Comhairle Chontae Uíbh Fhailí
Offaly County Council

Planning and Development Act 2000 (as amended)

CE Report to Elected Members on Strategic Infrastructure Development as required by Section 37E(4) of the Planning and Development Act 2000 (as amended)

An Bord Pleanála Reference: ABP-319023 Combined Cycle Gas Turbine and Open Cycle Gas Turbine Thermal Power Plant – Bord na Móna Powergen Ltd

Application Details

Applicant:	Bord na Móna Powergen Ltd
Agent:	Gravis Planning
An Bord Pleanala Ref. No:	PA19.319023
Proposed Development (Summary):	10-year planning permission for Combined Cycle Gas Turbine and Open Cycle Gas Turbine Thermal Power Plant, Electricity Grid Connection including 2 no. substations, and associated buildings, plant, site works, service and ancillary development
Site Location:	Knockdrin, Derrygreenagh, Derryarkin, Derryiron, Ballybeg, Coolcor, Barrysbrook, Clonin, Togher and Coole, Co. Offaly.
Associated Website:	https://www.derrygreenaghpowerplanning.ie/

1. PURPOSE OF THIS REPORT

Due to the scale of the development, it has been determined by An Bord Pleanála as constituting Strategic Infrastructure under criteria set out in the Planning and Development Act 2000 (as amended). As the proposed development will have a circa 710MW output, it exceeds the thresholds set out in the Seventh Schedule of the Planning & Development Act 2000 (as amended) i.e. *'A thermal power station or other combustion installation with a total energy output of 300 megawatts or more'* and therefore satisfies the requirements set out in Section 37A(1) of the Act. Following an application to An Bord Pleanála (ABO ref. PC19.315916-23), the Board determined that the proposed development would be of strategic importance by reference to the requirements of sections 37A(2)(a), (b) and (c) of the Planning and Development Act, 2000 (as amended)

Therefore, the normal mechanism of applying to Offaly County Council for planning permission does not apply. Instead, Bord na Móna Powergen Ltd has applied directly to An Bord Pleanála for planning permission as required by the Act.

The purpose of this report is to set out the Planning Authority's views on the effects of the proposed development on the environment and on the proper planning and sustainable development of the area of the authority, having regard in particular to the matters specified in section 34(2) of the Planning and Development Act 2000 (as amended) (hereafter referenced as PDA 2000). The matters specified in section 34(2)(a) are:

(i) the provisions of the development plan,
(ia) any guidelines issued by the Minister under *section 28*,
(ii) the provisions of any special amenity area order relating to the area,
(iii) any European site or other area prescribed for the purposes of section 10(2)(c),
(iv) where relevant, the policy of the Government, the Minister or any other Minister of the Government,
(v) the matters referred to in subsection [34](4) (Planning conditions)
(va) previous developments by the applicant which have not been satisfactorily completed,
(vb) previous convictions against the applicant for non-compliance with this Act, the Building Control Act 2007 or the Fire Services Act 1981, and
(vi) any other relevant provision or requirement of this Act, and any regulations made thereunder.

In the interests of clarification at this stage, there are no Special Amenity Area Orders (item ii above) in County Offaly. The matters referred to in subsection 34(4) of the PDA 2000 are conditions that may be relevant during the consideration of a normal planning application.

This report shall be submitted for the consideration of An Bord Pleanála as required under Section 37E(4) of the PDA 2000, as amended.

The members may, by resolution, decide to attach recommendations to this report (as per Section 37E(6)). The views expressed at the meeting of the Council where this report is considered shall also be attached to this report (also per Section 37E(6)). This is known in the legislation as the "Meetings Administrators record" of the Council Meeting.
It should be noted that An Bord Pleanála has absolute discretion to request revised proposals or further information in advance of a decision being made under section 37F(1) of the PDA 2000, as amended.

2. SITE LOCATION & DESCRIPTION OF THE PROPOSED DEVELOPMENT.

The Power Plant Area is located on a brownfield site known locally as Derrygreenagh Works. There are currently a number of buildings associated with Bord na Móna Derrygreenagh Works, such as workshops, stores, and offices; paved and concreted areas, outhouses, car-parking facilities, and machinery yards. The Proposed Development site also contains mature trees, hedges, and grassland; and a narrow railway, part of a network of railways connecting the site to the surrounding bog complex. The area was formerly used for servicing and repairing peat harvesting and transport equipment, it is currently servicing equipment required for post peat extraction activities required for site management and environmental monitoring. The existing operations at the Derrygreenagh Works site will be decommissioned and demolished prior to the construction of the Power Plant Area. The proposals for discharge pipelines from the Power Plant Area are for the treated process water to discharge to the Yellow River to the southwest of the Power Plant Area, and clean surface water to discharge to the Mongagh River northeast of the Power Plant Area; both are to have respective underground routing along existing railway lines and machine pass corridors.

The proposed Electricity Grid Connection 220kV substation is located west of the R400 road within a brownfield site in Derryarkin Bog with limited mature trees and grassland, and cutover bogs with varying degrees of vegetation. There is a narrow railway crossing from west to east towards the Power Plant Area (Drumman Bog) via an underpass below the R400 road. It is proposed that a 220kV overhead line from the 220kV substation (in Derryarkin Bog) will run for approximately 5km to the proposed Line-Cable Interface Compound in Ballybeg Bog, via a series of double circuit pylon tower sets with three conductors hanging either side, through bogs associated with historic peatland harvesting. The proposed overhead line crosses the haul road leading into Kilmurray S&G (active quarry) and the Yellow River (between Derryarkin bog and Ballybeg bog). The route design of the proposed overhead line is angled at the passage from Derryarkin bog to Ballybeg bog so as to comply with EirGrid's policy on wind turbine clearance to overhead lines in respect of consented wind turbine locations under development (i.e. Yellow River Wind Farm). The overhead lines traverses through Ballybeg bog before linking into a proposed underground cabling connection via the proposed Line-Cable Interface Compound in the southern section of Ballybeg bog. The underground grid connection cable is approximately 3.2km in total and initially follows an

existing railway line and machine pass corridor on Bord na Móna lands for c. 2.8km (south of Line-Cable Interface Compound), including a crossing of Coolcor stream, crossing the L1010 Togher road from an existing underpass, before routing through c. 550m of third-party agricultural land until it links into the loop in 400-220kV substation (hereafter called the 400kV substation) on agricultural land adjacent to the west-southwest of Ballybeg Bog and south of the L1010 road. The project will have an overall site area of approximately 312 hectares (ha). It is envisaged that the Power Plant Area will have a design life of at least 25 years. At the end of the design life, the Power Plant Area would either be decommissioned, or the lifetime could potentially be extended. Decommissioning or extension of the lifetime of the asset would therefore be expected to commence at some point after 2052.

At the end of its operating life, all above-ground equipment associated with the Power Plant Area will be decommissioned and removed from the site. Prior to removing the plant and equipment, all residues and operating chemicals will be cleaned out from the plant and disposed of at a suitably licenced facility. Once the plant and equipment have been removed to ground level the hardstanding and sealed concrete areas will be left in place

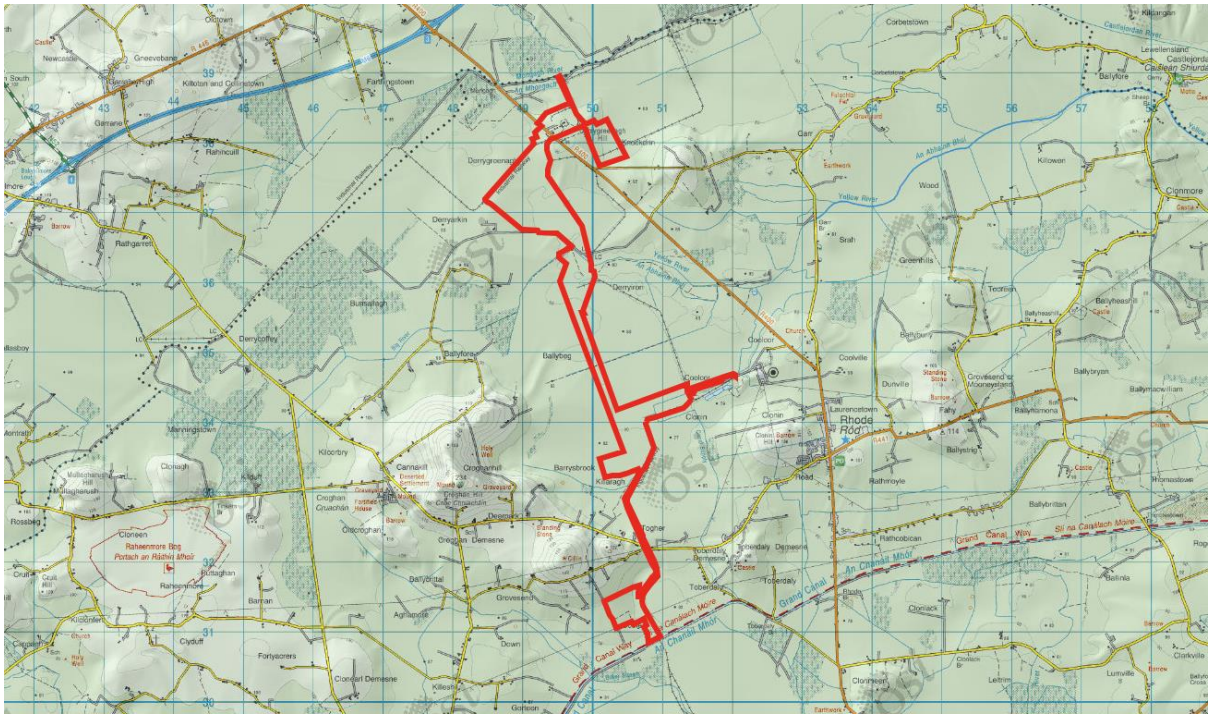


Figure 1: Site Location (source: Offaly County Council GIS).

The characteristics of the surroundings of the Proposed Development and Overall Project vary, but it is mostly low density agricultural and residential development with either scattered houses and farm buildings, or dwellings clustered along busier roads. The closest town to the Power Plant Area is Rochfortbridge, Co. Westmeath, c. 4km north-west of the Proposed Development. The closest settlements to the 400Kv substation site south of the Proposed Development are Croghan, c. 2.6km to the west and Rhode, c. 3.5km to the east. There are

three active quarries in the area; two of them are operated in a joint venture by Bord na Móna while the third, towards the south-west of the Power Plant Area, is privately owned. A significant extent of lands in close proximity to the Proposed Development boundary are Bord na Móna cutaway bogs which have been historically harvested. Peat extraction activities across all of the Bord na Móna landbank formally ceased in January 2021.

With respect to European designated sites, the nearest Special Area of Conservation (SAC) is Raheenmore Bog SAC [000582] which is situated approximately 7.1km from the site boundary. The Lough Ennell SPA [004044] is the closest SPA to the site and is found 10.8km from the proposed development

In terms of National designated sites the Milltownpass Bog NHA [002323], which is located 5.4KM north of the subject site, is the closet NHA.

These designated sites are discussed in the EIAR and NIS submitted with the planning application.

With regard to settlement patterns in the local area the following is noted:

- Power Plant Area.
    - No residential properties are located within 500m.
    - 27 residential houses are located within 2km.
- Electricity Grid Connection
    - 11 residential properties are located with 500m
- Gas Connection Corridor
    - There are a number of residential properties located within 500m or less of the Gas Connection Corridor Electricity mostly clustered around the Rochfortbridge.

The full description of the proposed development as per the application to An Bord Pleanála is as follows:

The Applicant seeks a ten-year planning permission to develop a Combined Cycle Gas Turbine ('CCGT') and Open Cycle Gas Turbine ('OCGT') Thermal Power Plant, Electricity Grid Connection including 2 no. substations, and associated buildings, plant, site works, services and ancillary development. The Proposed Development will encompass a Power Plant Area and an Electricity Grid Connection.

The development of the Power Plant Area will include the following:

- Demolition of existing buildings at the Derrygreenagh Works site (Including office building, boiler house, workshops, water tank and storage unit);
- Construction of CCGT power plant (570MW) [Including turbine hall and associated buildings, air cooled condensers ('ACC'), Heat Recovery Steam Generator ('HRSG'), air

intake, emissions stack (60m high) with Continuous Emissions Monitoring System ('CEMS') and platform];
- Ancillary coolers;
- Fuel gas performance heating room;
- Generator transformer and unit auxiliary transformer;
- OCGT power plant (140MW) [Including turbine enclosures, air intakes, fin fan coolers, emissions stack (45m high), electrical rooms, main transformer];
- Secondary fuel storage tanks and unloading area [Including unloading layby, 2 no. fuel storage tanks, fuel pumping and cleaning plant, fuel forwarding building];
- 2 no. water abstraction boreholes;
- Raw water storage tank;
- 2 no. demineralised water storage tanks;
- Water treatment plant;
- Administration building and staff car park;
- Wastewater treatment plant;
- Workshop and stores building;
- Process water treatment plant;
- Gas Above Ground Installation ('AGI') compound [Including regulator building, instrumentation kiosks, palisade fencing];
- Gas receiving facility [Including gas compressor building, fin fan coolers, pressure reducing station];
- Drainage infrastructure [Including surface water attenuation tank, surface water discharge pipeline (Discharging to the Mongagh River), treated process and wastewater discharge pipeline (Discharging to the Yellow River)];
- A new site access from the R400 road;
- All internal access roads;
- Security fencing and gates;
- Landscaping;
- Site works and services;
- All ancillary infrastructure and plant [Including firefighting systems, fire water pumphouse, raw water pumphouse, emergency diesel generator, propane stores, chemical storage tanks and pumphouse, lube oil storage building, silencers, vents, drains, safety valves, lighting, and pipe gantries];
- A permanent Peat and Spoil Deposition Area ('PDA') of approx. 225,000 sq. m. will be located to the south-east of the Power Plant Area.

The development of the Electricity Grid Connection will include the following:

- A 220kV substation located to the west of the Power Plant Area and R400 road [Hybrid gas insulated switchgear ('GIS')/air insulated switchgear ('AIS') substation design including switchgear building; control room building; transformer bays; 2. no. lattice

gantries (c. 20m high) to support overhead line connection; telecommunications mast (c. 36m high); security fencing; landscaping, new access on to R400 road];

- 220kV overhead line running for c. 5km to the south of the 220kV substation, facilitated by double circuit suspension pylon towers (13 no.; c. 44m high) and strain pylon towers (6 no.; c. 38m high);
- 220kV line-cable interface compound [Including interface tower gantry (c. 20m high); cable sealing ends; security fencing];
- 220kV underground cable connection running for c. 3.4km to the south [With paved and gated service road and 12 no. joint bays to facilitate construction and servicing];
- A 400kV GIS substation located adjacent to the existing Oldstreet-Woodland 400kV overhead line [Including a 400kV GIS building; 220kV GIS building; transformer compound; 2 no. lattice gantries (c. 28m high) to support overhead line connection to 2 no. new loop-in strain towers (c. 32.5m high) on the Oldstreet-Woodland 400kV line; telecommunications mast (c. 36m high); security fencing; landscaping, access off L1010 road];
- 2 no. permanent Peat Deposition Areas will be provided as part of the Electricity Grid Connection – one to the north of the 400kV substation (c. 75,300 sq. m) and one to the south-west of the 220kV substation (c. 50,200 sq. m.);
- Tree Replanting Areas (c. 17.5 ha.) are proposed within the planning boundary to compensate for all tree felling requirements associated with the Proposed Development.

3. KEY RELEVANT POLICY

This section provides an overview of International/European; national; regional; and local policies which are relevant to the proposed development.

3.1 European Energy Policy

- Energy policy in Ireland is formulated in the context of international climate change agreements to increase renewable energy generation and transition to a more sustainable, decarbonised system, while also increasing competitiveness and security of supply.
- European policy is a key driver of policy and guidance documents at national, regional and local level, which increasingly recognise that achieving significant increases in renewable generation will require major investment in associated systems and technology, such as OCGT and CCGT capacity, to effectively manage and safeguard power supply.
- Energy Roadmap 2050
    - In December 2011 the European Commission published its Communication on the Energy Roadmap for 2050, which looks beyond 2020 targets. The energy agenda set out in the Communication sought to explore the challenges posed by delivering the EU's decarbonisation objective for moving to a competitive

low carbon, climate resilient and environmentally sustainable economy by the year 2050 and commits the EU to reducing greenhouse emissions to 80-95% below 1990 levels by 2050.

- 2030 Climate and Energy Framework (2021)
    - The EU's '2030 Climate and Energy Framework' sets a legally binding target for EU member states of achieving at least 32% of electricity generation from renewable sources by 2030. The Framework includes EU-wide targets and policy objectives for the period from 2021 to 2030.
    - Some of the key targets for 2030 under the existing Framework include:
        - At least 40% cut in greenhouse gas emissions (from 1990 levels)38;
        - At least 32% share for renewable energy; and
        - At least 32.5% improvement in energy efficiency

- Renewable Energy Directive
    - The Renewable Energy Directive 2009/28/EC (as amended) is the legal framework for the development of renewable energy across all sectors of the EU economy, supporting clean energy cooperation across EU countries. Since the introduction of the Renewable Energy Directive in 2009, it has undergone several revisions since then; the most recent revisions are outlined below.
        - *Renewable Energy Directive 2018/2001/EU:* The Directive sets out a new target for share of energy from renewable sources in the EU to at least 32% for 2030, with a review for increasing this target through legislation by 2023. It requires Member States to set national contributions to meet the binding target as part of their integrated national energy and climate plans. The directive introduced new provisions to promote the use of renewable energy in heating and cooling, transport, and electricity sectors. It also enhanced the sustainability criteria for biofuels and set specific sub-targets for advanced biofuels and renewable transport fuels of non-biological origin.
        - *Fit for 55 – 2021:* The Fit for 55 package is a set of proposals to revise and update EU legislation and to put in place new initiatives with the aim of ensuring that EU policies are in line with the climate goals agreed by the Council and the European Parliament. The package of proposals aims at providing a coherent and balanced framework for reaching the EU's climate objectives, which: ensures a just and socially fair transition; maintains and strengthens innovation and competitiveness of EU industry while ensuring a level playing field vis-à-vis third country economic operators; and underpins the EU's position as leading the way in the global fight against climate change. The package aims to

reduce the European Union's greenhouse gas emissions by at least 55% by 2030 and achieve climate neutrality by 2050.

