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REPORT TO INFORM THE APPROPRIATE
ASSESSMENT PROCESS (SCREENING AND
NATURA IMPACT STATEMENT)

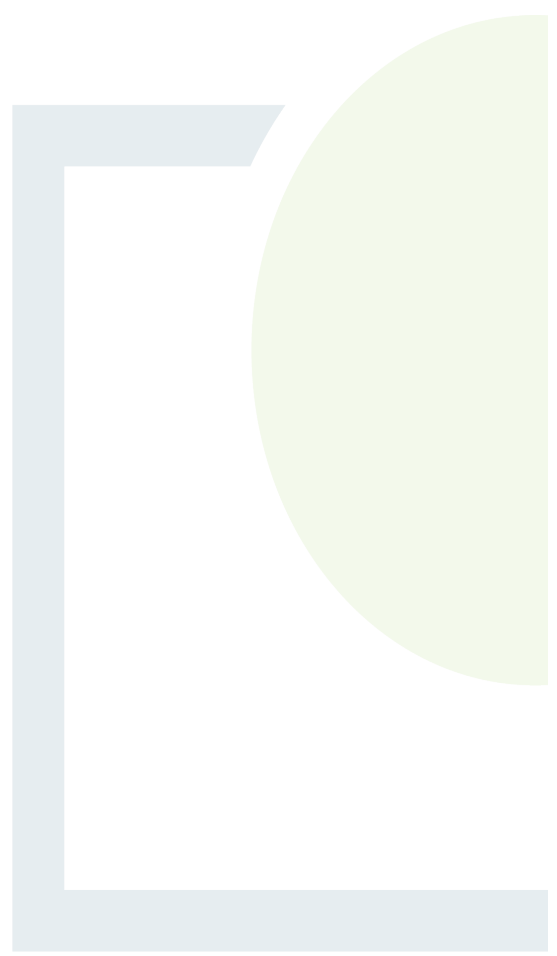
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REPORT TO INFORM THE APPROPRIATE ASSESSMENT PROCESS (SCREENING AND NATURA IMPACT STATEMENT)

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REVISION CONTROL TABLE, CLIENT, KEYWORDS AND ABSTRACT

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Abstract: This document is to inform the Competent Authority in carrying out their statutory obligations relating to Article 6(3) of the Habitats Directive.

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1. INTRODUCTION

Fehily Timoney and Company (FT) was commissioned by RWE Renewables Ireland Ltd (the Applicant) to prepare an Appropriate Assessment Screening (AAS) and Natura Impact Statement (NIS) for the Fahy Beg Battery Energy Storage System (BESS), Co. Clare (referred to as the 'Proposed Development').

This report presents an examination of whether the Proposed Development is likely to have a significant effect on a European site in view of that site's conservation objectives (either alone or in combination with other plans or projects) and is based on best available scientific knowledge. This report has been prepared to inform the competent authority in completing their statutory obligations in relation to Appropriate Assessment (AA), as required by Article 6(3) under Council Directive 92/43/EEC (Habitats Directive).

1.1 Legislative Context

Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive) provides legal protection for habitats and species of European importance. The Directive requires that where a plan or project is likely to have a significant effect on a European Site, while not directly connected with or necessary to the nature conservation management of the site, it will be subject to 'Appropriate Assessment' to identify any implications for the European site in view of the site's Conservation Objectives. Specifically, Article 6(3) of the Habitats Directive states:

"6(3) Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

The competent authority must carry out a screening for AA to assess, in view of best scientific knowledge, if Fahy Beg Battery Energy Storage System (BESS), individually or in combination with another plan or project is likely to have a significant effect on a European site. If it cannot be excluded, on the basis of a preliminary assessment and objective information, that the proposed project, individually or in combination with other plans or projects, will have a significant effect on a European site, an AA of its implications for the European Site(s) in view of the Site's conservation objectives is required to be carried out.

The provisions of Article 6(3) do not apply where the proposed plan or project is 'connected with or necessary to the management of the site'. In this case, the Proposed Development is not directly connected with or necessary to the management of any European site(s).

The relevant sections of the legislation are summarised in Appendix 1 of this report.



1.2 Methodology

This report presents an examination of whether the Proposed Development is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is based on best available scientific knowledge. This report has been prepared to inform the competent authority in completing their statutory obligations in relation to AA, as required by Article 6(3) under Council Directive 92/43/EEC (Habitats Directive).

See Section 3 of this report for the AAS. See Section 4 of this report for the NIS.

The assessment was conducted in accordance with the following guidance:

- Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Commission Notice (2021) Brussels, 28.9.2021 C(2021) 6913 final (European Commission, 2021).
- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin (2009, updated 2010) (Environment Heritage and Local Government, 2009).
- Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (2019). Brussels, (2019/C 33/01). OJ C 33, 25.1.2019.
- Interpretation Manual of European Union Habitats. Version EUR 28. (European Commission, 2013)
- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management, (Office of the Planning Regulator, 2021).
- CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2. Chartered Institute of Ecology and Environmental Management, Winchester

1.3 Process

The process of determining the likelihood of significant effects from a Proposed Development on European sites is an iterative process centred around a Source-Pathway-Receptor model. In order for an effect to be established, all three elements of this mechanism must be in place. The absence of one of the elements of the mechanism is sufficient to conclude that a potential effect cannot occur.

- Source(s) – e.g., pollutant run-off, noise, removal of vegetation, etc.;
- Pathway(s) – functional link, or ecological pathway e.g., groundwater connecting to nearby qualifying wetland habitats; and,
- Receptor(s) – the qualifying habitats and species of European sites and ecological resources supporting those habitats/species.

In the context of this report, a source is any identifiable element of the Proposed Development that is known to interact with the receiving environment. A receptor is the Qualifying Interests (QI) for a Special Area of Conservation (SAC) or Special Conservation Interests (SCI) for a Special Protection Area (SPA) or an ecological feature that is known to be utilised by the QI/SCI. Note that candidate/proposed European sites are also considered. In practice, the term QI also applies to SCIs (and is used in this document for simplicity). A pathway is any connection or link between the source and the receptor.



The assessment commences with a description of the Proposed Development, along with a description of the receiving environment and the associated sources for impacts to the receiving environment. All elements of the Proposed Development are presented including the project location and existing baseline environment. The type of impacts that are likely due to the Proposed Development (Source) are identified having regard to the spatial and temporal scale of the Proposed Development, resource requirements and likely emissions. These sources are then used to define the zone of influence (Zoi) of the Proposed Development as detailed in Section 3.2.

The European Commission Notice (2021) on the 'Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC', states that in identifying European sites (Natural 2000 sites), which may be affected by the Proposed Development, the following should be identified:

- Any European sites geographically overlapping with any of the actions or aspects of the plan or project in any of its phases, or adjacent to them;
- Any European sites within the likely Zoi of the plan or project. European sites located in the surroundings of the plan or project (or at some distance) that could still be indirectly affected by aspects of the project, including as regards the use of natural resources (e.g., water) and various types of waste, discharge or emissions of substances or energy;
- European sites whose connectivity or ecological continuity can be affected by the plan or project.

The Zoi of a proposed project is therefore the geographical area over which it could affect the receiving environment in a way that could have potential effects on the Qualifying Interests of a European site. The OPR (2021) practice note states that the Zoi must be established on a case-by-case basis using the Source-Pathway-Receptor (S-P-R) framework and not by arbitrary distances (such as 15 km). Section 3.2 sets out the detailed rationale for the identification of relevant European sites within the Zoi based on the sources of impacts arising from the proposed project. Subsequently, an assessment is undertaken with respect to potential connectivity (Pathways) to European Sites and their qualifying interests/special conservation interests are identified.

The potential for in-combination effects with other plans and projects is examined in Section 3.3, having regard to the identified impacts of the project along the ecological pathways identified to European sites.

In Section 3.4 the likelihood of significant effects of the European Sites within the Zoi is examined having regard to the sensitivity of the site with pathways for impacts associated with the Proposed Development on its own and in combination with other plans and projects.

Having regard to the European Commission Communication on the Precautionary Principle (European Commission, 2021) the:

“absence of scientific evidence on the significant negative effect of an action cannot be used as justification for approval of this action. When applied to Article 6(3) procedure, the precautionary principle implies that the absence of a negative effect on Natura 2000 sites has to be demonstrated before a plan or project can be authorised. In other words, if there is a lack of certainty as to whether there will be any negative effects, then the plan or project cannot be approved.”

At screening stage where significant effects are determined to be likely, or where there is uncertainty regarding the likelihood of significant effects, the Proposed Development will be required under law to be subjected to AA.

The NIS as presented has been developed to address these requirements so as to present sufficient and up to date information to allow the Competent Authority to give full consideration of all elements contributing to the site integrity and allowing identification of potential adverse effects, mitigation measures and residual effects.



The European Commission Notice (2019): 'Managing Natura 2000 sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC' prescribes the content of the AA and notes the following:

- It must be ensured that the AA addresses all elements contributing to the site's integrity as specified in the site's conservation objectives and Standard Data Form, and is based on the best available scientific knowledge in the field;
- The information required should be up to date;
- The AA should also include a comprehensive identification of all the potential effects of the plan or project likely to be significant on the site, taking into account in-combination and other effects likely to arise as a result of the combined action of the plan or project under assessment with other plans or projects;
- It should apply the best available techniques and methods to assess the extent of the effects of the plan or project on the integrity of the site(s).

This AAS and NIS is based on best scientific knowledge and has utilised ecological expertise. In addition, a detailed online review of published scientific literature was conducted. This included a detailed review of the National Parks and Wildlife Website including mapping and available reports for relevant sites and in particular sensitive qualifying interests/special conservation interests described and their conservation objectives.

1.4 Statement of Authority

The AAS and NIS was prepared by FT Senior Ecologist Donna O'Halloran, and reviewed by FT Ecologist and Senior Associate Director Rita Mansfield. Field surveys were conducted by FT Project Ecologist Kate O'Regan.

Donna holds a MSc. (Hons) in Ecological Assessment, a MSc. (Hons) in Environmental Resource Management, a BSc (Hons) in Landscape Horticulture and a National Diploma in Horticulture. Donna is a Senior Ecologist with over 10 years postgraduate experience as an ecologist, working on energy, circular economy, infrastructure and planning projects. Donna has approximately five years' experience working on behalf of the Minister of the Department of Agriculture, Food and the Marine undertaking Appropriate Assessment for afforestation, felling and forest road applications. Donna has experience undertaking Appropriate Assessments, Ecological Impact Assessments and Invasive Species Management Plans. Donna has undertaken a wide range of ecological field assessments including habitat, invasive species, mammal, and bird assessments.

Rita holds a BSc.(Hons) in Applied Ecology and a H. Dip Environmental Protection and Pollution Control. Rita is experienced as a technical ecology lead within the environmental and planning services sector. She is a qualified ecologist with responsibility for environmental impact assessment, planning applications (conventional and strategic infrastructure development), Appropriate Assessment, foreshore licensing, and stakeholder engagement for large scale plans and projects in Ireland, including for renewable energy developments. Rita has undertaken and managed a wide range of ecological field assessments including mammal, herpetofauna, bird, fishery, invertebrate and habitat assessments. Rita has held numerous licences under the Wildlife Act and Habitats Directive for disturbance to species which included mitigation (e.g. construction of artificial otter holt, bat exclusion). Rita has provided advice on ecological / environmental design to various private and public sector clients.

Kate holds a first-class BSc. in Zoology and first-class MSc in Marine Biology from University College Cork. Since joining Fehily Timoney, Kate has prepared Appropriate Assessments and Ecological Impact Assessments for waste facilities and road improvement schemes along with ornithological chapters and collision risk models for renewable energy projects. Kate has previous experience in data management, statistical analysis, mapping and technical report writing. Kate has also completed a wide range of site work including habitat, ornithological, bat, freshwater aquatic, intertidal, subtidal, insect and mammal surveys.



2. DESCRIPTION OF THE PROJECT

2.1 Project Background

The Applicant intends to develop the proposed BESS in the townlands of Woodpark TD and Leitrim TD, near Bridgetown, Co. Clare. The purpose of the BESS will be to provide energy storage to support the penetration of renewable energy generation onto the national grid. The Project includes a Battery Energy Storage System (BESS) Compound within a total site area of 3.58 hectares with associated internal access roads. Furthermore, the installation of grid code compliance equipment to facilitate an under the-fence connection to the adjacent permitted Fahy Beg 38kV substation. The grid code compliance compound will include a Backup Diesel Generator, Neutral Earthing Resistor (NER), Auxiliary House Transformer, Interface Kiosk, Marshalling Kiosks, boundary fence, and associated ancillary development

This planning application is for permission for the proposed BESS from Clare County Council under section 34 of the Planning and Development Act 2000 (as amended) (PDA).

2.1.1 Site Location Details

The application site is located within the townlands of Woodpark TD and Leitrim TD, near Bridgetown, Co. Clare. It is located north of the R466, approximately 1.8km to the northwest of Bridgetown. The surrounding landscape is mostly made up of agricultural and rural lands, a Roadstone quarry located c.300m to the north accessed via the same entrance, an existing Sand and Gravel quarry located c.500m to the east, and dispersed one-off rural dwellings.

The subject lands comprise a greenfield site with undisturbed ground and no history of any previous unauthorised activities. Three key pieces of evidence supporting this are provided by the applicant through this application submission, which include; Historical Mapping and Aerial Imagery, Geotechnical investigation evidence, and a signed letter from Roadstone Quarry Owner and Operator. Please refer to Section 4.1 of the Planning and Environment Report for further information.

The proposed BESS will be sited directly adjacent to the recently permitted Fahy Beg Wind Farm substation (under Ref. ACP 317227), which is of a comparable character and it is considered to be an optimal location for the provision of such infrastructure to store electricity when there is a surplus of generation in the system. The co-location of these two projects supports the county's goals for sustainable development and infrastructure growth.

The Proposed Development will be accessed from the R466, via part of the existing Roadstone Quarry access road, and approved access road to the Substation lands.

