraints, and general disruption

to normal movement patterns in the area. It was contended that the scale and duration of construction activity would adversely affect accessibility for local residents, farmers, businesses, and service providers, and that the full extent of likely disruption has not been adequately assessed.

Response

The concerns raised regarding the scale of construction traffic, including potential disruption arising from road closures, traffic management measures and impacts on local accessibility, are noted. These matters have been comprehensively assessed within the Construction Traffic Management Plan (CTMP) (EIAR Volume 3, Appendix 2 - 11) and Chapter 10 of the submitted EIAR, as outlined in the response to Section 4.6.1. above which confirms that construction traffic will be relatively modest when considered against the available road capacity and total traffic flows remain well within the operational capacity of the L3103 and surrounding network.

Road Closures and Traffic Management Measures

The potential for disruption due to roadworks and utility installation (particularly the UGC route) has been fully considered and explicitly assessed in the CTMP. This includes:

- *Planned and phased road closures, limited in duration (e.g. sections of the L3103 subject to short-term works, with defined closure periods for cable installation and reinstatement works). (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Implementation of partial closures and shuttle (stop/go) systems, maintaining traffic flow where feasible, particularly on the L3103. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Use of diversion routes and staged construction to maintain local access at all times. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Maintenance of continuous access for residents, farms and businesses, with works sequenced in short sections (typically 30–50m) to avoid blocking access. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Provision for emergency access at all times, including temporary reinstatement measures where required. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

These measures demonstrate that disruption has been carefully planned, quantified and mitigated, rather than unassessed.

Mitigation of Impacts on Local Receptors

To minimise disruption to local residents, farmers, businesses and service providers, a range of mitigation measures will be implemented, including:

- *Restriction of HGV movements to off-peak hours (typically 09:00–16:00) to avoid commuter and school traffic; (EIAR Volume 3 - Appendix 2 - Part 11 CTMP)*
- *Avoidance of school start/finish times and sensitive local events; (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

- *Advance consultation and coordination with local stakeholders and the planning authority; (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Clear signage, traffic management and communication measures to inform road users; (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Ongoing monitoring and adjustment of traffic management arrangements throughout the construction phase. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Adaptive and Controlled Approach

Importantly, the CTMP is defined as a 'live' document, which will be finalised prior to construction and updated in consultation with Galway County Council, TII and relevant stakeholders to address any emerging issues or site-specific constraints. (EIAR Volume 3 - Appendix 2 - 11 CTMP)

Conclusion

While it is acknowledged that some temporary disruption is inevitable during a project of this nature, the extent of construction traffic and associated impacts has been fully assessed and transparently documented. As set out in the response to Section 4.6.1:

- *Traffic volumes remain within network capacity,*
- *Disruption is temporary, localised and managed, and*
- *Robust mitigation and traffic management measures are proposed to maintain access and minimise impacts.*

Accordingly, the Applicant considers that the likely level of disruption has been appropriately assessed and can be effectively managed through the implementation of the CTMP and associated controls.

4.6.3 Road Safety and Vulnerable Road Users

Summary

Submissions also raised concerns regarding the implications of development-related traffic for road safety, particularly having regard to the presence of vulnerable road users in the area. In this respect, observers highlighted the interaction of construction and operational traffic with pedestrians, cyclists, school traffic, agricultural vehicles, and local residents using the road network on a daily basis. Particular concern was expressed regarding school-time movements and the safety of children and families using the L3103 and surrounding roads, with it being submitted that the proposal would give rise to unacceptable additional risk in an already constrained rural road environment.

Response

The concerns raised in relation to road safety and the interaction of development-related traffic with vulnerable road users (including pedestrians, cyclists, school traffic, agricultural vehicles and local residents) are acknowledged. These issues have been ***fully considered within the Construction Traffic Management Plan (CTMP)*** *and associated EIAR assessments, and are addressed through a*

combination of traffic management, routing strategy and operational controls, as outlined in the responses to Sections 4.6.1 and 4.6.2 above.

Baseline Road Environment and Traffic Characteristics

The receiving road network, including the L3103, is characterised by relatively low baseline traffic volumes, with peak flows significantly below available capacity.

While the rural nature of the road network and presence of vulnerable users is recognised, the low traffic environment provides capacity to accommodate additional traffic without materially increasing risk, particularly where appropriate controls are implemented. (EIAR Volume 3 - Appendices - Appendix 2 - Part 11 CTMP)

Nature and Scale of Additional Traffic

As set out previously (Section 4.6.1 and 4.6.2):

- *Construction traffic is temporary, controlled and limited in scale,*
- *HGV movements are relatively low in frequency (approx. 4 two-way movements per hour at peak), and*
- *Operational phase traffic is very low due to the limited staffing requirements of the facility. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Accordingly, the magnitude of additional traffic interacting with vulnerable users is modest and short-term.

Protection of Vulnerable Road Users

The CTMP includes a range of specific mitigation measures designed to safeguard vulnerable road users, including:

1. Timing Controls (Critical for School Safety)

- *HGV movements restricted to off-peak hours (typically 09:00–16:00) to avoid school opening/closing periods and peak commuting times. (EIAR Volume 3- Appendix 2 -11 CTMP)*
- *Explicit requirement to avoid passing schools at opening and closing times where reasonably practicable. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

2. Traffic Routing Strategy

- *Construction traffic will be directed primarily via national and regional roads (M6, M17, M18, R339, R348), minimising interaction with local roads and residential areas. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Use of the L3103 is limited to the final access, reducing exposure of vulnerable users along extended sections of local roads. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

3. Traffic Management and Speed Control

- *Implementation of temporary traffic management measures, including signage, stop/go systems and controlled access. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

- *Driver awareness and induction procedures, emphasising safe driving behaviour in rural and sensitive environments. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Adherence to appropriate speed limits for construction traffic, with particular care in areas of known local activity. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Abnormal Load Safety Controls

For large deliveries (e.g. turbine, generator):

- *Movements will be fully escorted and coordinated with An Garda Síochána and road authorities,*
- *Delivered outside of peak traffic periods, and*
- *Managed under strict permit and safety procedures, including controlled speeds and traffic exclusion where required. (EIAR Volume 3 - - Appendix 2- 6 EAL Report), (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Maintaining Local Access and Visibility

- *Continuous access maintained for residents, farms and local users throughout construction. (EIAR Volume 3 - Appendices - Appendix 2 - Part 11 CTMP)*
- *Works undertaken in short sections (30–50m) to minimise disruption and avoid unsafe interactions. (EIAR Volume 3 - Appendices - Appendix 2 - Part 11 CTMP)*
- *Provision of clear signage and advance warning of works, improving awareness for all users. (EIAR Volume 3 - Appendices - Appendix 2 - Part 11 CTMP)*

Ongoing Monitoring and Adaptive Management

As noted in previous responses:

- *The CTMP is a "live" document,*
- *It will be finalised prior to construction in consultation with Galway County Council, TII and relevant stakeholders, and*
- *It will be monitored and updated throughout the construction phase to respond to any safety concerns or local issues. (EIAR Volume 3 - Appendices - Appendix 2 - Part 11 CTMP)*

Conclusion

The Applicant acknowledges the importance of road safety, particularly in a rural context with vulnerable road users. However, as demonstrated in Sections 4.6.1 to 4.6.2:

- *The scale of additional traffic is limited and temporary,*
- *Sensitive receptors (including school traffic) are specifically protected through timing restrictions and routing controls, and*

- *A comprehensive suite of mitigation measures is in place to manage interactions between construction traffic and vulnerable users.*

On this basis, it is considered that road safety risks can be effectively mitigated and managed, and that the proposed development will not result in an unacceptable impact on vulnerable road users.

4.6.4 Site Access and Junction Safety

Summary

Concerns were also raised in relation to the adequacy of the proposed site access arrangements and the safety of vehicles entering and exiting the site. In this regard, submissions questioned the suitability of the proposed entrance location, sightlines, turning movements, and general junction design, particularly in the context of increased HGV traffic and abnormal loads. It was contended that the proposed access arrangements may not provide a satisfactory or safe means of access to serve the development and that further assessment of junction safety is required.

Response

The concerns raised in relation to the adequacy of the proposed site access, including entrance location, sightlines, turning movements and junction safety, are noted. These matters have been fully assessed and addressed within the submitted design documentation and supporting analysis, including the Civil Engineering Planning Report and detailed access drawings (Drawing No. PEK3-ATK-ZZ-01-DR-CE-901200 – Site Access Sightlines).

Design of Site Access and Junction Layout

The proposed development includes the provision of a new dedicated access road (approximately 1.15 km in length) connecting the site to the L3103. (EIAR Volume 3 - Appendix 2 - 1 Civil Engineering Report)

This purpose-built access ensures that:

- *Site traffic is segregated from existing roadside activity where possible,*
- *Vehicle movements are channelled through a controlled access point, and*
- *The junction is designed specifically to accommodate the anticipated vehicle types, including HGVs and abnormal loads.*

Swept Path Analysis and Vehicle Manoeuvrability

A swept path analysis has been undertaken for:

- *Standard Heavy Goods Vehicles (HGVs), and*
- *Extraordinary Abnormal Loads (EALs) associated with turbine, generator and transformer deliveries.*

This analysis demonstrates that:

- *All vehicles can safely enter and exit the site without encroachment outside the carriageway,*

- *Turning manoeuvres at the junction are fully accommodated within the available geometry, and*
- *Adequate space is available to facilitate controlled and safe turning movements.*

This is further supported by the wider abnormal load assessment, which confirms that route geometry, turning constraints and infrastructure interfaces have been assessed in detail and are suitable under controlled conditions. (EIAR Volume 3 - Appendix 2- 6 EAL Report)

Sightlines and Junction Visibility

Design Drawing PEK3-ATK-ZZ-01-DR-CE-901200 demonstrates that:

- *Appropriate visibility splays (sightlines) have been achieved at the proposed access,*
- *The junction design complies with applicable standards for rural road access, and*
- *Drivers exiting the site will have adequate forward visibility in both directions along the L3103.*

These sightlines have been derived from detailed topographical survey data, ensuring that the design reflects actual ground conditions and provides a reliable basis for assessment.

As previously confirmed in earlier responses, sightline assessments have been demonstrated to comply with relevant standards (e.g. DN-GEO-03060), ensuring compliance with national road design guidance.