- 2030 Agenda for Sustainable Development
    - An international agreement closely linked with the Paris Agreement which was adopted by UN Member States in September 2015. At the Agenda's core are 17 Sustainable Development Goals (SDGs). These goals aim to "end poverty, protect the planet and improve the lives and prospects of everyone, everywhere." The 17 SDGs contain 169 targets to be achieved by 2030.
- European Green Deal
    - The European Commission, in December 2019, announced the European Green Deal which is aimed at making Europe the first climate neutral continent. The Deal seeks to achieve no net emissions of greenhouse gases by 2050, to decouple economic growth from resource use, and to leave no one behind. The EU introduced a set of proposals to align the EUs climate, taxation, energy, and transport policies to support achieving this aim.
- The European Climate Law
    - This plan made the targets set under the European Green Deal legally binding, which also includes achieving a reduction in net greenhouse gas emissions of at least 55% by 2030. Climate neutrality by 2050 means achieving net zero greenhouse gas emissions for EU countries as a whole, mainly by cutting emissions, investing in green technologies and protecting the natural environment. The law aims to ensure that all EU policies contribute to this goal and that all sectors of the economy and society play their part.
- Climate and Energy Policy Framework 2030
    - The Climate and Energy Policy Framework 2030 was adopted in 2014 and includes EU-wide targets and policy objectives for the period between 2021-2030. It seeks to drive continued progress towards a low-carbon economy and build a competitive and secure energy system that ensures affordable energy for all consumers and increase the security of supply of the EU's energy supply. It sets targets of at least 40% reduction in green-house gas emissions and at least 32% share of renewable energy from all energy consumed in the EU by 2030.
- Effort Sharing Regulation (EU) 2018/842
    - The Effort Sharing Regulation (EU) 2018/842 lays down obligations on Member States with respect to minimum requirements to fulfil the EU's target of reducing its greenhouse gas emissions 30% below 2005 levels in 2030 in the various sectors and contributes to achieving the objectives of the Paris Agreement. A GHG reduction target of at least 30% applies to Ireland.

3.2 National Energy Policy, Legislation and Strategy

Ireland's Transition to a Low Carbon Energy Future 2015-2030

- The Government White Paper (2015) entitled 'Ireland's Transition to a Low Carbon Energy Future 2015-2030' set out a framework to guide Ireland's energy policy development over the period 2015-2030.
- The 'Energy Vision 2050' established in the White Paper describes a 'radical transformation' of Ireland's energy system, which it is hoped will result in GHG emissions from the energy sector reducing by between 80% and 95%, compared to 1990 levels. This means that energy supply during the national transition to a renewable energy system will need to move away from carbon-intensive fuels such as peat in favour of lower carbon fuels like natural gas. The White Paper notes *that:*
  "Renewable energy will also play a central role in the transition to low carbon energy. No single renewable energy technology - existing or emerging - will alone enable Ireland to overcome the low carbon challenge. Rather, a diverse range of technologies will be required along the supply chains for electricity, heat and transport"
  "Onshore wind continues to be the main contributor (18.2% of total generation and 81% of RES-E 40 in 2014). It is a proven technology and Ireland's abundant wind resource means that a wind generator in Ireland generates more electricity than similar installations in other countries. This results in a lower cost of support."
  "Several forms of RES-E, such as wind, solar and ocean energy are reliant on weather conditions and have an inherent variability. They cannot be dispatched in the same way as traditional generators and this presents challenges for the electricity system"
  "Due to the variability of wind conditions, wind generation poses challenges to the operation of electricity grids. In Ireland, these challenges are being addressed by the electricity system operators under their DS3 programme"
- The stated aim of the DS3 programme *('Delivering a Secure, Sustainable Electricity System') is to* "meet the challenges of operating the electricity system in a secure manner while achieving the 2020 renewable electricity targets". It was initiated in 2011 and remains ongoing, with new targets established for 2030. The Proposed Development will provide responsive generation capacity to Eirgrid in line with the DS3 Programme. It will help to ensure that the grid can continue to operate efficiently with the integration of variable renewable energy sources.

<u>Climate Action and Low Carbon Development (Amendment) Act 2021</u>

- The Climate Action and Low Carbon Development Act 2015 (GOI, 2015) established the national goal to move to a low carbon, climate resilient and environmentally sustainable economy. Under this Act the National Mitigation Plan and the National Adaptation Framework were first established.
- A more ambitious target has now been committed to in law through the Climate Action and Low Carbon Development (Amendment) Act 2021. This Act (2021) amends the 2015 Act in order to strengthen the governance framework on climate action by the State through the introduction of a legally binding interim target of a 51% reduction in greenhouse gas emissions by 2030, relative to a baseline of 2018. The Act establishes

a 2050 net zero emissions target compared to 1990 levels, and introduces a system of successive five-year carbon budgets starting in 2021

Climate Action Plan 2024

- The Climate Action Plan 2024 (Published on 20 December 2023) sets out a 'roadmap' to achieve a net zero carbon energy system by 2050. Climate Action Plan 2024 (CAP24) seeks to build on the progress made under the previous Climate Action Plan by delivering policies, measures and actions that will support the achievement of our carbon budgets, sectoral emissions ceilings, and 2030 and 2050 climate targets.
- To achieve Ireland's targets under the Plan, a detailed sectoral roadmap setting out a range of measures and actions for each sector of the economy is included. For the electricity sector, the need for additional gas-fired generation capacity is made abundantly clear. The Plan states that rapid delivery of flexible gas generation is needed at scale and in a timeframe to replace emissions from coal and oil generation as soon as possible to reduce impact on the carbon budget.
- Key targets identified for the energy sector under CAP24 include the delivery of at least 2 GWs of new flexible gas-fired generation by 2030.

Policy Statement on Security of Electricity Supply (2021)

- The Government's Policy Statement on Security of Electricity Supply (November 2021) set out a number of updates to national energy policy in the context of Government commitments relevant to the electricity sector, planning authorities and developers. It seeks to ensure that continued security of electricity supply is considered a priority at national level. The policy statement includes explicit Government approval that:
  The development of new conventional generation (including gas-fired and gasoil/distillate-fired generation) is a national priority and should be permitted and supported in order to ensure security of electricity supply and support the growth of renewable electricity generation.

National Energy Security Framework (2022)

- The National Hydrogen Strategy was published in July 2023 and sets out a strategic vision for the role that hydrogen will play in Ireland's energy system in the future, looking to its long-term role as a key component of a zero-carbon economy, and short-term actions that need to be delivered over the coming years to enable the development of the Sector.
- The three key policy drivers of the Strategy are as follows:
  - Decarbonising our economy: providing a solution for hard to decarbonise sectors where electrification is not feasible, or cost-effective;
  - Enhancing our energy security, through the development of an indigenous zero carbon renewable fuel which can act as an alternative to the 77% of our energy system which today relies on fossil fuel imports; and

    - Developing industrial opportunities, through the potential development of export markets for renewable hydrogen and other areas such as Sustainable Aviation Fuels
- It identifies flexible power generation as one of the first sectors that will develop as a significant end-user of renewable hydrogen, while also recognising that the transition to hydrogen will take time and it will not be until mid to late 2030s that a national hydrogen network emerges.
- In a similar vein, the Draft National Biomethane Strategy, which was published for consultation on the 30th of January 2024, emphasises the potential for biomethane to contribute significantly to gas supply, with increasing percentages being introduced to the transmission network over time.

<u>Energy Security in Ireland to 2030 – Energy Security Package</u>

- The 'Energy Security in Ireland to 2030 – Energy Security Package' was published by the Department of the Environment, Climate and Communications in November 2023. The Energy Security Package sets out a range of measures to be implemented up to 2030 and subsequently reviewed every five years thereafter, reporting to a new 'Energy Security Group' with responsibility for oversight.
- The Energy Security Package sets out actions for the short and medium-term, prioritising:
    - Reduced and Responsive Demand
    - Renewables Led System
    - More Resilient Systems
    - Robust Risk Governance
- Among the key Actions within the Package to create a more resilient energy system are Actions 8 and 12. Action 8, 'To complete implementation of the Commission for Regulation of Utilities (CRU) Security of Electricity Supply Programme', re-iterates the need for the "procurement of at least 2GW of new, flexible, enduring, capacity through market mechanisms", while Action 12, 'To accelerate delivery of power system flexibility', notes that "embedding flexibility in the power system can change how Ireland utilises conventional capacity and contribute to a secure transition".

<u>Shaping our Electricity Future – A Roadmap to Achieve Renewable Ambition</u>

- Eirgrid's 'Shaping our Electricity Future' document, first published in November 2021 (and updated in 2023), "identifies the transmission network reinforcements needed to manage renewable generation and demand growth". It provides an outline of the key developments needed to support a secure transition to at least 80% renewables on the grid by 2030. Inherent to this is continuing to operate, develop and maintain a safe, secure, reliable, economical, and efficient electricity transmission system with a view to ensuring that all reasonable demands for electricity are met.

- The document is informed by extensive stakeholder and public engagement, alongside comprehensive modelling and analysis of network reinforcements. It advises that "the development of new clean dispatchable capacity is critical in mitigating the risks related to potential supply shortfalls"

Strategy 2020-50: Transform the Power System for Future Generations

- Eirgrid Group's statement of purpose is to 'Transform the power system for future generations'. The 'Strategy 2020-50' document sets out its strategy for achieving this and the challenges that go with it. "The electricity system will carry more power than ever before and most of that power will be from renewable sources". The necessary changes will be significant and will need to be managed in a co-ordinated and cost-effective way.
- The strategy recognises that, in order to increase the amount of renewable power on the grid, the system must be operated in a more dynamic and responsive way: "This will require improvements to the infrastructure to make the grid stronger and more flexible".
- This increased strength and flexibility will be achieved "by using innovative solutions as well as proven technologies", but Eirgrid will seek to ensure that the changes will not impact the reliability of the electricity system.

Delivering a Secure Sustainable Electricity System (DS3 Programme)

- In response to binding national and European targets the EirGrid Group began a multiyear programme, "Delivering a Secure, Sustainable Electricity System" (DS3), in 2011.
- The aim of the DS3 Programme was to meet Ireland's 2020 electricity targets by increasing the amount of renewable energy on the Irish power system in a safe and secure manner.
- The programme is designed to ensure that Ireland can securely operate the power system with increasing amounts of variable non-synchronous renewable generation over the coming years.
- The DS3 Programme remains ongoing, with new targets set for 2030, but is to be replaced by the operational roadmap set out in the 'Shaping Our Electricity Future' programme.

Tomorrow's Energy Scenarios' - 2023 Consultation Report

- The 'Tomorrow's Energy Scenarios' 2023 Consultation Report was published by Eirgrid and SONI in November 2023. It sets out long-term energy scenarios for Ireland and considers how electricity demand and generation may evolve from 2035 to 2050.
- The four distinct scenarios that are presented are:
    - 'Self-Sustaining': Follows a fast-paced transition away from fossil fuels to electrification of all sectors, culminating in a new power system from 2040.

- 'Offshore Opportunity': Follows a fast-paced transition to a decarbonised power system through faster and larger development of offshore wind and results in the power system becoming a significant net electricity exporter. This scenario also leads to a net zero power system by 2040.
- 'Gas Evolution': Follows a steadier pace, reaching a net zero power system by 2045 through the creation of significant renewable generation capacity to produce both electricity and power electrolysis plant to produce green hydrogen.
- 'Constrained Growth': This is the slowest of the four scenarios, with a net zero power system being achieved by 2050. This involves slower development of decarbonised generation capacity and greater reliance on electricity imports when domestic supply is unable to meet demand

- The key conclusions arising out of the scenario testing include that electricity demand on the island of Ireland will more than double by 2050 and that, in all scenarios, a balanced portfolio of electricity generation will be required, with renewable generation supported by firm dispatchable capacity, with the acceleration of green fuels being required to offer reliability and flexibility to the power system.

<u>Ten Year Generation Capacity Statement 2023-2032</u>

- The latest all-Ireland Generation Capacity Statement, published by Eirgrid/SONI in January 2024, warns that the "the current outlook, based on the best information available, is serious. It is likely that in the coming years we will experience system alerts and will need to work proactively to mitigate the risk of more serious impacts"
- It predicts capacity deficits during the 10 years to 2032 and states that "further new electricity generation will be required to secure the transition to high levels of renewable electricity over the coming decades". It is clear that this must include new gas-fired generation capacity: "A balanced portfolio of new capacity is required and this includes the need for new cleaner gas fired generation plant"
- It recognises that this is essential in order for Ireland to achieve its carbon budgets for the electricity sector up to 2030: "This balanced portfolio is also crucial to ensuring Ireland meets its carbon budgets between now and 2030 for the electricity sector, which positions the electricity sector to achieve the zero net carbon target by 2050"
- The Statement notes that the availability of conventional generation remains a serious cause for concern and that most of the predictable capacity that was expected to come online over the coming years has now been withdrawn. It states that 'since 2018, less than 30 MW of new gas capacity has been delivered with 410 MW of new gas capacity terminating their contracts'.
- It notes that the balanced portfolio of new capacity that must be delivered should include both OCGT and CCGT generation technology: "It is crucial that a balanced portfolio of new capacity is delivered, such as long duration storage, interconnection, demand side and renewable-ready open cycle and combined cycle gas turbines"

3.3 National Planning Policy

National Planning Framework & National Development Plan

- 'Project Ireland 2040 - National Planning Framework', hereafter referred to as the NPF, is a 20-year planning framework designed to guide public and private investment, to create and promote opportunities for Irish citizens, and to protect and enhance Ireland's built and natural environment.
- The NPF notes that the population of Ireland is projected to increase by approximately 1 million people by 2040, which will result in a population of roughly 5.7million. This growth will place increased demands on both the built and natural environment as well as the social and economic fabric or the country, not least in terms of energy supply. In order to strengthen and facilitate more environmentally focused planning at the local level, the NPF states that future planning and development will need to:
  "tackle Ireland's higher than average carbon-intensity per capita and enable a national transition to a competitive low carbon, climate resilient and environmentally sustainable economy by 2050, through harnessing our country's prodigious renewable energy potential."
- The NPF notes that Ireland's National Energy Policy is focused on three pillars:
  - Sustainability;
  - Security of Supply; and
  - Competitiveness.
- In line with these pillars, the NPF requires a secure and reliable electricity supply to be achieved, which is necessary for the realisation of almost all of its National Strategic Outcomes. For instance, the National Strategic Outcomes relating to supporting and strengthening the economy (Outcomes 3, 6 and 8), providing access to quality public services (Outcomes 4, 7 and 10) and achieving sustainable growth of settlements and management of environmental resources (Outcomes 1 and 9), are not achievable in the absence of a secure and reliable electricity supply.
- Notably, National Strategic Outcome 8 (Transition to Sustainable Energy) states that, in creating Ireland's future energy landscape, new energy systems and transmission grids will be necessary to enable more distributed energy generation which connects established and emerging energy sources to the major sources of demand. To facilitate this, the NPF acknowledges the need to*: "Reinforce the distribution and transmission network to facilitate planned growth and distribution of a more renewables focused source of energy across the major demand centres."*
- Some other key National Policy Objectives aimed at achieving the transition to sustainable energy include:
  - **National Policy Objective 54:** Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emission reduction; and

- **National Policy Objective 55**: Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050

- The Proposed Development complements the national policy objectives around the creation of a lower carbon and more distributed energy generation system.
- The National Development Plan 2018 – 2027 (NDP) was introduced alongside the NPF and sets out the investment priorities that will underpin its implementation. It provides additional context for the assessment of strategic development projects such as that proposed, emphasising the need for investment in ongoing capacity renewal and future technology that affords Ireland the opportunity to comprehensively decarbonise energy generation.
- The NDP was updated in October 2021 (The National Development Plan 2021-2030). The updated NDP's focus for investment in the energy network is to:
  - 'ensure that it meets the challenge of integrating world-leading levels of renewable wind and solar electricity whilst ensuring security of supply; and
  - ensure that it is fit for purpose in the medium- to longer-term in order to meet projected demand levels. It emphasises that 'ensuring continued security of energy supply is considered a priority at national level and within the overarching EU policy framework.'
- The NDP recognises that the target of delivering up to 80% of Ireland's electricity from renewable sources by 2030 will require investment in renewable electricity generation and storage **as well** as conventional electricity generation capacity to support the operation of variable renewable technologies and provide security of supply.
- Strategic Investment Priority no. 4 aims to 'deliver circa 2GW of new conventional (mainly gas-fired) electricity generation capacity to support the operation of a predominantly wind/solar electricity system and provide security of supply for when variable electricity generation (wind/solar) is not sufficient to meet demand.

National Energy and Climate Plan, 2021-2030

- This Plan outlines Irelands energy and climate policies in detail for the period from 2021 to 2030 and looks onwards to 2050. The NECP is a consolidated plan which brings together energy and climate planning into a single process for the first time. It envisages a target of at least 55% renewable energy in electricity by 2030 (compared to 1990 levels).

Climate Action Plan 2023

- The Irish Government published its Climate Action Plan 2023 on 21 December 2022. Climate Action Plan 2023 is the second annual update to Ireland's ongoing Climate Action Plan, which was first published in 2019. The plan is the framework through which the Government intends to meet its emissions reductions targets, which are embodied in legislation. The Climate Action and Low Carbon Development

(Amendment) Act 2021 requires Ireland to achieve a 51% reduction in emissions by 2030, relative to 2018 levels, and net-zero emissions by 2050.

National Landscape Strategy for Ireland, 2015-2025

- The National Landscape Strategy was published by the Department of Arts, Heritage and the Gaeltacht in June 2015. The main objectives include the development of a National Landscape Character Assessment, which would provide a framework for the protection and management of change within the landscape in terms of its cultural, social, economic and environmental values. The aim is to seek to achieve a balance between the social, cultural and economic needs and the environment and the landscape. It is stated that a National Landscape Character Assessment would ensure consistency between and within public authority functions and areas, would inform LCA's at a local level and would guide the development of landscape policy.

Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009).

National guidance for planning authorities on Appropriate Assessment of plans and projects in Ireland was published by the Department of Environment, Heritage and Local Government (DEHLG) in 2009. It was updated in 2010, by replacing the term "Statement for Appropriate Assessment" with "Natura Impact Statement" or "NIS".

