

From: [Aileen Cleary](#)
To: [SIDS](#)
Cc: [PEHO NorthTipp](#); [Carmel Moran \(3\)](#)
Subject: Planning Reference 324220 Ballincor Wind Farm
Date: Monday 29 June 2026 12:49:31
Attachments: [EHIS Ref 6047.pdf](#)

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To whom it may concern,
Please find attached NEHS submission report in relation to Ballincor Wind Farm.
Please acknowledge receipt.

Thank you

Aileen Cleary,
Senior Environmental Health Officer.
Oifigeach Sláinte Comhshaoil Sinsearach

National Environmental Health Service | Health Service Executive | Civic Offices, Nenagh, Co Tipperary | E45 AO99.

Seirbhís Sláinte Comhshaoil Naisiunta | Feidhmeannacht na Seirbhíse Sláinte | Oifigí Cathartha, An tAonach, Co. Thiobraid Árann | E45 AO99.

ph. 067-46602; aileen.cleary@hse.ie



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HSE National Environmental Health Service,
Civic Offices, Limerick Road, Nenagh, Co. Tipperary
E45A099

FSS Seirbhís Naisiunta Sláinte Comhshaoil,
Oifigí na Cathrach, Bóthar Luimnigh, an tAonach, Co. Thiobraid Árann
E45A099

Phone: 067 46602

National Environmental Health Service Submission Report

(as a Statutory Consultee under Article 28 of the Planning and Development Act 2000 (as amended) & Regulations made thereunder)

Date: 29th June 2026

Type of consultation: Environmental Impact Assessment Report (EIAR)

Planning Reference No.: 324220

EHIS Reference No: 6047

Report to: An Coimisiún Pleanála

Applicant: Renewables Ireland Ltd (RWE)

Name of Proposed Development: Ballincor Wind Farm

Description of Proposed Development:

The proposed project, Ballincor Wind Farm, comprises a wind farm of 11 no. wind turbines and all associated infrastructure including Battery Energy Storage System (BESS), turbine foundations, hardstanding areas, borrow pits, access tracks, 110kV grid connection and works along the road network for turbine/material delivery.

Dear Sir/Madam,

Please find below the HSE submission report in relation to the above proposal.

The following HSE departments were made aware of the consultation request for the proposed development on the 12th of June 2026:

- Emergency Planning
- National Capital Estates Office

- Director of National Health Protection
- REO Mid - West

General

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

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

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

Description of Proposed Development:

The proposed development comprises a wind farm of 11 no. wind turbines and all associated infrastructure including Battery Energy Storage System (BESS), turbine foundations, hardstanding areas, borrow pits, access tracks, 110kV grid connection and works along the road network for turbine/material delivery.