Integration with Traffic Management Strategy

As outlined in responses to Sections 4.6.1 to 4.6.3:

- *Traffic volumes at the access are limited and controlled,*
- *The majority of HGV traffic is routed via national and regional roads, minimising interaction with local movements, and*
- *Construction traffic is managed through a comprehensive CTMP, including timing restrictions and operational controls. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

This significantly reduces the likelihood of conflict at the site entrance.

Abnormal Load Movements and Junction Control

Abnormal load deliveries will be:

- *Infrequent (limited number of movements),*
- *Pre-planned and pre-agreed with authorities,*
- *Escorted and controlled, and*
- *Undertaken outside peak traffic periods, ensuring minimal interaction with general road users. (EIAR Volume 3 - Appendix 2 - 11 CTMP), (EIAR Volume 3 - Appendix 2- 6 EAL Report)*

These movements are subject to strict permitting procedures, including coordination with An Garda Síochána and the roads authority, ensuring that any temporary impacts on junction operation are safely managed.

Safety Assurance and Compliance

The overall access strategy incorporates:

- *Purpose-designed junction geometry,*
- *Verified vehicle tracking (HGV and EAL),*
- *Compliant sightlines, and*
- *Operational controls through the CTMP.*

Furthermore, as noted in previous responses, the detailed construction-stage arrangements will be finalised and agreed with the Planning Authority and Roads Authority prior to commencement, ensuring that any site-specific requirements are addressed.

Conclusion

The concerns regarding access and junction safety have been fully addressed through design, analysis and mitigation. Specifically:

- *Swept path analysis confirms safe vehicle manoeuvrability,*
- *Sightline drawings demonstrate adequate visibility and compliance with standards,*
- *Traffic volumes are limited and controlled, and*
- *Abnormal load movements are infrequent and tightly managed.*

Accordingly, the proposed access arrangements provide a safe and appropriate means of access to serve the development and do not give rise to unacceptable risks in terms of junction safety.

4.6.5 Access to Properties, Farms and Businesses

Summary

A number of observers further submitted that the proposed development could adversely affect access to adjoining properties, farms, and local businesses, particularly during the construction phase. Concerns were raised regarding potential restrictions on daily access, disruption to agricultural operations, impacts on milk collection and other farm-related movements, and difficulties for emergency services or essential vehicles in the event of temporary road closures or congestion. In this regard, it was argued that the proposal has the potential to interfere with established access arrangements and local economic activity.

Response

The concerns raised regarding potential impacts on access to adjoining properties, farms, businesses and essential services during the construction phase are acknowledged. These matters have been fully considered and addressed within the Construction Traffic Management Plan (CTMP) and associated EIAR

documentation (EIAR, Volume 2, Chapter 10), and have been covered in part within the responses to 4.6.1 – 4.6.3 above.

Maintaining Access to Properties and Farms

The CTMP explicitly provides that continuous access to all properties, farms and businesses will be maintained throughout the construction phase. (EIAR Volume 3 - Appendix 2 - 11 CTMP)

This is achieved through:

- *Phased and sectional working, with construction activities typically limited to short lengths (approximately 30–50 m at a time), thereby ensuring that access is not blocked over extended distances. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Sequencing of works to avoid direct obstruction of entrances, including adjustments where required to maintain access to individual properties or agricultural lands. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Provision of temporary measures (e.g. plated crossings, short reinstated sections) where necessary to facilitate access during works. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

This approach ensures that day-to-day access arrangements remain operational, albeit with short-term and localised management where works are ongoing.

Agricultural Operations and Farm Traffic

The Applicant recognises the rural nature of the area and the importance of agricultural activity, including:

- *Movement of farm machinery,*
- *Livestock transfers, and*
- *Milk collection and farm servicing operations.*

To address this:

- *Construction traffic will be managed and scheduled to minimise conflict with local movements, including agricultural traffic. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *The CTMP includes provisions for liaison with local stakeholders, allowing coordination of deliveries and works with known farming activities and seasonal requirements. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Traffic management arrangements (e.g. stop/go systems) provide controlled and flexible access for local users, including farm vehicles. (EIAR Volume 3 - - Appendix 2 - 11 CTMP)*

Given the low volume and controlled nature of construction traffic, interactions with agricultural operations are expected to be manageable and short-term.

Road Closures and Access Management

As outlined in the previous response (Section 4.6.2), while some temporary road closures or restrictions will be required (particularly for UGC installation), these have been fully assessed and mitigated within the CTMP:

- *Closures are temporary and phased, with defined durations and extents. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Diversion routes are identified and implemented, ensuring continued connectivity across the network. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Importantly, local access is maintained at all times, with closures applying primarily to through traffic only. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

This ensures that properties, farms and businesses remain accessible even where traffic restrictions are in place.

Emergency and Essential Services Access

The CTMP places specific emphasis on ensuring that emergency access is maintained at all times, including:

- *Provision for temporary suspension of works and reinstatement of access routes where required to facilitate emergency vehicles. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Use of temporary traffic management removal and road plating to create safe passage during emergency situations. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Engagement with emergency services and relevant authorities during the finalisation of the Construction Stage Traffic Management Plan. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

This ensures that ambulance, fire and other critical services will not be impeded by construction activities.

Management of Disruption and Local Economic Activity

As outlined in earlier responses:

- *Construction traffic is temporary and limited in scale,*
- *HGV movements are restricted to off-peak hours, reducing disruption to normal activity patterns, and*
- *The CTMP includes provisions for ongoing monitoring, stakeholder engagement and adaptive management. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Additionally:

- *Delivery scheduling will take account of sensitive local activities (e.g. farming operations, community events),*
- *Contractors will be required to coordinate with local stakeholders, and*
- *Traffic management will be continuously reviewed and adjusted to minimise impacts. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Conclusion

The potential impacts on access to adjoining properties, farms and businesses have been fully assessed and addressed through a robust and detailed CTMP, as referenced in previous responses (Sections 4.6.1 – 4.6.3)

In summary:

- *Access will be maintained at all times for residents, farms and businesses,*
- *Any disruption will be temporary, localised and actively managed,*
- *Agricultural and commercial activities will be accommodated through coordination and flexible traffic management, and*
- *Emergency access is fully safeguarded through defined procedures and controls.*

Accordingly, the proposed development is not expected to materially interfere with established access arrangements or local economic activity, and any short-term impacts can be effectively mitigated and managed.

4.6.6 Adequacy of Traffic Assessment

Summary

Overall, it was contended in submissions that the traffic and transport assessment submitted with the application does not adequately assess the likely effects of the proposed development. In particular, observers argued that insufficient regard has been had to cumulative traffic impacts, school-time conditions, abnormal loads, road opening requirements, construction disruption, and worst-case operational scenarios. On this basis, it was submitted that the likely road safety, traffic, and access impacts of the development have been underestimated and that the proposal would result in an unacceptable impact on the safety and accessibility of the local road network.

Response

The concerns raised regarding the adequacy of the traffic and transport assessment, including consideration of cumulative impacts, school-time conditions, abnormal loads, road opening requirements and construction disruption, are acknowledged. However, it is considered that the level of assessment undertaken is appropriate, proportionate and robust, having regard to the nature and scale of the proposed development.

Appropriateness of Assessment Approach

As previously stated:

"The proposed development does not meet the thresholds requiring a full Traffic and Transport Assessment (TTA) due to the lack of operational trip generation. However, a detailed traffic assessment has been carried out and is presented in Chapter 10 (Traffic), Volume 2 of the EIAR, which considers the anticipated traffic generation and associated impacts."

The development is characterised by:

- *Very low operational traffic generation (limited on-site staffing and remote operation), and*

- *Traffic impacts primarily confined to the temporary construction phase.*

Accordingly, a full TTA is not required, and the preparation of a detailed traffic assessment supported by a comprehensive CTMP represents a proportionate and appropriate response.

Scope of Assessment Undertaken

Notwithstanding that a full TTA is not required, the assessment submitted is comprehensive in scope and addresses all key elements raised in submissions, including:

Construction Traffic and Disruption

- *Detailed quantification of construction traffic flows, including staff trips, HGV movements and abnormal loads. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Assessment of network capacity, demonstrating that traffic remains well within available capacity (e.g. L3103 capacity vs. peak flows). (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Full consideration of construction disruption, including road closures, traffic management and mitigation measures through the CTMP. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

School-Time and Peak Period Sensitivity

- *Explicit restriction of HGV and construction traffic to off-peak hours (typically 09:00–16:00). (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Requirement to avoid school opening and closing times, where reasonably practicable. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Abnormal Loads Assessment

- *Dedicated Abnormal Load Assessment undertaken, including:*
    - *Route selection and feasibility analysis,*
    - *Structural assessment of bridges and infrastructure, and*
    - *Operational controls (escorts, speed restrictions, off-peak delivery). (EIAR Volume 3 - Appendix 2- Part 6 EAL Report)*
- *Abnormal load movements are limited in number and tightly controlled, with full coordination with relevant authorities. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Cumulative Traffic Effects

- *The assessment considers combined impacts of construction traffic and baseline flows, demonstrating that cumulative flows remain within capacity. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Pavement and structural assessments include cumulative loading from abnormal loads and background traffic over time, confirming adequate network resilience. (EIAR Volume 3 - Appendix 2 - 4 Pavement Analysis)*

Road Opening and Traffic Management Requirements

- *The CTMP provides a detailed framework for road openings, closures and traffic management, including:*
    - *Phased works,*
    - *Diversion routes,*
    - *Partial closures and shuttle systems, and*
    - *Maintenance of local access at all times. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*

Worst-Case Scenarios

- *The CTMP adopts conservative assumptions, including:*
    - *Worst-case traffic generation rates,*
    - *Concentrated construction periods, and*
    - *Simultaneous construction activities. (EIAR Volume 3 - Appendix 2 - 11 CTMP)*
- *Even under these conditions, impacts are demonstrated to be within acceptable limits.*

Integration with Broader Mitigation Strategy

The traffic assessment is not a standalone document—it is supported by:

- *A Construction Traffic Management Plan (CTMP) (EIAR Volume 3 - Appendix 2 -11),*
- *Abnormal Load Assessment (EIAR Volume 3 - Appendix 2- 6 EAL Report),*
- *Pavement Structural Analysis (EIAR Volume 3 - Appendix 2 - Part 4 Pavement Analysis) and*
- *The Construction Environmental Management Plan (CEMP) (EIAR Volume 3 - Appendix 2 - 11 CTMP).*

Together, these documents provide a multi-layered and robust assessment framework, addressing both operational and construction-related impacts in detail.