This guidance is intended to assist and guide planning authorities in the application of Article 6(3) and 6(4) of the Habitats Directive as it relates to their roles, functions and responsibilities in undertaking Appropriate Assessment of plans and projects. It applies to plans and projects for which public authorities receive an application for consent, and to plans or projects which a public authority wishes to undertake or adopt.

The guidelines set out the different steps and stages that are needed in establishing whether a plan or project can be implemented without adversely affecting the integrity of a Natura 2000 site. The guidance addresses issues of mitigation and avoidance of impacts, and also the Article 6(4) derogation provisions for circumstances in which there are no alternatives and for which there are imperative reasons of overriding public interest (IROPI) requiring a plan or project to proceed.

Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Dept. of Housing, Planning & Local Government, August 2018)

The publication of these Guidelines coincides with the making of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) and the coming into operation of the Regulations on 1st September 2018 in order to transpose the Directive into Irish planning law. The Guidelines replace Guidelines for Planning Authorities and An Bord Pleanála on carrying out environmental impact assessment

issued by the Department of the Environment, Community and Local Government in March 2013. The purpose of the new Guidelines is to give practical guidance on procedural issues and the EIAR process arising from the requirements of Directive 2014/52/EU and to assist with the achievement of a consistency of approach in the implementation of the Directive.

Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA, May 2022)

Originally published in 2002, these guidelines now contain up to date references to other Irish and EU guidance and publications to be considered when preparing an Environmental Impact Assessment Report (EIAR). The guidelines contain the systematic approach, standard descriptive methods and effect descriptions that can be used by developers. This ensures that all the likely significant effects are adequately considered and clearly communicated.

3.4 Regional Planning Policy

Eastern & Midland Regional Assembly: Regional Spatial and Economic Strategy 2019 - 2031

- The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland region was adopted in 2019 and provides a high-level development framework for the region that supports the implementation of the NPF.
- The Strategy recognises the importance of secure energy supply and states that 'a secure and resilient supply of energy is critical to a well-functioning region, being relied upon for heating, cooling and to fuel transport, power industry and generate electricity. With projected increases in population and economic growth, the demand for energy is set to increase in the coming years'
- The following 'Regional Policy Objectives' aim to ensure that the development of the electricity network in the region is undertaken in a safe and secure way which meets projected demand levels and is consistent with Government Policy and the need to achieve a long-term, sustainable and competitive energy future for Ireland:
    - **RPO 10.19**: Support the roll-out of the Smart Grids and Smart Cities Action Plan enabling new connections, grid balancing, energy management and micro grid development
    - **RPO 10.20:** Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This Includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid
    - **RPO 10.22:** Support the reinforcement and strengthening of the electricity transmission and distribution network to facilitate planned growth and transmission/ distribution of a renewable energy focused generation across the major demand centres to support an island population of 8 million people.

- The Proposed Development complies with Regional Policy objectives. It will help provide security of energy supply and the integration of more renewable generation into the network while supporting Ireland in its transition to a low carbon economy.

3.4 Local Planning Policy

Offaly Local Authority's Climate Action Plan 2024 – 2029

Offaly County Council has prepared the action plan to align with Government's national climate objectives, which seeks to transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050. The plan includes actions which aim to reduce Offaly County Council's emissions across its own infrastructure and assets by 51% by 2030 and create pathways towards enabling sectoral emission reductions across the county.

Offaly County Development Plan 2021 -2027

Chapter 3 outlines the Climate Action and Energy strategy for the county with the strategic aim 'to achieve a transition to an economically competitive, low carbon climate resilient and environmentally sustainable county, through reducing the need to travel, promoting sustainable settlement patterns and modes of transport, and by reducing the use of non-renewable resources, whilst recognising the role of natural capital and ecosystem services in achieving this'.

Specific policies relating to Energy development include the following:

CAEP-01: Support and facilitate the development, reinforcement, renewal and expansion of the electricity transmission and distribution grid, including the development of new lines, pylons and substations as required to provide for the future physical and economic development of Offaly

CAEP-04: It is an objective of the Council to ensure the security of energy supply by supporting the potential of the wind energy (and other renewable) resources of the County in a manner that is consistent with proper planning and sustainable development of the area.

CAEP-05: It is an objective of the Council to implement the Council's Wind Energy Strategy as follows:

1. In 'Areas Deemed Open for Consideration for Wind Energy Development' as identified in Map No. 10 'Wind Energy Strategy Designations', the development of windfarms and smaller wind energy projects will be considered;
2. In all other areas, wind energy developments shall not normally be permitted – except as provided for under relevant exemption provisions in the Planning and Development Regulations 2001 (as amended); and
3. Applications for re-powering (by replacing existing wind turbines) and extension of existing and permitted wind farms will be assessed on a case by case basis and will be subject to criteria listed in Development

Management Standard 109 contained in Chapter 13 of Volume 1 of this County Development Plan and the Section 28 Ministerial Wind Energy Development Guidelines.

4. Support the reinforcement and strengthening of the electricity transmission and distribution network to facilitate planned growth and transmission/ distribution of a renewable energy focused generation across the major demand centres

CAEP-07: It is Council policy to support and facilitate European and national objectives for climate adaptation and mitigation as detailed in the following documents, taking into account other provisions of the Plan (including those relating to land use planning, energy, sustainable mobility, flood risk management and drainage);

- Climate Action Plan (2019 and any subsequent versions);
- National Mitigation Plan 2017 (or subsequent editions);
- National Climate Change Adaptation Framework (2018 and any subsequent versions);
- Relevant provisions of any Sectoral Adaptation Plans prepared to comply with the requirements of the Climate Action and Low Carbon Development Act 2015, including those seeking to contribute towards the National Transition Objective, to pursue, and achieve, the transition to a low carbon, climate resilient and environmentally sustainable economy by the end of the year 2050; and
- Offaly Climate Change Adaptation Strategy.

CAEO-09: Support the further extension of the gas grid into County Offaly to serve existing and envisaged future residential, commercial and industrial development

CAEP-11: It is Council policy to support the transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050, by way of reducing greenhouse gases, increasing renewable energy, and improving energy efficiency.

CAEP-13: **Peatlands** - The Council recognises that the industrial peatlands in the midlands are a significant resource will transition to after uses ranging from amenity, tourism, biodiversity services, 'wild areas', flood management, climate mitigation, energy development, industry, education, conservation and many more.

CAEP-23: It is Council policy to require that environmental assessments should address reasonable alternatives for the location of new energy developments, and where existing infrastructural assets such as sub-stations, power lines and

roads already exist within the proposed development areas, then such assets should be considered for sustainable use by the proposed development where the assets have capacity to absorb the new development.

CAEP-25: It is Council policy to encourage and facilitate the production of energy from renewable sources, such as from bioenergy, waste material, solar, hydro, geothermal and wind energy, subject to proper planning and environmental considerations.

Chapter 4 outlines the Biodiversity and Landscape strategy for the county.

The proposed site is located in areas denoted as low and moderate sensitivity areas in the County Development Plan.

Section 4.14.1 Landscape Sensitivity

The sensitivity of a landscape is the measure of its ability to accommodate change or intervention without suffering unacceptable effects to its character and values. The sensitivity of the landscapes of County Offaly varies and is thereby classified within the following sensitivity classes: Low, Moderate and High Sensitivity.

LOW SENSITIVITY AREAS

Low sensitivity areas are robust landscapes which are tolerant to change, such as the county's main urban and farming areas, which have the ability to accommodate development.

Characteristics:

County Offaly is largely a rural county which comprises of a predominantly flat and undulating agricultural landscape coupled with a peatland landscape. Field boundaries, particularly along roadside verges which are primarily composed of mature hedgerows typify the county's rural landscape.

Sensitivities:

- These areas in general can absorb quite effectively, appropriately designed and located development in all categories (including: telecommunication masts and wind energy installations, afforestation and agricultural structures).
- Within the rural areas, development shall be screened by appropriate natural boundaries that are sympathetic to the landscape generally, where possible.
- New housing proposed in rural areas should respect Offaly County Councils Rural Housing Design Guidelines, together with conformity with development standards.

Acceptability of Development for consideration: A wide range of development subject to appropriateness / conditions

Need for Landscaping and Appropriate Design: High

Figure 2: Table 4.18 Low Sensitivity Areas in County Offaly – OCDP 2021 – 2027.

MODERATE SENSITIVITY AREAS

Moderate sensitivity areas can accommodate development pressure but with limitations in the scale and magnitude. In this category of sensitivity, elements of the landscape can accept some changes while others are more vulnerable to change.

Characteristics:

Cutaway bogs cover a large part of the landscape of Offaly and in their entirety, are approximately 42,000 hectares. Generally, there are a number of land uses suitable for cutaway bog, not included in High Sensitivity Areas, which include wilderness, grassland, forestry and recreation. Some cutaway bog landscapes are more robust and may be considered for other uses.

Sensitivities:

- The development of Lough Boora (albeit designated as high sensitivity) acts as a prototype in the creation of parkland character.
- However, some of these cutaway bogs may be appropriate for other sensitively designed and located developments including renewable energy (wind farms, biomass crops) and/or industrial use.

The Council recognises the need for a land use framework plan for the future development and utilisation of large areas of cutaway bog within Offaly.

Acceptability of Development for consideration: Some form of development subject to appropriateness / conditions.

Need for Landscaping and Appropriate Design: Very High

Figure 3: Table 4.19 Moderate Sensitivity Areas in County Offaly – OCDP 2021 – 2027.

Section 4.16 Biodiversity and Landscape Policies

Designated and Non-Designated Sites

BLP-01: It is Council policy to protect, conserve, and seek to enhance the county's biodiversity and ecological connectivity.

BLP-02: It is Council policy to conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92/43/EEC) (as amended) and the Birds Directive (2009/147/EC), the Wildlife Acts 1976 (as amended) and the Flora Protection Orders.

BLP-04: It is Council policy to protect and maintain the conservation value of all existing and future Natural Heritage Areas, proposed Natural Heritage Areas, Nature Reserves, Ramsar Sites, Wildfowl Sanctuaries and Biogenetic Reserves in the county.

Peatlands

BLP-14: It is Council policy to protect the county's designated peatland areas and landscapes, including any historical walkways through bogs and to conserve their ecological, archaeological and cultural heritage and to develop educational heritage.

Waterways, Lakes and Wetland Landscapes

BLP-20: It is Council policy to preserve riparian buffer strips free from development by reserving a minimum of 10 metres either side of all watercourses (measured from top of bank) with the full of the protection determined on a case by case basis by the Council, based on site specific characteristics and sensitivities.

BLP-23: It is Council policy to consider the Waterways Corridor Study 2002 and protect the recreational, educational and amenity potential of navigational and non-navigational waterways within the county, such as the Grand Canal Corridor, towpaths and adjacent wetland landscapes, taking into account more recent heritage and environmental legislation (including the SEA Directive) and environmental policy commitments.

Green Infrastructure Strategy

BLP-27: It is Council policy to recognise the economic, social, environmental and physical value of green infrastructure.

BLP-28: It is Council policy to protect existing green infrastructure within the county, to provide additional green infrastructure where possible and to encourage green infrastructure to be spatially connected to facilitate the extension or establishment of ecological corridors.

BLP-29: It is Council policy to seek to increase investment in green infrastructure provision and maintenance by accessing relevant EU funding mechanisms and national funding opportunities.

BLP-30: It is Council policy to integrate the provision of green infrastructure with infrastructure provision and replacement, including walking and cycling routes, as appropriate, while protecting natural heritage.

Landscape

BLP-38: It is Council policy to protect and enhance the county's landscape, by ensuring that development retains, protects and where necessary, enhances the appearance and character of the county's existing landscape.

BLP-40: It is Council policy to ensure that consideration of landscape sensitivity is an important factor in determining development uses.

BLP-41: It is Council policy to require a Landscape/Visual Impact Assessment to accompany significant proposals, located within or adjacent to sensitive landscapes. This assessment will provide details of proposed mitigation measures to address likely negative impacts.

Section 4.17 Biodiversity and Landscape Objectives

Natural Capital

BLO-01: It is an objective of the Council that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of County Offaly's natural capital.

BLO-04: It is an objective of the Council to ensure that the impact of development within or adjacent to national designated sites, Natural Heritage Areas, proposed Natural Heritage Areas, Ramsar Sites and Nature Reserves likely to result in significant adverse effects on the designated site is assessed by requiring the submission of an Ecological Impact Assessment prepared by a suitably qualified professional, which should accompany planning applications.

Peatlands

BLO-10: It is an objective of the Council to require the preparation and submission of a Hydrological Report/Assessment for significant developments within and in close proximity to protected raised bogs and to take account of same in the assessment of impacts on the integrity of peatland ecosystems.

Waterways, Lakes and Wetland Landscapes

BLO-12: It is an objective of the Council to maintain a riparian zone for larger and smaller river channels based on the Inland Fisheries Ireland updated guideline document, 'Planning for Watercourses in the Urban Environment, a Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning'.

Landscape

BLO-23: It is an objective of the Council to prepare a County Landscape Character Assessment in accordance with all relevant legislation and guidance documents and following the forthcoming National and Regional Landscape Character Assessment.

BLO-24: It is an objective of the Council to have regard to the Landscape Sensitivity Areas in Tables 4.18, 4.19 and 4.20 in the consideration of planning applications.

Section 8.8 Sustainable Transport Strategy Policies - Roads

SMAP-24: It is Council policy to maintain and protect the safety, strategic transport function, capacity and efficiency of national roads, motorways and associated junctions and in accordance with Strategic Planning and National Roads Guidelines 2012 or any subsequent edition.

SMAP-28: It is Council policy to ensure that developments which have the potential to generate significant traffic movement are subject to a Traffic and Transportation Assessment, Quality Audit and Road Safety Audit as appropriate.

SMAP-31: It is Council policy that the capacity and efficiency of the road network drainage regimes in County Offaly will be safeguarded for road drainage purposes.

Section 8.9 Sustainable Transport Strategy Objectives – Roads

SMAO-15: It is an objective of the Council to improve and maintain regional and county roads in line with the annual roads programme and allocated budgets.

Chapter 13 Development Management Standards

DMS-97: Safe Sight Distances required for access onto National, Regional and Local Roads

The following safe sight distances, shall be provided from vehicular entrances on the road network;

- Local Tertiary Roads: 60 metres;
- Local Secondary Roads: 90 metres;
- Local Primary Roads: 120 metres;
- Regional Roads: 150 metres; and
- National Roads: 230 metres.

As set out by design standards detailed in TII publications, sight distances shall be measured from a point 2.4 metres from the road edge at the proposed access to a point at the near edge of the approaching carriageway. The standard for local roads is at the discretion of the Planning Authority and may be reduced where it would not give rise to a specific traffic hazard. DMS-97 standards apply only to locations other than those to where DMURS applies.

DMS-105: Traffic and Transport Assessments and Road Safety Audits

Developers will be required to provide a detailed Transport and Traffic Assessment (TTA), as carried out by competent professionals in this field, where new developments will have a significant effect on travel demand and the capacity of surrounding transport links in accordance with the thresholds set out in Tables 2.1, 2.2 and 2.3 of Traffic and Transport Assessment Guidelines (Transport Infrastructure Ireland, 2014). When preparing the TTA's regard should be had to the provision of the;

- Traffic and Transport Assessment Guidelines (2014);
- Design standards detailed in TII publications; and
- Traffic Management Guidelines (Dublin Transportation Office and Department of Transport, 2019).

Where a Transport and Traffic Assessment identifies necessary on and off-site improvements for the development to be able to proceed, the developer will be expected to fund the improvements by entering into a formal agreement with the Council. A Road Safety Audit shall be required for significant developments in accordance with the Road Safety Audit Guidelines (TII Publication).

DMS-106: Flood Risk Assessments Flood Zones and Appropriate Uses

The table below indicates the types of land uses that are appropriate in each of the Flood Zones identified within the Plan area, in accordance with the 2009 Flood Risk Management Guidelines for Planning Authorities and Departmental Circular PL2/2014 (or any updated/superseding legislation or policy guidance). Where developments/land uses are proposed that are considered inappropriate to the Flood Zone, then a Development Management Justification Test and site-specific Flood Risk Assessment will be required in accordance with The Planning System and Flood Risk Management Guidelines 2009 (and as updated).

Note (refer to Flood Risk Management Guidelines 2009 and 'SFRA for the Offaly County Development Plan 2021-2027' for additional detail):

- Highly Vulnerable Development – Houses, schools, hospitals, residential institutions, emergency services, essential infrastructure, etc.
- Less Vulnerable Development – Economic uses (retail, leisure, warehousing, commercial, industrial, non-residential institutions, etc.), land and buildings used for agriculture or forestry, local transport infrastructure, etc.
- Water Compatible Development – Docks, marinas, wharves, waterbased recreation and tourism (excluding sleeping accommodation), amenity open space, sports and recreation, flood control infrastructure, etc.

Flood Zones	Overall probability	Planning implications for land uses		
		Highly Vulnerable Development	Less Vulnerable Development	Water Compatible Development
Flood Zone A	Highest	Inappropriate - if proposed then Justification Test and detailed Flood Risk Assessment is required	Inappropriate – if proposed then Justification Test and detailed Flood Risk Assessment is required	Appropriate – screen for flood risk
Flood Zone B	Moderate	Inappropriate - if proposed then Justification Test and detailed Flood Risk Assessment is required	Inappropriate due to climate change – if proposed then Justification Test and detailed Flood Risk Assessment is required	Appropriate – screen for flood risk
Flood Zone C	Lowest	Appropriate - detailed Flood Risk Assessment may be required	Appropriate - detailed Flood Risk Assessment may be required	Appropriate – screen for flood risk

Site-Specific Flood Risk Assessments

The detail of these site-specific FRAs will depend on the level of risk and scale of development but it is advised that The Planning System and Flood Risk Management, Guidelines for Planning Authorities (DEHLG and OPW, 2009) (or any superseding document) and available information from CFRAM Studies, including existing and emerging CFRAMS mapping (including National Indicative Fluvial mapping) and the most up to date CFRAM Programme climate scenario mapping shall be consulted with to this effect. A detailed site-specific FRA should quantify the risks, the effects of selected mitigation and the management of any residual risks. The assessments shall consider and provide information on the implications of climate change with regard to flood risk in relevant locations

Structural and Non-Structural Risk Management Measures in Flood Vulnerable Zones

Applications for development in flood vulnerable zones shall provide details of structural and non-structural risk management measures to include, but not be limited to specifications of the following:

Floor Levels

In areas of limited flood depth, the specification of the threshold and floor levels of new structures shall be raised above expected flood levels to reduce the risk of flood losses to a building, by raising floor heights within the building structure using a suspended floor arrangement or raised internal concrete platforms.