The lands contained within the red line boundary are owned by a private landowner who has an agreement with RWE Renewables Ireland Limited to construct the development on their lands. A letter of consent from the landowners is included as part of the planning application pack.



2.2 Overall Development Description

The proposed development, on an overall site of 3.58 hectares, will consist of:

- A co-located Battery Energy Storage System (BESS) Compound with associated internal access tracks;
- Access to the proposed BESS compound will be from the R466 local road and will consist of the use of an existing quarry entrance in the townland of Leitrim which will be upgraded as permitted as part of the Fahy Beg Wind Farm (under Clare County Council Ref: 23148 & ACP Ref 317227);
- Installation of grid code compliance equipment to facilitate an under-the-fence connection to the adjacent Fahy Beg 38kV substation. The grid code compliance equipment will include:
 - a) Backup Generator,
 - b) Neutral Earthing Resistor (NER),
 - c) Auxiliary House Transformer,
 - d) Marshalling Kiosks;
 - e) 3 no. spare parts shipping containers (measuring 12.2 m (L) x 2.4 m (W) x 2.6 m (H)); and
 - f) Associated ancillary development.
- Installation of 32 no. Battery Energy Storage Units comprising metal shipping containers housing batteries (measuring 6 m (L) x 2.4 m (W) and 2.9 m (H) each), and associated ancillary control and ventilation units;
- Installation of 8 no. Medium Voltage (MV) Inverter Stations comprising metal shipping containers housing the inverter, MV transformer, and an MV-LV room (measuring 6 m (L) x 2.4 m (W) and 2.9 m (H) each);
- Installation of 1 no. water storage tank (measuring 5.15 m (L) x 4.15 m (W) x 2.58 m (H));
- Construction of 250 m of new access tracks;
- Provision of a crane hardstanding area to facilitate lifting operations on site (280m²);
- Provision of 10 no. car parking spaces (8 no. standard parking spaces, and 2 no. accessible parking spaces);
- Reprofiling of the existing cut slope embankment with the erection of a gabion basket retaining wall measuring 75m in length and 2.5m in height, and construction of a reinforced fill slope embankment;
- Underground electrical and communications cabling;
- Security lighting, CCTV and communications mast;
- Provision of 150m of Sound reflective barriers;
- Security fencing and gates;
- Drainage system including on-site surface water attenuation ponds;
- Tree felling of 0.19 Ha (1,890m²) to facilitate required clearance for BESS compound, associated earthworks and drainage infrastructure;
- Removal of 109m of hedgerow to facilitate development of the BESS compound, and replanting of 109m at perimeter locations; and



- All associated ancillary site development and vegetation clearance works including landscaping and hedgerow reinstatement.

Drawing No's. **300100922-DR-101**, **P24-139-0100-0002**, **P24-139-0100-0003** shows the layout of the Proposed Development.

Details of construction methodologies associated with the Proposed Development are contained in the Construction and Environmental Management Plan (CEMP) prepared for this project (enclosed in Appendix 2 as part of this application).

2.2.1 BESS Compound

The proposed BESS is located directly adjacent to the Substation as shown in Drawing No. **300100922-DR-101**.

The main BESS compound is contained within an area measuring c. 0.68 hectares. This is the area containing the BESS compound which includes the hardstand platform for the BESS battery units, inverter stations, sound reflective barriers, gabion basket retaining wall, drainage infrastructure, and all associated earthworks and landscaping.

Other ancillary details such as compound gates, lightening masts, permanent access tracks and associated drainage will be required as part of the Proposed Development.

The compound hard standing formation will consist of compacted hardcore on geo-textile membrane. The stone required for the construction of the internal access roads will be sourced from licenced quarries in the vicinity of the Proposed Development. The location of licensed quarries, waste facilities and haulage routes are identified in Section 8 of this report.

The general arrangement of the BESS compound is shown in planning application Drawing Ref: **300100922-DR-101**. Details of internal infrastructure associated with the BESS compound are presented in planning application drawing Refs: **300100922-DR-104** and **300100922-DR-105**.

2.2.2 Addition of Grid Code Compliance Equipment

Additional Grid code compliance equipment will also be sought to the South of the permitted 38kV Substation in addition to the proposed BESS development These components required are as follows;

- Backup Generator details
- Neutral Earthing Resistor (NER)
- Auxiliary House Transformer
- Marshalling kiosks

It is proposed to site this additional plant equipment with gross floor area of 27 sq m. adjacent to the permitted 38kV Substation Customer Compound. All earthing requirements will be connected via an underground earth grid. Two 33kV underground cable routes will be utilised to interconnect the inverter stations into the IPP Switchroom of the permitted Fahy Beg 38kV Substation for import and export onto the Grid Network.

Design details of the proposed Grid Code Compliance Equipment Layout are presented in Figure 2-1 below and Planning Application Drawing **300100922-DR-101**.

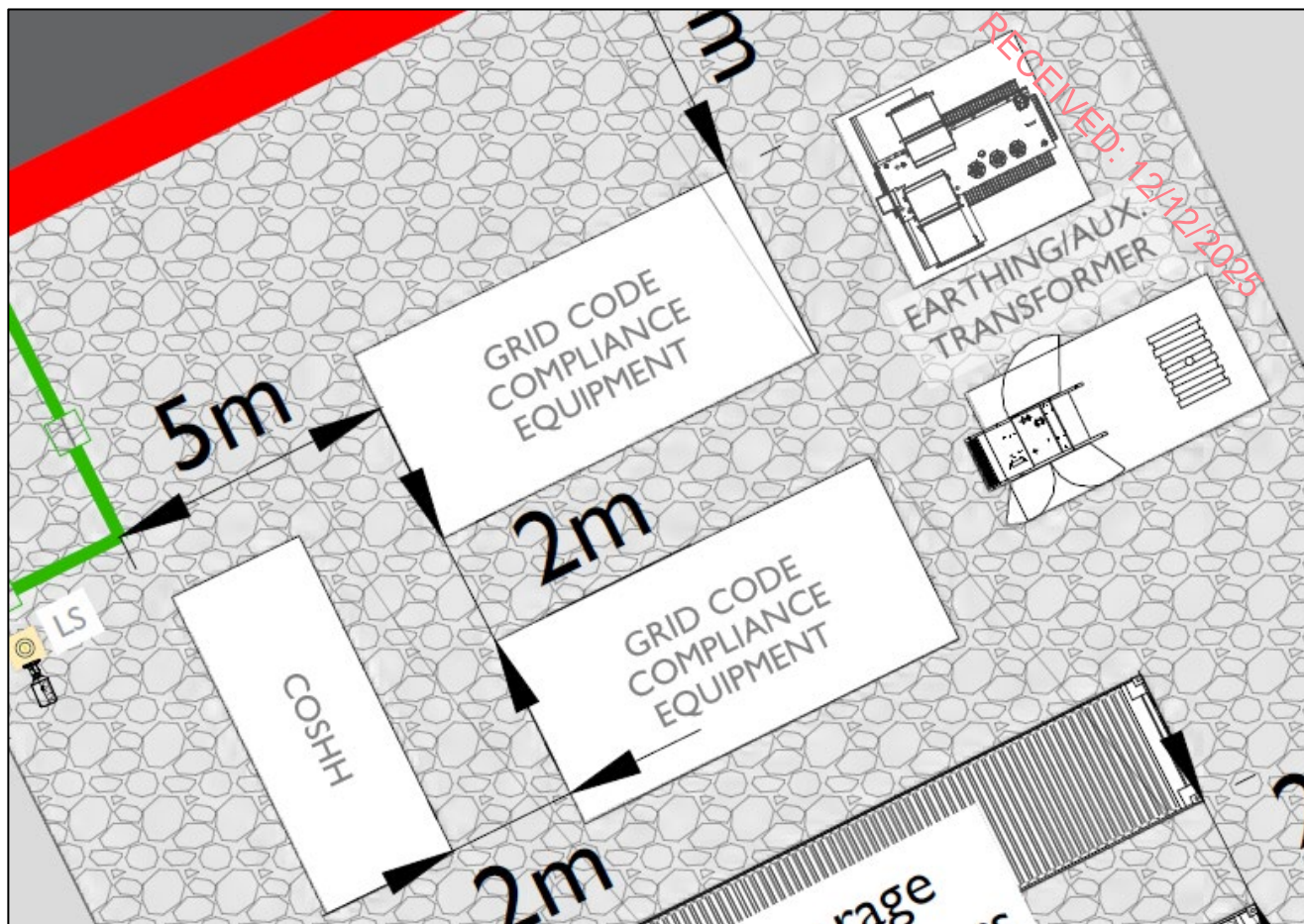


Figure 2-1: Grid Code Compliance Equipment Layout

2.2.3 Ancillary Components

Other ancillary details such as lighting, compound gates, permanent access tracks and associated drainage will be required.

BESS units shall consist of metal shipping containers housing lithium ion batteries [approximately 6 m (L) x 2.4 m (W) and 2.9 m (H) each] and associated ancillary control and ventilation units.

The general arrangement of the battery energy storage units is shown on planning drawing ref: **300100922-DR-101**. A typical design detail of the proposed battery storage units is shown within Appendix 1 of the Planning and Environment Report, Drawing No. **300100922-DR-105**.

2.2.4 Inverter Units

Metal shipping containers house the inverter, MV transformer and an MV-LV room (6 m (L) x 2.4 m (W) and 2.9 m (H)).

Two 33kV underground cable routes will be utilised to interconnect the inverter stations into the IPP Switchroom of the permitted Fahybeg Windfarm 38kV Substation IPP Switch room for renewable export onto the National Grid Network.

A proposed design detail of the proposed inverter units is shown in Appendix 1 of the Planning and Environment Report, Drawing No. **300100922-DR-104**.



2.2.5 Groundworks for Slope Stability

To minimise the development's footprint, a series of specialised earthworks, grading, and retaining techniques are proposed.

On the eastern side of the compound, the existing cut slope will be reprofiled and retained with a 75-meter-in length and 2.5m in height gabion basket retaining wall. This wall uses wire cages filled with stone to create a robust and permeable retaining structure. This approach not only provides the necessary support for the reprofiled slope but also offers a durable, low-impact solution that can naturally blend with the surrounding landscape.

To balance the site's profile, an engineered fill slope embankment will be constructed on the western side of the compound. This is a carefully designed and compacted material that ensures long-term stability and provides a secure base for the development.

These two techniques work together to optimise the use of the site's limited space while ensuring the structural integrity of the compound and minimising the overall disturbance to the receiving environment.

2.2.6 Temporary Construction Compound

There are two temporary construction compounds proposed as part of the Wind Farm which will be used to facilitate the Proposed Development construction. The surface area of these temporary construction compound and lay down areas are 3,700 sq m. No additional works are required to the temporary construction compounds for the Proposed Development. The temporary construction compounds will have access from the Roadstone Ballyquin Quarry access road for the duration of the construction program for the Proposed Development.

There will be welfare facilities during construction in the temporary construction compound. Containerised toilets and welfare units with storage tanks will be used to provide toilet facilities for site personnel during construction. These temporary facilities shall be regularly serviced throughout the construction stage and do not require a wastewater treatment system. After completion of construction, welfare facilities will not be required given that the battery facility will be unmanned. These temporary construction compound facilities will be removed once construction of the Proposed Development is completed.

2.2.7 Internal Access Roads

Internal access roads will allow for the construction of the development and future maintenance of the plant and equipment, which is likely to involve limited but regular maintenance visits by small vehicles such as vans. The road will be constructed of compacted gravel stone and measure 5 m wide and located as shown in the site layout plan.

The development shall include the construction of 250 m of new access tracks. Access roads shall be gravel tracks within the compounds.

Materials required for the construction of the internal access roads will be sourced from licenced quarries in the vicinity of the Project. The location of licensed quarries, waste facilities and haulage routes are identified in Section 8 of this report.

Details of internal access roads are presented in 0501 series planning application drawings.



2.2.8 Site Access

The BESS development proposes the use of the following infrastructure to access the site:

- the main Roadstone Ballyquin existing quarry access off the R466;
- the Substation access from the main Roadstone Ballyquin Quarry access road for construction and operation of the facility;
- the consented temporary construction compound hard standing and associated access from the Roadstone Ballyquin Quarry access road for the duration of the construction program;

No additional works are required to the infrastructure outlined above, the Proposed Development only requires continued use of them.

Details of site entrances are presented in Appendix 1 of the Planning and Environment Report, in Drawing No's. **300100922-DR-101**, **P24-139-0100-0002** and **P24-139-0100-0003**.

2.2.9 Underground Electrical and Communications Cabling

Electricity from the BESS shall be collected at medium voltage (33 kV) by two internal circuits of underground cables which will be utilised to interconnect the inverter stations into the IPP Switchroom of the permitted Fahy Beg 38 kV Substation IPP Switch room for import and export onto the National Grid Network.

Details of proposed underground electrical and communications cable trenching are presented in planning application drawing ref: **300100922-DR-106** and **300100922-DR-107**.

2.2.10 Security Lighting and CCTV

Security lighting and CCTV will be mounted on 4 m high poles placed within the perimeter of the BESS Compound. Installed lighting will be both located and shielded to minimise light emissions beyond the perimeter of the site. This lighting will be Passive Infrared sensor (PIR) controlled and therefore not be on consistently. The lights respond to movement or are turned on the rare case that night work is required. Temporary lighting shall be used during the construction phase of the development but shall not remain illuminated outside of the construction activity within the Site.

Details of proposed security lighting and CCTV are presented in Drawing No. **P24-139-0501-0008** within Appendix 1 Planning Application Drawing Pack of the Planning and Environment Report.

2.2.11 Surface Water Management

The BESS Compound site is characterised by existing natural drains draining to the south towards the Bridgetown (Clare) stream, connected to the Black River and eventually discharging to the Shannon northeast of O'Briensbridge. The coastal area where the river meets the sea is part of the Lower River Shannon SAC.

