



APPENDIX 1

**Remedial Appropriate
Assessment Screening
Report**

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1. INTRODUCTION

MKO has been appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Screening for Appropriate Assessment, as part of an application for substitute consent for peat extraction and all peat extraction related activities that have been carried out within the Ballivor Bog Group (namely Ballivor, Carranstown, Bracklin, Lisclogher and Lisclogher West bogs, which are hereafter referred to as the 'Application Site'), located in Counties Meath and Westmeath.

This report also assesses the potential for significant effects on European Sites of the implementation of the proposed Cutaway Bog Decommissioning and Rehabilitation plans for the Application Site (hereafter referred to as 'Rehabilitation Plans'), required under Condition 10 of its EPA Licence P0501-01. Henceforth, the above works as described above will be referred to as the Project, for the purposes of this remedial Appropriate Assessment Screening Report (rAASR).

Screening for Appropriate Assessment is required under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and Part XAB of the Planning and Development Act 2000, as amended. Article 6(3) of the Habitats Directive states that *'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.'*

The data underpinning this rAASR was obtained through a desk study of available information as well as field surveys undertaken by MKO between 2020 and 2024. Using this data, MKO has assessed the potential for likely significant effects, including historical effects, on European sites, in the absence of any best practice, mitigation or preventative measures, as a result of peat extraction activities and all ancillary works, including the implementation of the proposed rehabilitation plans for the Application Site. Specifically, the likely significant effects, including historical effects on European Sites are considered under three phases as described below:

- **Peat Extraction Phase** - includes all works undertaken from 1994 to the cessation of peat extraction in June 2020. 1994 is when The Habitats Directive came into force, though it was not transposed into Irish law until 1997 through the European Communities (Natural Habitats) Regulations 1997 and when Appropriate Assessment (AA) became a legal requirement.
- **Current Phase** - includes all activities carried out at the site from the cessation of peat extraction in June 2020 to the present day.
- **Remedial Phase** - implementation of the proposed rehabilitation plans for the Application Site, required under Condition 10 of its EPA Licence P0501-01, following the cessation of peat extraction activities in 2020.

The potential cumulative effects in combination with other plans and projects are also fully assessed.

This rAASR has been prepared in compliance with Part XAB of the Planning and Development Act 2000 (as amended), the Planning and Development Regulations 2001 (as amended) and relevant jurisprudence of the European and Irish Courts. It was also prepared in accordance with all relevant guidance including the following:

- Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission (EC), 2021);

- Managing Natura 2000 Sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (EC, 2018);
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of the Environment, December 2009, amended 11 February 2010); and
- Appropriate Assessment Screening for Development Management (Office of the Planning Regulator (OPR), 2021).

1.1

Appropriate Assessment Process

1.1.1

Stage 1 Screening for Appropriate Assessment

Screening is the process of determining whether an Appropriate Assessment is required for a plan or project. Under Part XAB of the Planning and Development Act, 2000, as amended, screening must be carried out by the Competent Authority. As per Section 177U of the Planning and Development Act, 2000, as amended ‘*A screening for appropriate assessment shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site*’. The Competent Authority’s determination as to whether an Appropriate Assessment is required must be made on the basis of objective information and should be recorded. The Competent Authority may request information to be supplied to enable it to carry out screening.

Consultants or project proponents may provide for the competent authority, the information necessary for them to determine whether an Appropriate Assessment is required and provide advice to assist them in the Article 6(3) Appropriate Assessment Screening decision.

As per the European Commission’s *Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (2021)*, a Stage 1 Screening comprises four steps:

1. Ascertain whether the plan or project is directly connected with, or necessary to, the management of a Natura 2000 site.
2. Description of the plan or project and its impact factors (described in Section 2 below)
3. Identify which Natura 2000 sites may be affected by the plan or project (described in Section 3 below).
4. Assess whether likely significant effects can be ruled out in view of the site’s conservation objectives (described in Section 3 below)

In relation to Step 1 above, the project is/was not directly connected with, or necessary for, the management of any European Site consequently the project has been subject to a remedial Appropriate Assessment Screening process.

1.1.2

Stage 2 Appropriate Assessment

Where it cannot be excluded beyond reasonable scientific doubt at the Screening stage, that a plan or project, individually or in combination with other plans and projects, would have a significant effect on the conservation objectives of a European site, an Appropriate Assessment is required, or in this case a remedial Appropriate Assessment.

Where an Appropriate Assessment is required, the Competent Authority may require the applicant to prepare a Natura Impact Statement.

The term Natura Impact Statement (NIS) is defined in legislation¹. An NIS, where required, should present the data, information and analysis necessary to reach a definitive determination as to:

- 1) the implications of the plan or project, alone or in combination with other plans and projects, for a European site in view of its conservation objectives, and
- 2) whether there will be adverse effects on the integrity of a European site.

The NIS should be underpinned by best scientific knowledge, objective information and by the precautionary principle.