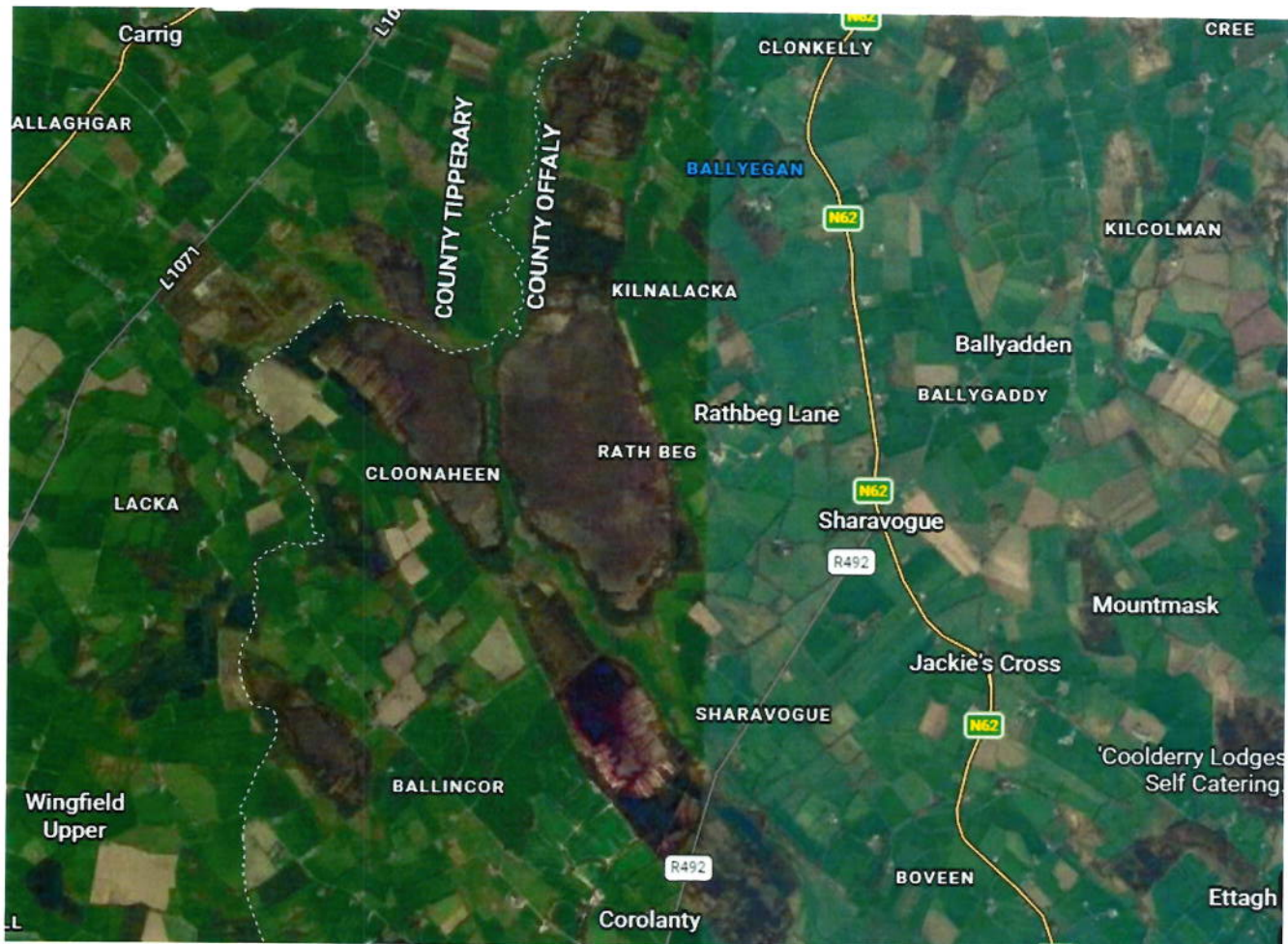
A 10-year planning permission and 35-year operational life from the date of commissioning of the entire wind farm is being sought for the proposed project

Site Location and Site Visit by NEHS

The proposed wind farm site is situated at the border of County Tipperary and Offaly, 5 km south of Birr and 3.6 km north of Shinrone. The eastern boundary of the site is delineated by the Little Brosna River. The wind farm site comprises of agricultural lands, cutover peatland and forestry. The N52 road is one km from the north of the proposed wind farm site, and the N62 is located 2 km to the east. Construction access to the proposed wind farm site will be provided via the local road L1071 and regional road R492. The R492 will be used for heavy vehicles during the construction phase. The L1071 will be the operational entrance.

The proposed wind farm site elevations range from 45 to 65 metres above ordnance datum (OD). The surrounding landscape is predominantly low-lying, except for Knockshigowna Hill to the southwest. To the

east of the Little Brosna River lies the Sharavogue Bog Special Area of Conservation (SAC), which is characterized by peatland habitats.



A visit to the site of the proposed development was carried out by an Environmental Health Officer 16th June 2026:

There are 11 wind turbines in total proposed, 2 in Tipperary and 9 in Offaly. The area in Co Tipperary is mostly agricultural land (Milking), forestry & bog land. Access to the site is from public roads and private farms, roads are country roads but are in good condition. (R492 & L1071). The consultation area consisted of 2km from any turbine- this took account of 232 homes surrounding the proposed location of the turbines. There is one food business operator located approximately one mile from the proposed development, 'Wild Plates Ltd' are a contract caterer, and they have a small private supply. There is no industry in the area.