Natural drainage patterns within the site follow the topography which slopes from the northeast to the southwest draining towards the Bridgetown (Clare) stream.

A drainage design has been prepared for the site as shown on 0501 Series planning application drawings. The drainage network has been designed to take account of existing topography, land cover and existing hydrological features.



A key design philosophy employed for surface water management is the implementation of Sustainable Drainage Systems (SuDS). This design approach ensures that existing drainage patterns will be maintained throughout the site.

The drainage system will be constructed outside compound earthworks and hard standings and internal access tracks. Existing quarry track drainage leading to the site entrance shall be retained.

Surface water runoff attenuation and drainage management are key elements in terms of mitigation against impacts on surface water bodies.

Two distinct methods will be employed in the management of construction surface water runoff. The first method involves keeping clean water clean by avoiding disturbance to natural drainage features, minimising any works in or around drainage features, and diverting clean surface water flow around excavations and construction areas. The second method involves collecting any drainage waste from works areas within the site that might carry silt or sediment, and to route them towards settlement ponds prior to controlled diffuse release over vegetated natural surfaces. There will be no direct discharge to surface water.

'Clean' water is separated from 'dirty' water utilising interceptor drains. The interceptor drains will be installed on the upslope side of the construction areas. This will reduce the amount of water from construction area that will need to be treated before it can be safely discharged into the environment.

Access tracks and compound hard standings will be constructed from a permeable aggregate material to allow the runoff to infiltrate with paved surfaces kept to a minimum. The excess water will drain into swales which will be connected, during the construction stage, to the settlement ponds.

Details of the onsite water drainage system are shown on **0501** series planning application drawings.

Further details of the proposed drainage system can be found within Section 6 of this report and in the CEMP in Appendix 2 of the Planning and Environment Report.

2.2.12 Wastewater Management

As the Proposed Development will be remotely operated, no sanitary facilities are proposed and therefore no wastewater treatment or storage is required for the operation of the facility.

As described in Section 2.1.7, there will be welfare facilities available for use during construction in the temporary construction compound located at the adjacent Fahy Beg Wind Farm. Containerised toilets and welfare units with storage tanks will be used to provide toilet facilities for site personnel during construction. These temporary facilities shall be regularly serviced by appropriate contractors throughout the construction stage and do not require a wastewater treatment system.

Details of the onsite water drainage system are shown on **0501** series planning application drawings.

2.2.13 Security Fencing and Gates

The Proposed Development will be secured by gates at the entrance to the Substation and BESS compound off the main Ballyquin Quarry access road. The main entrance to the quarry off the R466 is also gated with perimeter fencing to secure the site.

Appropriate safety signage will be displayed on the fencing and gates.



Details of the gates are shown on Drawing No. **P24-139-0501-0008** within Appendix 1 Planning Application Drawing Pack of the Planning and Environment Report.

2.2.14 Tree Felling and Landscaping

Felling of 0.19 Ha (1,890m²) of WN6 Wet willow-alder-ash woodland is required for clearance to facilitate construction of the BESS compound, associated earthworks and drainage infrastructure. Replanting of felled trees will also form part of the development as part of the ecological enhancement measures. For more information on replanting please refer to Appendix 4 Ecological Impact Assessment, of the Planning and Environment Report.

The felling and clearing required for the substation entrance is already permitted as part of the adjacent wind farm consent. There will be 109 metres of WL1 Hedgerow removal required to accommodate the BESS. It is proposed to reinstate any hedgerow removed to suitable locations within the site's development boundary. For further details on the reinstatement of hedgerows please refer to the Landscape Mitigation Plan within Appendix 7 of the Application.

2.2.15 Construction Phase

In the event that the Planning Authority decides to grant planning permission for the proposed project, site clearance, construction of new site tracks, and associated drainage infrastructure will precede all other activities. This will be followed by the construction of the hardstanding areas and foundations. It is anticipated that the construction of the Proposed Development may overlap with the construction of the Fahy Beg Wind Farm (under Clare County Council Planning Ref. 23148, An Coimisiún Pleanála Ref. 317227).

Construction techniques are outlined in the CEMP in Appendix 2 of the Planning and Environment Report. The hours of construction activity for the project will be limited to avoid unsociable hours as per Section 8.5 (d) of the code of practice for BS 5228: Part 1: 1997. Construction operations shall generally be restricted to between 07:00 hours and 19:00 hours Monday to Friday and 07:00 - 13:00 on Saturdays. Work on Sundays or public holidays will only be conducted in exceptional circumstances subject to agreement with the Planning Authority or in an emergency. Additional emergency works may also be required outside of normal working hours as quoted above. Further details on working hours and restrictions of same are provided in the CEMP in Appendix 2 of the Planning and Environment Report.

It is expected that the construction phase, including civil, electrical and grid works will take approximately 12 months.

2.2.16 Operational Phase

The Applicant requests that the development be granted planning permission for an operational period of 20 years – i.e. that the planning permission specifies an operational period of 20 years from the date of commissioning of the BESS.

During the operational phase of the development, there will be occasional maintenance works associated with the site, however, it is considered that this will have an imperceptible impact on the local population in terms of traffic.

The BESS will be largely monitored remotely. Should remote monitoring observe that the BESS is performing sub-optimally, a maintenance technician will be deployed to the site in an LGV.



Maintenance work on the BESS is anticipated to be required from time to time, generally occurring at quarterly intervals. It is estimated that traffic to the site during the operational phase would average 1 to 2 visits per month and the impact on the public road network is considered negligible.

2.2.17 Decommissioning Phase

On decommissioning of the battery energy storage system, all equipment in the BESS compounds shall be removed from the site along with all ancillary infrastructure including storage containers, and gates. Hard standings and drainage infrastructure shall be left in situ.

Buried cables shall be removed for recycling with buried ducting left in situ.

It is expected that the decommissioning phase will take no longer than 6 months to complete.

A detailed decommissioning plan will be agreed in advance of construction with Clare County Council.

2.3 Existing Environment

2.3.1 Desktop Assessment

A desk study was carried out to collate available information on the existing natural environment at the Proposed Development location. This comprised a review of the following publications, data and datasets:

- Environmental Protection Agency (EPA) (on-line map-viewer including the Appropriate Assessment Tool)¹;
- Department of Housing, Planning, and Local Government- EIA Portal;
- National Parks and Wildlife Service – online European site network information, including site conservation objectives²;
- National Parks and Wildlife Service – Information on the status of EU protected habitats and species in Ireland (including Article 17 and Article 12 Reports)³;
- National Parks and Wildlife Service - Flora (Protection) Order 2022 Map Viewer⁴;
- National Biodiversity Data Centre⁵

¹ <https://gis.epa.ie/EPAMaps/> Accessed November 2025.

² www.npws.ie Accessed 08/07/2025

³ <https://heritagedata.maps.arcgis.com/apps/webappviewer/index.html?id=a41ef4e10227499d8de17a8abe42bd1e> Accessed November 2025.

⁴ NPWS FPO map viewer - Vascular Plants

(<https://heritagedata.maps.arcgis.com/apps/webappviewer/index.html?id=a41ef4e10227499d8de17a8abe42bd1e> accessed 08/07/2025

⁵ www.biodiversityireland.ie Accessed November 2025.



Desktop data has also been sourced from surveys used to inform the planning application of Fahy Beg Wind Farm planning application⁶ (Clare County Council Planning Ref. 23148, An Coimisiún Pleanála Ref. 317227).

These include:

- the Aquatic Ecology Report dated 15th December 2022, prepared by ecoFACT; survey undertaken in September 2021 and March 2022;
- the Bat and Otter GCR Survey Report 15th December 2022 prepared by ecoFACT; surveys undertaken at selected watercourse crossings in September 2022;
- Results of the 2020 and 2021 active bat seasons and habitat suitability assessments, Dated August 2022, prepared by Woodrow APEM Group, transect survey undertaken of the grid connection route 24 August 2021;
- Mammal surveys undertaken of the grid connection route on 14th July and 19th- 22nd July by FT ecologists.

2.3.2 Field Assessment

A field survey was carried out on 16th July 2024 by FT Ecologist Kate O'Regan. The habitats within applicant site were identified and classified according to 'A Guide to Habitats in Ireland' (Fossitt, 2000). The flora species present in each habitat type was recorded using the DAFOR scale.

The habitat mapping exercise adhered to the 'Best Practice Guidance for Habitat Survey and Mapping' (Smith et al., 2011) published by the Heritage Council. The FieldMaps GIS app was used for mapping habitats. Scientific and common names for plants follow Stace (2010). In addition to habitat identification, each habitat was assessed for its ecological significance, based on CIEEM, 2018. Habitats were appraised and evaluated according to their occurrence as protected habitats under Annex I of the EU Habitats Directive (92/43/EEC) and for their ecological value.

During the walkover, the Proposed Development was surveyed for the presence of mammal species; including badgers (*Meles meles*), otters (*Lutra lutra*), pine marten (*Martes martes*), and red squirrel (*Sciurus vulgaris*) in accordance with the NRA (2009) guidelines.

During the site walkover the ecologist visually assessed the landscape features within the site of the Proposed Development for potential use as bat roosting habitats and commuting and foraging habitats. This occurred in accordance with the BCT 'Bat Surveys for Professional Ecologists: Good Practice Guidelines' (4th edn.) (Collins, 2023), which identifies a grading protocol for assessing bat structures, trees and commuting and foraging habitats. Trees within the study area were assessed via a ground level inspection of the exterior of each tree to identify potential roost features that could be used for roosting bats. Due to the low value of the habitats no further bat surveys were undertaken.

⁶ Please note that field assessments were undertaken in accordance with best practice to provide a baseline of the Proposed Development and immediate surrounds. This additional data is being used like the other desktop data as it is available and helps to provide data on the environment outside of the application site.



2.3.3 Description of Existing Ecological Baseline

The following habitats were observed within the Proposed Development during the site walkover undertaken by an FT ecologist on 16th July 2024: GS3 Dry-humid acid grassland, WN6 Wet willow-alder-cash woodland, WS2 Immature woodland, FS1 Reed and large sedge swamp, and WL1 Hedgerows. Drainage Ditches (FW4) and a road (classified as BL3 Buildings and Artificial Surfaces) are located outside and adjacent to the western boundary of the Proposed Development.

There are no habitats within the Proposed Development that conform to those listed under Annex I of the EU Habitats Directive. The 2019 Article 17 Report (NPWS, 2019a) identifies 9 Annex I habitats recorded within the same sub-catchment as the Proposed Development site (BRIDGETOWN (CLARE)_010): 4010 Wet heaths, 4060 Alpine and subalpine heath, 4030 Dry heaths, 7130 Blanket bog (active)*, 91E0 Alluvial woodland*, 6410 Molinia meadows, 6130 Calaminarian grasslands, and 6230 Species-rich Nardus grassland*. These habitats are located at varying distances from the Proposed Development:

- There are several areas of 4010 Wet heaths, 4060 Alpine and subalpine heath, and 4030 Dry heaths which are found together and scattered throughout the sub-catchments, mostly limited to the uplands; the closest areas of 4010 Wet heaths, 4060 Alpine and subalpine heath and 4030 Dry heaths are located 1.6 km, 3.16 km and 5.76 km from the Proposed Development.
- 7130 Blanket bog (active)* is associated with the heath habitat located in the uplands; at a minimum distance of 2 km from the Proposed Development.
- There are four areas of 91E0 Alluvial woodland* within the sub-catchment, with the habitat located at a minimum distance of 1.5 km from the Proposed Development.
- There are two areas of 6410 Molinia meadows mapped within the sub-catchment, located at a minimum distance of 5.36 km away from the Proposed Development.
- A single area of 6430 Hydrophilous tall-herb swamp habitat is mapped within the sub-catchment and is associated with 6410 Molinia meadows and is located 5.4 km away from the Proposed Development.
- There are two areas of 6130 Calaminarian grasslands within the sub-catchment, and they are located at a minimum distance of 17.7 km from the Proposed Development.
- There are 5 areas of 6230 Species-rich Nardus grassland* within the sub-catchment and they are located 21.7 km from the Proposed Development.

Of these 9 Annex I habitats recorded within the same sub-catchment as the Proposed Development, only 6410 Molinia meadows is located downstream at a distance of ca. 10.8 km (instream distance).



No records of rare and/or protected flora under the Flora Protection Order (2022) or listed in Annex II and IV of the EU Habitats Directive (92/43/ECC) from NBDC data within the 2km grid square (R66J) surrounding the Proposed Development site were returned. Invasive species Snowberry (*Symphoricarpos albus*) was recorded within these 2km grid square (R66J), but was not observed during the site visit undertaken on 16th July 2024. Furthermore, the area does not overlap any Bryophyte Sites, according to the NPWS FPO Bryophyte Sites Mapview⁷. During field surveys, no FPO species, Annex II or IV plant species, or invasive flora species were recorded.

The 2019 Article 17 Report (NPWS, 2019b) data shows that white-clawed crayfish (*Austropotamobius pallipes*) are located within the Shannon [Lower] River (EPA code: 25S01); ca. 13.3 km (instream distance) downstream of the Proposed Development. Otter (*Lutra lutra*) was recorded also recorded within the within a tributary of Lough Derg (Segment code: 25_191b) and in Shannon [Lower] River; ca. 4.7 km and 3.6 km (direct distance) respectively from the Proposed Development. Marsh fritillary (*Euphydryas aurinia*) was recorded within the 10 km grid square (R66) which overlaps with the project area. There was no devils-bit scabious (*Succisa pratensis*) recorded in the NBDC data for the grid square encompassing the Proposed Development, which is an essential habitat component for marsh fritillary. There was also no devils-bit scabious recorded during field surveys.