Section 177G of the Planning & Development Act 2000 (as amended) sets out that the rNIS shall contain:

- a statement of the significant effects, if any, on the relevant European site which have occurred or which are occurring or which can reasonably be expected to occur because the development the subject of the application for substitute consent was carried out;
- details of any appropriate remedial or mitigation measures undertaken or proposed to be undertaken by the applicant to remedy or mitigate any significant effects on the environment or on the European site;
- details of the period of time within which any such proposed remedial or mitigation measures shall be carried out by or on behalf of the applicant.

This Article 6(3) remedial Appropriate Assessment Screening Report has been prepared in compliance with the provisions of section 177U of the Planning and Development Act 2000 (as amended).

1.1.3

Statement of Authority

This report has been prepared by Sarah Mullen (B.Sc., M.Sc., Ph.D., ACIEEM) with input from Pádraig Desmond (B.Sc.) and reviewed by Pat Roberts (B.Sc. MCIEEM).

Pat Roberts is Principal Ecologist at MKO with over 19 years' experience. He currently manages the ecological team within MKO. Pat holds B.Sc. (Hons) in Environmental Science. He has extensive experience of providing ecological consultancy on large scale industrial and civil engineering projects. He is highly experienced in the completion of ecological baseline surveys and impact assessment at the planning stage and ensures that the outputs from that team are of a very high standard and meet the requirements of the clients.

Sarah Mullen holds a B.Sc. (Hons) in Botany, an M.Sc. in Biodiversity and Conservation and a Ph.D. in Botany. Sarah has over 6 years' experience working in ecological consultancy and has extensive experience in undertaking habitat and species surveys and working on Ecological Impact Assessment and Appropriate Assessment.

Pádraig Desmond is a Project Ecologist within MKO and holds a B.Sc. (Hons) in Ecology and Environmental Biology. He has four years of ecology survey experience and has been in consultancy for nearly three years, working on Ecological Impact Assessment and Appropriate Assessment for a wide range of projects.

¹ As defined in Section 177T of the Planning and Development Act, 2000 as amended, an NIS means a statement, for the purposes of Article 6 of the Habitats Directive of the implications of a proposed development, on its own and in combination with other plans and projects, for a European site in view of its conservation objectives. It is required to include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for the European site in view of its conservation objectives

1.1.4

Data Collected to Carry Out Assessment

The desk study undertaken for this assessment included a thorough review of available data pertaining to the Application Site and surrounding area including the following:

- Bord na Móna Habitat Mapping for the Application Site
 - The Application Site was subject to detailed habitat surveys by Bord na Móna ecologists between 2011 and 2012 (with follow-up site visits in subsequent years as outlined below) and detailed habitat maps were prepared.
 - Ballivor Bog: Site surveyed and mapped December 2011, May 2012. Follow up visits between 2011 and 2021 and habitat maps updated where required.
 - Bracklin Bog: Site surveyed and mapped July 2012. Additional walkover surveys undertaken between 2015-2017 and habitat maps updated where required.
 - Lisclogher Bog: Site surveyed and mapped April 2010. Additional walkover surveys undertaken between 2010 and 2017 and habitat map updated where required.
 - Lisclogher West: Site surveyed and mapped July 2012. Additional site visits undertaken between 2012 and 2016 (visited winter 2016/2017) and habitat maps updated where required.
 - Carranstown Bog: Site surveyed and mapped July 2012. Additional walkover surveys undertaken between 2012 and 2021 and habitat maps updated where required.
- Bord na Móna Cutaway Bog Decommissioning and Rehabilitation Plans for Ballivor Bog Group (included in **Appendix 4-2** of the rEIAR accompanying the application for Substitute Consent):
 - Ballivor Bog 2024 Draft Cutaway Bog Decommissioning and Rehabilitation Plan.
 - Bracklin Bog 2024 Draft Cutaway Bog Decommissioning and Rehabilitation Plan.
 - Lisclogher-West 2023 Cutaway Bog Decommissioning and Rehabilitation Plan.
 - Lisclogher East 2024 Draft Cutaway Bog Decommissioning and Rehabilitation Plan.
 - Carranstown 2022 Cutaway Bog Decommissioning and Rehabilitation Plan.
- Aerial Maps from 1973 to 2020 (included in **Appendix 4-4** of the accompanying rEIAR).
- Review of NPWS Site Synopses, Conservation Objectives for the European Sites
- Review of 2019, 2013 and 2007 EU Habitats Directive (Article 17) Reports.
- Review of online web-mappers: National Parks and Wildlife Service (NPWS), Environmental Protection Agency (EPA), EPA (Envision), Water Framework Directive (WFD), Geological Survey of Ireland (GSI) and Inland Fisheries Ireland (IFI)
- Review of rare and protected species records from the NPWS Rare and Protected Species Database for the hectads N55, N65 and N66 which overlap with the Application Site.
- Review of OS maps and aerial photographs of the site of the Project.
- Review of relevant databases including National Biodiversity Ireland Database and available literature of previous surveys conducted in the area.
- Review of relevant available Plans, including the Meath County Development Plan 2021-2027, Meath County Development Plan 2013-2019, Meath County Development Plan 2007-2013, Westmeath County Development Plan 2021-2027, Westmeath County Development Plans 2014-202, 2008-2014 and 2002-2008, the National Biodiversity Action Plan 2017-2021, County Westmeath Heritage Plan 2018-2023, and the All Ireland Pollinator Plan 2021-2025.
- Section 2.3.4 in Chapter 2 of the accompanying rEIAR also provides a summary of historic County Development Plans for County Meath and County Westmeath dated from 1981 onwards, along with the Ballivor Development Plan from 1993.
- Review of the Bat Conservation Ireland (BCI) Private Database.