The river close to the development is the Little Brosna River & it's tributaries. The wind farm has been designed to fully comply with Council Policy BLP 20 by maintaining a minimum of 10 metre buffer from the top bank of all water courses. A site-specific assessment have been carried out and no development is proposed with these buffer zones. The landscape is low lying, possibly at risk of flooding, with the exception of the Knockshigowna Hills to the southwest of the proposed wind farm.

The project has been assessed against the Development Management requirement set out in Tipp Co.co CDP'S, including those relating to biodiversity, landscape protection, archaeology, water quality & community engagement.

The Ballincor Wind farm have set up information evenings, a project brochure, drop in clinics, engaged with Local Representatives, door to door meetings and a dedicated phone Line & website in relation to the proposed development.

The local Environmental Health Office has not received any complaints regarding the proposed development and is not aware of any planning permissions granted/refused in the vicinity recently.

Criteria for Consideration of Likely Significant Effects on Public Health

The NEHS considers likely significant effects on Public Health as per the EPA issued National Guidance (known as the EIAR Guidance): Guidelines on the information to be contained in Environmental Impact Assessment Reports, 2022

https://www.epa.ie/publications/monitoring--assessment/assessment/EIAR_Guidelines_2022_Web.pdf

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

Human Health

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

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

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

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

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

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

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

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

It is recommended that the Planning Authority also follows this method when considering likely significant effects on Population and Human Health in their decision-making process.

Opportunities for Health Gain

NEHS recommends that the community fund should facilitate infrastructure for everyone and not only funding existing organizations. Consideration should be given to opportunities for health gain from the proposed development. This would include opportunities to create recreational spaces, opportunities to increase physical exercise through walking and cycle routes. Where possible, pedestrian areas should be accessible to wheelchairs, pushchairs and mobility vehicles in order that all ages and all levels of mobility can access the improved recreational amenities.

Project Specific Guidance for Wind Energy Development

The current Guidelines for Wind Energy Development are: Wind Energy Development Guidelines (2006) <https://www.gov.ie/en/publication/f449e-windenergy-development-guidelines-2006/>

It is recognised that the nature of wind energy development has significantly changed since the publication of these Guidelines, particularly the size of the turbines and the proximity to centres of populations and the cumulative effects with other wind energy development. There have also been substantial increases in the body of knowledge around the likely significant effects of the operation of wind farm development on Population Health, in particular around the characteristic of the noise emissions and health effects of shadow flicker.

A revision of the 2006 GWED commenced in 2013 and Draft Revised Wind Energy Development Guidelines were issued in December 2019. <https://www.gov.ie/en/publication/9d0f66-draft-revised-wind-energy-developmentguidelines-december-2019/>

These are yet to be adopted.

The Revised WEDG 2019 states ‘the revised guidelines will provide greater consistency of approach in planning for onshore wind energy development, as well as providing greater certainty and clarity to the planning system, to the wind industry and to local communities’

The NEHS is aware of the High Court decision in **Webster/Rollo V Meenaclogher (Wind) Limited (2024 IEHC 136) 8th March 2024**, and details of the judgement. The judgement that the noise from the wind farm was a Private Nuisance is a predominately health based assessment, in that the elements that were deemed to create the nuisance were directly related to health effects on the complainants. It is the understanding of the NEHS that assessment of compliance with health protection conditions set in the consent process was not a material consideration in the judgement. The judge did state that she could consider nuisance irrespective of any compliance with consent conditions, particularly in the absence of up to date National Policy and Guidance in the area. The Judgement also states that the revised Draft Guidance has been withdrawn. There is no public indication this is the case. It is still on the Department's website as of the date of this submission.

Nuisance from noise is fundamentally a subjective assessment based on 'reasonable' perception and reaction of the effects of the noise exposure. This perception and reaction depends on situational specific conditions and land use. This was recognised in the Judgement after 51 days of evidence and consideration of the specific facts. It also the understanding of the NEHS that the Judgement did not make an order as to the level or characteristic of the noise that would abate the nuisance.

If the Planning Authority are now considering that they are under a duty to incorporate the likelihood of a private nuisance into their decision making, then they should consider the judgement in Webster/Rollo V Meenaclogher (Wind) Limited (2024 IEHC 136) 8th March 2024. This judgement identified, in the absence of Irish Guidance, the usefulness of UK Guidance in the investigation of wind farm noise as a statutory nuisance. This is, of course, a reactionary methodology where specific noise exposure is known and not a predictive methodology for the likelihood of a private nuisance.