A drainage ditch located at the entrance to the Proposed Development likely flows into the Bridgetown (Clare) Stream. An otter survey was undertaken at the bridge over Bridgetown (Clare) Stream (segment code: 25_2517, order: 1) on the R466 (to inform the planning application for the now permitted Fahy Beg Wind Farm (Clare County Council Planning Ref. 23148, An Coimisiún Pleanála Ref. 317227) ca. 113 m from the south-eastern boundary. The survey results indicated that the stream does not provide habitat for fish and it is very unlikely that Otters would use the stream. No Otter holts or important Otter features were observed. Aquatic surveys (habitat survey, aquatic macroinvertebrate surveys, fish surveys) were undertaken of the Bridgetown (Clare) river system as well as the River Black [O'Briensbridge] (located ca. 4.2 km (instream distance) downstream) in September 2021 (to inform the planning application for the now permitted Fahy Beg Wind Farm (Clare County Council Planning Ref. 23148, An Coimisiún Pleanála Ref. 317227)). Brook lamprey were recorded within the Bridgetown (Clare) Stream and Black (O'Briensbridge) River, located ca. 2.3 km and Ca. 3.1 km (instream distance) downstream of the Proposed Development. Additionally it was concluded that Brook lamprey habitat was present upstream within the Bridgetown (Clare) Stream which was surveyed ca. 334 m (instream distance) downstream of the Proposed Development. Salmonid habitat was also recorded at the locations, however Salmon, River lamprey and Sea Lamprey were not recorded. Downstream of River Black [O'Briensbridge] there is a culvert / siphon that brings the river under Ardnacrusa headrace and into the River Shannon below Parteen weir. This structure is a fish migration barrier affecting Salmon and River and Sea Lampreys.

During the site visit on 16th July 2024 the Proposed Development was found to be of low suitability for roosting bats, with no potential roosting features for Lesser Horseshoe Bat were observed. It was concluded that the foraging and commuting habitat was of low suitability for bats. A bat transect survey was undertaken along the access track of the Proposed Development in 24 August 2021 (Results of the 2020 and 2021 active bat seasons and habitat suitability assessments, Dated August 2022, prepared by Woodrow APEM Group) undertaken to inform the planning application for the now permitted Fahy Beg Wind Farm (Clare County Council Planning Ref. 23148, An Coimisiún Pleanála Ref. 317227). Along the access track adjacent to the Proposed Development, Lesser Horseshoe Bat were not recorded. A search of the NBDC database showed that otter as well as Lesser Horseshoe Bat (*Rhinolophus hipposideros*) were the only mammal species protected under the Habitat Directive (Annexes II & IV) recorded within the 10km tetrad (R66).

⁷ NPWS Bryophyte Viewer

<https://dahg.maps.arcgis.com/apps/webappviewer/index.html?id=71f8df33693f48edbb70369d7fb26b7e> Accessed November 2025.



Additionally, five invasive fauna species were recorded within the 10km tetrad (R66) on the NBDC database, namely American Mink (*Neovison vison*), Bank Vole (*Myodes glareolus*), Brown Rat (*Rattus norvegicus*), Fallow Deer (*Dama dama*), and Greater White-toothed Shrew (*Crocidura russula*). Sign of Fallow deer were observed during the site walkover undertaken on 16th July 2024.

There are seven Annex I bird species recorded within the R66 10km grid square (NBDC). Of these, four species were recorded over the last 10 years, Hen Harrier (*Circus cyaneus*), Kingfisher (*Alcedo atthis*), Little Egret (*Egretta garzetta*), and Whooper Swan (*Cygnus cygnus*). There were historical records of three species, corncrake (*Crex crex*), Merlin (*Falco columbarius*), and White-fronted Goose (*Anser albifrons*). These records date back to 1991, 1972 and 2011, respectively. Of these species, none of these species were recorded during the site visit undertaken on 16th July 2024. Additionally the habitats of the Proposed Development are deemed suboptimal as foraging, roosting and breeding habitat for these species.

2.4 Potential Interactions of the Proposed Development on the receiving environment

Having regard to the European Commission (2021) guidance document and the OPR (2021) practice note, the potential impacts of the project on the receiving environment at source are set out Table 2.1 relative to the following criteria:

- Habitat destruction/fragmentation/deterioration;
- Surface water run-off carrying suspended silt and contaminants, into local watercourses;
- Changes to groundwater quality, yield and/or flow paths associated with the proposed project;
- Project related activities (noise, vibration, lighting, human presence, structures, etc);
- Air pollution due to dust and other airborne emissions; and
- Disturbance and potential spread of invasive species during the proposed works.

These impacts are further examined in defining the ZOI of the project to identify likely significant effects through the Source-Pathway-Receptor assessment (Section 3.2).



Table 2-1: Identification of sources for impacts arising from the proposed project that have potential for interactions with the receiving environment

Criteria	Potential sources of impact	Conclusion
<p>Habitat destruction / fragmentation / deterioration</p>	<p><i>Construction Phase</i></p> <p>There are no European sites within the works area and therefore no direct habitat loss will occur in any European site.</p> <p>The installation of a culvert is a likely source of impact. The culvert is to be installed within a drainage ditch (FW4) located at the access point along the western boundary of the project and it is highly likely that there is a connection between the drainage ditch and Bridgetown (Clare) Stream. Examination of orthophotography indicates that there is a likely instream distance of ca. 360 m between culvert works in the drainage ditch and connection with the Bridgetown (Clare) Stream. It was concluded that Brook Lamprey are likely located upstream of a site survey undertaken 334 m downstream of the Proposed Development. The species were also recorded 2.3 km and 3.1 km downstream of the project.</p> <p>There will be vegetation clearance and ground excavation required for slope stability, hardstandings and access tracks installation, cable installation and a drainage system. There are no Annex I type habitats within or immediately adjacent to the project and these proposed works will not be a source of habitat destruction, fragmentation or deterioration. There will be a minimum setback of 50 m between the foot print of the Proposed Development and the Woodpark 25 Stream (EPA code: 25WO5, order:1), which rises outside the southern boundary of the project. Given the separation distance there will be no deterioration of the Woodpark 25 Stream.</p>	<p><i>Construction Phase</i></p> <p>During construction, there is the potential for the deterioration of aquatic habitats during the installation of a culvert. There is the potential for sediment, concrete and hydrocarbons to enter the Bridgetown (Clare) Stream due to the potential connection and proximity of works to the stream, which may result in the deterioration of water quality.</p> <p><i>Operational Phase</i></p> <p>No impacts</p> <p><i>Decommissioning Phase</i></p> <p>No impacts</p>



Criteria	Potential sources of impact	Conclusion
	<p><i>Operational Phase</i></p> <p>During the operational phase, there will be no source of potential habitat destruction, deterioration or fragmentation.</p> <p><i>Decommissioning Phase</i></p> <p>During the decommissioning phase grid connection infrastructure including the ancillary electrical equipment shall form part of the national grid and will be left in situ. Hard standings and drainage infrastructure shall be left in situ. The battery energy storage system, all equipment in the BESS compound shall be removed from the site along with all ancillary infrastructure including storage containers, noise barrier fencing and gates. Buried cables shall be removed for recycling with buried ducting left in situ.</p>	<p style="text-align: right; color: red; font-size: 2em; transform: rotate(-15deg); opacity: 0.5;">RECEIVED: 12/12/2025</p>
<p>Surface water run-off carrying suspended silt and contaminants, into local watercourses.</p>	<p><i>Construction Phase</i></p> <p>The installation of a culvert is a likely source of impact. The culvert is to be installed within a drainage ditch (FW4) located at the access point along the western boundary of the project and it is highly likely that there is a connection between the drainage ditch and Bridgetown (Clare) Stream. Examination of orthophotography indicates that there is a likely instream distance of ca. 360 m between culvert works in the drainage ditch and connection with the Bridgetown (Clare) Stream. It was concluded that Brook Lamprey are likely located upstream of a site survey undertaken 334 m downstream of the Proposed Development. The species were also recorded 2.3 km and 3.1 km downstream of the project.</p>	<p><i>Construction Phase</i></p> <p>During construction, there is the potential for the sedimentation of aquatic habitats during the installation of a culvert. There is the potential for sediment to enter the Bridgetown (Clare) Stream due to the potential connection and proximity of works to the stream.</p> <p><i>Operational Phase</i></p> <p>No impacts</p> <p><i>Decommissioning Phase</i></p> <p>No impacts</p>



Criteria	Potential sources of impact	Conclusion
	<p>There will be vegetation clearance and ground excavation required for slope stability, hardstandings and access tracks installation, cable installation and a drainage system. There are no Annex I type habitats within or immediately adjacent to the project and these proposed works will not be a source of habitat destruction, fragmentation or deterioration. There will be a minimum setback of 50 m between the foot print of the Proposed Development and the Woodpark 25 Stream (EPA code: 25WO5, order:1), which rises outside the southern boundary of the project. Given the separation distance there will be no deterioration of the Woodpark 25 Stream.</p> <p><i>Operational Phase</i></p> <p>Maintenance work on the BESS is anticipated to be required from time to time but generally three times a year. Maintenance work on the hedgerows and treelines near the site entrance will take place twice per year. These works are not deemed a source of impact.</p> <p>After approximately 10 years of operation, it is anticipated that the battery components will require replacement. Given that the Proposed Development will be constructed and operational and given the scale of works (removal and replacement) and frequency (once every 10 years) these works are not deemed a source of impact.</p> <p><i>Decommissioning Phase</i></p> <p>The only groundworks will be limited to the removal of buried cables. Given that there is a minimum setback of 50 m between the footprint of the Proposed Development and the Woodpark 25 Stream, and the intervening habitat (WN6 Wet willow-alde-ash woodland and FS1 Reed and large sedge swamps) which will act as a buffer, impacts from the decommissioning phase are ruled out.</p>	<p>RECEIVED: 12/12/2025</p>



Criteria	Potential sources of impact	Conclusion
<p>Changes to groundwater quality, yield and/or flow paths associated with the proposed project.</p>	<p><i>Construction Phase</i> Excavation is required for slope stability, hardstandings and access tracks installation, cable installation and a drainage system. There will be localised effects to the hydrological regime and flow of groundwaters. There is no potential for pollutants to enter groundwater as a result of construction given the nature of excavation works. There is a minimum buffer of 50 m between the project and Woodpark 25 Stream.</p> <p><i>Operational Phase</i> Maintenance work on the BESS is anticipated to be required from time to time but generally three times a year. Maintenance work on the hedgerows and treelines near the site entrance will take place twice per year. These works are not deemed a source of impact.</p> <p>After approximately 10 years of operation, it is anticipated that the battery components will require replacement. Given that the Proposed Development will be constructed and operational and given the scale of works (removal and replacement) and frequency (once every 10 years) these works are not deemed a source of impact.</p> <p><i>Decommissioning Phase</i> The only groundworks will be limited to the removal of buried cables. Given that there is a minimum setback of 50 m between the footprint of the Proposed Development and the Woodpark 25 Stream, and the intervening habitat (WN6 Wet willow-alde-ash woodland and FS1 Reed and large sedge swamps) which will act as a buffer, impacts from the decommissioning phase are ruled out.</p>	<p>Given the nature and scale of excavation works there is no potential impact to groundwater during the construction, operational and decommissioning phases of the Proposed Development.</p>

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Criteria	Potential sources of impact	Conclusion
<p>Project related activities (noise, vibration, lighting, human presence, structures, etc.).</p>	<p><i>Construction Phase</i></p> <p>During the construction phase (ca. 12 Months) there will be human presence and presence of machinery on site, typically during sociable working hours.</p> <p>Lighting is proposed for the construction phase, during darker hours while works are taking place, with the addition of security lighting which is activated via motion sensor.</p> <p>Elevated levels of noise and vibration will occur during the vegetation clearance and ground excavation required for slope stability, hardstandings and access tracks installation, cable installation and a drainage system.</p> <p>Additionally, the movement of machinery and material along roads and access tracks, as well as construction activities such as excavation, will generate noise and vibration throughout the Proposed Development site.</p> <p><i>Operational Phase</i></p> <p>There will be occasional human presence and presence of machinery on site for maintenance of the solar farm.</p> <p>Maintenance work on the BESS is anticipated to be required from time to time but generally three times a year. Maintenance work on the hedgerows and treelines near the site entrance will take place twice per year in. After approximately 10 years of operation, it is anticipated that the battery components will require replacement. These activities are all a source of disturbance. There will also be security lighting which will be motion activated.</p>	<p><i>Construction Phase</i></p> <p>Susceptibility to disturbance from noise varies between species and is dependent on the nature of the noise source and sensitivity of the species e.g., the potential effects of anthropogenic sound on fish can range from direct mortality to no obvious behavioural responses and are dependent on the class of sound i.e., either continuous or impulsive (Popper and Hawkins, 2019).</p> <p>There is potential for noise and vibrations generated during the construction of the Proposed Development to have a negative effect on birds, mammals and aquatic QI species.</p> <p><i>Operational Phase</i></p> <p>There is potential for lighting to disturb local wildlife at night and have a negative effect on them.</p> <p><i>Decommissioning Phase</i></p> <p>During decommissioning, elevated levels of noise and vibration will occur as a result of proposed works during the removal of the battery energy storage system, all equipment in the BESS and UTF compounds along with all ancillary infrastructure including storage containers, water treatment system, water storage tanks, perimeter fencing and gates and removal of buried ducting.</p> <p>There will be an increased human presence also. Noise/vibration and human presence will be to a far lesser degree than the construction phase, however there is potential for disturbance from human activity to have a negative effect on birds, mammals</p>



Criteria	Potential sources of impact	Conclusion
	<p><i>Decommissioning Phase</i></p> <p>There will be human presence and presence of machinery during decommissioning of the Proposed Development.</p> <p>There will be sources of lighting, noise, and vibration but these will be less than during construction.</p>	<p style="color: red; text-align: center; font-size: 2em; transform: rotate(-15deg); opacity: 0.5;">RECEIVED: 12/12/2025</p>
<p>Air pollution due to dust and other airborne emissions.</p>	<p><i>Construction Phase</i></p> <p>The principal sources of potential air emissions during the construction of the Proposed Development will be from dust arising from earthworks, vegetation clearance, trench excavation, construction of the new access tracks and hard standing, the drainage system, the temporary storage of excavated materials, the movement of construction vehicles, loading and unloading of aggregates/materials and the movement of material around the Proposed Development site.</p> <p><i>Operational Phase</i></p> <p>There are no identified sources for dust emissions from the operational phase.</p> <p><i>Decommissioning Phase</i></p> <p>There may be dust emissions associated with removal of infrastructure and vehicle movement during decommissioning.</p> <p>However, this will be dramatically less than during the construction phase.</p>	<p><i>Construction Phase</i></p> <p>The Institute of Air Quality Management ‘Guidance on the Assessment of dust from demolition and construction’ (Holman et al, 2014) states that:</p> <p>“Dust can have two types of effect on vegetation: physical and chemical. Direct physical effects include reduced photosynthesis, respiration, and transpiration through smothering.</p> <p>Chemical changes to soils or watercourses may lead to the loss of plants or animals, for example via changes in acidity. Indirect effects can include increased susceptibility to stresses such as pathogens and air pollution. These changes are likely to occur only as a result of long-term demolition and construction works adjacent to a sensitive habitat. Often impacts will be reversible once the works are completed, and dust emissions cease.”</p> <p>The guidance prescribes potential dust emission risk classes to ecological receptors. The guidance specifies that, for sensitive ecological receptors, sensitivity to dust is ‘High’ up to 20m from the source and reduces to ‘Medium’ over 50m from the source. There is therefore the potential dust deposition into the Woodpark 25 Stream during the construction phases.</p> <p><i>Operational Phase</i></p> <p>No impacts.</p>



Criteria	Potential sources of impact	Conclusion
		<i>Decommissioning Phase</i> No impacts.
Disturbance and potential spread of invasive species during the proposed works.	<p><i>Construction Phase</i> There were no invasive species recorded within the Proposed Development site.</p> <p><i>Operational Phase</i> No potential sources of impact during the operational phase.</p> <p><i>Decommissioning Phase</i> No potential sources of impact during the operational phase.</p>	There is no potential for impacts.