Conclusion

While it is acknowledged that submissions have raised concerns regarding the adequacy of the traffic assessment, it is considered that:

- *The level of assessment is proportionate and appropriate, given the low operational traffic generation,*
- *A detailed traffic assessment (rather than a full TTA) is consistent with applicable thresholds and best practice, and*
- *All key issues raised—including cumulative impacts, school-time conditions, abnormal loads, construction disruption and safety—have been explicitly assessed and addressed through supporting documentation.*

As demonstrated in responses to Sections 4.6.1 – 4.6.5

- *Traffic impacts are temporary, limited and within network capacity, and*
- *Robust mitigation and management measures are proposed.*

Accordingly, it is considered that the likely traffic, safety and access impacts of the development have not been underestimated, and can be effectively managed to an acceptable level.

4.7 Landscape, Visual and Heritage Impacts

4.7.1 Landscape and Visual Character

Summary

A number of submissions raised concern regarding the landscape and visual effects of the proposed development. Observers submitted that the proposed peaker plant would introduce a prominent industrial feature into a rural landscape, resulting in significant visual intrusion and an erosion of local rural character. Concerns were also raised regarding the visual impact on nearby dwellings, local roads, farms, and community receptors, as well as the loss of existing vegetation and screening which would increase exposure of the site.

Overall, submissions contended that the landscape, visual and heritage effects of the proposed development have not been fully assessed, particularly in relation to cumulative effects, local receptors, and the wider setting of Athenry.

Response

The Applicant accepts that the proposed development will introduce new built infrastructure into the receiving landscape. However, the relevant planning consideration is whether these effects are unacceptable when assessed in the context of the existing landscape character, the surrounding strategic infrastructure and the proposed mitigation measures. The Landscape and Visual Impact Assessment concludes that they are not.

The landscape and visual matters raised in the submissions principally relate to the scale and industrial appearance of the Proposed Project, the 30m emissions stack, tanks, lighting, perceived conflict with Galway County Development Plan landscape policies, adequacy of the study area, cumulative visual effects, mitigation, and potential impacts on Athenry's rural and heritage setting.

The LVIA in Chapter 6 Landscape and Visual, Volume 2 of the EIAR, acknowledges that the Proposed Project will introduce visual change and assesses the resulting landscape and visual effects using a structured GLVIA3 (Guidelines for Landscape and Visual Impact Assessment, Third Edition) based methodology. The assessment considers landscape character, landscape value, susceptibility, sensitivity, magnitude of change and residual effects. It also separately assesses visual receptors and representative viewpoints, supported by ZTV mapping, viewpoint photography and verified photomontages.

In response to matters raised that the proposal would industrialise an otherwise unmodified rural landscape, Chapter 6 assesses the site in its actual receiving context. The site is located in proximity to major existing infrastructure, including

the M6/M17/M18 motorway corridor and existing overhead transmission infrastructure. The LVIA therefore assesses the Proposed Project within a landscape that is already influenced by substantial transport and electricity transmission infrastructure rather than as a standalone industrial facility within an isolated rural setting. The Proposed Project is therefore assessed within a receiving environment influenced by existing transport infrastructure and overhead transmission infrastructure which contribute to the existing landscape character and visual context.

The submissions suggest that the proposal may conflict with Policies LCM1, LCM2, LCM3 and GB1 of the Galway County Development Plan. However, the LVIA findings indicate that while localised adverse visual effects would occur, the wider landscape character effects are limited. Chapter 6 acknowledges adverse effects in certain localised views, but concludes that operational effects on the Central Galway Complex Landscape Type would be Slight Adverse and that effects on the Urban Environs/Athenry Landscape Character Type would be Neutral and not significant. The presence of some localised visual effects does not equate to a fundamental alteration of the wider landscape character or an automatic policy conflict.

In this regard, the LVIA demonstrates that the Proposed Project has been assessed having regard to the character, sensitivity and visual context of the receiving landscape. The development incorporates landscape mitigation measures including planting and boundary treatment and has been assessed within a landscape context influenced by existing transport and electricity transmission infrastructure. While the LVIA identifies significant visual effects at a limited number of nearby viewpoints, it does not identify a significant adverse effect on the wider landscape character resource and therefore does not support the view that the Proposed Project would undermine the objectives of Policies LCM1, LCM2, LCM3 or GB1 relating to landscape protection, landscape sensitivity and integration of development into its surroundings.

Regarding the study area, the LVIA adopted a 3.5 km radius, supported by ZTV analysis and field survey. While some submissions refer to Galway County Council's recommendation for a 5 km study area, GLVIA3 does not prescribe a fixed study area and requires the extent of assessment to be proportionate to the likely extent of significant effects. The LVIA study area was informed by ZTV analysis, field survey and viewpoint selection. The assessment was supplemented by ZTV mapping and representative viewpoints, including views from different directions and from motorway overbridges. Representative viewpoints were selected to assess likely visual effects from a range of receptor locations and viewing directions. The viewpoint material therefore provides a proportionate assessment of likely visibility and visual effect.

Submissions also suggest that visual impacts were assessed in isolation. However, the photomontages, ZTV analysis and viewpoint assessments present the Proposed Project as a single development comprising the various buildings and structures, including the ESB substation building and compound, administration building, workshop building, turbine and exhaust stack, fuel tanks, telecommunications mast and associated infrastructure, together with fencing, access roads, lighting and proposed mitigation planting. The visual assessment

therefore considers the combined appearance of the Proposed Project as experienced by receptors rather than assessing individual components in isolation. Chapter 16 Cumulative Impacts, Volume 2 of the EIAR, also addresses cumulative landscape and visual effects with other relevant developments.

The submissions are correct that the emissions stack and other upper elements will remain visible from some locations. However, GLVIA3 does not require complete screening of a development in order for mitigation to be effective. The mitigation strategy is intended to reduce, soften and filter views of lower and mid-level infrastructure through planting, mounding, hedgerow reinforcement and appropriate finishes. Residual visibility of taller elements is acknowledged in the LVIA and reflected in the reported effects. The verified photomontages demonstrate that the emissions stack would remain visible from certain locations, and this visibility is expressly reflected in the assessment conclusions rather than being omitted from the evaluation.

In relation to Athenry and heritage/tourism concerns, the LVIA and ZTV material indicate that visibility reduces with distance and is influenced by topography, vegetation, buildings and intervening infrastructure. Chapter 6 concludes that the Urban Environs/Athenry Landscape Character Type would experience Neutral effects during construction, operation, decommissioning and post-decommissioning. On that basis, the EIAR does not support the view that the Proposed Project would fundamentally compromise Athenry's landscape setting or heritage/tourism value.

In respect of pre-application felling, the LVIA assesses the receiving environment as it existed during the baseline surveys. The assessment is therefore based on the landscape condition at the time of the EIAR surveys. Proposed landscape planting, establishment maintenance and a landscape management plan are identified to ensure successful long-term establishment of mitigation planting.

Overall, the observations identify a range of matters relating to visual change and landscape character. However, Chapter 6 provides a structured and proportionate LVIA, supported by ZTV mapping, viewpoint photography and verified photomontages. The EIAR acknowledges localised adverse visual effects but does not conclude that the development would give rise to unacceptable landscape-wide effects or a fundamental conflict with the relevant Galway County Development Plan landscape policies. Accordingly, the LVIA demonstrates that the Proposed Project can be accommodated within the receiving landscape subject to the mitigation measures identified in the EIAR.

4.7.2 Heritage Impacts

Summary

Some submissions also raised concerns regarding the effect of the proposed development on the setting of Athenry as a historic and heritage town. In this regard, it was submitted that the introduction of a substantial industrial development on the rural approach to the town would detract from its heritage setting and overall character.

Response

The Zone of Theoretical Visibility (ZTV) analysis clearly showed that the proposed development will not be visible from the historic town of Athenry. Potential impacts on the setting of the historic town were assessed in Chapter 13 Cultural Heritage, Volume 2 of the EIAR. The findings of this assessment concluded:

> *'The ZTV overlay shows that the proposed project is not visible from either the historic core of Athenry or the Architectural Conservation Area. There is a very small overlap (0.269ha) of the ZTV for the upper sections of the plant with the RMP Zone of Notification surrounding the town. However, in this area the Zone of Notification appears to be an amalgamation of the Zones of Notification for two other RMPs with that of the historic town. These are a Fair Green (GA084-110----), which is a redundant record, and a Road/trackway (GA084-113----) which lies under a modern housing development.*
>
> *Therefore, there should be no visual impact on the historic town. In terms of the impact on the general setting of the town, the site is in a largely rural, agricultural landscape, but 19th century mapping shows that the area of the proposed project was a wet, marshy landscape and not part of the agricultural hinterland which surrounded the town. The fields were improved during the 19th century which created the modern field pattern. This area was therefore unlikely to have been historically associated with the town. As such, the Proposed Project will have no predicted effect on the Athenry ACA or the historic character of the area.'*

4.8 Major Accidents, Seveso and Emergency Responses

4.8.1 Major Accidents and Seveso Directive

Summary

A significant number of submissions raised concerns regarding the potential for major accident scenarios associated with the proposed development, having regard to the storage and handling of gas and diesel, fuel transfer activities, plant operation, and associated infrastructure. Observers referred to the possibility of accidental releases, equipment failure, abnormal or fault conditions, and other incident scenarios, and contended that the nature of the proposal gives rise to inherent risks that require further consideration.

Submissions also questioned the adequacy of the assessment, with observers arguing that it relies too heavily on standard operating assumptions and does not sufficiently address more severe or worst-case scenarios, including extended operation, increased diesel reliance, multiple failure events, and cumulative environmental or public safety consequences.

Specific concerns were raised in relation to fire, explosion, emergency response, and potential off-site effects. A number of submissions referred to the possible consequences of such events for nearby dwellings, schools, farms, businesses, and other sensitive receptors in the surrounding area.

A number of submissions raised specific concerns regarding the COMAH / Seveso status of the development and the adequacy and clarity of the hazard documentation submitted. Observers questioned whether the proposal has been appropriately assessed having regard to the Seveso III Directive, including the approach to bund overtopping and firewater management, and referred to apparent inconsistencies or lack of clarity within the technical documentation.

Response

A number of submissions raise concerns regarding major accident hazards and emergency response. These matters have been assessed having regard to the nature of the proposed development, the quantities of hazardous substances involved and the applicable regulatory framework. Operational safety will also be subject to separate statutory regulation by the Health and Safety Authority and the Environmental Protection Agency.