<https://assets.publishing.service.gov.uk/media/5a795184e5274a3864fd5f82/pb-13584-windfarm-noise-statutory-nuisance.pdf>

Cumulative Impacts:

The NEHS recommends that while all existing or proposed wind farm developments in the vicinity have been clearly identified in the EIAR. The mitigation of cumulative impacts on sensitive receptors of the proposed development combined with any other wind farm/renewable energy developments in the vicinity should be a condition of planning approval.

Chapter 5 - Population and Human Health

Consideration of Population and Human Health should be done in a proportionate manner that is specific to the proposed development and any likely significant effects the proposal might have on Population Health.

Observations of the NEHS

The main consideration for protection Population and Human Health is a source – pathway-receptor with regard to emissions into the environment during construction and operation of the proposed development.

Particularly:

- a) Any likely significant effect from exposure to noise during construction and operation

- b) Any likely exposure to shadow flicker during operation,
- c) Any likely significant reduction in air quality during construction, particularly dust emissions,
- d) Protection of ground and surface water during construction activities from contamination with hydrocarbon spillages or sedimentary run off.

Chapter 8 - Geology:

The proposed wind farm study area predominantly consists of agricultural land, cutover peat and mixed forestry.

The applicant states that a peat stability risk assessment (PSRA) has been undertaken for the proposed wind farm site. This is Appendix 8-2 to the EIAR. The PSRA was carried out in accordance with Peat Landslide Hazard and Risk Assessments, Best Practice Guide for Proposed Electricity Generation Developments – Second edition (Scottish Government, 2017). The report sets out the methodology used to assess the peat stability risk, the activities undertaken, and the results of the peat stability assessment

The assessment has taken account of the previously harvested areas. The stability analysis was completed with characteristic loads and soil strength parameters. Due to the limited slopes and the PSRA results, the magnitude is low negative and within the accepted Eurocode standards. Likely effects are considered, slight/not significant, long term, negative, direct and indirect with very low probability.

The operational phase sensitivity is considered moderate due to the presence of peaty soils and peat. As the sensitivity is moderate and the magnitude is negligible, there is potential for an imperceptible and long-term negative effects for geohazards (peat and soil stability).

The applicant states that an outcome of the assessment concludes that the site is suitable for the proposed development. According to the PRSA, mitigation measures can be put in place during the design and construction of the scheme to reduce the likelihood of an excavation collapsing. Possible mitigation measures include stepping or battering back of excavations to a safe angle (as determined through a slope stability assessment by a competent temporary works designer) or construction of a temporary sheet pile wall or rock fill berm to support the peat during construction.

Consideration to the siting of infrastructure to minimise the risk, site-specific temporary works designs for areas of deeper peat, and common-place mitigation measures such as careful detailed design and construction supervision for the other areas of the site has also been mentioned by the applicant.

Chapter 11 - Likely Significant Effects from Noise and Vibration

An environmental noise survey was conducted to establish the existing baseline and background noise levels in the receiving environment. This was achieved through simultaneous wind measurements and noise monitoring over several weeks

The applicable guidelines for the assessment of noise for wind energy developments are the Wind Energy Development Guidelines published by Department of the Environment, Heritage, and Local Government in 2006

The assessment found that the N163 turbine, which produces the highest noise levels among the options considered, has the potential to marginally exceed the turbine noise criteria at one location. To address the potential exceedances predicted when considering the Nordex N163 turbine mitigation in the form of turbine curtailment through controls embedded within the Turbine

The findings of the assessment, presented in the EIAR has confirmed that the predicted operational noise levels associated with the proposed project will be within best practice turbine noise criteria at all locations with no significant cumulative effects.

The developer will submit a Noise Compliance Monitoring Programme (NCMP) to the planning authority for written agreement. The NCMP will include a detailed methodology for all noise measurements, the frequency of monitoring, procedures for recording results and a protocol for managing complaints.

Operational noise from the proposed substation and battery energy storage (BESS) facility has been assessed and found to be within the proposed criteria based on review of the most appropriate guidelines and standards.