When designing an extension or modification to an existing building, an appropriate flood risk reduction measure shall be specified to ensure the threshold levels into the building are above the design flood level. However, care must also be taken to ensure access for all is provided in compliance with Part M of the Building Regulations.

Where threshold levels cannot be raised to the street for streetscape, conservation or other reasons, the design shall specify a mixing of uses vertically in buildings - with less vulnerable uses located at ground floor level, along with other measures for dealing with residual flood risk.

Internal Layout

Internal layout of internal space shall be designed and specified to reduce the impact of flooding [for example, living accommodation, essential services, storage space for provisions and equipment shall be designed to be located above the predicted flood level]. In addition, designs and specifications shall ensure that, wherever reasonably practicable, the siting of living accommodation (particularly sleeping areas) shall be above flood level.

With the exception of single storey extensions to existing properties, new single storey accommodation shall not be deemed appropriate where predicted flood levels are above design floor levels. In all cases, specifications for safe access, refuge and evacuation shall be incorporated into the design of the development.

Flood-Resistant Construction

Developments in flood vulnerable zones shall specify the use of flood resistant construction aimed at preventing water from entering buildings - to mitigate the damage floodwater caused to buildings. Developments shall specify the use of flood resistant construction prepared using specialist technical input to the design and specification of the external building envelope – with measures to resist hydrostatic pressure (commonly referred to as "tanking") specified for the outside of the building fabric.

The design of the flood resistant construction shall specify the need to protect the main entry points for floodwater into buildings - including doors and windows (including gaps in sealant around frames), vents, air-bricks and gaps around conduits or pipes passing through external building fabric.

The design of the flood resistant construction shall also specify the need to protect against flood water entry through sanitary appliances as a result of backflow through the drainage system.

Flood-Resilient Construction

Developments in flood vulnerable zones that are at risk of occasional inundation shall incorporate design and specification for flood resilient construction which accepts that floodwater will enter buildings and provides for this in the design and specification of internal building services and finishes. These measures limit damage caused by floodwater and allow relatively quick recovery.

This can be achieved by specifying wall and floor materials such as ceramic tiling that can be cleaned and dried relatively easily, provided that the substrate materials (for example, blockwork) are also resilient. Electrics, appliances and kitchen fittings shall also be specified to be raised above floor level, and one-way valves shall be incorporated into drainage pipes.

Emergency Response Planning

In addition to considering physical design issues for developments in flood vulnerable zones, the developer shall specify that the planning of new development also takes account of the need for effective emergency response planning for flood events in areas of new development. Applications for developments in flood vulnerable zones shall provide details that the following measures will be put in place and maintained:

- Provision of flood warnings, evacuation plans and ensuring public awareness of flood risk.
- Coordination of responses and discussion with relevant emergency services i.e. Local Authorities, Fire and Rescue, Civil Defence and An Garda Síochána through the SFRA; and
- Awareness of risks and evacuation procedures and the need for family flood plans.

Access and Egress During Flood Events

Applications for developments in flood vulnerable zones shall include details of arrangements for access and egress during flood events. Such details shall specify that:

- flood escape routes have been kept to publicly accessible land;
- such routes will have signage and other flood awareness measures in place, to inform local communities what to do in case of flooding; and this information will be provided in a welcome pack to new occupants.

Further Information Further and more detailed guidance and advice can be found at http://www.flooding.ie and in the Building Regulations.

DMS-107: Undergrounding of Services

All services, including ESB, telephone and television cables shall be placed underground, where possible. Service buildings or structures shall be sited as unobtrusively as possible and must be screened. Proposals should demonstrate that environmental impacts including the following are minimised:

- Habitat loss as a result of removal of field boundaries and hedgerows (right of way preparation) followed by topsoil stripping (to ensure machinery does not destroy soil structure and drainage properties);

- Short to medium-term impacts on the landscape where, for example, hedgerows are encountered;
- Impacts on underground and underwater archaeology;
- Impacts on soil structure and drainage; and
- Impacts on surface waters as a result of sedimentation.

DMS-108: Peatlands

In the consideration of development on or adjacent to peatland areas, the following guiding principles should apply:

- Consideration of the potential contribution of peatlands to climate change mitigation and adaptation including renewable energy production;
- Consideration of habitats and species of environmental significance;
- Consideration of the potential contribution of peatlands to an existing or proposed greenway / blueway / peatway network;
- Consideration of the ecosystem services and tourism potential provided by peatlands;
- Development of peatlands shall ensure that there are no negative impacts on water quality and hydrology;
- Consideration of existing and future rehabilitation measures including enhanced rehabilitation measures (i.e. drain blocking and rewetting);
- Consideration of peatland stability;
- Achieving of a carbon emissions balance; and,
- Incorporation of fire mitigation measures such as fire breaks or ensuring access points and routes are suitable for travel by emergency services.

4. RELEVANT PLANNING HISTORY

Subject Site

19.PA001: Bord na Mona Energy Ltd were **Granted** an SID planning permission for the construction of a 600MW power plant on the existing 'Derrygreenagh Works' site, comprising a 430MW CCGT unit and a 170MW OCGT. In 2019 a 5-year extension to this permission was granted by Offaly County Council, extending the life of the consent to 2025. The extant permission does not include a grid connection. Construction on this development has not commenced.

Major Planning Applications in the Vicinity of the Proposed Developments.

In County Offaly

20/237: Permission **Granted** to Newleaf Energy Limited for the development of a combined heat and power generating biomass gasification plant subject to 17th conditions.

20/238: Permission **Granted** to Rhode Energy Storage Ltd for the development of an energy storage facility designed to provide system support services to the electricity grid on a 2.7-hectare site subject to 17 conditions.

19/161: Permission **Granted** to Schwungrad Energie Ltd for the development of an energy storage facility designed to provide 20mw subject to 3 conditions.

22/664: Permission **Granted** to Eirgrid PLC for the construction of a 110kv substation subject to 7 conditions.

16/246: Highfield Solar Limited were **Granted** permission for a development consisting, of a solar PV energy development with a total site area of circa 96.6 hectares, to include one single storey electrical substation building and associated compound, electrical transformer and inverter station modules, storage modules, solar PV panels ground mounted on support structures, access roads, fencing and associated electrical cabling, ducting, CCTV and other ancillary infrastructure, additional landscaping as required and associated site development works subject to 15 conditions.

20/494: OBM Solar Ltd was **Granted** permission for a 10-year permission for the construction. of a solar PV development on a c.132 ha site consisting of solar panels on ground-mounted frames, 27 no. single storey electrical inverter/ transformer units, security fencing, CCTV system with pole mounted cameras, upgrading of existing access, landscaping and all associated ancillary development works; and an enclosed battery energy storage system compound on a c.0.385 ha located within the solar PV development site consisting of 18 no. battery storage units (each with associated containerised step up transformer), 1 no. containerised control room and 1 no. containerised switch room and all associated ancillary development works subject to 22 conditions.

21/488: OBM Solar Ltd was **Granted** permission for a 10 year permission for the construction of an extension to the permitted solar PV and battery storage development permitted subject to 20 conditions.

19.PA0032: Green Wind Energy (Wexford) Ltd were **Granted** a ten-year permission for the construction of 29 wind turbines subject to 20 conditions.

In County Westmeath

312783: Lumcloon Energy Ltd were **Granted** an SID planning permission for the construction of a 220kV Gas Insulated Switchgear (GIS) Electrical substation

and two 220kV underground transmission cables subject to 15 conditions. This development is approximately 4kms to the West of the proposed site in County Westmeath.

21/515 Lumcloon Energy Ltd were **Granted** permission for a development which comprises of 275MWe reserve gas-fired generator subject to 16 conditions. This development is approximately 4kms to the West of the proposed site in County Westmeath.

4.3 Enforcement Information Relating to the Subject Site

There is currently no record of any enforcement matters on the subject site.

5 DESIGNATIONS

5.1 European – Special Areas of Conservation (Sac's) and Special Protected Areas (SPA'S)

The submitted Natura Impact Statement (dated January 2024) has been prepared by AECOM Limited and submitted as part of the SID application. The following European sites were considered to be within the Zone of Influence of the proposed development:

- Lough Ennell SAC;
- Lough Ennell SPA;
- Raheenmore Bog SAC;
- Split Hills and Long Hill Esker SAC;
- Mount Hevey Bog SAC
- Wooddown Bog SAC;
- River Boyne and River Blackwater SAC;
- River Boyne and River Blackwater SPA.

Following an examination of the proposed development, encompassing the Power Plant Area and Electricity Grid Connection, and the likely impacts arising from construction, operation and decommissioning, the submitted Appropriate Assessment Screening concluded that in the absence of mitigation there is potential for likely significant effects of the Proposed Development on the following European sites:

- Lough Ennell SPA;
- River Boyne and River Blackwater SAC; and
- River Boyne and River Blackwater SPA

Therefore, it was established that the proposed development should progress to a more detailed examination of effects on the integrity of the European sites through the preparation of a Stage 2 Appropriate Assessment (NIS),

These designated sites are discussed in detail both with the EIAR and the NIS submitted with planning application.

5.2 National Designations - Natural Heritage Areas

Raheenmore Bog pNHA [000582], is located approximately 7.1km south of the subject site boundary and its qualifying interest is listed as being Peatlands.

The closest NHA is the Milltownpass Bog NHA [002323] which is located 5.4km north of the subject site and its qualifying interest is listed as being Peatlands.
These designated sites are discussed in the EIAR submitted with the planning application.

5.3 Special Amenity Area Orders/Protected Structures/Architectural Conservation Areas

There are none located on the proposed subject site. Chapter 8 (Cultural Heritage and Archaeology) of the EIAR examines protected structures in the vicinity.

6 PUBLIC SERVICES

6.1 Water supply

Ground water will be abstracted from the aquifer underlying the site via duty and standby boreholes. The abstracted water will be stored in a raw water tank. The tank provides a buffer volume to cover potential fluctuations or short interruptions in the raw water supply. The raw water will be treated to provide potable and demineralised water for the site.

6.2 Sanitary facilities

The proposed foul water drainage systems is as follows:

<u>Power Plant Area</u>

The Power Plant Area will have continuous occupation. A wastewater treatment plant by Tricel (or similar) is to be installed to treat the foul water arising from the Power Plant Area. The treated foul water effluent will be discharged from the wastewater treatment plant to the process water tank. From the process water tank, the treated water will be discharged to the Yellow River.

<u>220 kV and 400 kV substation areas</u>

The 220 kV and 400 kV substations will be infrequently occupied. Foul water holding tanks will be installed to service the 220 kV and 400 kV substation areas. The holding tanks are to be periodically emptied and the effluent disposed of offsite at an authorised facility

6.3 Surface water

The proposed surface water drainage systems is as follows:

<u>Power Plant Area</u>

- Runoff from buildings and hardstanding will be collected via the surface water drainage system, through an attenuation system and discharged to the River Mongagh. The surface water will be passed through a silt trap and class 1 hydrocarbon interceptor prior to entering the attenuation system.

220 kV overhead line corridor and underground cable corridor

- Any exposed concrete plinths at the 220 kV overhead line pylon bases will be laid to fall. Surface water will drain to surrounding ground.
  Floating roads are proposed over areas of peat. Any surface water will fall to the sides of the road into the surrounding ground.
  Where the existing landscape within the development boundary remains unchanged, no additional drainage is proposed.

7 FLOOD RISK ASSESSMENT AND WATER FRAMEWORK DIRECTIVE & ASSOCIATED REGULATIONS

7.1 Flood Risk Assessment

A Site-Specific Flood Risk Assessment (FRA) for the Proposed Development and Overall Project of Derrygreenagh Power and all associated works was undertaken and is attached as Appendix 12A of the submitted EIAR. The FRA was carried out in accordance with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities".

The FRA concludes that the Proposed Development, has elements (water compatible) which are situated within Flood Zone A, high risk flood zone, for present day and future flooding scenarios. All highly vulnerable elements of the development have been located outside of high flooding risk areas, therefore the overall risk of fluvial flooding is considered to be low.

7.2 Water Framework Directive & Associated Regulations

A Water Framework Directive (WFD) Screening Assessment has been completed for all waterbodies (surface water and groundwater bodies) within the zone of influence of the Proposed Development and the Overall Project. It is attached as Appendix 12C of the submitted EIAR in this regard. The WFD Screening Assessment concluded that the Proposed Development and Overall Project will not:

- Cause a deterioration in the status of all surface and groundwater bodies assessed.
- Jeopardise the objectives to achieve 'Good' surface water/groundwater status.
- Jeopardise the attainment of 'Good' surface water/groundwater chemical status.
- Jeopardise the attainment of 'Good' surface water/groundwater quantity status.
- Permanently exclude or compromise the achievement of the objectives of the WFD in other waterbodies within the same river basin district

8 ENVIRONMENT IMPACT ASSESSMENT REPORT (EIAR) ADEQUACY

In this case, An Bord Pleanála is the competent authority for the purposes of carrying out an Environmental Impact Assessment (EIA).

The following section gives the Planning Authority's views in relation to the adequacy of the EIAR submitted as part of this planning application.

The EIAR is considered to be set out in a clear format and the Non-Technical Summary (NTS) is considered generally adequate. Throughout the different chapters, the EIAR outlines the existing environment providing a description of the context, character, significance and sensitivity of the receiving (baseline) in order to predict the likely significant effects of the project and the likely evolution of the environment in the absence of the project.

Chapter 1 – Introduction

Chapter 1 of the EIAR provides information relation to the following;

- The Applicant for the Proposed Development is Bord na Móna Powergen Ltd., a subsidiary of Bord na Móna PLC.
- A description of the proposed development,
- Assessment methodology, the structure of the EIAR and details regarding the study team and contributors to the EIAR.

Chapter 2 – Planning Policy

This section of the EIAR provides a summarised overview of European Union, national, regional, and local planning policy, guidance, and legislation that is relevant to the Proposed Development and Overall Project.

Chapter 3 - Need and Alternatives

Chapter 3 of the EIAR describes the need, reasonable alternatives, and the design progression that has been considered during the evolution of the Proposed Development.

In order to facilitate the continued expansion of Ireland's renewable generation capacity, and support security of supply, modes of supporting the electricity network during periods when there is a gap between renewable power generation and power demand will be needed. This project is designed specifically for this purpose, being able to respond quickly to shortfalls in power generation at times of high demand.

Additionally if the proposal was not to go ahead, the Applicant would not be able create additional electricity generating capacity, thus would exacerbate security of supply concerns for Ireland resulting in significant adverse effects on population.

It is further stated a comprehensive site selection process was undertaken as part of a previous, now extant permission (Ref: 19.PA0011); the constraints and facilitators outlined in that assessment continue to be relevant.

Chapter 4 – Existing Site and Conditions

This chapter of the Environmental Impact Assessment Report (EIAR) describes the Proposed Development and Overall Project location, setting and details of the surrounding area.

Chapter 5 - The Proposed Development and Overall Project

This chapter of the EIAR provides a detailed description of the Proposed Development which comprises a CCGT unit, an OCGT unit, and the Electricity Grid Connection including substations and associated buildings and infrastructure, on land within a subset of the Derrygreenagh Bog Group in Co. Offaly. Also presented are details of the Gas Connection Corridor which forms part of the Overall Project and will enable the Proposed Development to connect to the existing high pressure Gas Pipeline to the west (BGE/77), north of the Power Plant Area via an AGI at the tie-in location and an underground pipeline. The gas connection corridor is assessed in the EIAR however a gas connection is not part of the current application.

Chapter 6 - Consultations

This chapter of the EIAR provides details of the consultation undertaken to inform the EIAR and planning application process. As part of the pre-application process consultation meetings with several statutory stakeholders took place including:

- Minister for Housing, Local Government and Heritage
- Minister for the Environment, Climate and Communications
- Offaly County Council
- Westmeath County Council
- Eastern and Midland Regional Assembly
- EirGrid
- Transport Infrastructure Ireland
- Inland Fisheries Ireland
- Irish Water
- Commission for Regulations of Utilities
- An Taisce
- An Chomhairle Ealaoin
- Failte Ireland
- The Heritage Council
- An Bord Pleanala (ABP)
- Environmental Protection Agency (EPA);
- Offaly County Council (OCC)

Additionally the following consultation also took place:

- An online consultation
- Public consultation and information events were held in:
    - Rhode – Rhode Parish Hall (1700-2100hrs on 28 March 2023)

- Rochfortbridge, St Joesph's Parish Hall (1700-2100hrs on 29 March 2023)
- Croghan, Croghan Community Centre (1700-2100hrs on 30 March 2023

Chapter 7 - Air Quality

This chapter of the Environmental Impact Assessment Report (EIAR) addresses the likely significant effects of the Proposed Development and Overall Project on air quality.

In relation to the construction phase of the Power Plant, the Applicant has indicated there are no human health, amenity or ecological receptors falling into the screening distances of less than 250 m from the Power Plant Area site or the access point. Emissions of dust and particulates from the construction phase of the Power Plant Area will, however, be controlled in accordance with standard good working practices regularly employed in the construction industry on sites of this type.

Additionally, part of Chapter 8 of the EIAR, the Applicants has submitted an Air Quality Impact Assessment Report which indicate 'emissions from the Proposed Development stacks and construction road traffic would result in small increases in ground-level concentrations of the modelled pollutants. Taking into account available information on background concentrations within the modelled domain, predicted operational concentrations of the modelled pollutants would be within current Environmental Standards for the protection of human health at sensitive receptors.'

Subject to the proposed mitigation measures being implemented, Environment/Water Services Section of Offaly County Council have raised no concerns with the development from an Air Quality point of view.

Chapter 8 - Cultural Heritage and Archaeology

This chapter of the Environmental Impact Assessment Report (EIAR) describes the likely significant effects from the Proposed Development and overall project upon Cultural Heritage, including archaeological and architectural heritage. A comprehensive review of the potential impact on the archaeology, architecture and cultural heritage of the subject site, and surrounding area, with respect to the proposed development is contained within this chapter.