In relation to diesel storage, tanks will be double skinned which "represents the lowest risk and eliminates Major Accidents to the Environment from consideration" (HSA, 2023).

A COMAH Land Use Planning quantitative risk assessment was completed in accordance with the methodology set out in the Health and Safety Authority's Guidance on technical land-use planning advice for planning authorities and COMAH establishment operators (HSA, 2023). The assessment assessed worst case catastrophic failure cases and bund overtopping scenarios as well as lower consequence leak scenarios leading to fire or explosions. The assessment concludes that the level of individual and societal risk arising from the proposed development is acceptable when compared to criteria for new developments as per HSA guidance (cited above).

The Health and Safety Authority reviewed the technical land use planning QRA and issued a letter to An Coimisiún Pleanála stating that "On the basis of the information supplied, the Authority has determined that the siting criteria for new establishments have been met (see page 10, section 1.4 of above referenced guidance document). Accordingly the Authority DOES NOT ADVISE AGAINST the granting of planning permission in the context of major accident hazard."

4.8.2 Emergency Response

Summary

Concerns were also raised regarding the adequacy of emergency response planning, including emergency service access, evacuation procedures, and the ability to respond effectively to a major incident in light of the site's proximity to residential, educational, and agricultural receptors.

Response

In relation to emergency response planning, at operational stage a Major Accident Prevention Policy (MAPP) and a Safety Management System (SMS) which will include Emergency Response Procedures for responding to fire events, spills and gas releases will be prepared prior to commencement of operations. The MAPP and SMS will include the information listed in Schedule 2 of the Chemicals Act

(Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015. It will be submitted to the Health and Safety Authority for approval in advance of the commencement of operations at the Peaker Plant.

Where necessary, the Peaker Plant operator will engage with the local competent authorities (fire service, ambulance service and An Garda Síochána) in relation to emergency response.

4.9 Landownership

Summary

Concerns were raised in a small number of submissions regarding landownership and adjoining property issues associated with the proposed development. In particular, observers questioned whether sufficient legal clarity has been provided in relation to all lands required to facilitate the development, including the cable route and associated infrastructure. Related concerns were also raised regarding the effect of the proposal on adjoining landowners, including potential impacts on access, boundaries, vegetation, and private property interests, with it being contended that these matters have not been fully addressed in the application documentation.

Response

The proposed development subject of this planning application will be carried out entirely within the red-line boundary shown on the site Layout plans (Refer to site layout plan drawings included in the planning application drawings pack with the Drawing Ref Nos: PEK3-ATK-ZZ-01-DR-CE-900030 to PEK3-ATK-ZZ-01-DR-CE-900036 inclusive). The relevant landowner consents were submitted with the planning application. As confirmed in section 2.1.5.1 above, no additional third-party lands or boundaries are affected or required to facilitate access to the proposed development.

The grid connection cable route does not form part of this planning application and therefore the relevant landowner consents for this element of the project were not included in this planning application pack. The applicant can confirm that the relevant consents were provided within the planning application pack submitted under Case Ref: ACP-324162-26 for the associated 220kV Substation and grid connection.

Concerns were raised by neighbouring landowners with regard to impacts on boundary vegetation as detailed in the 'Tree Survey Report' (Volume 3: Appendices, Appendix 5-2). In respect of concerns raised regarding G4-C2 bushes, the applicant can confirm that only bushes originating or growing on land to the west of the wall and within the development site boundary are proposed for removal as shown on the tree protection plan drawings included in the Tree Survey Report (Drawing Numbers: 25026_TPP-Sheet 2 to 25026_TPP-Sheet 5 inclusive). In respect of concerns raised regarding tree group G5, as can be seen on Drawing Number: 25026_TPP-Sheet 5 in the Tree Survey Report, the trees recommended for removal are within the site boundary (T667-T670 inclusive). There is one tree within the area that is outside the project boundary (T666) however this is noted on the drawings as 'recommended for coppicing'. This is a recommendation only and is not required to facilitate the development.

It is noted that the Tree Survey report includes specific measures to ensure that trees within the G5 group identified for retention both inside and outside the project boundary are protected (refer to page 14 of the Tree Survey Report, Appendix 5-3, Volume 3 of the EIAR). The mitigation measures were proposed taking into account conservative estimates of stem diameters to calculate root protection areas which were not reduced to reflect possible hindrances to root spread (i.e. the boundary wall and past farming practices etc.). Concerns regarding the installation of proposed temporary fencing near the boundary wall are noted and the applicant can confirm that the fencing is intended to prevent soil compaction and potential root damage occurring before the Cellular Confinement System layer is laid down. It will be erected within the red-line boundary of the site, will not be fixed onto the boundary wall and therefore no significant impact on the wall is expected.

In regard to concerns raised regarding tree removal along the northern boundary of the main peaker plant site, specifically the trees tagged 625, 631, 632, 634 and 645, the applicant notes that the recommendation of the Tree Survey Report is as follows:

> *"The new main facility proposed for the Rathmorrissy site will be positioned in the open part of the site, on land now covered with pasture, so no trees will need to be removed as part of the development…..Because the development would constitute a change in land use and increased occupancy,* ***it is recommended*** *that the trees worst affected by Ash dieback disease and structural defects are felled or coppiced as part of the enabling works for the project. This would include the trees tagged 625, 626, 630, 631, 632 ,634, 639, 643, 645 and the group of young Ash trees labelled group G1." [emphasis added]*

Trees 625, 631, 632, 634 are all category U Ash trees suffering badly from Ash dieback disease and are within the project boundary. The applicant notes that Tree 643 is identified as 'tree now standing dead' in the Tree Survey Report and the recommendation by the arborist was to fell the tree. The applicant notes that this tree is located outside the project boundary. The tree survey report provides recommendations only and the removal of this tree is not required to facilitate the prosed development. No felling will take place of trees outside the project boundary.

5. Conclusion

The Applicant acknowledges the concerns expressed by members of the public throughout the consultation process. These submissions have informed careful consideration of the issues raised and have been reviewed alongside the findings of the EIAR, Natura Impact Statement and accompanying technical reports. Having regard to the environmental assessments undertaken, the proposed mitigation measures and the applicable legislative and policy framework, the Applicant considers that the matters raised in the public submissions have been comprehensively addressed and do not alter the overall planning conclusions reached in support of the proposed development.

Appendix 1 Recommended Conditions by Galway County Council and Applicant Response

Recommended Condition	Applicant Response
1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Reason: In the interest of clarity.	*The applicant welcomes inclusion of the same.*
2. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this order. Reason: In the interest of clarity and the proper planning and sustainable development of the area.	*The applicant welcomes inclusion of the same.*
3. The operational life of the natural gas-fuelled electricity generation plant shall be up to and including 31 December 2050, unless planning permission has been granted for its continued operational use for a further period. The natural gas-fuelled electricity generation plant shall be decommissioned in accordance with a decommissioning strategy that shall be submitted to and agreed in writing with the Planning Authority within 5 years of the date of the grant of permission. Reason: To enable the Planning Authority to review its operation in the light of the circumstances then prevailing and the proper planning and sustainable development of the area.	*The applicant welcomes inclusion of a similar condition amended as shown in red font below:* *3. The operational life of the natural gas-fuelled electricity generation plant shall be up to and including 31 December 2050, unless planning permission has been granted for its continued operational use for a further period.* *Prior to permanent cessation of the development, the developer shall prepare and implement a Closure, Restoration and Aftercare Management Plan (CRAMP) for the site. The plan shall have regard to any closure, restoration, aftercare, financial provision or licence-surrender requirements arising under the applicable Industrial Emissions licence regulated by the Environmental Protection Agency. The CRAMP shall include measures for the safe removal or securing of plant, equipment, fuels, chemicals and wastes; the prevention of pollution during shutdown; and the reinstatement of the*

	site, where required. Evidence of compliance with relevant Environmental Protection Agency licence requirements shall be made available to the planning authority on request. *Reason: To enable the Planning Authority to review its operation in the light of the circumstances then prevailing and the proper planning and sustainable development of the area.*
4. (i) The development shall be carried out strictly in accordance with all of the mitigation measures and monitoring proposals and in accordance with any timelines as set out in the Environmental Impact Assessment Report (EIAR) and appendices. (ii) The services of a suitably qualified and experienced environmental professional shall be retained to oversee and supervise the entirety of the construction works, and to provide monthly electronic reports to the planning authority (Planning and Environment Sections) detailing the stage of the works, and compliance with EIAR (including appendices). They shall be responsible for preparing and submitting quarterly reports to the Planning Authority during construction phase, detailing the results of any proposed monitoring, including the cleaning maintenance and inspection of the on-site systems including the site drainage system and hydrocarbon prevention measures. When site development works are completed, the suitably qualified and experienced environmental professional shall lodge with the planning authority, a certificate indicating completion and compliance with the planning permission. All reports shall be forwarded in electronic format and shall be available to the public on request (iii) The operational phase of the development shall be overseen by an appropriately qualified environmental professional to ensure that the operational mitigation measures as set out in the EIAR are fully implemented. Yearly monitoring reports shall	*The applicant welcomes inclusion of the a similarly worded condition as follows to cover (i) and (ii):* *The development shall be carried out strictly in accordance with all of the mitigation measures and monitoring proposals detailed in the submitted documentation, including the Environmental Impact Assessment Report (EIAR) and the Natura Impact Statement (NIS) shall be implemented in full within the timescales listed in the EIAR and the NIS. The developer shall appoint a project manager with appropriate experience to ensure the implementation of the mitigation measures within the timescales listed* *Response to (iii): The EPA is the statutory body responsible for assessing, issuing and enforcing Industrial Emissions Licences (IELs). The operator will be required to obtain an IEL prior to operation of the Cashla Peaker Plant OCGT. The licence will prescribe binding emission limit values, monitoring requirements, reporting*