The NEHS has considered Chapter 11 of the EIAR.

- The Wind Energy Development Guidelines 2006 include guidance on how to derive noise limits for daytime and night-time periods, which can be summarised as: daytime limits take account of existing background noise levels and include a fixed limit of 45 dB, or background + 5 dB, whichever is the greater, except in low background noise environments where a fixed minimum limit in the range 35-40 dB should be considered.
- This criteria therefore requires that turbine noise at noise sensitive locations should not exceed for daytime periods: 40 dB(A) where background noise levels are below 30 dB; and, 45 dB(A) or background noise plus 5 dB, whichever is the greater, where background noise levels are greater than 30.
- This can potentially see a predicted increase of up to 15 dB(A) change in the noise environment as compliant with the criteria. Any change in the noise environment of this magnitude is highly likely to cause complaints and/or nuisance. **BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound** identifies an increase of 10 dB above existing rated noise levels will have a significant adverse impact and is highly likely to cause complaints. The reference to BS4142 is purely to demonstrate that there are authoritative Standards that recognise a change in a noise environment can have significant adverse effects and a magnitude of 10 dB(A) would be considered significant.
- The evaluation of significance of an effect is based on the most up to date scientific knowledge and data. The EIA process specifically requires the assessment to be 'the likely significant effects' and if the knowledge on an evaluation criteria of significance has developed since the publication of a guidance, then it is reasonable and correct to use the developed knowledge base in assessing the significance of any effect. This is particularly relevant to the protection of Public Health. Statutory Guidance issued under the Planning Development Act 2000 (as amended) has to be considered by the Planning Authority when making a decision, but it is not a consideration that precludes all other evidence and knowledge.
- In the opinion of the NEHS, tabulation of the predicted change in the noise environment from the proposed development and the cumulative change in the original baseline noise environment before any wind farm development in the area is the most informative way of reporting the likely effect of operational noise in an EIAR.

- The NEHS would consider the most appropriate criteria for assessing significance of the predicted noise is consideration of the ENVIRONMENTAL NOISE GUIDELINES for the European Region, 2018. The 2018 WHO Guidance set health protection levels from Environmental noise
<https://iris.who.int/bitstream/handle/10665/279952/9789289053563-eng.pdf?sequence=1>
The WHO is the most authoritative body with regards to the evidence base that sets health protection standards. The NEHS would consider it appropriate for the Planning Authority to use the existing noise data to carry out an assessment against the WHO 2018 Guidance noise criteria. This should include cumulative noise impacts from existing and planned wind farm developments.
- It is the opinion of the NEHS that conditioning hours of construction activity is an important element of the protection of Public Health. Particularly to prevent sleep disturbance. The recommended hours of construction are:

Monday to Friday 08.00 to 19.00

Saturday 09.00 to 14.00

No work on Sunday or Bank Holidays

Exceptionally work outside these hours at the express permission of the Planning Authority. This recommendation is made in the interest of the protection of Public Health.

Chapter 14 - Traffic and Transportation

The NEHS has considered Chapter 14 of the EIAR and the traffic management plan that outlines the mitigation measures for the duration of the project.

The NEHS is satisfied there will be adequate protection of Public and Environmental Health in the traffic management plan if all the mitigation measures are implemented in full.

Chapter 16 – Shadow Flicker

Chapter 16 of the EIAR predicts shadow flicker being present and identifies mitigation measures which would be employed to control shadow flicker at any potentially affected properties to ensure compliance with the current adopted Wind Energy Development Guidelines 2006.

The Applicant has committed to 'near zero' shadow flicker. Near zero shadow flicker refers to the brief period that may occur while the turbine rotor comes to a safe stop. This duration is typically between 1 and 2 minutes, depending on the reaction time of the shadow flicker control system and the specific turbine model proposed. In the interest of transparency, the EIAR describes this residual effect as near zero shadow flicker, stating that it is not possible to eliminate the effect entirely.