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3. APPROPRIATE ASSESSMENT SCREENING

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3.1 Introduction

This section of the report identifies the potential ZoI of the Proposed Development, provides information on the Natura 2000 sites within the potential ZoI and sets out the potential impacts and effects and the likelihood of significant effects.

It is of note that the SuDS features that are proposed to be constructed as part of the Proposed Development are not included within the design to avoid or reduce any potential harmful effects to any European sites, rather are included for alignment with the County Development Plan policies. This screening for AA does not take SuDS into consideration in determining whether the Proposed Development could result in likely significant effects on European sites.

Furthermore, this screening for AA does not take measures intended to avoid or reduce effects of the Proposed Development on European sites (i.e. “mitigation measures”) into consideration in determining whether the Proposed Development could result in likely significant effects on European sites. Additionally, best practice and biodiversity enhancement measures have not been taken into account in the screening stage appraisal.

Similarly, the CEMP which accompanies the planning application for the Proposed Development includes best practice construction measures, including those to prevent runoff. These have not been taken into consideration in determining whether the Proposed Development could result in likely significant effects on European sites.

As such, the assessment of potential for significant effects is based on an assumption of uncontrolled runoff from the Proposed Development onto adjacent lands from both construction and operation stage.

3.2 Identification of European Sites within the Zone of Influence of the Proposed Project

The OPR (2021) AA Screening practice note states that the ZoI must be established on a case-by-case basis using the Source-Pathway-Receptor model. The S-P-R model has been used to identify the ZoI to ensure that relevant European sites are identified. The S-P-R model minimises the risk of overlooking distant or obscure effect pathways, while also avoiding an over reliance on buffer zones (e.g. 15 km), within which all European sites should be considered. This approach follows the DoEHLG (2009 rev 2010) guidance on AA which states that:

“For projects, the distance could be much less than 15 km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects”.

As detailed in section 1.3, in order for an effect to occur, all three elements of this mechanism must be in place. The absence of one of the elements of the mechanism means there is no likelihood for the effect to occur. The potential impacts of the Proposed Development are set out in Section 2.4 of this report. The impact is essentially the ‘source’ in the S-P-R model.

These impacts may be very localised and confined to the Proposed Development site with no potential connectivity to a European site and therefore no potential for effects. Alternatively, where an ecological or functional pathway exists they may give rise to a potential effect to a QI/SCI of a European site. This section of the report identifies the potential pathways to European sites emanating from these potential sources of impact.



The dominant ecological pathways to consider are:

- Direct physical interactions or changes to the local environment;
- Air dispersal (noise, dust, odour emissions etc.);
- Hydrological interactions; and
- Dispersal patterns of mobile species.

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The potential impacts of the Proposed Development on the receiving environment (identified in Table 2-1) are as follows:

- Aquatic habitat deterioration downstream of the watercourse crossing (*construction phase*);
- Release of pollutants and sediment to watercourses with hydrological connectivity to European sites (*construction phase*);
- Disturbance of QI species caused by project related activities (*all phases*); and
- Pollution of the watercourse on site due to dust and other airborne emissions (*construction phase*).

3.2.1 Zone of Influence

As per CIEEM guidelines (2018)⁸, the study area for the Proposed Development has been defined having regard to the spatial and temporal scale of potential biophysical changes in the environment which might occur as a result of the development and throughout its lifetime. As such the study area extends beyond the footprint of the works and considers potential direct and indirect links to sensitive receptors of European sites. In particular, the following was reviewed:

- The potential for biophysical change by disturbance/damage/ degradation to terrestrial habitats is taken as the footprint of the works (including site clearance and accommodation works) plus 10m beyond (based on Ryan Hanley, 2014)⁹. There are no European sites located within 10m of the Proposed Development.
- For groundwater dependant terrestrial ecosystems (GWDTE), regard is had to SEPA guidelines¹⁰ which prescribes a potential hydrogeological effect zone of 250m from ground works. As such the study area included the Proposed Development site plus a 250m buffer to assess effects on GWDTE associated with European Sites. There are no SACs located within the ZoI.

⁸ CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2. Chartered Institute of Ecology and Environmental Management, Winchester

⁹ Ryan Hanley (2014b) Stage 1: Appropriate Assessment Screening Methodology for the Maintenance of Arterial Drainage Schemes. Prepared by Ryan Hanley Consulting Engineers on behalf of the Office of Public Works

¹⁰ Scottish Environment Protection Agency (2014) Land Use Planning System SEPA Guidance Note 31. Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and groundwater Dependent Terrestrial Ecosystems.



- The NRA (2008) Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes notes a 150m potential disturbance zone for otter for breeding holts and 20m for non-breeding active holts. As such the study area included the Proposed Development site plus a 150m buffer to assess habitat suitability for otter and potential association with an SAC population. The Woodpark 25 Stream (EPA code: 25WO5, order:1) rises 57 m south of the site, while it is located within the potential ZoI, the stream in this area is improved and not deemed sub-optimal for Otter. While there is no direct connection between the Proposed Development and Woodpark 25 Stream, there is an indirect connection via a drainage ditch which is to be installed at the entrance to the Proposed Development. Via this drainage ditch there is connectivity between the proposed development and Lower River Shannon SAC (002165).
- The BCT (2020)¹¹ identifies core sustenance zones (CSZ) for bats from their roost location. For lesser horseshoe bat (LHB) a 2km CSZ is prescribed. The only SAC located within 2km of the Proposed Development is Glenomra Wood SAC (IE001013) and it is not designated for LHB.
- The potential disturbance zone for birds beyond the footprint of the Proposed Development was considered having regard to Cutts et al (2013)¹² and was defined as 500m. There are no Special Protection Areas located within 500m of the Proposed Development. Consideration of connectivity or ecological continuity for birds is set out in Section 3.2.2.

3.2.2 Connectivity or Ecological Continuity

Connectivity or ecological continuity refers to the degree to which different parts of a landscape, ecosystem, or habitat are physically or functionally linked, allowing the movement of organisms, nutrients, energy, or ecological processes across space. Consideration is therefore given to whether there could be landscape¹³ or ecological connectivity¹⁴ to any QI or SCl species. In considering connectivity or ecological continuity the following is noted:

- None of the terrestrial habitats that will be lost, damaged or degraded as a result of the Proposed Development are integral to the maintenance of the structure or function of any other habitats within any European sites and do not form continuity with any such habitats. The landbanks in which the development is proposed are isolated in terms of connectivity to European sites by the local drain and waterbody network and by agriculture and forestry land practices in the local environment.

¹¹ Bat Conservation Trust, BCT (2020) Core Sustenance Zones and habitats of importance for designing Biodiversity Net Gain for bats. Bat Conservation Trust, London.

¹² Cutts N, Hemingway K and Spencer J (2013). The Waterbird Disturbance Mitigation Toolkit Informing Estuarine Planning and Construction Projects. Produced by the Institute of Estuarine and Coastal Studies (IECS). Version 3.2.

¹³ Landscape connectivity is a combined product of structural and functional connectivity, i.e. the effect of physical landscape structure and the actual species use of the landscape.

¹⁴ Connectivity is defined as a measure of the functional availability of the habitats needed for a particular species to move through a given area. Examples include the flight lines used by bats to travel between roosts and foraging areas or the corridors of appropriate habitat needed by some slow colonising species if they are to spread.



- The Institute of Air Quality Management (Holman et al, 2024)¹⁵ states that for sensitive ecological receptors, sensitivity to dust is 'High' up to 20m from the source and reduces to 'Medium' over 50m from the source. The guidelines also stipulate that dust deposition from construction typically occurs up to 500 m from large sites, 200 m from medium sites and 50 m from small sites. A 50m Zol for dust is adopted given the medium scale of the proposed project. There are no European sites located within the Zol and no streams located within the 50 m Zol.
- For potential for impacts on surface waters, regard is had to IFI (2020) guidelines¹⁶ which states that "The recommended [riparian] buffer zone width for larger river channels (>10m) is 35m to 60m and for smaller channels (<10m) is 20m or greater". The Woodpark 25 Stream rises 57 m south of the site. Given the expected width of this first order stream a buffer zone of 20m is required. Woodpark 25 Stream is located outside the Zol for direct impacts to water quality. However, there is an indirect connection via a drainage ditch which is to be installed at the entrance to the Proposed Development. Via this drainage ditch there is connectivity between the proposed development and Lower River Shannon SAC (002165).
- Collins, 2023¹⁷ states that summer and winter LHB roost sites are generally no more than 5-10km apart. The closest SAC is designated for LHB is Danes Hole, Poulnalecka SAC (IE000030), located 9.2 km from the Proposed Development, there are no clear foraging routes located between the Proposed Development and SAC, and according to the Conservation Objectives (NPWS, 2018) for the SAC the Proposed Development is located outside the foraging grounds for the SAC. As such no ecological continuity is determined.
- Having regard to Scottish Natural Heritage guidance on 'Assessing Connectivity with Special Protection Areas (SPAs)' (Version 3 – June 2016), an initial desktop review to identify any SPAs/cSPAs within a 25km distance of the Proposed Development lands was undertaken. This distance was used as the SNH guidance documents it as the largest core foraging range for any of the protected special conservation interest (SCI) birds. There were four SPAs within 25km of the Proposed Development:
 - Lough Derg (Shannon) SPA (004058) (designated for wetland/marine birds), located 8.6 km away;
 - Slievefelim to Silvermines Mountains SPA (004165) (designated for Hen Harrier), located 12.4 km (with the Proposed Development located outside the core foraging distance of Hen Harrier);
 - River Shannon and River Fergus Estuaries SPA (004077) (designated for Whopper Swan, Light-bellied Brent Geese and other wetland birds), located 13.1 km away, and
 - Slieve Aughty Mountains SPA (004168) (designated for Hen Harrier and Merlin), located 16.3 km away (the Proposed Development is located outside the core foraging range of both Merlin and Hen Harrier).
- Having examined the SCI birds for which the SPAs are designated against the SNH guidance in view of the conservation objectives for these sites, and having regards to the habitat preferences for these species, it was determined that there is no potential S-P-R connectivity between these SPAs and the Proposed Development .

¹⁵ Holman et al (2024). IAQM Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, London.

¹⁶ Inland Fisheries Ireland (2020) A Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning.

¹⁷ Collins J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London



- On the basis of the above, S-P-R connectivity has been identified between the Proposed Development and the Lower River Shannon SAC (002165) and this is looked at further Table 3-1.

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Table 3-1: S-P-R Connectivity and Likely Significant effects

Site Code	European Site Name	List of Qualifying Features	Distance from the Proposed Development (km)	Pathway for potential Impacts	Considered further in screening (Y/N)
002165	Lower River Shannon SAC NPWS (2017) Conservation Objectives: Lower River Suir SAC 002137. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Accessed: accessed 08/07/2025	Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, <i>Salicion albae</i>) [91E0]	3.5 km (direct distance) 5.9 km (hydrological distance downstream)	There is potential hydrological connectivity between the Proposed Development and this SAC via a drainage ditch located outside the western boundary which likely connects to the Bridgetown (Clare) Stream, ca. 360 m downstream. Installation of a culvert could cause siltation/pollution of the Bridgetown (Clare) Stream which could lead to significant affects to aquatic species, particularly Brook Lamprey which have been recorded downstream of the Proposed Development. During the installation of the culvert there is the potential for negative effects on the aquatic habitats within the Bridgetown (Clare) Stream and downstream within the River Black [O'Briensbridge].	Y



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Site Code	European Site Name	List of Qualifying Features	Distance from the Proposed Development (km)	Pathway for Potential Impacts	Considered further in screening (Y/N)
		Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Tursiops truncatus (Common Bottlenose Dolphin) [1349] Lutra lutra (Otter) [1355]		Significant effects on water quality are not anticipated during the operational phase or the decommissioning phase. Note that while Woodpark 25 Stream rises along the southern boundary, this stream is located outside the surface water Zol. Also note that given the first order nature of the stream and poor condition that have been observed ca. 113 m downstream it is unlikely that the stream provides suitable breeding habitat for otter. Significant effects on otter from noise disturbance is ruled out.	