- MKO field assessments and bird surveys carried out between 2020 and 2024 and as provided in full in the rEIAR which accompanies the application.
- Cummins et al. (2010). Assessment of the distribution and abundance of Kingfisher [*Alcedo atthis*] and other riparian birds on six SAC river systems in Ireland. A report commissioned by the National Parks and Wildlife Service and prepared by BirdWatch Ireland
- Sharrock, J.T.R. (1976) The atlas of breeding birds in Britain and Ireland.
- Lack, P.C. (1986) The atlas of wintering birds in Britain and Ireland.
- Gibbons, D.W., Reid, J.B. & Chapman, R.A. (1993) The new atlas of breeding birds in Britain and Ireland: 1988-1991.
- Biosphere Environmental Services (BES) breeding and wintering bird survey reports for the Application Site (2012-2020).
- Integrated Pollution Control Licence (IPC) Licence Derrygreenagh Bog Group (Ref. P0501-01) Environmental Protection Agency (**Appendix 3** of the accompanying rNIS).
- IPC Licence P0501-01 Application (Available at EPA Headquarters on request).

2.

DESCRIPTION OF THE PROJECT

2.1

Site Location

The Application Site comprises five bogs located at the Westmeath-Meath County border. The bogs include: Ballivor, Carranstown, Bracklin, Lisclogher and Lisclogher-West (collectively referred to as Ballivor Bog Group) and comprises a site area of 2,421 hectares (ha) within which bog drainage works began in 1948 followed by the commencement of peat extraction from 1953 to 2020. The Application Site is located 2.5 km south-southeast of Delvin, 3.7km east of Raharney and 2.2km west of Ballivor Village. The site location is shown on Figure 2-1. The Application Site covers several townlands which are listed below in Table 3-1. The Application Site measures approximately 9.27km in length from north to south, and approximately 7.0 kilometres from east to west, at its widest point. *Grid Reference co-ordinates for the approximate site centre are E263560, N257213.* Under the Water Framework Directive (WFD), the Application Site is located within the Boyne_SC_040 and Boyne_SC_050 sub catchments and the Boyne (Catchment ID 07).

The current main site access points include a northern and southern entrance off the R156 Regional Road into Carranstown Bog and Ballivor Bog, respectively. Access to the remaining bogs is possible through Carranstown Bog and via local roads off the N52, N51 and N4 such as the L4106, L4101.

Table 2-1 Townlands within which the Application Site is located.

Bog Reference	County	Townlands - Meath	Townlands - Westmeath	Spatial Footprint (ha)
Ballivor	Meath / Westmeath	Clondalee More, Derryconor, Clonycavan, Robinstown Killaconnigan	Grange More, Riverdale	638
Bracklin (including Hill of Downey)	Westmeath	N/A	Craddanstown, Bracklin, Killagh, Ballynaskeagh (Ballynaskeagh E.D.), Mucklin	772
Carranstown	Meath / Westmeath	Killaconnigan, Carranstown Little, Carranstown Great	Grange More	304
Lisclogher	Meath / Westmeath	Coolronan	Lisclogher Great, Cockstown, Clonleame, Bracklin Clonmorrill	479
Lisclogher West	Westmeath	N/A	Bracklin, Ballyhealy or Ballinure, Bolandstown, Martinstown (Ballyhealy E.D).	228
Total Spatial Footprint: 2,421 ha				



Map Legend

 Application Site Boundary



Drawing Title

Ballivor Bog Group Site

Project Title
Ballivor Substitute Consent Application

Drawn By	Checked By
PD	SM
Project No.	Drawing No.
191137-f	2-1
Scale	Date
1:50,000	02/07/2024



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2.2 Project Details

Chapter 4: Description of the accompanying rEIAR, which is included as **Appendix A** of this rAASR, provides a description of the activities at the Application Site from 1948 at the onset of site preparation up to July 1988, a description of the rEIAR baseline as of July 1988, a description of activities from 1988 to the cessation of peat extraction in June of 2020, the management of the Application Site since June 2020 and the activities intended to be carried out at the Application Site into the future.

Whilst Chapter 4: Description includes extensive information on activities within the Application Site from 1948 onwards, this rAASR only assesses activities detailed in **Appendix A** (Chapter 4: Description) within the Application Site from 1994 onwards. As previously mentioned, 1994 is when The Habitats Directive came into force, though it was not transposed into Irish law until 1997 through the European Communities (Natural Habitats) Regulations 1997 and when Appropriate Assessment (AA) became a legal requirement.

2.2.1 Description of the Site in 1988 & 1994

The paragraphs below are taken from **Appendix A** and describe the bogs within the Application Site at the rEIAR 1988 baseline. Whilst this rAASR only assess activity within the Application from 1994, the majority of the information provided below would still have been applicable at this time as peat extraction continued until 2020.