It is noted, while there are no recorded archaeological assets within the boundaries of the Power Plant Area, 19 are recorded within the 1km study area. These are all located within the surrounding commercially cut peat bogs and were uncovered during field surveys. Although there may have been other heritage assets present in the form of previously unrecorded sub-surface archaeological deposits and features, these will have been destroyed by ground disturbance associated with the construction of the existing buildings and infrastructure. Similarly, while there are none recorded within the footprint of the Electricity Grid Connection, with 108 assets recorded within the 1km study area; 16 of these assets are located c. 680m from the 220kV substation.

There are 16 recorded archaeological sites within the 1km wide Gas Connection Corridor ranging in date from the prehistoric to the medieval period. The prehistoric sites comprise of a barrow and a standing stone. There are also three undated assets (i.e., two enclosures and

a cropmark) within the Gas Connection Corridor which could date to the prehistoric period. In addition, there are 10 Recorded Protected Structures recorded within the 1km Gas Connection Corridor comprising 14 assets, the majority of which are also recorded on the National Inventory of Architectural Heritage (NIAH) with corresponding identification numbers. Subject to the proposed mitigation measures being implemented, the Planning Authority has no concerns with the proposal from a cultural heritage and archaeology point of view.

Chapter 9 - Biodiversity

Chapter 9 assesses the likely significant effects of the proposed development (as a standalone project and also in conjunction with other approved projects) with regard to biodiversity, flora and fauna. Appendices to this chapter include study results on:

- Constraints survey report
- Bat survey report,
- Badger survey report,
- Breeding bird survey report, wintering bird survey report,
- National biodiversity data centre report,
- Smooth newt eDNA analysis report,
- Bord na Móna rehabilitation plans & habitat management plan.

This Chapter of the Environmental Impact Assessment Report (EIAR) provides an Ecological Impact Assessment (EcIA) of the potential impacts and the likely significant effects of the proposed development and overall project

Referring to the submitted Natura Impact Statement (NIS), following implementation of mitigation measures, it is considered that all aspects of the Proposed Development will have no adverse impact on the integrity of any European sites, either alone or in-combination with other plans or projects.

In relation to the potential impacts on bats, seven species of bat were identified across the two static detector locations within the Power Plant Area: common pipistrelle, soprano pipistrelle, Leisler's bat, Natterer's bat, whiskered bat, brown longeared bat and Daubenton's bat. The most commonly recorded species was soprano pipistrelle, followed by common pipistrelle. A relatively large amount of activity was recorded at the south of the Power Plant Area, with this area being well-connected to the wider landscape via strong linear corridors.

Signs of badger presence and activity were noted at many locations including snuffles, droppings, prints and mammal paths. As badgers are protected in Ireland, it is important not to disturb their setts. Since badgers are clearly active in the area, targeted badger surveys should be carried out in areas proposed for disturbance or development.

A broad range of habitat types was identified in the survey area. These included a range of grassland, woodland, peatland and aquatic habitats, as well as artificial surfaces such as buildings and concrete

Several areas of suitable habitat for marsh fritillary butterflies were identified. The areas identified as suitable varied considerably in size, with some areas containing several small suitable patches within a larger area. Many of the areas identified were classed as "suitable,

undergrazed". These areas contained the suitable food plant for marsh fritillary breeding, although the habitat quality could be improved by light grazing.
The Environment/Water Services Section of Offaly County Council have no concerns with the proposal from an biodiversity point of view subject to conditions.

Chapter 10 - Landscape and Visual

This chapter of the Environmental Impact Assessment Report (EIAR) identifies and assesses the likely significant effects of the Proposed Development and Overall Project on the landscape character and visual amenity of the study area.
This chapter also includes the following supporting appendices:

- Photomontage Booklet
- Landscape Mitigation Strategy

In relation to the effects of the overall proposed development and other developments in the area, the EIAR considers, 'the magnitude of cumulative landscape change is considered to be Low. The significance / quality will be Slight/Adverse. Visually, the cumulative effects will be mainly related to a combined visibility of industrial features in available views, particularly from elevated locations throughout the study area such a Croghan Hill and Knockdrin Hill or elevated sections of the R446. Combined visibility will increase industrial elements in available views, intensifying the prevalence of industrial focus points in open views in particular where there is no or little intervening screening vegetation or topography. The frequency of sequential views of industrial facilities will likely increase altering the perception of the visual experience in the study area. Overall, the magnitude of cumulative landscape change is considered to be Low. The significance / quality will be Slight / Adverse.'
The visual impact of the proposal is discussed further in Section 13 of this report.

Chapter 11 - Noise and Vibration

This chapter of the Environmental Impact Assessment Report (EIAR) presents the baseline conditions, potential impacts and an assessment of the significance of effects arising from the construction, operation (including maintenance) with respect to noise and vibration.
In terms of construction noise and vibration associated with the development, no significant adverse effects are predicted, however, to ensure noise is kept to a minimum, it is recommended that the following mitigation measures are implemented:

- Good community relations will be established and maintained throughout the construction process to keep residents informed on progress and the measures put in place to minimise noise impacts;
- Standard construction working hours will be adhered to, i.e., 0700 hours - 1900 hours weekdays and 0800 hours - 1300 hours Saturdays, with no working on Sundays or Bank Holidays (including site deliveries) unless agreed with the local planning authority;
- Any activities that are required to be undertaken outside of standard construction hours will be discussed with the relevant authorities in advance;

- Selection of quiet and low vibration equipment and methodologies in accordance with the principles of 'best practicable means';
- Fixed and semi-fixed ancillary plant such as generators, compressors and pumps will be located away from receptor locations wherever possible;
- The appointed Contractor for the construction phase will be provided with electrical power which minimises the requirement for diesel generators at the Site;
- Diesel generators, if and when required, will be enclosed in sound proofed containers to minimise the potential for noise impacts
- All plant used on site will be regularly maintained, paying attention to the integrity of silencers and acoustic enclosures;
- Compressors will be of the "sound reduced" models fitted with properly lined and sealed acoustic covers which will be kept closed whenever the machines are in use and all ancillary pneumatic tools shall be fitted with suitable silencers;
- All noise generating construction plant will be shut down when not in use;
- The loading and unloading of materials will take place away from residential properties, ideally in locations which are acoustically screened from nearby NSRs;
- Materials shall be handled with care and placed rather than dropped where possible. Drop heights of materials from lorries and other plant shall be kept to a minimum;
- Modern plant shall be selected which complies with the latest European Commission noise emission requirements. Electrical plant items (as opposed to diesel powered plant items) shall be used wherever practicable. All major compressors shall be low noise models fitted with properly lined and sealed acoustic covers. All ancillary pneumatic percussive tools would be fitted with mufflers or silencers of the type recommended by the manufacturers;

In relation to operational phase, the following is noted:

- The Power Plant Area will be operated in compliance with the conditions of an Industrial Emissions (IE) Licence including all conditions related to control of noise emissions attributable to on-site activities.
- No non-standard mitigation is anticipated to be required for the operation of both the Electricity Grid Connection and the Gas Connection Corridor

Subject to the granting of permission OCC's Environment and Water Services Department have requested conditions be included in relation to noise emissions

Chapter 12 - Water Environment

This chapter of the Environmental Impact Assessment Report (EIAR) presents the baseline condition, flood risk status, and potential impacts of the Proposed Development and Overall Project.

The proposed project site is located within the Boyne area and inside the sub-catchment (i.e. Yellow (Castlejordan).

The Proposed Development and Overall Project is within the Boyne WFD Catchment and extends across nine WFD surface water bodies:

- Castlejordan_020 (WFD ID: IE_EA_07C040100).
- Yellow (Castlejordan)_020 (WFD ID: IE_EA_07Y020100).
- Yellow (Castlejordan)_010 (WFD ID: IE_EA_07Y020070).
- Castletown Tara Stream_010 (WFD ID: IE_EA_07C080190).
- Esker Stream_010 (WFD ID: IE_SE_14E010100).
- Grand Canal Main Line West (Barrow) (WFD ID: IE_14_AWB_GCMLW).
- Castlejordan_010 (IE_EA_07C040050)
- Rochfortbridge Stream_010 (IE_EA_07R040300)
- Brosna_040 (IE_SH_25B090200)

The principal components of the operation of the proposed development and overall project are as follows

- The discharge of process and foul water from the Power Plant Area, by pipe, into the Yellow River to the south.
- The discharge of surface/ drainage water from the Power Plant Area, by pipe, into the Mongagh River to the north.
- The use of existing onsite groundwater abstraction borehole, PW1, to supply the water requirements of Proposed Development.
- The placement of impervious surfaces at the Power Plant Area and substation sites and compounds

Following implementation of the appropriate mitigation measures as outlined in the EIAR, no significant impacts on these designated sites will occur as a result of the project.

A Stage 2 Flood Risk Assessment (Appendix 12A of EIAR) was carried out and used to inform the assessment. As a result, it is noted that there are elements of the development that are considered highly vulnerable to flooding, but these are located in flood Zone C and are considered low risk in relation to fluvial flooding. However the assessment estimated any vulnerable infrastructure should have a minimum finish level of 78.2 mod (0.1% AEP HEFS + 0.6m) for the main station and corresponding 220 kV substation. The 400 kV substation finished floor level is estimated to be 78.2 mAOD (0.1% AEP HEFS + 0.6m) to reduce the risk of fluvial flood damage.
OCC Environment & Water Services indicate that further information be requested in relation to drainage and to ensure that riparian zones along rivers are maintained, details of surface water treatment and details of water discharge controls.

Chapter 13 - Soils and Geology

This chapter of the Environmental Impact Assessment Report (EIAR) assesses the likely significant effects of the Proposed Development and Overall Project on geology and soils;

'geology and soils' is a collective term used to describe the geological and soil setting and features.

The Power Plant Area has an approximate area of 49ha and is located directly adjacent to and east of the R400 road, with the exception of the process water discharge pipe that extends west of the R400 road before discharging to the Yellow River to the South of the Power Plant Area. The main access point to the Power Plant Area is off the R400 road, though the process water pipeline takes advantage of an underpass from power plant west of the R400 road that also links the Power Plant Area to the proposed 220kV substation site within the proposed Electricity Grid Connection. The area within the Power Plant Area mostly comprises brownfield site with hardstanding surfaces, buildings, structures, and a narrow-gauge railway associated with the former use of the site, where peat-harvesting and transport equipment is serviced and repaired.

The route of the proposed Electricity Grid Connection route starts to the west of the Power Plant Area, on the western side of the R400 road. The proposed overhead line and pylon towers will traverse from the 220kV substation south for c. 5km over Bord na Móna cutaway bogs, crossing the Yellow River and a haul road associated with Kilmurray S&G, before being undergrounded at the proposed Line-Cable Interface Compound c. 1km north of the L1010 Togher road. An underground cable route will then continue south, beneath the L1010 Togher road via an existing railway underpass, following the route of the existing narrow railway which crosses Coolcor Stream before connection to a proposed 400kV substation located on agricultural land in close proximity to the existing electricity 400kV overhead route transmission network.

The site of the proposed 220kV substation is located west of the R400 road in close proximity to the Power Plant Area. The area is located on a brownfield site on the existing narrow gauge railway route on a mixture of made ground and bare peat on relatively flat ground c. 81mOD. There is an existing refuelling station to the northeast (still west of the R400 road, but outside the red line planning boundary) serving vehicles for operations required per activities of Licence Reg No. P0501-01. The site of the proposed contractor compound will be located north of the proposed substation site.

The EIAR indicates that the proposed development and overall project is therefore not predicted to give rise to any cumulative impacts in terms of land, soils or geology at the site and surrounding area at either the construction, operational or decommissioning phases.

OCC Environment & Water Services consider that additional information should be requested regarding the excavated peat material & proposed peat deposition areas.

Chapter 14 - Traffic and Transport

This chapter of the Environmental Impact Assessment Report (EIAR) considers the traffic and transportation impacts of the Proposed Development and Overall Project. The EIAR considers the existing traffic conditions, the additional traffic generated by the Proposed Development and Overall Project and the impact on the surrounding highway network. Both the Roads Design Section of Offaly County Council as well as the Edenderry Municipal District Office have

recommended comprehensive planning conditions in relation to mitigating the traffic impacts of the proposal.

Chapter 15 -Population and Human Health

This chapter of the Environmental Impact Assessment Report (EIAR) describes the potential effects of the Proposed Development and Overall Project on population and human health.

It is concluded that the proposed development will have no likely significant adverse effects on population and human health and that no specific mitigation measures, other than those identified in the CEMP and CTMP. Most mitigation measures are proposed in other chapters of the EIAR.

With respect to Community Gain Fund, Bord na Móna is proposing to replicate its Community Gain Scheme model. The fund shall be made by five annual payments of €90,000 (ninety thousand euro) beginning on commencement of construction of the Proposed Development contributing to a total fund of €450,000 (four hundred and fifty thousand euro) over the five-year period. The fund will look to support the local community, through funding of projects and services, as required.

A second component of the fund involves the implementation of a 'Near Neighbour Scheme' whereby third party participants will be offered electricity bill payers living within a prescribed distance of a Power Plant Area, an annual contribution towards their electricity usage. In addition to the electricity contribution payment, the Scheme will also offer participants a contribution towards the completion of energy measures on the property and / or education support. The Applicants indicate this is in line with existing near neighbour schemes that are active at other Bord na Móna Powergen developments

This chapter outlines that a max number of 750 no. direct workers will be employed during the construction stage. Additionally during the operation of the development there will be in the region of 45-50 personnel employed at the development. Local businesses may benefit from the opportunity to supply materials, plant, and equipment which will represent a significant capital investment.
The Community Gain element of the proposal is discussed further in Section 14 of this report.

Chapter 16 - Material Assets

This chapter of the Environmental Impact Assessment Report (EIAR) assesses the potential impacts on Material Assets as a result of the Proposed Development and Overall Project.
The following potential impacts associated with the proposal, are assessed with regard to the following existing land uses, built services and infrastructure are as follows

- Land Use.
- Electricity supply.

- Gas supply.
- Wastewater services (foul, process and surface water).
- Water supply.
- Telecommunications.
- Waste management.

The EIAR concludes that the any impacts arising from the construction and operation of the proposed development would not cause significant effects to any Material Assets and Waste and Resource Management receptors identified in the EIAR.

Chapter 17 - Major Accidents and Disasters

The Major Accidents and Disasters chapter of the EIAR took the following into consideration:

- Hazardous substances, including flammable substances, materials harmful to the environment and materials harmful to human health, as well as their quantities and storage arrangements;
- Electrical hazards;
- General construction activities, e.g., ground preparation, excavation, construction of buildings and process structures;
- Natural hazards such as major storms, strong seismic events, and climate change; Identification of Potential Risk Events (PRE);
- Assessment of Credible Risk Events (CRE).

The CRE identified relate to flood events, peat fires, and accidental releases or leaks of hazardous substances which could result in a fire or explosion (e.g., natural gas or liquefied petroleum gas/propane). However, taking into account mitigation measures already in place (i.e., embedded within the design), best practice operating procedures, and emergency response policies (such as the implementation of a Site Emergency Response Plan (ERP)), no likely significant effects were identified, and no additional mitigation measures are proposed. The effects of MA&D are therefore 'Not Significant'.

The Chief Fire Office of Offaly County Council has indicated no objections to the proposed development.

Chapter 18 - Climate

This chapter of the Environmental Impact Assessment Report (EIAR) describes the likely significant effects from the Proposed Development and Overall Project upon climate change, as well as the likely significant effects of climate change upon the Proposed Development and the Overall Project.

The Climate Change Risk (CCR) assessment identified: nine risks for the Power Plant Area, four related to construction and five related to operation; eight risks for the Electricity Grid Connection, four related to construction and four related to operation; and six risks for the Gas Connection Corridor, four related to construction and two related to operation. After considering embedded mitigation measures, all CCRs are classified as 'Low' for all components

of the Proposed Development and Overall Project, and their effects are therefore deemed 'Not Significant'.
Environment/Water Services have raised no concerns with the issues raised in Chapter 17 of the EIAR.

Chapter 19 - Cumulative Effects and Interactions
This Chapter of the Environmental Impact Assessment Report (EIAR) provides an assessment of the potential for cumulative and interaction of effects as a result of the Proposed Development and Overall Project.
Table 19.2 identifies potential interactions between the various aspects of the environment assessed in the EIAR. This matrix illustrates the occurrence of 'no interaction' or 'interaction' effects during both the construction and operational phases of the proposed development.
Having assessed the interaction of likely effects during the construction, operational and decommissioning phases, it is concluded that the likely interactions are not assessed as likely to result in any effects that could magnify effects through the interaction or accumulation of effects.

Chapter 20 - Schedule of Environmental Commitments
This Chapter of the Environmental Impact Assessment Report (EIAR) provides a summary of the Schedule of Environmental Commitments (mitigation measures) for the Proposed Development and Overall Project.
As described throughout each of the EIAR chapters (Chapters 7 to 18), there are instances where the environmental effects associated with the Proposed Development and Overall Project may be of such a magnitude as to warrant mitigation measures. These measures are deemed necessary to minimise environmental impacts during the construction, operation and / or maintenance phases of the Proposed Development and Overall Project.
Embedded mitigation measures have been incorporated into the design of the Proposed Development throughout the design process. The environmental impact assessment of the Proposed Development facilitated the identification of additional mitigation and monitoring measures. The mitigation measures identified within Chapters 7 to 18 of this EIAR are summarised and presented in Tables 20.1 to 20.3 of EIAR Volume I Chapter 20. The embedded environmental controls and all mitigation measures detailed therein are also included in the CEMP (refer to Appendix 5A, Volume II).

9 CARRYING CAPACITY AND SAFETY OF ROAD NETWORK

Please refer to the details contained in the Roads Design Section and Edenderry Municipal District Engineer reports under Section 11, below.

10 ENVIRONMENTAL CARRYING CAPACITY OF THE SUBJECT SITE AND SURROUNDING AREA

It is considered that the previous comments on the EIAR above relate to this heading.

11 REPORTS OF RELEVANT LOCAL AUTHORITY DEPARTMENTS

This section of the report provides details of reports received from the relevant internal section within the Local Authority.