3.3 Consideration of in-combination Effects with other plans or projects

Article 6(3) of the Habitats Directive requires that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives”.

It is therefore required that the likely significant effects of the proposed project are considered in-combination with any other plans or projects within the ZoI.

The consideration of in-combination effects with other plans or projects, focused on the sources of impacts identified for the proposed project in section 2.3 and ecological pathways identified in section 3.2.

3.3.1 Plans

The Clare County Development Plan 2023 – 2029 was adopted, and came into effect on 20th April 2023. The Plan is supportive of battery storage developments.

The Plan includes several policies for the protection of wildlife and European sites, encouraging AA of potential effects from future development. This includes AA as well as the preparation of an Ecological Impact Assessment and biodiversity enhancement measures.

The Proposed Development will contribute to the renewable energy goal of Clare County Council which is in accordance with the Clare County Development Plan.

Considering the sources for effects from the Proposed Development identified in Section 2.4 and the nature of the plan identified above there is no potential for the Proposed Development (unmitigated) to have in-combination effects with the above plan.

3.3.2 Projects

To identify other permitted or proposed developments in the area, a planning search was carried out using the online planning enquiry system. The planning search focused on the sources of impacts identified for the proposed project in section 2.4 and ecological pathways identified in section 3.2. To identify projects for consideration for the in-combination effects section, the Dept of Housing, Local Government and Heritage planning database was used¹⁸. A review of all planning applications within a 2km zone was conducted focusing on all application within the past 5 years¹⁹ (Section 3.3).

There are mostly small-scale projects include single dwelling houses and a roofed structure for dry effluent, and none of these projects have any notable environmental effects beyond standard construction work.

¹⁸ <https://data-housinggovie.opendata.arcgis.com/datasets/planning-application-sites-2010-onwards>; 08/07/2025

¹⁹ planning application have a standard lifespan of 5 years as per Section 40 (3)(b) of the Planning & Development Act 2000, as amended; therefore, these are viewed the ‘live’ applications, all other projects are considered as part of the site context.



There are two large scale projects which adjoin and include the Proposed Development site; they comprise the permitted Fahy Beg Wind Farm development, and the refused proposed quarry extraction and restoration development which is currently going through the Appeal process. Mitigation is to be implemented as part of the permitted Fahy Beg Wind Farm development for the protection of local biodiversity, local water quality and European Sites which include the Lower River Shannon SAC (002165). Therefore, cumulative impacts with the Proposed Development can be ruled out. For contextual purposes, we note that Clare County Council refused the proposed quarry extraction and restoration development in September 2025. However, an Appeal has now been submitted to ACP with an appeal determination yet to be made regarding the proposed quarry extraction and restoration development. Part of this proposed quarry extraction and restoration development is planned within the same WFD catchment as the Proposed Development Site. Prior to the implementation of mitigation there is potential for cumulative surface water effects which could negatively impact Bridgetown (Clare) Stream and River Black [O'Briensbridge], and aquatic fauna and the aquatic/semi-aquatic QIs of Lower River Shannon SAC (002165).



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Table 3-2: Local planning applications within the receiving environment of the proposed development as per the Dept of Housing, Local Government and Heritage planning database from the past 5 years

Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EclA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
Clare County Council Pl. Ref.: 2121	CONDITIONAL	to RETAIN alterations to elevations and roof of existing house together with all associated site works	The planners report states that the proposed development will have no significant impacts on the receiving environment.	No potential interactions	N
Clare County Council Pl. Ref.: 2460372	Further information required	of partially constructed detached dormer dwelling house and PERMISSION for completion of same, onsite wastewater treatment system and percolation area, connection to necessary services, construction of new entrance detail together with all associated ancillary and incidental site works	Request for application to satisfactorily demonstrate compliance with the criteria set out under Objective DCP4.14 of the County Development Plan; clarification on entrance location; engagement with Uisce Eireann; and clarification on whether proposal to include demolition.	No potential interactions	N
Clare County Council Pl. Ref.: 22868	CONDITIONAL	for the construction of a dwelling house, garage, entrance, wastewater treatment system and all ancillary site works.	The planners report states that the proposed development will have no significant impacts on the receiving environment. The planners report also states that the proposed development site is not likely to have a significant effect individually on in-combination with other plans and projects on a European Site.	No potential interactions	N



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Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EclA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
Clare County Council Pl. Ref.: 21182	CONDITIONAL	the development will consist of construction of one new single storey dwelling house with wastewater treatment system, bored well, garage, entrance from public road and all associated works	The planners report states that the proposed development will have no significant impacts on the receiving environment. The planners report also states that the proposed development site is not likely to have a significant effect individually on in-combination with other plans and projects on a European Site.	No potential interactions	N
Clare County Council Pl. Ref.: 23365	CONDITIONAL	for the provision of a roofed structure for dry effluent storage (dugstead) and all associated site works	The planners report states that the proposed development will have no significant impacts on the receiving environment. The planners report also states that the proposed development site is not likely to have a significant effect individually on in-combination with other plans and projects on a European Site.	No potential interactions	N
Clare County Council Pl. Ref.: 2360083	CONDITIONAL	to construct a single dwelling house, garage, advanced wastewater treatment system along with ancillary site works	The planners report states that the proposed development will have no significant impacts on the receiving environment. The planners report also states that there is no identified pathways between the proposed proposal development site and Glenomra Wood SAC.	No potential interactions	N



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Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EclA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
Clare County Council Pl. Ref.: 2460603	Pending	<p>for development at the existing Ballyquin Quarry. The development will consist of: (i) The extraction of sand from an area of approximately 16.3 hectares within an overall site area of 97.5 hectares; (ii) The infill and restoration of existing and future quarry voids (38 hectares) using inert soil and stone waste (imported inert greenfield and non-greenfield soils and stone, and river dredge spoil) which will be a soil recovery facility and require a waste management licence or soil and stone by-product (i.e. essentially virgin soil or equivalent to virgin soil and stone, and river dredge spoil) which will be notified to the Environmental Protection Agency (EPA) as an Article 27 by-product;</p> <p>(iii) The upgrade of existing quarry infrastructure including site office, weigh bridge, wheelwash, and welfare facilities; (iv) Refuelling area and associated drainage works, comprising 1 No. concrete hardstand area, hydrocarbon interceptor, wetland, inspection chamber and soakaway; (v) 1 No. soil inspection shed (c.875q. m) for the inspection of soil material; (vi) Erection of washplant; (vii) Settlement ponds; (viii) Landscape berms and fencing; (ix) All associated ancillary works.</p>	not applicable	Part of this proposed development is planned within the same WFD catchment as the Proposed Development Site and therefore there may be potential for surface water effects which could negatively impact Bridgetown (Clare) Stream and River Black [O'Briensbridge], and Lower River Shannon SAC (002165).	Y



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Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EclA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
		<p>Site access is via the existing entrance off the R466. An Environmental Impact Assessment Report (EIAR) and a NIS have been prepared in respect of the proposed development. Should the inert soil, stone and inert dredge spoil materials be deemed to be a waste, then a Waste Management Licence will be required under Part 5 of the Waste Management Act 1996 (as amended) and an application for a Waste Management Licence will be made to the EPA following a grant of planning permission for the proposed development.</p>			
<p>Clare County Council Pl. Ref.: 23148 ACP Ref.: 317227 High Court Ref: 2025] IEHC 310</p>	<p>High Court Ruled in favour of the development - 03/03/25</p>	<p>for development of a wind farm in the townlands of Fahy Beg, Fahy More North, Ballymoloney, Ballyknavin (Ed O'Briensbridge), Ballyquin More, Woodpark and Leitrim, Co Clare together with the development of an underground grid connection cable to the national grid. The underground grid connection is located primarily within the public road within the townlands of Leitrim, Fahy More South, Ballybrack, Aharinaghmore, Tooreen (Ed Cloghera) Aharinaghbeg, Knockdonagh, Roo East, Blackwater, Rosmadda West, Parkroe, Lackyle (Ed Ballyglass) and Castlebank, Co Clare.</p>	<p>The Board agreed that there was potential for significant effects on Lower Shannon SAC, the River Shannon and River Fergus Estuaries SPA, the Danes Hole, Poulnalecka SPA, and the Curraghchase Woods SAC. An NIS was completed. The board agreed that there would be no adverse effects on any European sites. The board concluded that there was potential for adverse effects on biodiversity arising from changing wooded areas to open areas, however impacts are mitigated by the reinstatement of habitats alongside the appointment of an ecologist to oversee the implementation of mitigation measures.</p>	<p>Part of this proposed development is planned within the same WFD catchment as the Proposed Development Site and therefore there may be potential for surface water effects which could negatively impact Bridgetown (Clare) Stream and River Black [O'Briensbridge], and</p>	<p>N</p>



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Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EcIA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
		<p>Temporary accommodation works to facilitate the delivery of wind turbine components to the site will be required in the townland of Ardataggle, Co Clare. The development will consist of: Construction of 8 no. wind turbines with a blade tip height range from 169m to 176.5m, a hub height range from 102.5m to 110m and a rotor diameter range from 131m to 138m; Erection of 1 no. permanent meteorological mast to a height of 100m above ground level; Construction of 1 no. onsite 38kV electrical substation to ESB Networks (ESBN) specifications and associated compound including Welfare facilities, Electrical infrastructure, Parking, Wastewater holding tank, Rainwater harvesting tank, Security fencing and all associated infrastructure, services and site works including landscaping in the townland of Woodpark; Installation of medium voltage electrical and communication cabling underground between the proposed turbines and the proposed on-site substation and associated ancillary works; Construction of turbine foundations and crane pad hardstanding area;</p>	<p>The board concluded that there was potential for adverse effects on hydrology and water quality from run-off of suspended solids and pollutants, however this will be mitigated by implementing a surface water management plan.</p>	<p>Lower River Shannon SAC (002165). However, given the application of mitigation cumulative effects can be ruled out.</p>	



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Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EclA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
		<p>Construction of new site tracks and associated drainage infrastructure; Upgrading of existing tracks and associated drainage infrastructure where necessary; Access to the proposed wind farm site will be from the R466 local road and will consist of the use of an existing quarry entrance in the townland of Leitrim which will be upgraded, as well as the creation of 1 no. new permanent site entrance on the Fahymore local road in the townland of Ballyquin More, and the use of 1 no. existing field entrance which will be upgraded, in the townland of Ballymoloney. The site entrances shall be used for both construction and operation of the proposed wind farm; All associated drainage and sediment control; Installation of new watercourse and drain crossings; Reuse and upgrading of existing internal watercourse and drain crossings; 2 no. temporary construction site compounds and associated ancillary infrastructure including parking; Vegetation clearance to facilitate construction and operation of the proposed development; Installation of medium voltage (38kV) electrical cabling and communication cabling underground along the public road within the townlands of Leitrim, Fahy More South, Ballybrack,</p>			



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Planning Reference	Status	Overview	Environmental Assessments (AAS, NIS, EIAR, EclA) Competent Authority Determinations (Screening for AA, AA, Planning decision)	Characteristics of the potential interactions between the identified project and the Proposed Development (consider sources and pathways)	Potential for in-combination effects (Y/N)
		<p>Aharinaghmore, Tooreen (Ed Cloghera), Aharinaghbeg, Knockdonagh, Roo East, Blackwater, Rosmadda West, Parkroe, Lackyle (Ed Ballyglass) and Castlebank between the proposed on-site substation within the townland of Woodpark and the existing Ardnacrusha substation within the townland of Castlebank, and associated ancillary works. The proposed grid connection cable works will include 4 no. watercourse crossings by horizontal directional drilling within the public road corridor in the townlands of Parkroe, Blackwater, Knockdonagh, Aharinaghbeg, Tooreen (Ed Cloghera), Fahy More South and Leitrim and the installation of 14 no. pre-cast joint bays and communication chambers; Temporary works at 2 no. sections of the R466 in the townland of Ardtaggle to facilitate the delivery of turbine components associated with the Turbine Delivery Route. The application is seeking a ten-year planning permission and 35 year operational life from the date of commissioning of the wind farm. An Environmental Impact Assessment Report (EIAR) and NIS has been prepared in respect of the proposed development and will be submitted with the application</p>			



3.4 Assessment of Likely Significant Effects

3.4.1 Assessment of Likely Significant Effects

This section of the report explains the metrics used when assessing if the potential effects of the Proposed Development (previously identified) are likely to result in significant effects on European sites.

The European site with pathways for potential effects arising from the sources for impact from the Proposed Development - either alone or in combination - is:

- Lower River Shannon SAC (002165)

The EC (2021) Guidance notes that the significance of the effects will vary depending on factors such as the magnitude of impact, the type, extent, duration, intensity, timing, probability, in-combination effects and the vulnerability of the habitats and species concerned.

The Lower River Shannon SAC (002165) was examined in Table 3-1 for the potential for likely significant effects in view of the site's conservation objectives, noting that Lower River Shannon SAC (002165) has valid and up to date conservation objectives as follows:

- NPWS (2018) Conservation Objectives: Danes Hole, Poulnalecka SAC 000030. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

3.5 Screening Conclusion

The results of the S-P-R modelling process identified that - given the scale and nature of the potential sources identified in Table 2.1 there is potential for significant effects to the Lower River Shannon SAC (002165). The AA screening process has considered potential effects which may arise during all phases of the Proposed Development. Through an assessment of the pathways for effects and an evaluation of the sources for impacts, taking account of the processes involved and the distance of separation from European sites, it cannot be excluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European site, that the Proposed Development, individually or in combination with other plans and projects, will have a significant effect on the Lower River Shannon SAC. This screening exercise concludes that an AA will be required.

A NIS has been completed (See Section 4) for the Lower River Shannon SAC (002165).



4. NATURA IMPACT STATEMENT

4.1 Introduction

This NIS has been prepared to support the competent authority in carrying out their appropriate assessment of the Proposed Development. The conclusions presented in this NIS are intended to enable the competent authority to ascertain whether the Proposed Development will adversely affect the integrity²⁰ of the European site(s), in view of the site(s) conservation objectives, with a potential for Source-Pathway-Receptor connectivity to the Proposed Development.