By July 1988, land use at the Application Site was well established as industrial peat extraction. Apart from Lisclogher West, all bogs were fully drained, sod and milled peat extraction were underway in certain locations and railway infrastructure was in place. The main entrance points to the Application Site were located north and south off the Ballivor-Raharney (R156) road. and the machine pass/rail crossings between Brackiln and Lisclogher bog. The Ballivor Works, which comprised a peat processing plant, canteen, storage sheds, and maintenance buildings, was located in the north of Ballivor Bog, where it is still located in present day. The following ancillary infrastructure was established at the site by July 1988:

- Railway infrastructure (all bogs within the Application Site except Lisclogher West);
- Internal machine passes/tracks (all bogs within the Application Site except Lisclogher West);
- Bulk Loading Facility at the Works of R156 in Ballivor Bog (Planning Grant 1983);
- Workshop and extension at the Works of R156 in Ballivor Bog (Planning Grant 1977);
- Covered Loading Bay at the Works off R156 in Ballivor Bog (Planning Grant 1972);
- Silt ponds and drains (all bogs (apart from Lisclogher West) within the Application Site); and,
- Two pumps at Ballivor Bog and one pump at Lisclogher Bog (Decommissioned by 2000).

Ballivor Bog July 1988

Satellite imagery and annual reports indicate that by July 1988, approx. 473ha of Ballivor Bog were undergoing sod and milled peat extraction. Thus, the main landcover type at this time was cutover peat. Several small areas measuring approx. 165ha of remnant uncut raised bog were located predominantly at the edges of the bog. Drainage was already installed, predominantly in a northwest-southeast orientation and two pumps were in operation. Railway infrastructure was laid in the bog (since the 1950s), terminating at the Works building located in the north of Ballivor Bog, just off the Ballivor-Raharney (R156) road. The Works area housed several peat processing buildings, canteen and welfare facilities, waste storage areas, carparking facilities and a refuelling area. Ballivor Bog included 7 no. artificial silt ponds, and 7 no. surface water emission points which remain *in situ* today. The Clondalee More stream flows out from the southwest of the bog. The main access point to Ballivor Bog was off the Ballivor-Raharney (R156) road adjacent to the Works area. The topography of Ballivor Bog is estimated to have been approx. 74m – 82mOD by July 1988.

Carranstown Bog July 1988

Aerial imagery from 1988 indicates that drainage was in place and extraction of milled peat was underway on approx. 80ha in the western portion of Carranstown Bog. A total of 117ha were drained but not subject to peat extraction. Carranstown bog was linked via railway infrastructure to Ballivor Bog to the south, and to Bracklin Bog to the north-west. The bog included 5 no. artificial silt ponds, and 4 no. surface water emission points which remain *in situ* today. Areas of remnant uncut raised bog remained intact (approx. 187ha), predominantly at the edges of the bog. The Killaconnigan River runs along the southern boundary of Carranstown Bog. The main access point to the Carranstown Bog was to the south of the Application Site via the Ballivor-Raharney (R156) road, which remains the main access point today. The topography of this bog is estimated to have been approx. 72 – 78mOD by July 1988.

Bracklin Bog July 1988

By July 1988, peat extraction was underway across most of Bracklin Bog, (approx. 351ha). Areas of remnant uncut raised bog remained intact across Bracklin Bog (approx. 363ha), predominantly at the edges, with approx. 58ha of Bracklin Bog drained but not yet subject to peat extraction. Drainage for both milled and sod peat extraction was already installed, and railway infrastructure, which was laid throughout the 1950s and 1960s, connected Bracklin Bog to Carranstown Bog (to the south) and Lisclogher Bog (to the north). Bracklin Bog included 6 no. artificial silt ponds, and 5 no. surface water emission points which remain *in situ* today. The main access point to Bracklin Bog is off a local road at the northeast of the bog or internally from the south through Carranstown Bog. The topography of Bracklin Bog is estimated to have been approx. 75m – 89mOD by July 1988.

Lisclogher July 1988

By July 1988 Lisclogher bog had been drained and sod peat extraction was underway across 378ha of the bog, with an estimated 101ha of raised remnant intact bog remaining. Railway infrastructure was also *in situ*, connecting Lisclogher Bog to Bracklin Bog to the southwest. Access to the Lisclogher Bog in 1988 was via the local road to the west of the bog to the machine pass adjacent to the rail crossing, and this remains the main access point at present day. This local road, which runs in a southeast-northwest orientation, defines the western boundary of Lisclogher Bog and separates Lisclogher Bog from Lisclogher-West. The topography of Lisclogher Bog is estimated to have been approx. 73 – 79mOD by July 1988.