11.1 Road Design and Municipal District Engineer's Report

On review of the planning documentation associated with this application, OCC's Roads Design Section and the Edenderry Municipal District Engineer have provided their comments in relation to the proposal. In addition to the mitigation measures outlined in the EIAR, the Engineers recommend that the following requirements are adhered to, should the Board grant planning consent for the proposal:

Edenderry Municipal District Engineer

Prior to commencement of the development, details of the following shall be submitted to, and agreed in writing with the Planning Authority:

1. A Transport Management Plan, including details of the road network/ haulage routes and the vehicle types to be used to transport materials on and off site and a schedule of control measures for exceptionally wide and heavy deliveries.

2. A condition survey of the roads and bridges along the haul routes shall be carried out at the developers expense by a suitably qualified person prior to commencement of the development. This survey shall include a schedule of required works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic. The extent and scope of the survey and the schedule of works shall be agreed with the planning authority prior of commencement of the development.

3. Within 3 months of the cessation of the end of the public road(s) being used as haul routes, a condition survey of the roads, bridges and any other public infrastructure, accompanied by a schedule of repair/ upgrade works shall be carried out at the developers expense by a suitably qualified person. This shall be submitted to, and agreed in writing with the planning authority within 3 months of the cessation of use of public roads by construction traffic. All agreed works shall be completed by the developer at the developers expense within 12 months of the cessation of public roads being used as haul routes.

4. Detailed arrangements for temporary traffic arrangements/ controls on roads.

5. A phasing programme indicating the timescale within which it is intended to use each public route to facilitate construction of the proposed development.

6. Prior to commencement, the applicant shall provide details to mitigate deposition/ spillage of site materials onto the public road(s) during construction works.

7. Prior to commencement, the applicant shall provide details of access road apron(s)/ tie ins, for 30m from the edge of the public road into the site at access points, constructed using unbound bituminous or concrete materials.

8. Prior to commencement, the applicant shall provide details to mitigate queuing of construction traffic on the public road(s) during construction works.

9. Details of the sources and volumes of quarry/ aggregates/ concrete products and any other materials used in significant quantities to be used during construction works. Changes to sources of materials during construction shall be notified to the planning authority as any deviation from agreed haul routes may have an adverse impact on public infrastructure.

10. Details of Construction Traffic Signage compliant with Chapter 8 of the Traffic Signs Manual 2019 (as amended) to be installed, on approaches to access points off the public road, to be submitted and agreed with the planning authority.

11. Details of measures to achieve acceptable sightlines at any access points to the development off the public road network. Sightlines to be in compliance with TII-DN-GEO -03031 – Rural Link Road Design.

<u>General Conditions</u>

12. The applicant has proposed that 40% of materials will access the site from the L-1010 west of Rhode Village. Edenderry Municipal District have serious capacity concerns regarding the use of the L-1010 for construction traffic in its current condition. The applicant shall carry out strengthening works on the L-1010 for 3.1km west of Rhode Village to enable this section of local road as a haul route. The upgrade shall consist of – Regulation Layer, 60mm of Asphalt Concrete Binder Course and 40mm of Polymer Modified Stone Mastic Asphalt surface course. Full details of upgrades to be agreed with Planning Authority prior to commencement of the development.

13. Passing bays are required along the 3.1km section of the L-1010 to enable the haul route. Details of locations, size and proposed construction shall be agreed with the planning authority prior to commencement of the development.

14. Any proposed works to be carried out along/ on public roads shall be subject to the developer obtaining a road opening license through Edenderry Municipal District Office.

15. A dedicated Liaison Engineer shall be appointed by Offaly County Council for the duration of this development. All costs associated with this appointment shall be incurred at the developer's expense for the duration of the construction period. (In the interest of clarity, road safety and orderly development).

16. The developer shall pay to the Planning Authority a Financial Contribution as a Special Contribution under Section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of road strengthening and upgrading of the R400. The amount of the contribution shall be three annual instalments of **€30,333.33** and this contribution shall be index linked. The contribution shall be paid annually within 3 months from the date of the completion of all site works or in such payments as the Planning Authority may facilitate.

17. Subject to the Grant of Planning Permission a cash deposit or bond to secure the reinstatement of sections of the public road network which may be damaged by the transportation of materials to site must be agreed and provided with the Offaly County Council's Roads Department prior to any works commencing.

Road Design Section

1. Traffic and Transport Assessment to be carried out in accordance with TII publication, Traffic and Transport Assessment Guidelines PE-PDV-02045, May 2014.

2. Independent Road Safety Audits shall be submitted for the proposed new development in accordance with TII document GE-STY-01024, December 2017.

3. Road design to be designed and constructed in accordance with TII document DN-GEO-03031 "Rural Road Link Design".

4. This application will require the levying of a contribution in accordance with 'Offaly County Councils Development Contribution Scheme 2021–2025, Section 19 Charges to be Applied', towards the management and repair of the public roads in the vicinity of the site.

5. Road Pavement Design including wearing course, binder course and base course to be designed and constructed in accordance with TII document Series 900.

6. Junction design including the provision of right turning lanes along the R400 to be designed and constructed in accordance with TII document DN-GEO-03060, June 2017.

7. Car parking provisions including accessible spaces and EV charging points and infrastructure requirements to be constructed in accordance with Offaly County Development Plan 2021-2027.

8. Traffic Management Plans shall be submitted for each stage of the works to Edenderry Municipal District Office, in accordance with the requirements of the most recent Traffic Signs Manual.

9. Construction Management Plans shall be submitted for each stage of the works to Edenderry Municipal District Office.

10. Provisions should be made for public lighting along the R400 and shall comply with the following requirements:
    (a) Public lighting shall be provided in accordance with the Offaly County Council Public Lighting Specification and the details submitted as part of the planning application. Phased provision of public lighting is only permitted where a phased public lighting plan has received the prior written consent of the planning authority.
    (b) The proposed development (or appropriate phase of the development) shall not be occupied/operated until public lighting is in place and operational.
    (c) The developer shall within one week of public lighting being first operational submit written confirmation to the planning authority and shall include contact details of bodies responsible for maintenance of the aforementioned public lighting.

(d) Public lighting shall be maintained and kept operational by the developer/ owner.

11. A condition survey of the roads and bridges along the haul routes shall be carried out at the developer's expense by a suitably qualified person prior to commencement of the development. This survey shall include a schedule of required works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic. The extent and scope of the survey and the schedule of works shall be agreed with the planning authority prior to commencement of the development.

12. The processing of Road Opening Licenses and reinstatement of trenches in local and regional roads shall be carried out in accordance with the latest version of "Guidelines for the Opening, Backfilling and Reinstatement of Trenches in Public Roads" (The Purple Book), except where noted otherwise.

13. All surface water run-off from the development shall be collected and disposed of within the site. In particular, no such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties.

14. Roadside drainage shall not be inhibited by new site entrances. Suitably designed pipe/culvert to be constructed in accordance with the Recommendations for Site Development Works for Housing Areas, Section 3.4 Modified Rational Method. Drainage pipe to extend across entire front boundary. Headwall to be formed each end of drainage pipe to be constructed in accordance with TII RCD 500/53 to allow roadside drainage to flow undisturbed.

15. Any defects that appear during the haulage period shall be rectified by the developer.

16. Any damage caused to any roads during the construction phase of the projects shall be repaired to its previous condition to the satisfaction of Offaly County Council immediately by the applicant or their agents

17. Public roads shall be kept free of mud, dust, spillages and debris. Any necessary measures shall be put in place at site entry/exit points.

18. A dedicated Liaison Engineer shall be appointed by Offaly County Council for the duration of this development. All costs associated with this appointment shall be incurred at the developer's expense for the duration of the construction period.

19. Performance bond to be agreed with Offaly County Council Roads Department shall be in place prior to the commencement of works.

20. The R400 is not a viable option for the laying of any services relating to this site and in this regard no services will be permitted within the Road Structure.

11.2 Environment/ Water Services Report

The OCC Environment/ Water Services Department have reviewed the planning documentation associated with this proposal and have provided the following comments/observation below.

Environment/ Water Services consider that further consideration should be given to:

Drainage:

1. An existing drainage layout indicating existing drainage, drains & watercourses is required.
2. A proposed comprehensive drainage layout indicating;
   (a) Existing drainage, drains & watercourses and proposed clearance/buffer zone of 10m either side of the watercourse located within and/or adjacent to the site in order to preserve the existing riparian corridor in accordance with the requirements of Offaly County Council's, Development Plan 2021-2027.
   (b) Detail of a separate surface water collection/attenuation prior to discharging to the surface water system while incorporating Sustainable urban Drainage Systems (SuDS) in accordance with Greater Dublin Strategic Drainage Study (GDSDS), Sustainable Drainage Design & Evaluation Guide 2021 & CIRIA SuDS Manual 2015.
   (c) A proposal for pre-treatment of the run-off from the roads driveways, footpaths etc prior to discharge, to reduce the risk of surface water contamination or clogging and blocking of any proposed SUDS devices, refer to CIRIA SUDS Manual 2015.
   (d) Detail of a separate foul water collection prior to discharging to the proposed wastewater treatment system and percolation area.
3. The applicant is requested to provide full details of the proposed 2 no. process water discharge & surface water discharge addressing the full suite of water quality parameters including but not limited to; Temperature, pH, Biochemical Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Suspended Solids, Ammonia (as Nitrate), Ortho-Phosphate, etc

Waste Management

1. The Applicant is requested to submit an Article 11 declaration on waste authorisation to the Environmental Protection Agency in accordance with the Waste Management (Facility Permit and Registration) Regulations, 2007 (S.I. No. 821 of 2007). The submitted Article 11 should refer to the excavated peat material & proposed peat deposition areas.

In the event that it is decided to grant permission to the above application, the following conditions are recommended by OCC Environment and Water Services.

General

1. All mitigation measures as outlined in the submitted Construction and Environmental Management Plan shall be implemented by the applicant/developer for the construction & operational phase of the development.
2. All recommendations as outlined in the submitted Flood Risk Assessment shall be implemented by the applicant/developer for the operational phase of the development.
3. All mitigation measures as outlined in the submitted Natura Impact Statement shall be implemented by the applicant/developer for the construction & operational phase of the development.
4. All mitigation measures as outlined in the submitted Appropriate Assessment Screening Report shall be implemented by the applicant/developer for the operational & construction phase of the development.
5. The applicant/developer shall submit details for written approval of the Planning Authority, prior to the commencement of works on site of proposals for welfare facilities for the construction phase. These details shall include proposals for water supply & disposal of foul water generated on site.
6. All mitigation measures as outlined in the submitted Environmental Impact Assessment Report shall be implemented by the applicant/developer for the construction phase of the development.
7. All statutory consents and licences required to commence construction works on-site shall be obtained prior to works commencing, including but not limited to; site notices, construction commencement notices, licence to connect to existing utilities (including water) and mains sewers, where required, Abstraction and / or discharge licenses, where required, Road opening / closure licences, etc.
8. The applicant/developer shall obtain written appropriate consent for the proposed surface Water discharge to Monagh River/Castlejordon_020
9. The applicant/developer shall obtain written appropriate consent for the proposed process water discharge to Yellow River/Castlejordon_020.
10. All mitigation measures as outlined in the submitted Invasive Species Management Plan (ISMP) shall be implemented by the applicant/developer for the construction phase of the development.

Water

1. A groundwater monitoring program shall be implemented for the operational phase of the development in accordance with Chapter 12 of the submitted EIAR & future EPA IPC licence. The monitoring program shall capture groundwater levels & quality on a periodic basis to the satisfaction of the planning authority & the EPA.

Surface Water

1. The surface water drainage network should be designed in accordance with the Greater Dublin Strategic Drainage Study (GDSDS), Sustainable Drainage Design & Evaluation Guide 2021 & CIRIA SuDS Manual 2015
2. The surface water drainage system should be designed so as to restrict surface water run-off, by means of an attenuation system, from the impervious areas (i.e. roofs, roads, paved areas etc.) so that the ultimate discharge is equivalent to the green field run-off from an equal area. The applicant should calculate the greenfield run-off rate in accordance with the Institute of Hydrology Report 124 as referenced in the Greater Dublin Drainage study (GDSDS).
3. Surface water run off from the roofs, roads and hardstanding areas shall be collected and disposed of within the site to soakaways or proposed attenuation overflowing to the adjacent watercourse. No such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties;
4. The applicant shall maintain/preserve any existing riparian corridor/drain present within and/or adjacent to the site by implementing a buffer zone where no development is permitted in accordance with Offaly County Council's, Development Plan 2021-2027.
    - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-20: It is Council policy to preserve riparian buffer strips free from development by reserving a minimum of 10 metres either side of all watercourses (measured from top of bank) with the full extent of the protection determined on a case by case basis by the Council, based on site specific characteristics and sensitivities.
5. A water quality monitoring program for process wastewater and surface water discharges shall be implemented for the operational phase of the development in accordance with Chapter 12 of the submitted EIAR & future IPC licence.

Foul Sewerage

1. Prior to construction commencing on site, the developer is requested to provide details of how effluent will be collected & treated during the construction phase.
2. In the event that foul waste is to be removed regularly from site by a contractor during construction phase, the developer shall submit a signed maintenance contract with an Authorised Waste Collector and all foul waste must be transported to an Authorised Waste Facility.
3. The proposed wastewater treatment system and percolation area shall be designed in accordance with the EPA IPC Licence
4. The wastewater treatment system shall be installed in accordance with the manufacturers guidelines and the IPC Licence requirements if necessary;

Waste Management

1. All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.
2. The applicant is required to obtain an Integrated Pollution Control licence from the EPA prior to any extraction/excavation of peat and any associated Works such as drainage
3. All uncontaminated soil and stone imported onto the site shall comprise non-waste by-product, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. No. 126 of 2011
4. No development shall commence prior to registration with the Environmental Protection Agency of the material to be imported onto the lands, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. No. 126 of 2011
5. Prior to commencement of development, details regarding the origin/source of proposed soil & stone to be imported onto the site shall be submitted for the written agreement of the Planning authority.
6. All mitigation measures as outlined in the submitted Resource & Waste Management Plan shall be implemented for the construction phase of the development.

Environmental Nuisance

1. Noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall comply with recomendations set out in chapter 11 of EIAR and/or the EPA IPC licence requirements.
2. Audible tonal or impulsive components should be minimised at any noise sensitive location.
3. The Applicant shall take reasonable measures to mitigate any environmental nuisance (noise and dust) which may arise during construction. Construction shall take place during working hours 7am to 6.30pm Monday to Friday and 8am to 1.30pm Saturday unless otherwise authorised by the Planning Authority.
4. Dust suppression shall be undertaken under dry and windy conditions to ensure that dust deposition does not exceed 350mg/m²/day. Details of a monitoring programme for the dust shall be submitted to, and agreed in writing with the Planning authority prior to commencement of development. Details to be submitted shall include monitoring locations, the commencement date and the frequency of monitoring results.
5. All mitigation measures as outlined in the submitted Dust Management Plan (DMP) shall be implemented for the construction phase of the development.
6. An air quality monitoring program shall be implemented for the operational phase of the development in accordance with Chapter 7 of the submitted EIAR & future IPC licence.
    - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-19: It is Council policy to require activities likely to give rise to air emissions to implement measures to control such emissions and to undertake air quality monitoring. Application of this policy will take into account instances

whereby activities are licensed by other bodies through other processes (such as Integrated Pollution Control Licensing or Industrial Emissions Licensing).

- As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-18: It is Council policy to promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU ambient Air Quality and Cleaner Air for Europe (CAFE) Directive (2008/50/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards as set out in the Air Quality Standards Regulations 2011, or any updated/superseding documents.

Biodiversity & Landscape

1. The applicant shall maintain/preserve any existing hedgerow/woodland/trees present within and/or adjacent to the site in accordance with Offaly County Council's, Development Plan 2021-2027

- As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-24: It is Council policy to support the protection and management of existing networks of woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character, and to strengthen local networks.

11.4 Chief Fire Officer

The Chief Fire Officer notes that a Fire safety Certificate and a Disability Access Certificate will be required for the proposed development.

12 THIRD PARTY OBSERVATIONS/SUBMISSION SUBMITTED TO AN BORD PLEANALA

The Planning Authority has not received copies of any third-party submissions or referrals from prescribed bodies which may have been submitted to the Board.

13 PLANNING AUTHORITY'S ASSESSMENT AND VIEWS

The principle of the proposed development in this area is considered acceptable, given that the development is in line with national and regional energy and climate action policies, and largely complies with the objectives and policies set out in the Offaly County Development Plan 2021 – 2027 (OCDP). Notwithstanding this, there are a number of items that require addressing in order to safeguard the amenities of the residents of the area and general landscape amenities.

The majority of the Proposed Development is located within a subset of the Bord na Móna Derrygreenagh Bog Group, which includes the Drumman, Derryarkin, and Ballybeg bogs. The characteristics of the surroundings of the Proposed Development and Overall Project vary, but it is mostly low density agricultural and residential development with either scattered

houses and farming buildings, or dwellings clustered along busier roads. A significant extent of lands in close proximity to the Proposed Development boundary are peat bogs owned by the Applicant which have been historically harvested.
The proposed development is located within close proximity to the Yellow River Windfarm which is currently under construction. The Yellow River Wind Farm development includes 29 no. wind turbines with a tip height of 166m.

Cumulative Visual Impact:
A total of 29 no. turbines would be located in the immediate locality, as well as the following proposed structures under the current application.

- Double circuit suspension pylon towers (13 no.; c. 44m high) and strain pylon towers (6 no.; c. 38m high);
- CCGT power plant with an 60m high emissions stack
- OCGT power plant with an 45m high emissions stack.

It is noted none of the submitted photomontages (Appendix 10A) of the EIAR, indicate both the proposed development and the wind farm currently under construction.
Offaly County Council considers that this is an issue that requires careful consideration in relation to the cumulative visual impact of the proposal in relation to the wind farm currently under construction.
22 no. viewpoints were selected as part of the Landscape & Visual Impact Assessment (LVIA) however, it is considered that given the potential cumulative impact of the proposal taken in conjunction with the other energy developments in the area, additional viewpoints should be provided to assist in assessing cumulative visual impact of the proposal.
Photomontages showing the proposed power plant at its most prominent would also be beneficial.
It is noted the proposed grid connection (linking the proposed power station to the 400kV Oldstreet-Woodland overhead transmission line) comprises of 5km of overhead line and 3.4km of underground cable. The applicant justifies the positioning of cables above ground on the basis of Eirgrid Policy Document '*CDS-GFS-00-001-R1 110 kV, 220 kV and 400 kV Underground Cable Functional Specification*' which states that cable trenching through peatland should be avoided if at all possible.
Section 10.5.41 of the EIAR notes that the magnitude of landscape change associated with the proposed Electricity Grid Connection is considered to be high. Given the location of the proposed above ground grid connection, which will be a very prominent feature in the landscape and will be in close proximity to Croghan Hill (an Area of High Amenity in the Offaly County Development Plan), a robust justification for the proposed above ground grid connection to include detailed reasoning as to why the entire cabling cannot be underground is deemed to be in the interests of proper planning. The submitted EIAR provides no detailed discussion to justify the proposed above ground cabling.