be submitted to the planning authority by the annual anniversary of the grant of permission and shall detail the results of any monitoring proposed during operation. (iv) In the event of any incident which poses a significant risk to surface water quality the developer shall immediately notify Inland Fisheries Ireland, the National Parks and Wildlife Service and the Environment Section of Galway County Council. Reason: In the interest of clarity and protection of the environment during construction and operation.	*obligations, accident prevention measures and site closure requirements, including decommissioning obligations.* *Operational environmental controls, including emissions to air, water and land, the prevention of soil and groundwater contamination, and the management of accidental spill risks, fall within the regulatory remit of the EPA. Any potential risks associated with fuel storage or operational activities will be subject to control through the IEL process, including requirements for containment, monitoring and environmental management systems.* *At decommissioning stage, the facility will be required to comply with a site closure and restoration framework approved by the EPA under the Industrial Emissions licensing regime. This ensures that soil and groundwater are protected and that any residual environmental risks are appropriately managed.* *Accordingly, matters relating to emissions control, environmental monitoring and compliance with Industrial Emissions licence requirements fall within the statutory remit of the Environmental Protection Agency and this planning conditions is not required.* *(iv) The applicant welcomes inclusion of this and notes that the IE Licence will include a similar requirement to notify third parties in the event of a particular environmental incident on site.*
5. (i) The development shall be carried out strictly in accordance with all of the mitigation measures as set out in the Natura Impact Statement. If there is a conflict	*(i) The applicant welcomes inclusion of the same.*

between the EIAR, CEMP and the Natura Impact Statement (NIS), the provisions and mitigation measures in the Natura Impact Statement shall take precedence. (ii) During the enabling works/construction stage of the proposed development, the appointed contractor shall adhere to Mitigation Measures as set out NIS. A suitably qualified ecologist shall oversee the implementation of the construction, operation and decommissioning mitigation measures set out in the NIS and shall list and certify that the construction mitigation measures as set out in the NIS have been carried out in full and that all operational mitigation measures are in place. This certification shall be submitted to the planning authority for written agreement prior to the commissioning of any turbine. REASON: In the interest of ensuring the proper planning and sustainable development of the area and in order to protect Natura 2000 sites.	*Minor amendment suggest to item (ii) as the site will be a licenced IE facility and all operational and decommissioning procedures will be monitored by the EPA:* *(ii) During the enabling works/construction stage of the proposed development, the appointed contractor shall adhere to Mitigation Measures as set out NIS. A suitably qualified ecologist shall oversee the implementation of the construction, ~~operation and decommissioning~~ mitigation measures set out in the NIS and shall list and certify that the construction mitigation measures as set out in the NIS have been carried out in full. ~~and that all operational mitigation measures are in place.~~ This certification shall be submitted to the planning authority for written agreement prior to the commissioning of any turbine.*
6. The external finishes, materials and colours of the proposed buildings shall be submitted to and agreed in writing with the Planning Authority prior to commencement of works. Reason: In the interests of visual amenity and orderly development.	*The applicant welcomes inclusion of the same.*
7. The Planning Authority shall be informed in writing of the date of commencement of site development works and shall be given at least two weeks' notice.	*The applicant welcomes inclusion of the same.*

Reason: In the interest of proper planning and sustainable development and to protect the amenity of the area.	
8. The developer shall enter into water connection agreements with Uisce Éireann prior to commencement of development. Reason: In the interests of clarity and public health.	*The applicant welcomes inclusion of the same.*
9. (a) The proposed wastewater treatment system and percolation area shall be designed, installed and operated in accordance with the manufacturer details submitted with the planning application and shall be in accordance with the requirements of the document "Code of Practice Domestic Waste Water Treatment Systems (p.e<10)", Environmental Protection Agency). Any change to an equivalent and equal system shall be agreed in writing with the planning authority prior to works being started and the system being installed and shall be in accordance with the Environmental Protection Agency publication "Code of Practice: Domestic Wastewater Treatment Systems (Population Equivalent ≤10), 2021". (b) The proposed polishing filter shall maintain a minimum separation distance of 10 metres from any house, other percolation area/polishing filter, existing or proposed land drain or watercourse or third-party infiltration area. (c) Immediately following installation, the developer shall submit to the Planning Authority, a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment plant has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the proposed polishing filter is constructed in accordance with the standards set out in the Environmental Protection Agency document.	*The applicant welcomes inclusion of the conditions 9(a)-(e) inclusive.*

(d) A maintenance contract for the treatment system shall be entered into and paid for in advance and shall be kept in place at all times. Signed and dated copies of the contract shall be made available to the Planning Authority on request. (e) Any soil / fill material being imported on site must be free of invasive species such as Japanese Knotweed, Ragwort, Gunnera and Rhododendron. Reason: In the interest of public health.	
10. Prior to commissioning of the Peaker Plant, the Irish Aviation Authority shall be informed of the coordinates of the 30m high gas turbine stack. Any lights or warning devices required by the Irish Aviation Authority shall be installed in accordance with details agreed with the Planning Authority prior to commissioning of the development. Reason: In the interest of public safety.	*The applicant welcomes inclusion of the same.*
11. Prior to the commencement of development, the development shall lodge with the planning authority a cash deposit/bank bond or other such security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of security shall be as agreed between the planning authority and developer or, in default of agreement, shall be referred to An Comisiún Pleanála for determination. Reason: To ensure the site is restored to a satisfactory condition.	*The applicant notes that a financial provision will be required as part of the IE Licence in respect of environmental liabilities, including closure, restoration and aftercare obligations. To avoid duplication, the applicant recommends the following revisions:* *Prior to the commencement of development, the developer shall lodge with the relevant authority a cash deposit/bank bond or other such security as may be acceptable to the relevant authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the relevant authority to apply such security or part thereof to such reinstatement. The form and amount of security shall be as agreed between the relevant authority and developer. In the interests of clarity, the*

	relevant authority is acknowledged to be the EPA in circumstances where an IE Licence is obtained.
12. Prior to commencement of development, the developer shall submit to and agree in writing with the Planning Authority a noise compliance monitoring programme for the subject development, including any mitigation measures. All noise measurements shall be carried out in accordance with International Organisation of Standardisation Recommendation R 1996 "Acoustics – Description, measurement and assessment of environmental noise" as amended by IOS Recommendations R 1996-1. The results of the initial noise compliance monitoring shall be submitted to, and agreed in writing with, the planning authority within six months of commissioning of the Peaker Plant. Reason: In the interest of residential amenity.	*It is noted that the site will be a licenced IE facility and all environmental noise during the operational phase will be monitored by the applicant with reports submitted to the EPA as required by the IE licence.*
13. Prior to commencement of development, the developer shall submit to and agree in writing with the Planning Authority a dust and emissions monitoring programme for the subject development, including any mitigation measures. All noise measurements shall be carried out in accordance with International Organisation of Standardisation Recommendation R 1996 "Acoustics – Description, measurement and assessment of environmental noise" as amended by IOS Recommendations R 1996-1. The results of the initial noise compliance monitoring shall be submitted to, and agreed in writing with, the planning authority within six months of commissioning of the Peaker Plant. Reason: In the interest of residential amenity.	*There appears to be an error in the condition wording recommended by Galway County Council. The applicant will ensure that mitigation measures for construction dust emissions are adhered to, as set out in the oCEMP (Appendix 2.10, Volume 3 of the EIAR).* *It is noted that the site will be a licenced IE facility and all dust and emissions during the operational phase will be monitored by the applicant and reports submitted to the EPA in line with the IE licence requirements.*
14. All liquids, hydrocarbons, chemicals, oils, etc. shall be stored in a dedicated, waterproof bunded area of sufficient volume to hold 110% of the volume of the largest tank within the bund. All valves on the tanks shall be contained within the bunded	*The applicant welcomes inclusion of a similarly worded condition, to align with the requirements of a future IE licence, amended as follows:*

area. All operations involving the loading and unloading of hydrocarbon products shall take place in a bunded area in such as manner as to safeguard the amenities of the area and prevent water pollution Reason: To avoid pollution of waters.	*"All tank and drum storage areas must be bunded, either locally or remotely, to a volume not less than the greater of the following: (a) 110% of the capacity of the largest tank or drum within the bunded' area, or , (b) 25% of the total volume of substance that could be stored within the bunded area. All valves on the tanks shall be contained within the bunded area. The loading and unloading of waste and materials must be carried out in desígnated areas protected against spillage and leachate run-off. Waste and materials must be stored in designated areas, protected as appropriate against spillage and leachate run-off."*
15. All construction waste generated on site shall be disposed of through appropriately licenced collection and disposal contractors. Reason: To safeguard the amenities of the area.	*The applicant welcomes inclusion of the same.*
16. Construction works shall take place between 0800 and 1800 Monday to Friday and between 0800 and 1400 on Saturday. No works shall take place outside these hours or on Sundays or Bank Holidays unless otherwise agreed in writing with the Planning Authority. Reason: To protect residential amenities.	*As set out in the oCEMP and Planning Statement that accompanies the planning application, construction works for the proposed development are expected to take place between 07h00 and 18h00 (Monday to Friday) and between 07h00 and 14h00 (Saturdays). No works are expected to take place outside these hours or on Sundays or Bank Holidays. On certain occasions, work may need to be undertaken outside of the typical working day to expedite progress, meet critical milestones, or address unforeseen circumstances that could impact the programme; however all such works would only be carried out following prior consultation with Galway County Council.* *To facilitate this, it is respectfully requested that any forthcoming Grant of Permission include the following Condition or similar:*

	"Construction activities associated with the development shall be carried out only between the hours of: *• 07:00 to 18:00 Monday to Friday; and* *• 07:00 to 14:00 on Saturdays,* *with no construction activity permitted on Sundays or Public Holidays, unless otherwise agreed in writing with Galway County Council. In exceptional circumstances, work outside these hours may be undertaken where necessary to address unforeseen events, ensure safety, maintain programme-critical activities, or facilitate abnormal or exceptional load deliveries, subject to prior written agreement with Galway County Council save in the event of an emergency where prior written agreement shall not be required.* *Reason: In the interests of residential amenity and environmental protection during the construction phase of the development."*
17. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in 2021. Reason: In the interest of sustainable waste management.	*The applicant welcomes inclusion of the same.*