Lisclogher West July 1988

Drainage infrastructure was installed in Lisclogher West Bog during 1988 and subsequent years across an area of approx. 22ha, as deduced from available aerial imagery. This area was never subject to peat extraction. An area of 106ha of Lisclogher West Bog was never subject to drainage or peat extraction works and therefore, the landcover in 1988 comprised mainly natural raised bog with raised bog features such as high bog, wet flush areas and bog woodland particularly at the bog borders. The bog includes 6 no. silt ponds and 2 no. surface water emission points. The Cartenstown stream flows in a west-to-east direction through the bog and the Bolandstown stream flows west-to-east along the southern boundary of the bog. Access to Lisclogher West Bog was and remains via a local road which runs through the bog in an east-to-west direction, or via a local road which defines the eastern boundary of Lisclogher West bog and separates Lisclogher West Bog from Lisclogher Bog to the east. The topography of the bog is estimated to have been approx. 77 – 82mOD by July 1988. An esker runs east-west adjacent to the along the northern bog boundary.

2.3

Peat Extraction

Peat extraction, as detailed in Section 4.2.2 of **Appendix A**, continued at the Application Site until June 2020 when peat extraction ceased across the Application Site. Section 4.5 of **Appendix A** details the continued peat extraction activities within the Application Site from the rEIAR baseline of 1988 until 2020, which includes the period of assessment for this rAASR (1994 -2020). Section 2.3.1.1 below is a modified version of Section 4.5.1.1 of **Appendix A** to cover the peat extraction assessment period of this rAASR only.

2.3.1.1

Peat Extraction Volumes July 1994-2020

The volumes of peat removed from the Application Site varied from year to year and were mainly weather dependent. The tonnages of peat extracted are outlined in Plate 2-1 and in Table 2-2 below:

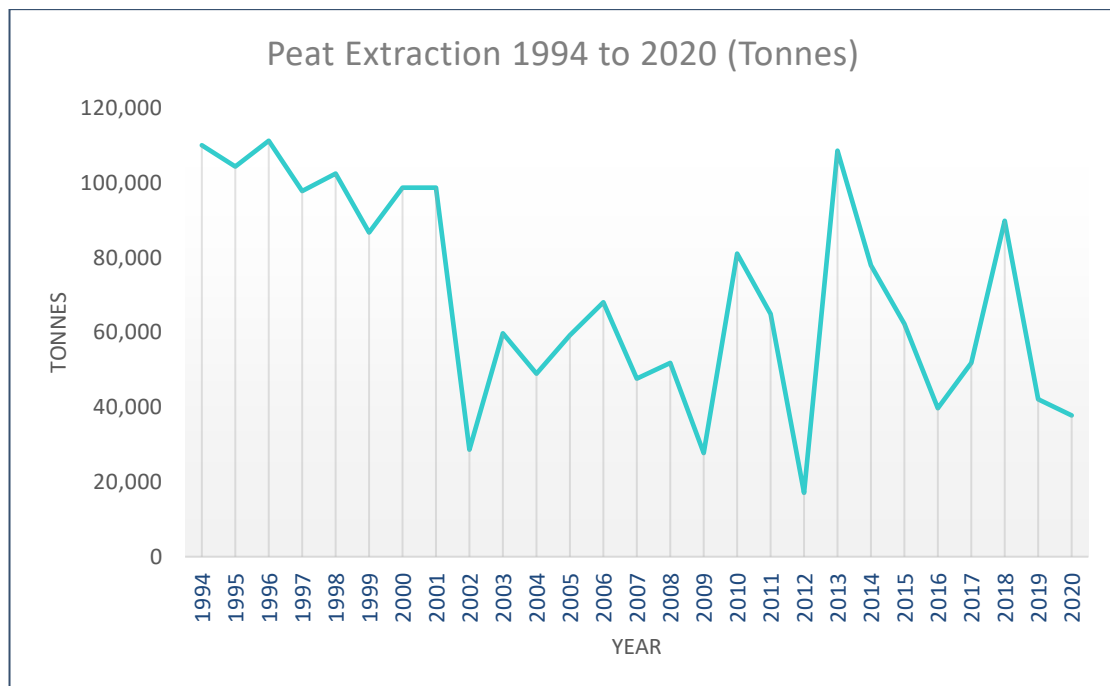


Plate 2-1 Annual Peat Extraction Volumes 1994-2020

Table 2-2 Peat Extraction 1994-2020 (Tonnes)

Year	Tonnes	Year	Tonnes
1994	110,074	2008	51,829
1995	104,384	2009	27,721
1996	111,260	2010	81,062
1997	97,800	2011	64,951
1998	102,495	2012	17,095
1999	86,749	2013	108,605
2000	98,610	2014	77,968

2001	98,610	2015	62,267
2002	28,640	2016	39,730
2003	59,737	2017	51,844
2004	48,956	2018	89,839
2005	59,251	2019	42,115
2006	68,069	January- June 2020	37,782
2007	47,637		
Total Volume Extracted (tonnes)	1,875,080		

Bord na Móna records indicate that from 1994 and until 1999 inclusive, on average 102,127 tonnes of peat (sod and milled) were extracted from Ballivor, Brackin, Lisclogher and Carranstown bogs. There are no peat extraction records for the period 2000 to 2001 inclusive. In determining the overall peat extraction volumes from 1988 until June 2020, an average of the 1990 to 1999 extraction figures was used for the 2000 and 2001 seasons (i.e. 98,610 tonnes) Records indicate that on average, 56,058 tonnes of peat were extracted each year from 2002 to 2020. The total volume of peat extracted from 1994 to 2020 is estimated to be 1,875,080 tonnes.