The stricter requirements of the draft 2019 Wind Energy Guidelines state that mitigation measures should be employed to ensure compliance:

The adopted 2006 DoEHLG guidelines are currently under review. The DoHPLG released the *Draft Revised Wind Energy Development Guidelines* in December 2019 for public consultation. The Draft 2019 guidelines recommend local planning authorities and/or An Bord Pleanála impose conditions to ensure that:

"no existing dwelling or other affected property will experience shadow flicker as a result of the wind energy development subject of the planning application and the wind energy development shall be installed and operated in accordance with the shadow flicker study submitted to accompany the planning application, including any mitigation measures required."

The Draft 2019 Guidelines are based on the recommendations set out in the *Proposed Revisions to Wind Energy Development Guidelines 2006 - Targeted Review* (December 2013) and the *Review of the Wind Energy Development Guidelines 2006 - Preferred Draft Approach* (June 2017).

Any residual effects should be in compliance with both the 2006 Guidelines and the Draft Revised Wind Energy Development Guidelines (2019).

The NEHS welcomes the commitment to control any shadow flicker that may occur as a result of the proposed development and recommends that mitigation measures to eliminate shadow flicker are implemented. It is noted that implementation as described in Chapter 16 would only ensure there is compliance subject to the response time of the control system.

In the interest of the protection of Public Health, the requirements set out in the 2019 Draft Guidance should be implemented as a condition and not just "regarded as stated in the EIAR, if permission is granted for this development. The technology has advanced since the publication of the 2006 Guidance and it is a reasonable health protection measure to be included in any conditioning of a wind farm development.

Chapter 18 - Major Accidents and Natural Disasters:

This chapter describes an assessment carried out of any likely significant effects of the proposed project on the environment deriving from its vulnerability to Major Accidents and/or Natural Disasters, as well as the potential of the proposed project itself to cause potential Major Accidents and/or Natural Disasters during the construction, operation and decommissioning phases. Included in the potential risks is:

- the movement of peat within the site / landslide
- Flooding of site during construction, operational and decommissioning stage;
- Risks related to climate change such as increased frequency and strength of storms, heightened flood risk, risk of extreme temperatures;
-

Within the proposed wind farm site, numerous man-made drains are in place to drain the existing forestry and cutover peatland. The merging of the proposed wind farm infrastructure with the existing forestry drainage and natural drainage of the proposed wind farm site, in a manner that avoids water quality and flooding impacts to downstream rivers and streams, is a key component of the proposed wind farm design.

Drainage attenuation will be applied across the proposed wind farm site to ensure no likely significant effects on downstream flooding will occur as a result of the proposed wind farm project. Mitigation against the risk of major accidents and/or disasters is embedded through the design of this project.

Appendix 2-3 - Construction and Environmental Management Plan (CEMP)

The NEHS has considered the CEMP in Appendix 2-3 and the mitigation for the construction phase.

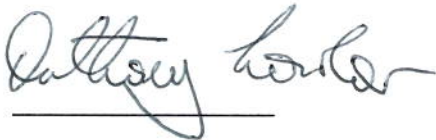
The applicant states a Construction Environmental Management Plan (CEMP) has been compiled for the proposed project. The CEMP will be updated prior to commencement of the construction works to address the requirements of any relevant planning conditions, including any additional mitigation measures which may be conditioned, and will be submitted to Offaly and Tipperary County Council for written approval.

Additional considerations in the interest of the protection of Public Health:

- a) All drinking water and water used for the preparation of food in the temporary construction compounds should meet the requirements of S.I. No. 122/2014 - European Union (Drinking Water) Regulations 2014
- b) There should be no direct emission to ground or surface water of any foul wastewater. All wastewater should be contained and taken off site to a licensed treatment facility
- c) Site drainage should ensure the protection of surface and ground water during the construction phase
- d) The dust monitoring is a monthly average standard. Compliance with standard can incorporate short periods of very high levels of dust deposition followed by low levels and still be compliant. It is therefore important that dust minimisation is continually implemented, and any complaints are investigated and responded to. It is noted that a Dust management plan is part of the CEMP.
- e) The NEHS recommends that mitigation measures to protect public health are listed as a condition of planning permission for this development, should it be granted.

If you have any queries regarding this submission, the initial contact is Anthony Lawlor, A/Principal Environmental Health Officer who will refer your query to the appropriate person.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Lawlor', is written over a horizontal line.

Anthony Lawlor
A/Principal Environmental Health Officer
HSE National Environmental Health Service