18. The applicant shall submit details to the planning authority for written agreement to provide and implement a community gain proposal, including any the financial commitments set out therein, which is considered a community gain in accordance with section 37 (G)(7)(d) of the Planning and Development Act 2000, as amended. In default of agreement on any of these commitments, the matter shall be referred to An Comisiún Pleanála for determination. Reason: To offset impacts on the local community during construction and maximise long-term benefits to local residents.	*The applicant welcomes inclusion of the same.*
19. Prior to the commencement of development, unless otherwise agreed in writing, the applicant shall pay a financial contribution to the Planning Authority, unless a phased payment schedule has been agreed in writing with the Planning Authority. This charge shall be calculated using the Development Contributions Scheme adopted by Galway County Council in accordance with the provisions of Section 48 of the Planning and Development Act 2000 (as amended). Reason: To ensure the developer pays an equitable portion of the cost of services facilitating the development.	*The applicant welcomes inclusion of the same.*
20. Prior to commencement of development, details of the following shall be submitted to, and agreed in advance with the area engineer and agreed in writing with, the planning authority: (i) Technical & structural pavement analysis such as level 1 and Level 2 pavement analysis that includes recommended Falling Weight Deflectometer (FWD) Testing, Ground Penetrating Radar (GPR) and core logs shall be provided to assess the pavement stress and strains at the critical design locations as required are to be	*The applicant notes the following response to each subsection:* *(i) Pavement structural assessment and structural assessment of bridges and culverts have been undertaken and submitted under EIAR Appendix 2 Part 4 (Pavement Analysis) and Appendix 2 Part 6 (Abnormal Load / Structural Assessment). These assessments confirm that the existing road network has adequate residual structural capacity to accommodate the*

calculated on proposed regional and local road trafficked routes, including number of axles to failure calculation requires verification. (ii)Structural evaluation of all trafficked regional and local road network structures shall be evaluated and assessed for trafficked abnormal loads being generated by development. (iii) The Applicant shall submit the following in support of the proposed development: (iv) A comprehensive and detailed traffic and transport assessment in accordance to TII publications PE-PDV-02045. (v) On site overhead lighting report assessed in line with the adverse impacts of indirect luminaire spill in accordance with National Spatial guideline publications (2012). (vi) Prior to commencement of the development, the applicant shall commission a road safety audit (stage 1 / stage 2 audit). Recommendations arising from the audit, or alternative measures proposed therein by the developer and accepted by the auditor, shall be incorporated into the final design of the development at the expense of the developer. The audit shall be completed by an independent road safety auditor, at the developer's expense, and shall be submitted the planning authority. (vii) Prior to commencement of the development, A design report shall be submitted to Roads & Transportation Dept and to the satisfaction of the Area Engineer in accordance to TII standards 'DN-GEO-03030 Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes' whilst on receipt of detailed design works to public road physical alterations including swept path analysis Road widening, Road make up materials, specifications and finishes that includes Drainage infrastructure and necessary visibility works which shall be further assessed as part of the Road Safety Audit Report.	*proposed abnormal loads and construction traffic. No requirements for road widening or pavement strengthening were identified. These assessments will be updated at detailed design stage if required.* *(ii)* ***Abnormal load route assessment****, including AutoTrack swept path analysis, structural appraisal of bridges and culverts, and identification of a preferred haul route, has been completed and is presented in* ***EIAR Chapter 10****,* ***Appendix 2 Parts 4 & 6****, and the* ***Engineering Planning Report (Appendix 2 Part 1)****.* *(iii) n/a* *(iv) A detailed* ***traffic assessment*** *has been provided in* ***EIAR Chapter 10 (Traffic and Transport)****. While the development does not meet the threshold criteria for a full Traffic and Transport Assessment (TTA), the submitted assessment adequately considers construction and operational traffic impacts.* *(v) The condition proposed by TII in section 3.2.5 of this report is of relevance and the applicant would welcome inclusion of the same in lieu if wording proposed under (v) here.* *(vi) The applicant welcomes inclusion of the same.* *(vii) The applicant welcomes inclusion of the same*

(viii) Prior to commencement of development, and to the satisfaction of the Planning Authority, The applicant shall Submit a revised site layout plan to demonstrate sight distance triangles from new substation trafficked junction onto LP 3103 clearly showing details of both exit and entry sightline triangles and details of the vertical alignment available in the form of a longitudinal section in order to depict the existing road profile sightlines in both directions in respect of vehicular entrances. The required visibility from the proposed entrance and access to/from the LP-3103 local road network should strictly comply with Galway County Development plan 2022-2028 per DM Standard 28 and TII standards, in particular the provisions of visibility requirements as stated within Table 5.4 and Table 5.5 of TII Publications - DN-GEO-03060 Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) May 2023 for the design speed of the road from an x-distance 2.4m setback from the road edge and measured along the y-distance to the nearside road edge at specified object height from the dwell area to the sightline distance in accordance to TII standards. Forward visibility and stopping sight distances pertaining to right hand turning movements shall also be presented in both directions for each entrance in accordance with TII standards. The current extents of current hedgerow and/or boundary walling shall be set back to achieve clear and unobstructed sightlines in both directions and replaced with soft landscaping with new roadside passively safe boundary treatments proposed. (ix) A letter(s) of consent from any adjoining landowner and relevant third parties consenting to set back their boundary in order to permanently achieve clear and obstructed required sight distances where current sight distance y- splay traverses through adjoining third party boundary is required. (x) The applicant shall demonstrate that any adjoining lands to achieve required sight distance triangles as referred to above are within their control i.e. sightlines triangles outside the applicants red line boundary shall be outlined in blue on a revised site	*(viii)* *As set out in section 2.1.5.1 of the response, a sightline drawing was previously submitted under Drawing PEK3-ATK-ZZ-01-DR-CE-901200 – Site Access Sightlines, which demonstrates the available visibility at the proposed entrance to the Peaker Plant. The assessment confirms that 90 m stopping sight distance is achieved in both directions (east and west) from a setback distance of 3.0 m from the road edge, in accordance with TII Standard DN-GEO-03060. As such this condition is not considered necessary.* *(ix)* *As demonstrated on Drawing PEK3-ATK-ZZ-01-DR-CE-901200 there is no third-party boundaries are affected and all relevant letters of consent were provided with the planning application therefore this condition is not considered necessary.* *(x)* *As above.* *(xi)* *As above.* *(xii)* *See response provided in section 2.1.5.2.* *(xiii)* *The applicant welcomes inclusion of same.* *(xiv)* *The applicant welcomes inclusion of same.*

location map as per Article 22 (2)(b)(ii) of the Planning and Development Regulations, 2001 (as amended). (xi) Sight distance triangles shall be maintained and kept free from boundary walling, vegetation, overhead poles or other obstructions that would reduce the minimum visibility required. (xii) Grid connection Joint Slabs must be relocated off the public road and repositioned within adjacent lands under the applicant's control. It has not been demonstrated that no off carriageway alternative is practical in addition to the feasibility and construction of placement of such joint slabs within alternative /strategic passing bays. (Xiii) A technical acceptance Report Technical Acceptance of joint bay structures beneath regional and/or local roads and which do not interface with national roads should be carried out in accordance with DOT Circular RW 10/2021 and TII standards. Technical Acceptance Report (TAR) shall record the agreed basis and criteria for the detailed design of the joint bay structure; and Certification by the Design/Assessor/Checker confirming that the design, assessment, specification or construction works complies with the TAR. (xiv) Third party Networks shall be contacted prior to construction of any works shall be consented in advance by each service provider REASON: In interest of Traffic Safety	
21. (i) All surface water generated by the development shall be disposed of within the site and shall not be discharged onto the public road or adjoining property. (ii) Proposed development vehicular entrance(s) onto the public road and any tie into the existing road margin shall be cleared, graded, levelled and surfaced to a standard	*The applicant welcomes inclusion of Condition 21(i) and (ii).*

suitable for use to the satisfaction of the Area Engineer to prevent unbound material (loose stone) entering onto the public road. Proposed roads make up and tie in to include suitable drainage infrastructure to collect and dispose of surface water runoff from the existing public road. The provisions shall not increase the likelihood of flooding to the development property, the road or adjoining properties. Reason: In the interests of road safety and proper planning and sustainable development.	
22. Prior to commencement, details of the following shall be submitted to, and agreed in advance with the Area Engineer and agreed in writing with, the planning authority: (i) An independent vehicular Lazer road condition pavement survey for all surrounding local roads and bridges along the grid connection route, abnormal load routes, haul routes shall be carried out at the developer's expense by a suitably qualified person/firm during pre and post construction of the proposed development. This survey shall include a schedule of required works to enable the haul routes to cater for construction-related traffic. The extent and scope of the survey and the schedule of works shall be agreed to the satisfaction of the area engineer prior to commencement of development. The survey shall give a description of the local road network including each chainage section, lane, survey direction and measured length for each section. GPS co-ordinates at the beginning and end of each section shall also be tabulated with a clear map of start point of survey / chainage 0m-10m etc and shall include pavement surface condition index (PCSI), structural index and surface index results for each 10 meter section surveyed. Results shall include details of any pavement distress including type, severity and quantity within each 10m intervals sections of local road surveyed. Post construction phase, Road Condition Pavement survey shall then be repeated in order for the Planning Authority to assess any damage of the public road network that may arise during the development works.	*The applicant welcomes inclusion of a requirement for a pre and post-construction road condition survey for the grid connection route, abnormal load route and haul routes.*

(ii) Within three months of the cessation of the use of each public road/haul route to transport material to and from the site, aforementioned road survey and scheme of works detailing works to repair any damage to these routes shall be agreed in advance with the area engineer and shall be submitted to the planning authority. (iii) All works arising from the aforementioned arrangements shall be completed to the satisfaction of the area engineer at the developer's expense within 3 months of the cessation of each road's use as a haul route or other for the proposed development. Reason: In the interests of road safety.	
23. All necessary measures shall be taken by the applicant to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works (i) A revised detailed Traffic Management Plan to incorporate existing road conditions., grid connection and cabling/ jointing works including detailed design of temporary traffic measures and signs for roadworks shall be submitted prior to development commencement and agreed in advance with the Area Engineer, which sets out proposed measures and best practice to be implemented during the construction phase of development. The outline TMP should address the following: Site Access and Egress, Traffic Management Signage, Stop/Go or road closure/diversion arrangements, Traffic Management Speed Limits, Road Cleaning, Road Condition, Implementation of Traffic Management Plan. It shall include details of construction traffic routing, the number of trips generated for deliveries and collections of materials from the site, provision for a storage compound and parking provision within the site, wheel washing and measures for control of dust and other pollutant materials the installation of which shall be the responsibility of the applicant.	*(i)* *A Construction Traffic Management Plan (CTMP) has been submitted (EIAR, Volume 3, Appendix 2 Part 11), which provides a comprehensive framework for traffic routing, abnormal load management, temporary traffic measures, stakeholder coordination and mitigation proposals. An updated final CTMP can be submitted to the area engineer for agreement prior to commencement of development.* *(ii)* *All necessary consents will be obtained by the applicant. A phasing programme can be agreed with the area engineer.* *(iii)* *The applicant will engage with TII and all relevant stakeholders as part of the EAL permit process.* *(iv)* *All necessary consents will be obtained by the applicant.* *(v)* *The applicant notes this condition and welcomes include of the same. The area engineer will be consulted in advance of commencement of development.* *(vi)* *The applicant notes the reinstatement requirements and will engage with the roads engineer in advance of commencement of development.*