Design:

It is noted that the proposed site of the power plant is very exposed and the plant will, if constructed, be a very prominent feature in the landscape and will be an architectural symbol of 21st Century industrial design in County Offaly and perhaps even nationally. In that regard additional details of external panelling are required in order to demonstrate a high standard of visual finishes to the proposed development. It is also considered that photomontages, with a viewpoint in close proximity to the proposed plant, should be requested so as to illustrate the full visual impacts of the power plant and enable a more comprehensive assessment of the proposal.

Cultural Heritage:

It is noted, while there are no recorded archaeological assets within the boundaries of the Power Plant Area, 19 are recorded within the 1km study area. These are all located within the surrounding commercially cut peat bogs and were uncovered during field surveys. Although there may have been other heritage assets present in the form of previously unrecorded sub-surface archaeological deposits and features, these will have been destroyed by ground disturbance associated with the construction of the existing buildings and infrastructure. Similarly, while there are none recorded within the footprint of the Electricity Grid Connection, with 108 assets recorded within the 1km study area; 16 of these assets are located c. 680m from the 220kV substation.

There are 16 recorded archaeological sites within the 1km wide Gas Connection Corridor ranging in date from the prehistoric to the medieval period. The prehistoric sites comprise of a barrow and a standing stone. There are also three undated assets (i.e., two enclosures and a cropmark) within the Gas Connection Corridor which could date to the prehistoric period. In addition, there are 10 Recorded Protected Structures recorded within the 1km Gas Connection Corridor comprising 14 assets, the majority of which are also recorded on the National Inventory of Architectural Heritage (NIAH) with corresponding identification numbers.

Noise

A total of 7 Noise Sensitive Locations have been identified surrounding the site at varying distances.

The seven receptors are all residential and represent the relevant closest receptor positions to the Proposed Development identified from satellite imagery. The closest receptors to the Power Plant Area are NSR5 and NSR6 both approximately 1.1km south. The closest receptor to the 400 kV Substation is NSR1 which is approximately 350m south-west of the shortest path to the red line boundary.

OCC's Environment and Water Services Department has raised no concerns with the proposal from a noise point of view.

Transportation and Traffic:

OCC's Road Design Department and the Edenderry Area Engineer have included an extensive range of requirements with respect to transportation and traffic components of the proposed development. Please refer to Section 11 of this report, in this regard.

Hydrology and Hydrogeology:

OCC's Environment and Water Service Department has recommended that further information be requested in relation to a number of items with respect to the following:

- An existing drainage layout should be submitted indicating existing drainage, drains & watercourses
- A proposed comprehensive drainage layout should be submitted indicating:
  - Existing drainage, drains & watercourses and proposed clearance/buffer zone of 10m either side of the watercourse located within and/or adjacent to the site in order to preserve the existing riparian corridor in accordance with Offaly County Council's, Development Plan 2021-2027,
  - Detail of a separate surface water collection/attenuation prior to discharging to the surface water system while incorporating Sustainable Urban Drainage Systems (SuDS) in accordance with Greater Dublin Strategic Drainage Study (GDSDS), Sustainable Drainage Design & Evaluation Guide 2021 & CIRIA SuDS Manual 2015,
  - A proposal for pre-treatment of the run-off from the roads driveways, footpaths etc prior to discharge, to reduce the risk of surface water contamination or clogging and blocking of any proposed SUDS devices, refer to CIRIA SUDS Manual 2015,
  - Detail of a separate foul water collection prior to discharging to the proposed wastewater treatment system and percolation area
- The applicant is requested to provide full details of the proposed 2 no. process water discharge & surface water discharge addressing the full suite of water quality parameters including but not limited to; Temperature, pH, Biochemical Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Suspended Solids, Ammonia (as Nitrate), Ortho-Phosphate, etc.

Appropriate Assessment under the Habitats Directive:

The Appropriate Assessment Screening Report concluded that following an examination of the Proposed Development, encompassing the Power Plant Area and Electricity Grid Connection, and the likely impacts arising from construction, operation and decommissioning it has been concluded that in the absence of mitigation there is potential for likely significant effects of the Proposed Development on the following European sites:

- Lough Ennell SPA;
- River Boyne and River Blackwater SAC; and
- River Boyne and River Blackwater SPA.

As a result, a Natura Impact Statement (NIS) was prepared in respect of the proposed development in order to assess whether the proposed development would adversely affect the above European sites.

The NIS states that for each of the European sites screened in the NIS, that it can be concluded that following implementation of mitigation measures, it is considered that all aspects of the proposed development will have no adverse impact on the integrity of any European sites, either alone or in-combination with other plans or projects.

14 PLANNING AUTHORITY'S VIEW ON COMMUNITY GAIN

Bord na Móna is proposing to replicate its Community Gain Scheme model. The fund shall be made by five annual payments of €90,000 (ninety thousand euro) beginning on commencement of construction of the Proposed Development contributing to a total fund of €450,000 (four hundred and fifty thousand euro) over the five-year period. The fund will look to support the local community, through funding of projects and services, as required. The Planning Authority have concerns that if too restrictive a geographic area is specified for the fund then challenges will arise in finding suitable community projects.

A second component of the fund involves the implementation of a 'Near Neighbour Scheme' whereby third party participants will be offered electricity bill payers living within a prescribed distance of a Power Plant Area, an annual contribution towards their electricity usage. In addition to the electricity contribution payment, the Scheme will also offer participants a contribution towards the completion of energy measures on the property and / or education support. The Applicants indicate this is in line with existing near neighbour schemes that are active at other Bord na Móna Powergen developments.

Given that there is no dwellings located within 1km of the Plant Area, that the Planning Authority is of the opinion that the proposed 'Near Neighbour Scheme' prescribed distance from the Power Plant Area should be extended to the whole development (Power Plant Area, Grid Connection & 2 No Substations)

The proposed site and the larger landholding contains approximately six kilometres of the 'landscapes of power' cycling route of the Midlands Cycling Destination, Offaly Network Map. The Midlands Cycling Destination, Offaly Network Map is a product of the 'Feasibility Study on the Development of a Major Cycling Destination in the Midlands of Ireland, 2016'. Bord na Mona was one of the stakeholders behind the production of this Feasibility Study.

Chapter six of the Offaly County Development Plan 2021-2027 notes that it is council policy, working in conjunction with key stakeholders, to promote the establishment of walking and cycling ways as specified in the Midlands Cycling Destination, Offaly Network Map.

It is considered that the applicant needs to provide more information investigating the potential to construct amenity trails, within the subject site and adjacent lands under the control of the applicants, to explore the potential development of elements of the Midlands Cycling Destination, Offaly Network Map. The Planning Authority note that there is potential to utilise the Bord na Mona railway line/trackway within the ownership of the applicant and adjacent to the proposed development.

The provision of such would largely tie-in with and complement the objectives and the cycle routes identified in the 'Feasibility Study on the Development of a Major Cycling Destination

in the Midlands of Ireland' document and 'Connecting People - Connecting Places - A Strategy for Walking and Cycling in Offaly' document.

In summary it is considered that the bord should request information from the applicant in relation to the following topics:

- Additional photomontages showing cumulative visual impacts of Yellow River windfarm and the current proposal
- Additional photomontages showing the full visual impact of the power station.
- Justification for above ground cabling
- Power plant external finishes
- Issues raised in OCC Environment and Water Services Report.
- Clarifying geographic area which will avail of near neighbour scheme
- Requesting proposals to comply with Midlands Cycling Destination, Offaly Network Map.

15 DEVELOPMENT CONTRIBUTIONS

The board is advised that contributions should be applied in accordance with the Offaly County Council Development Contribution Scheme 2021 – 2025. Offaly County Council development contribution scheme.

16 SPECIAL DEVELOPMENT CONTRIBUTION

An annual special development contribution is required in in respect of road strengthening and upgrading of the R400.

17 BONDS

The Roads Design Section have recommended that a bond be attached.

18 PLANNING AUTHORITY'S VIEW ON CONDITIONS

Recommendations for planning conditions relate to:

- Traffic & Transport Assessment
- Independent Road Safety Audits for proposed development
- Development contributions
- Traffic Management Plan
- Construction and Environmental Management Plan.
- Public Lighting
- Condition survey of roads and bridges along the haul routes
- Road opening licences and reinstatement of trenches
- A dedicated liaison engineer to be appointed for the duration of the construction phase
- Water discharge & Surface water discharge
- Roadside drainage

- Bonds.
- The R400 is not a viable option for the laying of any services relating to this site and in this regard no services should be permitted within the Road Structure.
- Details of source and volumes of quarry/ aggregate/ concrete products & any other material.
- Details of construction traffic signage
- Details of signage
- Passing bays along the 31km section of the L-1010 local road.
- Mitigation measures outlined in the NIS, EIAR and Construction & Environmental Management Plan to be applied.
- All recommendations in the Flood Risk Assessment to be implemented
- Welfare facilities for the construction phase.
- Written appropriate consent for the proposed surface water discharge
- All mitigation measures outlined in the submitted Invasive Species Management Plan be implemented
- Surface water
- Foul sewerage
- Waste management
- Environmental nuisance
- Biodiversity & Landscape
- Timescale for completion, operation and decommissioning.
- Noise levels during construction and operation, including monitoring.
- Archaeological recording, reporting and any further mitigation arising from same.
- Navigation lighting.
- Drainage layout
- Badger survey
- Surface water monitoring and management.
- Community Gain
- Details of finishes
- Conditions suggested by OCC Roads, Area Engineer & Environment /Water Services
- Condition requiring any upgrade or repair works required to public roads to be carried out at the developer's expense.
- Conditions relating to the provision of lands for cycleways on the applicants landholding in accordance with the Midlands Cycling Destination, Offaly Network Map contained within the Offaly County Development Plan 2021-2027.

19 RECOMMENDATION

Notwithstanding Section 18 above, the Planning Authority requests that further information be requested of the Applicant to address the points / concerns raised in Sections 11, 13 and 14 of the report before a decision is made.

Michael Duffy

_____ 8th April 2024

Michael Duffy (Executive Planner) Date

Ed Kelly

_____ 8th April 2024

Ed Kelly (A/Senior Executive Planner) Date

_____ 9th April 2024

Anna-Marie Delaney (Chief Executive) Date

APPENDIX A – OCC INTERNAL REPORTS

Comhairle Chontae Uíbh Fhailí
Offaly County Council

Edenderry Municipal District

Report on SID Planning Infrastructure

Date: 20.03.2024

Applicant: Bord Na Mona Powergen

Location: Derrygreenagh, Rhode, Co. Offaly

Planning Ref: Derrygreenagh SID 18 Bord Na Mona Powergen

Planning Description:
The Proposed Development will encompass a Power Plant Area and an Electricity Grid Connection.
The development of the Power Plant Area will include the following: Demolition of existing buildings at the Derrygreenagh Works site (Including office building, boiler house, workshops, water tank and storage unit); Construction of CCGT power plant (570MW) [Including turbine hall and associated buildings, air cooled condensers ('ACC'), Heat Recovery Steam Generator ('HRSG'), air intake, emissions stack (60m high) with Continuous Emissions Monitoring System ('CEMS') and platform], Ancillary coolers, Fuel gas performance heating room, Generator transformer and unit auxiliary transformer, OCGT power plant (140MW) [Including turbine enclosures, air intakes, fin fan coolers, emissions stack (45m high), electrical rooms, main transformer]; Secondary fuel storage tanks and unloading area [Including unloading layby, 2 no. fuel storage tanks, fuel pumping and cleaning plant, fuel forwarding building], 2 no. water abstraction boreholes, Raw water storage tank, 2 no. demineralised water storage tanks, Water treatment plant at Derrygreenagh, Rhode, Co. Offaly.

Dear Planner,

We have assessed the documentation referred to Edenderry Municipal District in relation to the aforementioned Planning application to An Bord Pleanala as part of Strategic Infrastructure Development. On review of the information provided, if the Bord decide to Grant permission for the proposed development, we recommend that the below conditions are included as part of the Grant.

Prior To Commencement Conditions

Prior to commencement of the development, details of the following shall be submitted to, and agreed in writing with the planning authorithy:

1. A Transport Management Plan, including details of the road network/ haulage routes and the vehicle types to be used to transport materials on and off site and a schedule of control measures for exceptionally wide and heavy deliveries.

2. A condition survey of the roads and bridges along the haul routes shall be carried out at the developers expense by a suitably qualified person prior to commencement of the development. This survey shall include a schedule of required works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by construction related traffic. The extent and

scope of the survey and the schedule of works shall be agreed with the planning authority prior of commencement of the development.

3. Within 3 months of the cessation of the end of the public road(s) being used as haul routes, a condition survey of the roads, bridges and any other public infrastructure, accompanied by a schedule of repair/ upgrade works shall be carried out at the developers expense by a suitably qualified person. This shall be submitted to, and agreed in writing with the planning authority within 3 months of the cessation of use of public roads by construction traffic. All agreed works shall be completed by the developer at the developers expense within 12 months of the cessation of public roads being used as haul routes.

4. Detailed arrangements for temporary traffic arrangements/ controls on roads.

5. A phasing programme indicating the timescale within which it is intended to use each public route to facilitate construction of the proposed development.

6. Prior to commencement, the applicant shall provide details to mitigate deposition/ spillage of site materials onto the public road(s) during construction works.

7. Prior to commencement, the applicant shall provide details of access road apron(s)/ tie ins, for 30m from the edge of the public road into the site at access points, constructed using unbound bituminous or concrete materials.

8. Prior to commencement, the applicant shall provide details to mitigate queuing of construction traffic on the public road(s) during construction works.

9. Details of the sources and volumes of quarry/ aggregates/ concrete products and any other materials used in significant quantities to be used during construction works. Changes to sources of materials during construction shall be notified to the planning authority as any deviation from agreed haul routes may have an adverse impact on public infrastructure.

10. Details of Construction Traffic Signage compliant with Chapter 8 of Traffic Signs Manual 2019 (as amended) to be installed on approaches to access points off the public road to be submitted and agreed with the planning authority.

11. Details of measures to achieve acceptable sightlines at any access points to the development off the public road network. Sightlines to be in compliance with TII-DN-GEO -03031 – Rural Link Road Design.

Reason: To protect the public road network and to clarify the extent of the permission in the interest of traffic safety and orderly development

General Conditions

- The applicant has proposed that 40% of materials will access the site from the L-1010 west of Rhode Village. Edenderry Municipal District have serious capacity concerns regarding the use of the L-1010 for construction traffic in its current condition. The applicant shall carry out strengthening works on the L-1010 for 3.1km west of Rhode Village to enable this section of local road as a haul route. The upgrade shall consist of – Regulation Layer, 60mm of Asphalt Concrete Binder Course and 40mm of Polymer Modified Stone Mastic Asphalt surface course. Full details of upgrades to be agreed with Planning Authority prior to commencement of the development.

- Passing bays are required along the 3.1km section of the L-1010 to enable the haul route. Details of locations, size and proposed construction shall be agreed with the planning authority prior to commencement of the development.

- Any proposed works to be carried out along/ on public roads shall be subject to the developer obtaining a road opening license through Edenderry Municipal District Office.

- A dedicated Liaison Engineer shall be appointed by Offaly County Council for the duration of this development. All costs associated with this appointment shall be incurred at the developer's expense for the duration of the construction period. (In the interest of clarity, road safety and orderly development).

- The developer shall pay to the Planning Authority a Financial Contribution as a Special Contribution under Section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of road strengthening and upgrading of the R400 post construction. The amount of the contribution shall be **€30,333.33** per annum index linked. The contribution shall be paid annually within 3 months from the date of the completion of all site works or in such payments as the Planning Authority may facilitate.