Full details of peat extraction activity within the Application Site during the assessment period are detailed in Section 4.5.1.1 of **Appendix A**.

3.

IDENTIFICATION OF RELEVANT EUROPEAN SITES

3.1

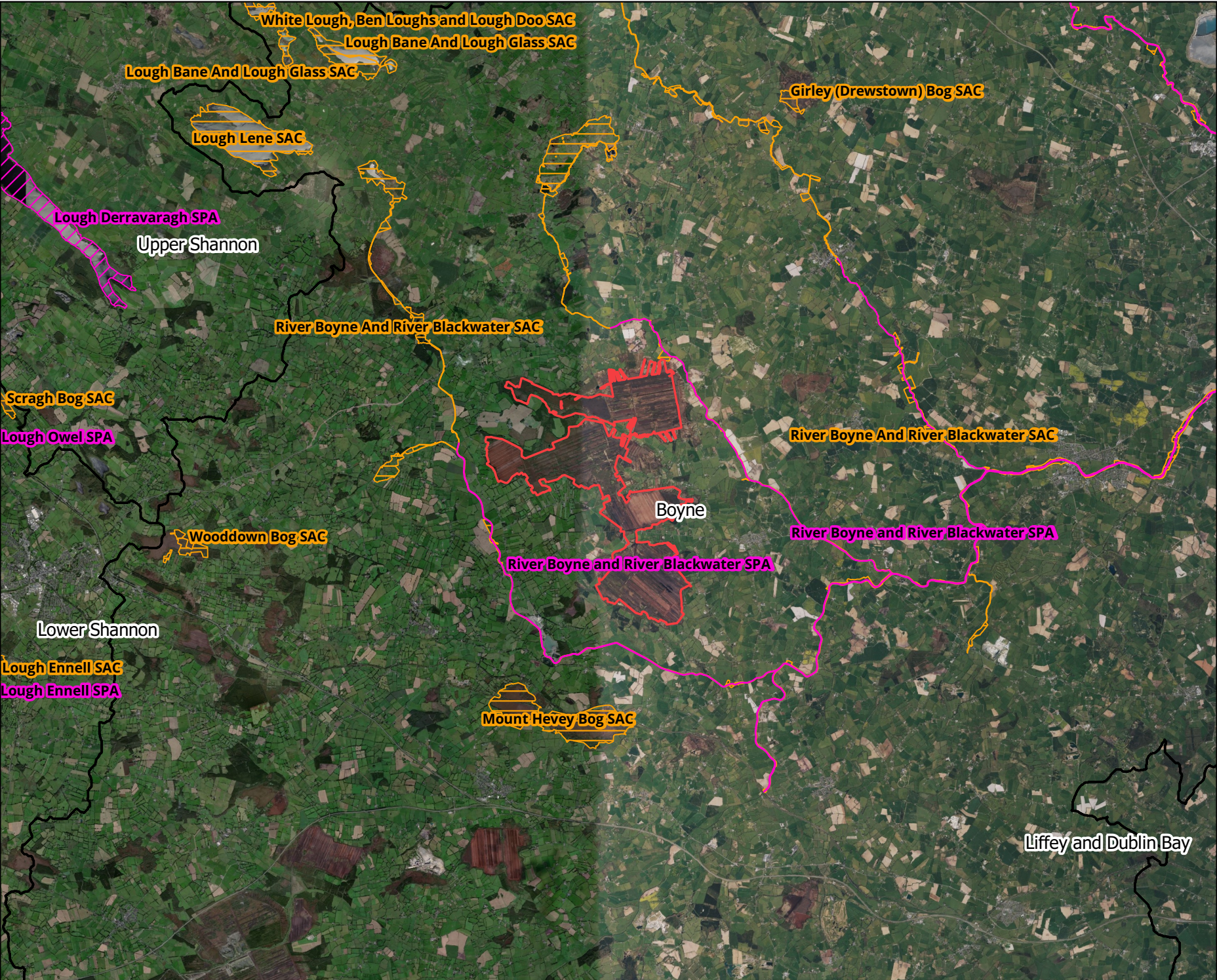
Identification of the European Sites within the Likely Zone of Impact

The following methodology was used to establish which European Sites are within the Likely Zone of Impact of the Project. The methodology was based on relevant guidance as outlined in Section 1 of this report:





- Initially the most up to date GIS spatial datasets for European designated sites and water catchments were downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) on the 11/06/2024.
- All European Sites that could potentially be affected were identified using a source-pathway - receptor model. To provide context for the assessment, European Sites surrounding the Application Site are shown on Figure 3-1. Information on these sites according to the site-specific conservation objectives is provided in Table 3-1. Sites that were further away from the Application Site were also considered and, in this case, no complete source-pathway-receptor chain for significant effect was identified for any other European Site.
- The catchment mapping was used to establish or discount potential hydrological connectivity between the Application Site and any European Sites. The hydrological catchments are also shown in Figure 3-1.
- In relation to Special Protection Areas, in the absence of any specific European or Irish guidance in relation to such sites, the Scottish Natural Heritage (SNH) Guidance, 'Assessing Connectivity with Special Protection Areas (SPA)' (2016) was consulted. This document provides guidance in relation to the identification of connectivity between Application Site and Special Protection Areas. The guidance takes into consideration the distances species may travel beyond the boundary of their SPAs and provides information on dispersal and foraging ranges of bird species which are frequently encountered when considering plans and projects.
- Table 3-1 provides details of all relevant European Sites as identified in the preceding steps and assesses the potential for likely significant effects on each.
- The assessment considers any likely direct or indirect impacts of the peat extraction activities and all ancillary works at the Application Site, both alone and in combination with other plans and projects, on European Sites by virtue of criteria including the following: size and scale, land-take, distance from the European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operation and decommissioning were considered in this assessment.
- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report.
- The potential for the historical peat extraction activities and all ancillary works at the Application Site to result in cumulative impacts on any European Sites in combination with other plans and projects was considered in the assessment that is presented in Table 3-2.
- Where potential pathways for Significant Effect such as habitat or hydrological connectivity are identified, the site is included within the Likely Zone of Impact.

Assessment of Potential for Significant Effects on European Sites

Table 3-1 below identifies which European Sites are located within the Zone of Likely Impact and identifies pathways by which impacts are likely to have occurred or may occur due to past, current and/or future activities within the Application Site. All European Sites that are within the Zone of Likely Impact are 'screened in' following the precautionary principle and assessed further within the rNIS that accompanies the substitute consent application. In addition, the individual pathways by which effects may occur are identified in Table 3-1 below.



Map Legend

-  Application Site Boundary
-  Special Protection Area (SPA)
-  Special Area of Conservation (SAC)
-  WFD Hydrological Catchments



Drawing Title
EU Designated Sites surrounding the application site

Project Title
Ballivor Substitute Consent Application

Drawn By	Checked By
PD	SM
Project No.	Drawing No.
191137-f	3-1
Scale	Date
1:175,000	02/07/2024

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Table 3-1 Identification of Designated Sites within the Likely Zone of Impact and assessment of potential for significant effects

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
Special Area of Conservation (SAC)			
<p>River Boyne and River Blackwater SAC [002299]</p> <p>Located adjacent to the north-eastern boundary of the Application Site</p>	<ul style="list-style-type: none"> ➤ Alkaline fens [7230] ➤ Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] ➤ <i>Lampetra fluviatilis</i> (River Lamprey) [1099] ➤ <i>Salmo salar</i> (Salmon) [1106] ➤ <i>Lutra lutra</i> (Otter) [1355] 	<p>Detailed conservation objectives for this site (Version 1, December 2021) were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>Following a precautionary principle, a potential pathway for direct effects on otter where they occur outside the SAC, as a result of direct habitat loss was identified. Direct habitat loss could potentially occur during drain maintenance works if any otter resting or breeding sites are present on the site.</p> <p>There is hydrological connectivity between the Application Site and this SAC via drainage ditches and watercourses within the Application Site which discharge to the Stonyford River approx. 248m to the east of the Application Site and the Deel (Raharney) River, approximately 767m to the west of the site, both of which are designated as part of the SAC at this location and discharge to the River Boyne downstream of the site. The Ballivor stream which drains Ballivor Bog at the south of the site has connectivity with the River Boyne approximately 5.9km downstream of the Application Site.</p> <p>A potential pathway for indirect effects on the aquatic QIs of this SAC as a result of peat extraction activities and all ancillary works during both the Peat Extraction Phase and Current Phase was identified. During these phases there would have been and currently is potential for deterioration in surface and ground water quality due to run off of pollutants, including silts and</p>

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
			<p>hydrocarbons, to watercourses within and downstream of the site. Therefore, a potential pathway for indirect effects on the aquatic QIs of the SAC where they occur downstream of the site was identified.</p> <p>During the implementation of the proposed rehabilitation plans for the Application Site there will be a requirement for small volumes of machinery and personnel on site for drain blocking works. Taking a precautionary approach, a potential pathway for indirect effects on the above listed QIs during the implementation of the proposed rehabilitation plans as a result of deterioration of water quality due to runoff of pollutants during such works was identified.</p> <p>A potential pathway for indirect effects on otter as a result of disturbance was also identified.</p> <p>This SAC is therefore within the likely zone of impact and following the precautionary principle the potential for significant effect on the above QIs exists. Further assessment is required.</p>
<p>Mount Hevey Bog SAC [002342]</p> <p>Distance: 3.3km</p>	<ul style="list-style-type: none"> ➤ Active raised bogs [7110] ➤ Degraded raised bogs still capable of natural regeneration [7120] ➤ Depressions on peat substrates of the Rhynchosporion [7150] 	<p>Detailed conservation objectives for this site (Version 1, March 2016) were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>No pathway for direct effects was identified as this European Site lies entirely outside of and >3km from the Application Site.</p> <p>The potential for the Project to result in indirect effects on this European Site was considered. No identified</p>