An AA involves the following steps:

- collecting information on the project and on the European site (upon which it has been determined that there is potential for likely significant effects through the AA screening process);
- assessing the implications of the project in view the European site's conservation objectives, individually or in combination with other plans or projects;
- ascertaining whether the project can have adverse effects on the ecological integrity of the European site;
- considering mitigation measures (including their monitoring) to avoid or reduce impacts to a level where they will no longer adversely affect the integrity of the European site.

This NIS has been prepared in support of the AA of the Proposed Development to be undertaken by the competent authority. The NIS considers whether the potential impacts of the Proposed Development will adversely affect the integrity of European Sites identified in the AA screening with respect to each site's conservation objectives. Measures are identified to mitigate adverse effects on the integrity of European Sites.

Information on the Proposed Development is presented in Section 2. of this report. A description of the baseline environment is also presented in Section 2 and an overview of Lower River Shannon SAC (002165) identified through the AA screening to have potential for significant effects is provided in 4.2.

Measures are identified to mitigate adverse effects on the integrity of European Sites in Section 4.5.

4.2 Lower River Shannon SAC

The Lower River Shannon SAC is a very large site stretching along the Shannon valley from Killaloe in Co. Clare to Loop Head/ Kerry Head, a distance of some 120 km. The site encompasses the Shannon, Feale, Mulkear and Fergus estuaries; the freshwater lower reaches of the River Shannon; and the marine area between Loop Head and Kerry Head. The Shannon and Fergus Rivers flow through Carboniferous limestone as far as Foynes, west of Foynes Namurian shales and flagstones predominate (except at Kerry Head, which is formed from Old Red Sandstone). The Shannon and Fergus Estuaries form the largest estuarine complex in Ireland.

²⁰ The 'integrity of the site' can be defined as the coherent sum of the site's ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated.



Freshwater rivers have been included in the site, most notably the Feale and Mulkear catchments, the Shannon from Killaloe to Limerick (along with some of its tributaries, including a short stretch of the Kilmastulla River), the Fergus up as far as Ennis, and the Cloon River. These systems are very different in character: the Shannon is broad, generally slow flowing and naturally eutrophic; the Fergus is smaller and alkaline; while the narrow, fast flowing Cloon is acid in nature.

A culvert is to be installed as the western boundary and access point to the Proposed Development. This drain likely feeds into the Bridgetown (Clare) Stream, located 360m downstream. The Lower River Shannon SAC is located ca. 5.9 km downstream of the Proposed Development.

The Lower River Shannon SAC is designated for the following habitats and/or species on Annex I/II of the EU Habitats Directive:

- Sandbanks which are slightly covered by sea water all the time [1110]
- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]
- Coastal lagoons [1150]
- Large shallow inlets and bays [1160]
- Reefs [1170]
- Perennial vegetation of stony banks [1220]
- Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]
- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation [3260]
- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinia caerulea*) [6410]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
- *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]
- *Petromyzon marinus* (Sea Lamprey) [1095]
- *Lampetra planeri* (Brook Lamprey) [1096]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Salmo salar* (Salmon) [1106]
- *Tursiops truncatus* (Common Bottlenose Dolphin) [1349]
- *Lutra lutra* (Otter) [1355]

The Lower River Shannon SAC (002165) has valid and up to date conservation objectives (NPWS, 2018) which have been taken into account in this report and are additionally provided in Table 4-3 for Qis which are located within the ZoI of the proposed development.



Table 4-1: Existing Threats, Pressures and Activities affecting the Lower River Shannon SAC

Code	Threats & Pressures	Rank (H-high, M-medium, L-low)	Inside (i)/ outside (o)/ both(b)
A04	grazing	M	i
A08	Fertilisation	M	o
A08	Fertilisation	M	i
B	Sylviculture, forestry	L	i
C01.01.02	removal of beach materials	L	i
C01.03.01	hand cutting of peat	L	i
D01.01	paths, tracks, cycling tracks	L	i
E01	Urbanised areas, human habitation	M	o
E03	Discharges	M	i
E03	Discharges	M	o
F01	Marine and Freshwater Aquaculture	L	i
F03.01	Hunting	L	i
G01.01	nautical sports	L	i
H04	Air pollution, air-borne pollutants	M	o
I01	invasive non-native species	L	i
J02.01.01	polderisation	M	i
J02.01.02	reclamation of land from sea, estuary or marsh	M	o
J02.10	management of aquatic and bank vegetation for drainage purposes	L	i
J02.12.01	sea defense or coast protection works, tidal barrages	L	i
K02.03	eutrophication (natural)	M	o



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Table 4-2: Summary of the potential occurrence of qualifying interests in watercourses connected to the Proposed Development site and the Lower River Shannon SAC

Qualifying Interest Code	Item Description	Occurrence ²¹
Lower River Shannon SAC		
1110	Sandbanks which are slightly covered by sea water all the time	This habitat is located approximately 100 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1130	Estuaries	This habitat is located approximately 24.5 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1140	Mudflats and sandflats not covered by seawater at low tide	This habitat is located approximately 29 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1150	Coastal lagoons	This habitat is located approximately 50 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1160	Large shallow inlets and bays	This habitat is located approximately 93 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.

²¹ Occurrence of species and habitats was informed by the Conservation Objectives for the SAC, and some text was taken directly from the Conservation Objectives Report: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf (accessed 25/07/2025).



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Qualifying Interest Code	Item Description	Occurrence ²¹
1170	Reefs	This habitat is located approximately 52 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1220	Perennial vegetation of stony banks	This habitat is located approximately 93 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1230	Vegetated sea cliffs of the Atlantic and Baltic coasts	This is a terrestrial coastal habitat QI. The Proposed Development is located 73 km (direct distance) away. There is no potential for adverse effects on this QI habitat.
1310	Salicornia and other annuals colonising mud and sand	This habitat is located approximately 106 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1330	Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)	This habitat is located approximately 38 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1410	Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	This habitat is located approximately 61 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
3260	Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation	This habitat is located approximately 23 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
6410	<i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>)	This habitat has not been mapped within the SAC. Given that the Proposed Development is located 3.5 km (direct distance) from the SAC, there is no potential for adverse effects on this QI habitat.



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Qualifying Interest Code	Item Description	Occurrence ²¹
91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)	This habitat is located approximately 13.3 km (in-stream distance) downstream from the Proposed Development. There is no potential for adverse effects on this QI habitat.
1029	<i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel)	These species are not located downstream. They are located within the Cloon River, Co. Clare that is located 46 km (direct distance) away. There is no potential for adverse effects on this QI species.
1095	<i>Petromyzon marinus</i> (Sea Lamprey)	Downstream of the Proposed Development there is a culvert / siphon that brings the river under Ardnacrusha headrace and into the River Shannon below Parteen weir. This structure is a fish migration barrier affecting Sea Lampreys. It is assumed that this mobile species is located within the Shannon [Lower] River, located 6 km downstream of the Proposed Development. This species could be affected by the Proposed Development due to changes to water quality. There is potential for adverse effects on this QI species
1096	<i>Lampetra planeri</i> (Brook Lamprey)	This is a mobile species which has been recorded in the Bridgetown (Clare) Stream and Black [O'Briensbridge] River. This species could be affected by the Proposed Development due to changes to water quality. There is potential for adverse effects on this QI species



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Qualifying Interest Code	Item Description	Occurrence ²¹
1099	Lampetra fluviatilis (River Lamprey)	<p>Downstream of the Proposed Development there is a culvert / siphon that brings the river under Ardnacrusha headrace and into the River Shannon below Parteen weir. This structure is a fish migration barrier affecting River Lamprey. It is assumed that this mobile species is located within the Shannon [Lower] River, located 6 km downstream of the Proposed Development. This species could be affected by the Proposed Development due to changes to water quality.</p> <p>There is potential for adverse effects on this QI species</p>
1106	Salmo salar (Salmon)	<p>Downstream of the Proposed Development there is a culvert / siphon that brings the river under Ardnacrusha headrace and into the River Shannon below Parteen weir. This structure is a fish migration barrier affecting Salmon. It is assumed that this mobile species is located within the Shannon [Lower] River, located 6 km downstream of the Proposed Development. his species could be affected by the Proposed Development due to changes to water quality.</p> <p>There is potential for adverse effects on this QI species</p>
1349	Tursiops truncatus (Common Bottlenose Dolphin)	<p>This species uses the estuarine habitat of the SAC which is located approximately 24.5 km (in-stream distance) downstream from the Proposed Development.</p> <p>There is no potential for adverse effects on this QI species.</p>



Qualifying Interest Code	Item Description	Occurrence ²¹
1355	Lutra lutra (Otter)	<p>This is a mobile species. Based on the condition of the streams downstream of the Proposed Development it is unlikely that they are breeding within 150 m (ZOI) downstream of the Proposed Development. However, this species could be affected by the Proposed Development due to changes to water quality and prey availability.</p> <p>There is potential for adverse effects on this QI species</p>

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4.3 Qualifying Interests / Species of Conservation Interest within the zone of influence of the Proposed Development

Having regard to Table 4-2, the qualifying interests of the SAC which may potentially be within the Zol of the Proposed Development are:

- Sea Lamprey
- Brook Lamprey
- River Lamprey
- Atlantic Salmon
- Otter

4.4 Potential for Adverse Effects on Site Integrity

The conservation objectives of the Lower River Shannon SAC are identified in Table 4-3.

The conservation conditions required by these habitats and species are defined by attributes and targets set out in the Conservation Objectives Reports. No other qualifying interests of the Lower River Shannon SAC (002165) are determined to be within the zone of the Proposed Development having regard to the potential for the affected areas to support the special conservation interests.

NPWS, in their Article 17 reporting (NPWS, 2019) define the favourable conservation status of an Annex I habitat or Annex II species as achieved when:

- its natural range, and area it covers within that range, are stable or increasing;
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of an Annex II species (Habitats Directive) and Annex I species (Birds Directive) is achieved through the maintenance or restoration of conservation status according to the Conservation Objectives of the site.

4.4.1 Potential Adverse Effects

The elements of the Proposed Development that were identified as posing pressure on the special conservation interests/qualifying interests of the Lower River Shannon SAC within the Zol stated above are identified as:

- Installation of a culvert may lead to increased sedimentation in nearby watercourses, which may affect aquatic QI species and their supporting habitats.
- Installation of a culvert may lead to pollutants, hydraulic fluids and oils from machinery entering nearby watercourses and effect aquatic QI species and their supporting habitats.
- Disturbance of QI species caused by project related activities (noise, vibration, lighting, human presence, structures, etc).
- Pollution of the Woodpark 25 Stream south of the site due to dust and other airborne emissions.



Table 4-3: Conservation Objectives and Targets for relevant Qualifying Interests with potential for adverse effects on the Integrity of the Lower River Shannon SAC

Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
Brook Lamprey <i>Lampetra planeri</i>	To maintain the favourable conservation condition of Brook Lamprey	Distribution	% of river accessible	Access to all water courses down to first order streams	The Proposed Development will not affect accessibility to a watercourse and therefore there is no potential for adverse effects.	No, no projects (including those within plans) identified for in-combination effects (see Section 3.3) that would affect river accessibility.	N/A	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Population structure of juveniles	Number of age/size groups	At least three age/size groups of brook/river lamprey present	As sedimentation/pollution may occur without mitigation, juvenile density, habitat availability/extent may be affected. Therefore, there is potential for adverse effects.	Yes, potential to affect this attribute by contributing the potential increase in sedimentation/pollution within the watercourses on site.	Short term	There is potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Juvenile density in fine sediment	Juveniles/m ²	Mean catchment juvenile density of brook/river lamprey at least 2/m ²				
		Extent and distribution of	m ² and occurrence	No decline in extent and				

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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		spawning habitat		distribution of spawning beds				
		Availability of juvenile habitat	Number of positive sites in 2nd order channels (and greater), downstream of spawning areas	More than 50% of sample sites positive				
River Lamprey <i>Lampetra fluviatilis</i>	To restore the favourable conservation condition of River Lamprey	Distribution: extent of anadromy	% of river accessible	Greater than 75% of main stem and major tributaries down to second order accessible from estuary	The Proposed Development will not affect accessibility to a watercourse and therefore there is no potential for adverse effects.	No, no projects (including those within plans) identified for in-combination effects that would affect river accessibility.	N/a	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Population structure of juveniles	Number of age/size groups	At least three age/size groups of river/brook lamprey present	As sedimentation/pollution may occur without	Yes, potential to affect this attribute by contributing the	Short term	There is potential for the Proposed Development to



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		Juvenile density in fine sediment	Juveniles/m2	Mean catchment juvenile density of brook/river lamprey at least 2/m2	mitigation, juvenile density, habitat availability/ extent may be affected. Therefore, there is potential for adverse effects.	potential increase in sedimentation/ pollution within the watercourses on site.		affect this attribute either alone or in-combination with other plans or projects exists.
		Extent and distribution of spawning habitat	m2 and occurrence	No decline in extent and distribution of spawning beds				
		Availability of juvenile habitat	Number of positive sites in 2nd order channels (and greater), downstream of spawning areas	More than 50% of sample sites positive				