- Subject to the Grant of Planning Permission a cash deposit or bond to secure the reinstatement of sections of the public road network which may be damaged by the transportation of materials to site must be agreed and provided with the Offaly County Council's Roads Department prior to any works commencing.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the Planning Authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

Annual Levy = ((Expected Life of Road/ Reduced Life of Road as a result of Development)-1 x cost)/ Expected Life			
Expected Life (Years) A	**Reduced Life (Years) B**	**Total Cost of Restoration €**	**Annual Levy = ((A/ B)-1 x C)/ A**
3	2	€182,000.00	€30,333.33

Notes:	**Total**	
Road Restoration is carried out along this road on the current Multi-Annual Programme 1 year in every 3 years (A)	(A)Years	3
As a result of this development, RR would have to be carried out 1 in every 2 years (B)	(B) Years	2
Minimum Length permissible (as per Dot Circular) for Road Restoration = **1000m**	m (Length)	1000
Average Width of R400 = **6.5m**	m (width)	6.5
Road Restoration on R400 using a combination of recycling and stabilized wet mix/ Double Surface Dress, Road Lining and Traffic Management = **€28/m2**	€/m2	€28.00
Cost of Road restoration per km = 1000 x 6.5m x €28/m2 =C	C € Inc Vat	€182,000.00
Annual Contribution Index Linked required = Levy	€ Inc VAT/ pa	€30,333.33

ROAD DESIGN - Planning Report

To:	*Planning*
From:	Hugh McConnell, Executive Engineer
Date:	20th March 2024

Planning Ref. No.	*Road Class:*	*Regional*
SID 018		**R400**
Applicant:	Bord Na Mona Powergen Ltd	
Agent:	Gravis Planning	
Proposed Development:	THE PROPOSED DEVELOPMENT WILL ENCOMPASS A POWER PLANT AREA AND AN ELECTRICITY GRID CONNECTION. THE DEVELOPMENT OF THE POWER PLANT AREA WILL INCLUDE THE FOLLOWING: DEMOLITION OF EXISTING BUILDINGS AT THE DERRYGREENAGH WORKS SITE (INCLUDING OFFICE BUILDING, BOILER HOUSE, WORKSHOPS, WATER TANK AND STORAGE UNIT); CONSTRUCTION OF CCGT POWER PLANT (570MW) [INCLUDING TURBINE HALL AND ASSOCIATED BUILDINGS, AIR COOLED CONDENSERS ('ACC'), HEAT RECOVERY STEAM GENERATOR ('HRSG'), AIR INTAKE, EMISSIONS STACK (60M HIGH) WITH CONTINUOUS EMISSIONS MONITORING SYSTEM ('CEMS') AND PLATFORM], ANCILLARY COOLERS, FUEL GAS PERFORMANCE HEATING ROOM, GENERATOR TRANSFORMER AND UNIT AUXILIARY TRANSFORMER, OCGT POWER PLANT (140MW) [INCLUDING TURBINE ENCLOSURES, AIR INTAKES, FIN FAN COOLERS, EMISSIONS STACK (45M HIGH), ELECTRICAL ROOMS, MAIN TRANSFORMER]; SECONDARY FUEL STORAGE TANKS AND UNLOADING AREA [INCLUDING UNLOADING LAYBY, 2 NO. FUEL STORAGE TANKS, FUEL PUMPING AND CLEANING PLANT, FUEL FORWARDING BUILDING], 2 NO. WATER ABSTRACTION BOREHOLES, RAW WATER STORAGE TANK, 2 NO. DEMINERALISED WATER STORAGE TANKS, WATER TREATMENT PLANT	

Site Address:	Derrygreenagh, Rhode

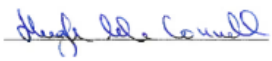
Road Design have reviewed the documentation received and comment as follows: If An Bord Pleanala decide to Grant permission for the proposed development, we recommend that the below conditions are included as part of the Grant:

1. Traffic and Transport Assessment to be carried out in accordance with TII publication, Traffic and Transport Assessment Guidelines PE-PDV-02045, May 2014.
2. Independent Road Safety Audits shall be submitted for the proposed new development in accordance with TII document GE-STY-01024, December 2017.
3. Road design to be designed and constructed in accordance with TII document DN-GEO-03031 "Rural Road Link Design".
4. This application will require the levying of a contribution in accordance with 'Offaly County Councils Development Contribution Scheme 2021–2025, Section 19 Charges to be Applied', towards the management and repair of the public roads in the vicinity of the site.
5. Road Pavement Design including wearing course, binder course and base course to be designed and constructed in accordance with TII document Series 900.
6. Junction design including the provision of right turning lanes along the R400 to be designed and constructed in accordance with TII document DN-GEO-03060, June 2017.
7. Car parking provisions including accessible spaces and EV charging points and infrastructure requirements to be constructed in accordance with Offaly County Development Plan 2021-2027.
8. Traffic Management Plans shall be submitted for each stage of the works to Edenderry Municipal District Office, in accordance with the requirements of most recent Traffic Signs Manual.
9. Construction Management Plans shall be submitted for each stage of the works to Edenderry Municipal District Office.
10. Provisions should be made for public lighting along the R400 and shall comply with following requirements:
11. Public lighting shall be provided in accordance with the Offaly County Council Public Lighting Specification and the details submitted as part of the planning application. Phased provision of public lighting is only permitted where a phased public lighting plan has received the prior written consent of the planning authority.
12. The proposed development (or appropriate phase of the development) shall not be occupied/operated until public lighting is in place and operational.
13. The developer shall within one week of public lighting being first operational submit written confirmation to the planning authority and shall include contact details of bodies responsible for maintenance of the aforementioned public lighting.
14. Public lighting shall be maintained and kept operational by the developer/ owner.
15. A condition survey of the roads and bridges along the haul routes shall be carried out at the developer's expense by a suitably qualified person prior to commencement of the development. This survey shall include a schedule of required works to roads, bridges or any other public infrastructure to enable/ upgrade the haul route(s) to be used by

construction related traffic. The extent and scope of the survey and the schedule of works shall be agreed with the planning authority prior to commencement of the development.

16. The processing of Road Opening Licenses and reinstatement of trenches in local and regional roads shall be carried out in accordance with the latest version of "Guidelines for the Opening, Backfilling and Reinstatement of Trenches in Public Roads" (The Purple Book), except where noted otherwise.
17. All surface water run-off from the development shall be collected and disposed of within the site. In particular, no such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties.
18. Roadside drainage shall not to be inhibited by new site entrances. Suitably designed pipe/culvert to be constructed in accordance with the Recommendations for Site Development Works for Housing Areas, Section 3.4 Modified Rational Method. Drainage pipe to extend across entire front boundary. Headwall to be formed each end of drainage pipe to be constructed in accordance with TII RCD 500/53 to allow roadside drainage to flow undisturbed.
19. Any defects that appear during the haulage period shall be rectified by the developer.
20. Any damage caused to any roads during the construction phase of the projects shall be repaired to its previous condition to the satisfaction of Offaly County Council immediately by the applicant or their agents.
21. Public roads shall be kept free of mud, dust, spillages and debris. Any necessary measures shall be put in place at site entry/exit points.
22. A dedicated Liaison Engineer shall be appointed by Offaly County Council for the duration of this development. All costs associated with this appointment shall be incurred at the developer's expense for the duration of the construction period.
23. Performance bond to be agreed with Offaly County Council Roads Department shall be in place prior to the commencement of works.
24. The R400 is not a viable option for the laying of any services relating to this site and in this regard no services will be permitted within the Road Structure.

Please refer to Edenderry Area Engineer's Report in relation to this application.



Hugh McConnell
Executive Engineer
Roads Section

To: Planning

Planning Ref: PL2-SID018

Date: 19th March 2024

Application for; 10-YEAR PLANNING PERMISSION TO DEVELOP A COMBINED CYCLE GAS TURBINE ('CCGT') AND OPEN CYCLE GAS TURBINE ('OCGT') THERMAL POWER PLANT, ELECTRICITY GRID CONNECTION INCLUDING 2 NO. SUBSTATIONS, AND ASSOCIATED BUILDINGS, PLANT, SITE WORKS, SERVICES AND ANCILLARY DEVELOPMENT ON LAND WITHIN THE TOWNLANDS OF KNOCKDRIN, DERRYGREENAGH, DERRYARKIN, DERRYIRON, BALLYBEG, COOLCOR, BARRYSBROOK, CLONIN, TOGHER AND COOLE, CO. OFFALY.
THE PROPOSED DEVELOPMENT WILL ENCOMPASS A POWER PLANT AREA AND AN ELECTRICITY GRID CONNECTION. THE APPLICATION RELATES TO DEVELOPMENT FOR THE PURPOSES OF AN ACTIVITY REQUIRING A LICENSE FROM THE ENVIRONMENTAL PROTECTION AGENCY UNDER THE ENVIRONMENTAL PROTECTION AGENCY ACT 1992, AS AMENDED. IT ALSO RELATES TO A COMAH ESTABLISHMENT AND THEREFORE FALLS UNDER THE REQUIREMENTS OF THE CHEMICALS ACT (CONTROL OF MAJOR ACCIDENT HAZARDS INVOLVING DANGEROUS SUBSTANCES) REGULATIONS, 2015.
AN ENVIRONMENTAL IMPACT ASSESSMENT REPORT ('EIAR') AND NATURA IMPACT STATEMENT ('NIS') WILL BE SUBMITTED WITH THE APPLICATION.

Applicant; BORD NA MÓNA POWERGEN LIMITED

Location; DERRYGREENAGH BORD NA MONA STATION, RHODE, CO. OFFALY

Report sent to Uisce Eireann:	No	x	Yes		FI	x	Conditions		Refusal	

Environment & Water Services have reviewed the documentation received in relation to the above application and are recommending seeking the following further information:

However, if An Bord Pleanala deem it necessary to grant permission to the above application, recommended conditions have been included on page 3 of this report

FI Conditions:

Drainage

2. An existing drainage layout shall be submitted to the Environment and Water Services Department indicating existing drainage, drains & watercourses

3. A proposed comprehensive drainage layout shall be submitted to the Environment and Water Services Department indicating;
   (A) existing drainage, drains & watercourses and proposed clearance/buffer zone of 10m either side of the watercourse located within and/or adjacent to the site in order to preserve the existing riparian corridor in accordance with Offaly County Council's, Development Plan 2021-2027,

   (B) detail of a separate surface water collection/attenuation prior to discharging to the surface water system while incorporating Sustainable urban Drainage Systems (SuDS) in accordance with Greater Dublin Strategic Drainage Study (GDSDS), Sustainable Drainage Design & Evaluation Guide 2021 & CIRIA SuDS Manual 2015,

   (C) a proposal for pre-treatment of the run-off from the roads driveways, footpaths etc prior to discharge, to reduce the risk of surface water contamination or clogging and blocking of any proposed SUDS devices, refer to CIRIA SUDS Manual 2015,

   (C) detail of a separate foul water collection prior to discharging to the proposed wastewater treatment system and percolation area

   - **As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy WSP-22:** It is Council policy to ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan and to promote the use of Sustainable Drainage Systems.
   - **As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy WSP-24:** It is Council policy to require new development to provide a separate foul and surface water drainage system and to incorporate Sustainable urban Drainage Systems (SuDS).
   - **As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-03:**It is Council policy to support the implementation of the Water Framework Directive, the River Basin Management Plan and the Local Authority Waters Programme in achieving and maintaining at least good environmental status for all water bodies in the county. Development proposals shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands.

4. The applicant is requested to provide full details of the proposed 2 no. process water discharge & surface water discharge addressing the full suite of water quality parameters including but not limited to; Temperature, pH, Biochemical Oxygen

Demand (BOD), Chemical Oxygen Demand (COD), Suspended Solids, Ammonia (as Nitrate), Ortho-Phosphate, etc

Waste Management

7. The Applicant is requested to submit an Article 11 declaration on waste authorisation to the Environmental Protection Agency in accordance with the Waste Management (Facility Permit and Registration) Regulations, 2007 (S.I. Nó. 821 of 2007). The submitted Article 11 should refer to the excavated peat material & proposed peat deposition areas.

In the event in which it is decided to grant permission to the above application, the following conditions shall be included:

Grant Conditions:

General

1. All mitigation measures as outlined in the submitted Construction and Environmental Management Plan shall be implemented by the applicant/developer for the construction & operational phase of the development.

2. All recommendations as outlined in the submitted Flood Risk Assessment shall be implemented by the applicant/developer for the operational phase of the development.

3. All mitigation measures as outlined in the submitted Natura Impact Statement shall be implemented by the applicant/developer for the construction & operational phase of the development.

4. All mitigation measures as outlined in the submitted Appropriate Assessment Screening Report shall be implemented by the applicant/developer for the operational & construction phase of the development.

5. The applicant/developer shall submit details for written approval to the Planning Authority, prior to the commencement of works on site of proposals for welfare facilities for the construction phase. These details shall include proposals for water supply & disposal of foul water generated on site.

6. All mitigation measures as outlined in the submitted Environmental Impact Assessment Report shall be implemented by the applicant/developer for the construction phase of the development.

7. All statutory consents and licences required to commence construction Works on-site shall be obtained prior to works commencing, including but not limited to; Site notices, Construction commencement notices, Licence to connect to existing utilities (including water) and mains sewers, where required, Abstraction and / or discharge licenses, where required, Road opening / closure licences, etc.

8. The applicant/developer shall obtain written appropriate consent for the proposed surface Water discharge to Monagh River/Castlejordon_020

9. The applicant/developer shall obtain written appropriate consent for the proposed process water discharge to Yellow River/Castlejordon_020.

10. All mitigation measures as outlined in the submitted Invasive Species Management Plan (ISMP) shall be implemented by the applicant/developer for the construction phase of the development.

Water

1. A groundwater monitoring program shall be implemented for the operational phase of the development in accordance with Chapter 12 of the submitted EIAR & future EPA IPC licence. The monitoring program shall capture groundwater levels & quality on a periodic basis to the satisfaction of the planning authority & the EPA.

Surface Water

1. The surface water drainage network should be designed in accordance with the Greater Dublin Strategic Drainage Study (GDSDS), Sustainable Drainage Design & Evaluation Guide 2021 & CIRIA SuDS Manual 2015

2. The surface water drainage system should be designed so as to restrict surface water run-off, by means of an attenuation system, from the impervious areas (i.e. roofs, roads, paved areas etc.) so that the ultimate discharge is equivalent to the green field run-off from an equal area. The applicant should calculate the greenfield run-off rate in accordance with the Institute of Hydrology Report 124 as referenced in the Greater Dublin Drainage study (GDSDS).

3. Surface water run off from the roofs, roads and hardstanding areas shall be collected and disposed of within the site to soakaways or proposed attenuation overflowing to the adjacent watercourse. No such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties;

4. The applicant shall maintain/preserve any existing riparian corridor/drain present within and/or adjacent to the site by implementing a buffer zone where no development is permitted in accordance with Offaly County Council's, Development Plan 2021-2027.
    - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-20: It is Council policy to preserve riparian buffer strips free from development by reserving a minimum of 10 metres either side of all watercourses (measured from top of bank) with the full extent of the protection determined on a case by case basis by the Council, based on site specific characteristics and sensitivities.
    - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy WSP-22: It is Council policy to ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan and to promote the use of Sustainable Drainage Systems.
    - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-03:It is Council policy to support the implementation of the Water Framework Directive, the River Basin Management Plan and the Local Authority Waters Programme in achieving and maintaining at least good environmental status for all water bodies in the county. Development proposals shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands.

5. A water quality monitoring program for process wastewater and surface water discharges shall be implemented for the operational phase of the development in accordance with Chapter 12 of the submitted EIAR & future IPC licence.

Foul Sewerage

1. Prior to construction commencing on site, the developer is requested to provide details of how effluent will be collected & treated during the construction phase.

2. In the event that foul waste is to be removed regularly from site by a contractor during construction phase, the developer shall submit a signed maintenance contract with an Authorised Waste Collector and all foul waste must be transported to an Authorised Waste Facility.

3. The proposed wastewater treatment system and percolation area shall be designed in accordance with the EPA IPC Licence

4. The wastewater treatment system shall be installed in accordance with the manufacturers guidelines and the IPC Licence requirements if necessary;

Waste Management

1. All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.

2. The applicant is required to obtain an Integrated Pollution Control licence from the EPA prior to any extraction/excavation of peat and any associated Works such as drainage

3. All uncontaminated soil and stone imported onto the site shall comprise non-waste by-product, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. Nó. 126 of 2011

4. No development shall commence prior to registration with the Environmental Protection Agency of the material to be imported onto the lands, in accordance with Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. Mo. 126 of 2011

5. Prior to commencement of development, details regarding the origin/source of proposed soil & stone to be imported onto the site shall be submitted for the written agreement of the Planning authority

6. All mitigation measures as outlined in the submitted Resource & Waste Management Plan shall be implemented for the construction phase of the development.

Environmental Nuisance

1. Noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall comply with recomendations set out in chapter 11 of EIAR and/or the EPA IPC licence requirements.

2. Audible tonal or impulsive components should be minimised at any noise sensitive location;

3. The Applicant shall take reasonable measures to mitigate any environmental nuisance (noise and dust) which may arise during construction. Construction shall take place

during working hours 7am to 6.30pm Monday to Friday and 8am to 1.30pm Saturday unless otherwise authorised by the Planning Authority.

4. Dust suppression shall be undertaken under dry and windy conditions to ensure that dust deposition does not exceed 350mg/m²/day. Details of a monitoring programme for the dust shall be submitted to, and agreed in writing with, the Planning authority prior to commencement of development. Details to be submitted shall include monitoring locations, the commencement date and the frequency of monitoring results.

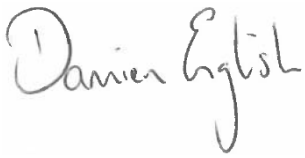
5. All mitigation measures as outlined in the submitted Dust Management Plan (DMP) shall be implemented for the construction phase of the development.#

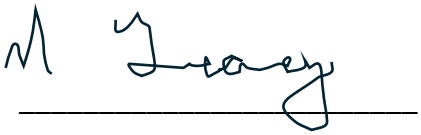
6. An air quality monitoring program shall be implemented for the operational phase of the development in accordance with Chapter 7 of the submitted EIAR & future IPC licence.
    - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-19: It is Council policy to require activities likely to give rise to air emissions to implement measures to control such emissions and to undertake air quality monitoring. Application of this policy will take into account instances whereby activities are licensed by other bodies through other processes (such as Integrated Pollution Control Licensing or Industrial Emissions Licensing).
    - As per Chapter 11 of the Offaly County Development Plan 2021-2027, Policy ENVP-18: It is Council policy to promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU ambient Air Quality and Cleaner Air for Europe (CAFE) Directive (2008/50/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards as set out in the Air Quality Standards Regulations 2011, or any updated/superseding documents.

Biodiversity & Landscape

1. The applicant shall maintain/preserve any existing hedgerow/woodland/trees present within and/or adjacent to the site in accordance with Offaly County Council's, Development Plan 2021-2027
    - As per Chapter 4 of the Offaly County Development Plan 2021-2027, Policy BLP-24: It is Council policy to support the protection and management of existing networks of woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character, and to strengthen local networks.

Report by: Approved:





Damien English

Executive Engineer

Water Services & Environment

Maria Treacy

Senior Executive Engineer

Water Services & Environment

Central Fire Station
Tullamore

Tel: 057 – 9327410
Fax: 057 - 9351524

Our Ref: EOC/NS

04 April 2024

The Planning Officer,
Offaly County Council,
Áras an Chontae,
Charleville Road,
Tullamore.

RE: SID018 -

AT: BORD NA MONA ENGRY LTD, BORD NA MONA, DERRYGREENAGH, ROCHFORTBRIDGE, MULLINGAR, CO. OFFALY

APPLICANT: Bord Na Mona Powergen LTD

A Chara,

With reference to yours received on the concerning the above, I have no objections to the GRANTING of planning permission to this development, subject to compliance with the conditions set out hereunder:-

The applicant shall obtain a Fire Safety Certificate, and a Disability Access Certificate and lodge a Commencement Notice in accordance with the requirements of the Building Control Act, 2009 BEFORE the development commences

Please let me have a copy of the Councils final decision.

Eoin O'Ceilleachair
CHIEF FIRE OFFICER