(ii) A road opening license and an abnormal load license shall be obtained from Galway County Council, with aforementioned TMP & accompanying detailed Traffic management Design in accordance with Traffic Signs Manual (Chapter 8 - Temporary Traffic Measures and Signs for Roadworks), to be further agreed with Local Area Engineers including a phasing programme of the works indicating the timescale within which it is intended to use each public route to facilitate construction of the proposed development. (iii) Regarding abnormal delivery routes, the Motorway/National Dual Carriageway Clearance shall be sought For abnormal loads exceeding 3 metres in width, the applicant shall contact TII's Motorway Traffic Control Centre via email at abnormalload@mtcc.ie (iv) The applicant is advised that under a separate process, formal consent under Section 53 of the Roads Act, 1993 (as amended), for the proposed crossing of the M6 & M17 Motorway. Prior to the commencement of any development to implement this permission, the applicant shall submit to Galway County Council documentary evidence that Section 53 consent has been approved for the proposed M6 & M17 Motorway Crossing. (v)Public Road including areas within Public Road Margins backfill and reinstatements including finished road levels shall be in accordance with Guidelines for Managing Openings in Public Roads (Purple Book – April 2017) as amended and shall be to the satisfaction of the Area Engineer. (vi) Backfilling and reinstatement of excavations to be in accordance with the DOT's Guidelines for Managing Openings in Public Roads and in the case of National Roads, TII's publication CCPAV-04007 "Requirements for the reinstatement of Openings in National Roads". Additional ground improvement measures may be required, derived from the site investigations carried out. Where local road width is 6m or less, a full	

width of pavement reinstatement is required. This will include reconstruction of the DBM binder base and subbase on roads significantly impacted. In addition, certain roads may require additional strengthening in the form of geotextiles and shall be placed at the cost of the applicant as deemed applicable by the Roads Authority. Reason: In the interests of road safety.	
24. Prior to commencement of development, the developer/applicants shall lodge a transportation bond with the planning authority of a cash deposit amount to the sum to be agreed with the Planning authority, or other cash amount or form of security, as may be acceptable to the relevant planning authority, to secure the reinstatement of the public road and road markings which may be damaged by the transport of materials to the site, to secure the provision of existing drains, open space and other services required in connection with the development coupled with an agreement empowering the relevant planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road network which includes any identified diversion routes. Reason: In the interest of traffic safety and proper planning and sustainable development.	*The applicant welcomes inclusion of same.*
25. On completion of the development, a stage 3 road safety audit shall be completed by an independent road safety auditor, at the developer's expense, and submitted for the written approval of the planning authority. Any safety issues highlighted in the audit shall be reviewed and addressed by the developer at their expense. Reason: In the interests of road safety.	*The applicant welcomes inclusion of the same.*

Appendix 2 Calibration Certificate for Sound Level Meter (refer to section 4.4.4)

This appendix presents the certificate of calibration for the noise level meter and calibrator used in the baseline noise survey.

Instrumentation Details

Equipment	Type	Serial Number	Calibration Date
Sound Level Meter	Rion NL - 53	251904	April 2025
Sound Level Meter	Rion NL - 52	586940	February 2024
Caliobrator	Rion NC-75	34313057	September 2024

MEASUREMENT SYSTEMS

CERTIFICATE OF CALIBRATION

0653

Date of Issue: 16 April 2025

Certificate Number: UCRT25/1611

Calibrated at & Certificate issued by:
ANV Measurement Systems
Beaufort Court
17 Roebuck Way
Milton Keynes MK5 8HL
Telephone 01908 642846 Fax 01908 642814
E-Mail: info@noise-and-vibration.co.uk
Web: www.noise-and-vibration.co.uk
Acoustics Noise and Vibration Ltd trading as ANV Measurement Systems

Approved Signatory

K. Mistry

Customer	AWN Consulting The Tecpro Building IDA Business and Technology Park Clonshaugh Dublin 17 Ireland			
Order No.	Dylan Floyd			
Description	Sound Level Meter / Pre-amp / Microphone / Associated Calibrator			
Identification	*Manufacturer*	*Instrument*	*Type*	*Serial No. / Version*
	Rion	Sound Level Meter	NL-53	00251904
	Rion	Firmware		01.03
	Rion	Pre Amplifier	NH-25	54870
	Rion	Microphone	UC-59	27270
	Rion	Calibrator	NC-75	34334830
		Calibrator adaptor type if applicable		NC-75-022
Performance Class	1			
Test Procedure	TP 10. SLM 61672-3:2013 *Procedures from IEC 61672-3:2013 were used to perform the periodic tests.*			
Pattern Approved to IEC 61672-1:2013	No	See Comment on page 2		
	If YES above there is public evidence that the SLM has successfully completed the applicable pattern evaluation tests of IEC 61672-2:2013			
Date Received	16 April 2025		ANV Job No.	UKAS25/04312
Date Calibrated	16 April 2025			

The sound level meter submitted for testing has successfully completed the periodic tests of IEC 61672-3:2013, for the environmental conditions under which the tests were performed. However, no general statement or conclusion can be made about conformance of the sound level meter to the full specifications of IEC 61672-1:2013 because (a) evidence was not publicly available, from an independent testing organisation responsible for pattern approvals, to demonstrate that the model of sound level meter fully conformed to the class 1 specifications in IEC 61672-1:2013 and (b) because the periodic tests of IEC 61672-3:2013 cover only a limited subset of the specifications in IEC 61672-1:2013.

Previous Certificate	*Dated*	*Certificate No.*	*Laboratory*
	Initial Calibration		

CERTIFICATE OF CALIBRATION	Certificate Number UCRT25/1611
UKAS Accredited Calibration Laboratory No. 0653	Page 2 of 2 Pages

Sound Level Meter Instruction manual and data used to adjust the sound levels indicated.

SLM instruction manual title	NL-53 NL-43 Instruction Manual Technical Guide		
SLM instruction manual ref / issue	66200 23-02		
Date provided or internet download date	11 May 2023	Source	Rion

	Case Corrections	Wind Shield Corrections	Mic Pressure to Free Field Corrections
Uncertainties provided	Yes	Yes	Yes

Total expanded uncertainties within the requirements of IEC 61672-1:2013	YES		
Specified or equivalent Calibrator	Specified		
Customer or Lab Calibrator	Lab Calibrator		
Calibrator adaptor type if applicable	NC-75-022		
Calibrator cal. date	17 March 2025		
Calibrator cert. number	UCRT25/1429		
Calibrator cal cert issued by Lab	0653		
Calibrator SPL @ STP	93.99	dB	Calibration reference sound pressure level
Calibrator frequency	1000.00	Hz	Calibration check frequency
Reference level range	Single	dB	

Accessories used or corrected for during calibration - Extension Cable & Wind Shield WS-15
Note - The Extension Cable was used between the SLM and the pre-amp for this calibration.

Environmental conditions during tests	Start	End	
Temperature	22.73	22.72	± 0.30 °C
Humidity	41.5	42.1	± 3.00 %RH
Ambient Pressure	98.98	99.07	± 0.03 kPa

Indication at the Calibration Check Frequency			Calibration carried out using channel	N/A
Initial indicated level	94.1	dB	Adjusted indicated level	94.0 dB
Uncertainty of calibrator used for Indication at the Calibration Check Frequency ±			0.10	dB

Self Generated Noise
Microphone installed - Less Than 15.6 dB A Weighting
Microphone replaced with electrical input device - UR = Under Range indicated

Weighting	A			C			Z		
	12.0	dB	UR	15.3	dB	UR	21.1	dB	UR

Self Generated Noise reported for information only and not used to assess conformance to a requirement

Comment:
Firmware Version 01.03 has been submitted to PTB for Pattern Approval in December 2024

The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor $k=2$, providing a coverage probability of approximately 95%. The uncertainty evaluation has been carried out in accordance with UKAS requirements.

Additional Comments The results on this certificate only relate to the items calibrated as identified above.

None

..... END .....

Calibrated by: K. Zablocki

R 1

CERTIFICATE OF CALIBRATION

0653

Date of Issue: 20 February 2024 **Certificate Number: UCRT24/1277**

Calibrated at & Certificate issued by:
ANV Measurement Systems
Beaufort Court
17 Roebuck Way
Milton Keynes MK5 8HL
Telephone 01908 642846 Fax 01908 642814
E-Mail: info@noise-and-vibration.co.uk
Web: www.noise-and-vibration.co.uk
Acoustics Noise and Vibration Ltd trading as ANV Measurement Systems

Page 1 of 2 Pages

Approved Signatory

K. Mistry

Customer	AWN Consulting Limited The Tecpro Building IDA Business and Technology Park Clonshaugh Dublin D17 XD90 Ireland			
Order No.	2358			
Description	Sound Level Meter / Pre-amp / Microphone / Associated Calibrator			
Identification	*Manufacturer*	*Instrument*	*Type*	*Serial No. / Version*
	Rion	Sound Level Meter	NL-52	00586940
	Rion	Firmware		2.1
	Rion	Pre Amplifier	NH-25	87059
	Rion	Microphone	UC-59	17049
	Brüel & Kjær	Calibrator	4231	2263026
		Calibrator adaptor type if applicable		UC 0210
Performance Class	1			
Test Procedure	TP 10. SLM 61672-3:2013 *Procedures from IEC 61672-3:2013 were used to perform the periodic tests.*			
Type Approved to IEC 61672-1:2013	Yes *If YES above there is public evidence that the SLM has successfully completed the applicable pattern evaluation tests of IEC 61672-2:2013*			
Date Received	19 February 2024		ANV Job No.	UKAS24/02147
Date Calibrated	20 February 2024			

The sound level meter submitted for testing has successfully completed the periodic tests of IEC 61672-3:2013, for the environmental conditions under which the tests were performed. As evidence was publicly available, from an independent testing organisation responsible for approving the results of pattern-evaluation tests performed in accordance with IEC 61672-2:2013, to demonstrate that the model of sound level meter fully conformed to the class 1 specifications in IEC 61672-1:2013, the sound level meter submitted for testing conforms to the class 1 specifications of IEC 61672-1:2013.