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
Sea Lamprey Petromyzon marinus	To restore the favourable conservation condition of Sea lamprey.	Distribution: extent of anadroy	% of river accessible	Greater than 75 % of main stem length of rivers accessible from estuary	The Proposed Development will not affect accessibility to a watercourse and therefore there is no potential for adverse effects.	No, no projects (including those within plans) identified for in-combination effects that would affect river accessibility.	N/a	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Population structure of juveniles	Number of age/size groups	At least three age/size groups present	As sedimentation/pollution may occur without mitigation, this attribute may be affected. Therefore, there is potential for adverse effects.	Yes, potential to affect this attribute by contributing the potential increase in sedimentation/pollution within the watercourses on site.	Short term	There is potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		Juvenile density in fine sediment	Juveniles/m ²	Juvenile density at least 1/m ²				
		Extent and distribution of spawning habitat	m ² and occurrence	No decline in extent and distribution of spawning beds				
		Availability of juvenile habitat	Number of positive sites in 3rd order channels (and greater), downstream of spawning areas	More than 50% of sample sites positive				
Atlantic salmon Salmo salar	To restore the favorable conservation condition of Salmon	Distribution: extent of anadromy	% of river accessible	100% of river channels down to second order accessible from estuary	The Proposed Development will not affect accessibility to a watercourse and therefore there is no potential for adverse effects.	No, no projects (including those within plans) identified for in-combination effects that would affect this attribute.	N/a	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		Adult spawning fish	Number	Conservation Limit (CL) for each system consistently exceeded	As sedimentation/pollution may occur without mitigation, this attribute may be affected. Therefore, there is potential for adverse effects.	Yes, potential to affect this attribute by contributing the potential increase in sedimentation/pollution within the watercourses on site.	Short term	There is potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Salmon fry abundance	Number of fry/5 minutes electro fishing	Maintain or exceed 0+ fry mean catchment-wide abundance threshold value. Currently set at 17 salmon fry /5 min sampling				
		Out-migrating smolt abundance	Number	No significant decline				
		Number and distribution of redds	Number and occurrence	No decline in number and distribution of spawning redds due to anthropogenic causes				
		Water quality	EPA Q value	At least Q4 at all sites sampled by EPA				



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
Otter <i>Lutra lutra</i>	To restore the favourable conservation condition of Otter	Distribution	Percentage positive survey sites	No significant decline	As sedimentation/pollution may occur without mitigation, this attribute may be affected. Therefore, there is potential for adverse effects.	Yes, potential to affect this attribute by contributing the potential increase in sedimentation/pollution within the watercourses on site.	Short term	There is potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Extent of terrestrial habitat	Hectares	No significant decline. Area mapped and calculated as 122.8ha above high water mark (HWM); 1136.0ha along river banks / around ponds	The Proposed Development will not affect extent of terrestrial habitat along riverbanks as there is a minimum 50m setback from the Woodpark 25 Stream which rises outside the southern boundary of the project. .	No, no projects (including those within plans) identified for in-combination effects that would affect this attribute.	N/a	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		Extent of marine habitat	Hectares	No significant decline. Area mapped and calculated as 857.7ha	There is a remote hydrological distance between the Proposed Development and downstream marine habitat. There will be no adverse effects.	No, no projects (including those within plans) identified for in-combination effects that would affect this attribute	Short term	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Extent of freshwater (river) habitat	Kilometres	No significant decline. Length mapped and calculated as 616.6km	As sedimentation/pollution may occur without mitigation, this attribute may be affected. Therefore, there is potential for adverse effects.	Yes, potential to affect this attribute by contributing the potential increase in sedimentation/pollution within the watercourses on site.	Short term	There is potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		Extent of freshwater (lake) habitat	Hectares	No significant decline. Area mapped and calculated as 2.6ha	The Proposed Development is not upstream of any lake habitat and lagoon habitat is located at a remote distance downstream. Proposed works will not affect this attribute so there is no potential for adverse effects.	No, no projects (including those within plans) identified for in-combination effects that would affect this attribute.	N/a	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.
		Couching sites and holts	Number	No significant decline	The Proposed Development will not affect this attribute so there is no potential for adverse effects.	No, no projects (including those within plans) identified for in-combination effects that would affect this attribute.	N/a	No potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects exists.



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Species/Habitat	Conservation Objective	Attribute	Measure	Target	Potential for Adverse Effects on Site Integrity from the Proposed Development	Potential effect in-combination with other plans or projects	Duration of Effect in the Absence of Mitigation	Conclusion
		Fish biomass available	Kilograms	No significant decline	As sedimentation/pollution may occur without mitigation, there may be a decline in fish biomass available. Therefore, there is potential for adverse effects.	Yes, potential to affect this attribute by contributing to the potential increase in sedimentation/pollution within the watercourses on site.	Short term	There is potential for the Proposed Development to affect this attribute either alone or in-combination with other plans or projects.



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4.5 Mitigation

4.5.1 Water Quality Measures

4.5.1.1 *Culvert Installation*

For the installation of a culvert in the drainage ditch located at the western boundary at the access to the Proposed Development, all works will be carried out under dry works conditions. The works area will be isolated from the drain flow by means of temporarily overpumping or fluming the flow. The diversion of flow by overpumping / fluming will be into the same waterbody i.e. flows will not be diverted from one watercourse to another. The flume pipe and / or the pumps will be sized appropriate to the drainage ditch flow and will have capacity to accommodate storm flows. Where overpumping is proposed, screening will be taken to ensure that any fish do not become entrained in the pump. Additionally, a gravel-lined sump will be installed to reduce sedimentation caused by pumping.

In order to create a dry works area, an upslope barrier will be installed in the drainage ditch using aquadam or sandbags (which will be double bagged and tied). Straw bales will not be permitted. Flows will either be overpumped or flumed downslope/downstream of the works area. A downslope/downstream barrier will then be installed and the works area dewatered. Direct dewatering into the drainage ditch will not be permitted as it will increase the risk of sedimentation. Instead dewatering will be via filter bag, sediment tank, filter mats or natural vegetation adjacent to the drainage ditch. Discharging of construction water (trade effluent) directly to surface waters is a licenced activity. No extracted or pumped or treated construction water from the isolated construction area will be discharged directly to a drain or watercourse (This is in accordance with Local Government (Water Pollution) Act, 1977 as amended).

Due to the improved nature and low ecological value of the receiving drainage ditch, electrofishing the drainage ditch for the purpose of fish salvage / translocation is not deemed necessary.

4.5.1.2 *Weather Monitoring*

A regular review of weather forecasts of heavy rainfall will be carried out. Weather forecasts will be reviewed daily. Earthworks will not take place during periods of heavy rainfall (>10mm/hour) or in the 24-hour period following heavy rainfall.

4.5.1.3 *A Emergency Response Plan*

An Emergency Response Plan will be developed as part of the CEMP following the appointment of the contractor for the main construction works and following detailed design development. The Plan will include for spills of chemicals/fuels. The plan will include for emergency spill kits, an Emergency Response Procedure which will include reporting of spills to an Emergency Liaison Officer.



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Table 4-4: Details of the Mitigation Measures to be implemented for the proposed Fahy Beg BESS

No.	Mitigation Measure	How Measure Will Avoid/Reduce Adverse Effects	Implementation of Mitigation Measure and Level of Success	Monitoring Scheme to Prevent Mitigation Failure
MITIGATION MEASURES TO BE IMPLEMENTED PRIOR TO CONSTRUCTION				
1	Site Supervision by suitably qualified Project Ecologist/Ecological Clerk of Works (ECoW).	The Project Ecologist/ECoW will be awarded the authority to stop construction activity if there is potential for adverse ecological effects to occur.	A Project Ecologist/ECoW will be appointed for the duration of the project to supervise the construction. All mitigation will be implemented in full. High probability of success.	The Project Ecologist/ECoW will monitor the implementation of the mitigation measures ensuring successful implementation. The Project Ecologist/ECoW will regularly report to the council and contractor.
MITIGATION MEASURES TO BE IMPLEMENTED DURING CONSTRUCTION				
2	A regular review of weather forecasts of heavy rainfall will be carried out. Weather forecasts will be reviewed daily. Earthworks will not take place during periods of heavy rainfall (>10mm/hour) or in the 24-hour period following heavy rainfall.	This measure will minimise the generation of suspended solids, dust and any other contaminant mobilisation which may enter the nearby open watercourse.	Mitigation measures will be implemented by the Client through the Contractor awarded the contract to develop the Proposed Development in combination with competent supervisory staff overseeing the works. High probability of success.	The Project Ecologist/ECoW will monitor the implementation of the mitigation measures to ensure the effective operation and maintenance of mitigation measures during the construction process.
3	Culvert installation: The works area will be isolated from the drain flow by means of temporarily overpumping or fluming the flow. A dry works area will be created; an upslope barrier will be installed in the drainage ditch.	This measure will minimise the generation of suspended solids, dust and any other contaminant mobilisation which may enter the nearby open watercourse.	Mitigation measures will be implemented by the Client through the Contractor awarded the contract to develop the Proposed Development in combination with competent supervisory staff overseeing the works. High probability of success.	The Project Ecologist/ECoW will monitor the implementation of the mitigation measures to ensure the effective operation and maintenance of mitigation measures during the construction process.



No.	Mitigation Measure	How Measure Will Avoid/Reduce Adverse Effects	Implementation of Mitigation Measure and Level of Success	Monitoring Scheme to Prevent Mitigation Failure
4	Emergency Response Plan which includes the location of Spill containment kits within the construction area and in each item of plant to deal with any accidental spillage. Additionally, the plan will include emergency reporting.	This measure will reduce the risk of hydrocarbons reaching the waterways within the catchment of the proposed works.	Mitigation measures will be implemented by the Client through the Contractor awarded the contract to develop the proposed BESS in combination with competent supervisory staff overseeing the works. High probability of success.	The Emergency Response Liaison will ensure the effective operation of the Emergency Response Plan.

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4.6 Residual Effects on the Integrity of the Sites within the Potential Zone of Influence of the Proposed Development

Taking cognisance of measures incorporated into the project design and mitigation measures to avoid effects that are considered in the preceding section, the Proposed Development alone and in-combination with other plans and projects will not adversely affect the integrity of the Lower River Shannon SAC (in view of the associated conservation objectives).

4.7 Conclusion

For the reasons set out in detail in this NIS, in the light of the best scientific knowledge in the field, all aspects of the Proposed Development which, by itself, or in combination with other plans or projects, may affect the relevant European Sites have been considered.

The NIS contains information which the competent authority, may consider in making its own complete, precise and definitive findings and conclusions and upon which it is capable of determining that all reasonable scientific doubt has been removed as to the effects of the Proposed Development on the integrity of the relevant European sites.

On the basis of the information provided in this NIS it can be objectively concluded that the Proposed Development, individually or in-combination with other plans or projects, will not adversely affect the integrity of any European Site.



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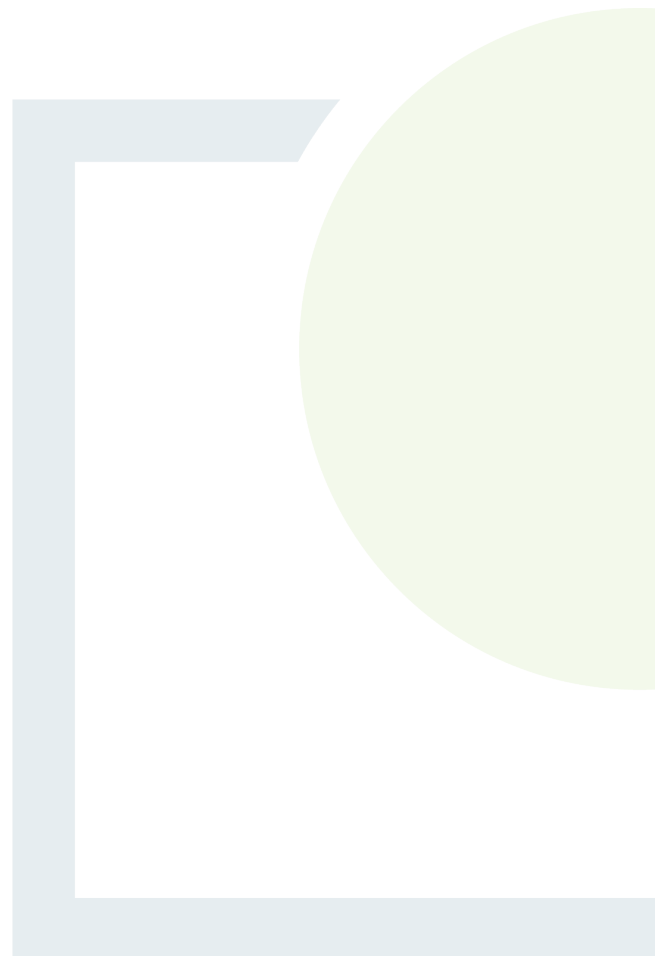
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APPENDIX 1

Relevant Legislation



European Nature Directives (Habitats and Birds)

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

Under Article 6(3) of the Habitats Directive an appropriate assessment must be undertaken for any plan or project that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An appropriate assessment is an evaluation of the potential impacts of a plan or project on the conservation objectives of a Natura 2000 site²², and the development, where necessary, of mitigation or avoidance measures to preclude negative effects.

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

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

The Habitats Directive is transposed into Irish law by inter alia the European Communities (Birds and Natural Habitats) Regulations 2011 – 2015. Part XAB of the Planning and Development Act 2000 as amended transposes Article 6(3) and 6(4) of the Habitats Directive in respect of land use plans and proposed projects requiring development consent.

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

Part 5 of the

European Communities (Birds and Natural Habitats) Regulations 2011 – 2015 sets out the circumstances under which an ‘appropriate assessment’ is required. Section 42(1) requires that ‘a screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.’

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

²² Also referred to as European Sites in the Planning and Development Act 2000 as amended.

Section 42(6) requires that ‘the public authority shall determine that an Appropriate Assessment of a plan or project is required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it cannot be excluded, on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site’.

Planning and Development Act 2000 as amended - PART XAB

The relevant sections of Part XAB of the Planning and Development Act 2000 as amended are set out below.

Screening for appropriate assessment

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

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

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

(b) consent for a proposed project is given.

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

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

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

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

(i) the applicant,

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

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

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

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

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

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

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

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

(a) a grant of permission,

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

(c) consent for development under Part IX,

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

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

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

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

(h) a substitute consent under Part XA.

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

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

Natura impact report and natura impact statement

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

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

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

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

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

(aa) as respects a draft National Planning Framework, the Minister

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

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

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

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

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

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

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

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

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