Previous Certificate	*Dated*	*Certificate No.*	*Laboratory*
	17 March 2022	UCRT22/1382	0653

CERTIFICATE OF CALIBRATION	Certificate Number UCRT24/1277
UKAS Accredited Calibration Laboratory No. 0653	Page 2 of 2 Pages

Sound Level Meter Instruction manual and data used to adjust the sound levels indicated.

SLM instruction manual title	NL-52/NL-42 Description for IEC 61672-1		
SLM instruction manual ref / issue	No. 56034 21-03	Source	Rion
Date provided or internet download date	19 March 2021		

	Case Corrections	Wind Shield Corrections	Mic Pressure to Free Field Corrections
Uncertainties provided	Yes	Yes	Yes

Total expanded uncertainties within the requirements of IEC 61672-1:2013	YES		
Specified or equivalent Calibrator	Equivalent		
Customer or Lab Calibrator	Customers Calibrator		
Calibrator adaptor type if applicable	UC 0210		
Calibrator cal. date	20 February 2024		
Calibrator cert. number	UCRT24/1274		
Calibrator cal cert issued by Lab	0653		
Calibrator SPL @ STP	93.95	dB	Calibration reference sound pressure level
Calibrator frequency	999.97	Hz	Calibration check frequency
Reference level range	Single	dB	

Accessories used or corrected for during calibration - Extension Cable & Wind Shield WS-15
Note - The Extension Cable was used between the SLM and the pre-amp for this calibration.

Environmental conditions during tests	Start	End	
Temperature	22.74	22.02	± 0.30 °C
Humidity	57.6	52.1	± 3.00 %RH
Ambient Pressure	101.45	101.40	± 0.03 kPa

Indication at the Calibration Check Frequency				
Initial indicated level	94.0 dB	Adjusted indicated level	94.0	dB
Uncertainty of calibrator used for Indication at the Calibration Check Frequency ±			0.10	dB

Self Generated Noise				
Microphone installed -	Less Than	22.6	dB	A Weighting
Microphone replaced with electrical input device -		UR = Under Range indicated		

Weighting	A			C			Z		
	11.6	dB	UR	15.1	dB	UR	20.9	dB	UR

Self Generated Noise reported for information only and not used to assess conformance to a requirement

The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor $k=2$, providing a coverage probability of approximately 95%. The uncertainty evaluation has been carried out in accordance with UKAS requirements.

Additional Comments The results on this certificate only relate to the items calibrated as identified above.

Prior to calibration the instrument's main PCB was replaced and the meter was realigned.

..... END .....

Calibrated by: K. Zablocki R 1

CERTIFICATE OF CALIBRATION

0653

Date of Issue: 09 September 2024

Certificate Number: UCRT24/2185

Calibrated at & Certificate issued by:
ANV Measurement Systems
Beaufort Court
17 Roebuck Way
Milton Keynes MK5 8HL
Telephone 01908 642846 Fax 01908 642814
E-Mail: info@noise-and-vibration.co.uk
Web: www.noise-and-vibration.co.uk
Acoustics Noise and Vibration Ltd trading as ANV Measurement Systems

Approved Signatory

K. Mistry

Customer	AWN Consulting Limited The Tecpro Building 17, Clonshaugh Business & Technology Park Dublin
Order No.	2423
Test Procedure	Procedure TP 14 Calibration of Sound Calibrators (60942:2017)
Description	Acoustic Calibrator

Identification

Manufacturer	*Instrument*	*Model*	*Serial No.*
Rion	Calibrator	NC-75	34724227

Public evidence of Type Approval: Yes Approved by: PTB

The calibrator has been tested as specified in Annex B of IEC 60942:2017. As public evidence was available, from a testing organisation responsible for approving the results of pattern evaluation tests, to demonstrate that the model of sound calibrator fully conformed to the requirements for pattern evaluation described in Annex A of IEC 60942:2017, the sound calibrator tested is considered to conform to all the class 1 requirements of IEC 60942:2017.

ANV Job No.	UKAS24/09634
Date Received	06 September 2024
Date Calibrated	09 September 2024

Previous Certificate

Dated	04 September 2023
Certificate No.	UCRT23/2130
Laboratory	0653

CERTIFICATE OF CALIBRATION	Certificate Number UCRT24/2185
UKAS Accredited Calibration Laboratory No. 0653	Page 2 of 2 Pages

Measurements

The sound pressure level generated by the calibrator (averaged over a 20 to 25 second period) in its WS2 configuration was measured five times (rotating the calibrator on the microphone each time) by the Insert Voltage Method using a microphone as detailed below. The mean of the results obtained is shown below.

The frequency of the sound from the calibrator was measured five times over a 20 to 25 second period and the average frequency calculated.

The total distortion + noise of the sound from the calibrator was measured, using a rejection filter distortion factor meter, five times over a 20 to 25 second period and the average distortion + noise calculated.

Test Microphone — *Manufacturer*: Brüel & Kjær — *Type*: 4134

Nominal Setting dB / Hz	Mean Level dB rel 20 µPa	Frequency	Distortion + Noise
94 / 1000	94.04 ± 0.10	999.99 ± 0.12Hz	(0.10 ± 0.02) %

Environmental conditions during tests	Start	End		
Temperature	24.07	24.04	± 0.30	°C
Humidity	53.0	55.6	± 3.0	%RH
Ambient Pressure	100.009	100.006	± 0.030	kPa

The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor k=2, providing a coverage probability of approximately 95%. The uncertainty evaluation has been carried out in accordance with UKAS requirements.

The uncertainties refer to the measured values only with no account being taken of the ability of the instrument to maintain its calibration.

A small correction factor may need to be applied to the sound pressure level quoted above if the device is used to calibrate a sound level meter which is fitted with a free-field response microphone. See manufacturers handbook for details.

Note: Calibrator adjusted prior to calibration? NO

Additional Comments The results on this certificate only relate to the items calibrated as identified above.
None

Calibrated by: K. Zablocki R 1

..... END .....

Appendix 3 Bord Gáis Energy Supplementary Responses

Bord Gáis Energy notes that a number of observations submitted by third parties raise concerns regarding the Applicant's approach to public consultation and stakeholder engagement. While the Applicant acknowledges and respects the views of all participants in the planning process, it considers that some aspects of these comments do not fully reflect the consultation activities undertaken or the extent of engagement carried out during the pre-application stage.

As outlined in the EIAR and accompanying Planning Report, Bord Gáis Energy implemented a structured programme of non-statutory public consultation prior to the submission of the SID application. This programme included public information events, locally distributed information materials, newspaper notices, posters, a dedicated project website, direct stakeholder correspondence, and the appointment of a Community Liaison Officer (CLO) to serve as an accessible point of contact for residents and other stakeholders.

In addition, the Applicant maintained a stakeholder management system to record correspondence, meetings, telephone calls and queries received throughout the consultation process. Queries and concerns raised by stakeholders were reviewed and responded to, and where technical matters arose, they were referred to the appropriate project specialists for consideration as part of the environmental assessment process and, where relevant, reflected in the EIAR.

Bord Gáis Energy respectfully requests that the Inspector consider the documented consultation record, including the Non-Statutory Consultation Plan and the information provided in Section 1.1 of the EIAR, when assessing matters relating to stakeholder engagement. The Applicant fully recognises the importance of public participation in the planning process and welcomes the opportunity for interested parties to express their views. It is, however, important that consideration of the consultation process is informed by the documented record of engagement activities undertaken and the information submitted as part of the application.

Person / Group	Issue Raised	Bord Gáis Energy Response
Damien Collins	Alleged he was pressured to sign an Option Agreement; claimed no surveying was undertaken on his lands; stated his concerns were not assessed; alleged Bord Gáis Energy and its agents did not contact him during project development.	Participation in the Option Agreement was entirely voluntary and Mr Collins engaged for approximately six months. Discussions ceased after it emerged an existing option agreement was already in place with another developer and later when Mr Collins chose not to proceed. Ecological surveys were undertaken with his permission before access was withdrawn. Mr Collins' property and farming concerns were assessed within relevant EIAR chapters and the CLO maintained regular contact, including invitations to public information events which he attended.

Niks Gurins, Chelsey Healy	Alleged Bord Gáis Energy vehicles accessed the site via a private road and that this may constitute trespass. Claimed Bord Gáis Energy failed to demonstrate legal interest in all lands and access routes required for the development and lacked consent for use of a private road.	Bord Gáis Energy rejects allegations of unlawful access. Access was always undertaken with landowner consent and via an established right of way. The development does not rely on private roads without the necessary legal entitlement. The planning application does not rely on unauthorised private-road access and any private legal rights required would be secured separately and lawfully prior to works commencing. All required legal rights to make this planning application have been secured and letter of consent(s) accompany the application as required.
Susanne Helberg, Mark Cook, Eva Cook & Jamie Cook	Raised concerns that part of the road is privately owned and maintained by residents, and that construction traffic or infrastructure works could damage it.	Bord Gáis Energy notes the concerns regarding private-road maintenance and potential damage but states planning should be assessed based on the proposed access arrangements and submitted associated traffic assessments. Bord Gáis Energy further notes that the management of construction traffic, protection of the local road network and reinstatement of any damage arising from construction activities are matters that can be addressed through the Construction Environmental Management Plan (CEMP) and, where the Board considers appropriate, by planning conditions attached to any permission granted.
Francis Curran & Laura Eagle	Stated that despite being among those most affected by the project, no Bord Gáis Energy representative visited their home to discuss it.	Bord Gáis Energy rejects this assertion, the CLO met Mr Curran on his farm, engaged with him at public information events and communicated with him by telephone. As outlined in the consultation section of the EIAR, Bord Gáis Energy implemented an extensive programme of local stakeholder engagement, providing multiple opportunities for residents and interested parties to engage with the project throughout the pre-application consultation process.

Oliver Freeney	Criticised the choice of newspaper used to advertise consultation events; argued engagement was too narrow; stated he did not receive leaflets or consultation information.	Bord Gáis Energy adopted Mr Freeney's suggestion for later advertisements by using the Connaught Tribune. The CLO explained the rationale for consultation and community engagement approach. Leaflet delivery was attempted but access to the property was unavailable, so information was subsequently emailed to Mr Freeney. Bord Gáis Energy notes regular engagement with Mr Freeney in his role as Chair of the Cashla Concern Group, including meetings and follow-up correspondence.