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
			<p>connectivity or pathway for significant effects on the site or the terrestrially based habitats for which the site is designated was identified. Taking the above into consideration as well as the distance between the Application Site and this site, no potential for indirect effects was identified.</p> <p>There is no potential for significant effect on this European Site and it is not located within the Zone of Likely Impact and no further assessment is required.</p>
<p>Girley (Drewstown) Bog SAC [002203]</p> <p>Distance: 9.9km</p>	<p>➤ Degraded raised bogs still capable of natural regeneration [7120]</p>	<p>This site has the generic conservation objective;</p> <p><i>'To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected,' (NPWS, version 8, 2021).</i></p>	<p>No pathway for direct effects was identified as this European Site lies entirely outside of and >9km from the Application Site.</p> <p>The potential for the Project to result in indirect effects on this European Site was considered. There is no identified connectivity between the Application Site and this SAC, and the SAC is located within a different surface water sub-catchment to the Application Site. No pathway for significant effects on the site or the terrestrially based habitat for which the site is designated was identified. Taking the above into consideration as well as the distance between the Project and this site no potential for indirect effects was identified</p> <p>There is no potential for significant effect on this European Site and it is not located within the Zone of Likely Impact and no further assessment is required</p>

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
<p>Wooddown Bog SAC [002205]</p> <p>Distance: 10.3km</p>	<p>➤ Degraded raised bogs still capable of natural regeneration [7120]</p>	<p>This site has the generic conservation objective;</p> <p><i>‘To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected,’</i> (NPWS, version 8, 2021).</p>	<p>No pathway for direct effects was identified as this European Site lies entirely outside of and >10km from the Application Site.</p> <p>The potential for the Project to result in indirect effects on this European Site was considered. No identified connectivity or pathway for significant effects on the site or the terrestrially based habitats for which the site is designated was identified. Taking the above into consideration as well as the distance between the Application Site and this site no potential for indirect effects was identified.</p> <p>There is no potential for significant effect on this European Site and it is not located within the Zone of Likely Impact and no further assessment is required</p>
<p>Lough Lene SAC [002121]</p> <p>Distance: 10.6km</p>	<p>➤ Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140]</p> <p>➤ <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</p>	<p>Detailed conservation objectives for this site (Version 1, October 2021) were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>No pathway for direct effects was identified as these European Site lies entirely outside of the Application Site.</p>
<p>Lough Bane and Lough Glass SAC [002120]</p> <p>Distance: 11.7km</p>	<p>➤ Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140]</p> <p>➤ <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</p>	<p>Detailed conservation objectives for this site (Version 1, October 2021) were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>The potential for the Project to result in indirect effects on this European Site was considered. There is no connectivity between the Application Site and these SACs, located in a different sub-catchment to the majority of the Project. Given the absence of connectivity and distance between the Application Site and the SAC, no pathway for significant effects on the site was identified.</p>
<p>White Lough, Ben Loughs and Lough Doo SAC [001810]</p>	<p>➤ Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140]</p>	<p>Detailed conservation objectives for this site (Version 1, October 2021) were</p>	

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
Distance: 13.4km	<ul style="list-style-type: none"> ➤ <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] 	reviewed as part of the assessment and are available at www.npws.ie	There is no potential for significant effects on these European Sites and they are not located within the Zone of Likely Impact and no further assessment is required
Boyne Coast and Estuary SAC Distance: 48km >70km downstream	<ul style="list-style-type: none"> ➤ Estuaries [1130] ➤ Mudflats and sandflats not covered by seawater at low tide [1140] ➤ Salicornia and other annuals colonising mud and sand [1310] ➤ Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] ➤ Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] ➤ Embryonic shifting dunes [2110] ➤ Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] ➤ Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] 	Detailed conservation objectives for this site (Version 1, October 2012) were reviewed as part of the assessment and are available at www.npws.ie	<p>No pathway for direct effects was identified as this European Site lies entirely outside of and approximately 48km from the Application Site.</p> <p>The potential for the Project to result in indirect effects on this European Site was considered. The site is located >70km downstream of the Project and designated for coastal habitats. Given the significant distance between the Application Site and the SAC, and the attenuation properties of the intervening watercourses, no potential for significant indirect effects on the EU site was identified.</p> <p>There is no potential for significant effect on this European Site and it is not located within the Zone of Likely Impact and no further assessment is required</p>
Special Protection Area (SPA)			
River Boyne and River Blackwater SPA [00232]	<ul style="list-style-type: none"> ➤ Kingfisher (<i>Alcedo atthis</i>) [A229] 	Detailed conservation objectives for this site (Version 1, July 2024) were	Taking a precautionary approach, a potential pathway for direct effects on Kingfisher, where they occur outside the SPA, as a result of direct habitat loss was identified.

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
230m to the east of the Application Site.		reviewed as part of the assessment and are available at www.npws.ie	<p>If Kingfisher nesting habitat is present within the site, there is potential for loss of this habitat during drain maintenance works. drain.</p> <p>There is hydrological connectivity between the Application Site and this SPA via watercourses within the Application Site which discharge to the Stonyford River to the east, the Deel (Raharney) River to the west and the River Boyne, all of which are designated as part of the SPA.</p> <p>A potential pathway for indirect effects on kingfisher as a result of peat extraction activities and all ancillary works during both the Peat Extraction Phase and Current Phase was identified. During these phases there would have been and currently is potential for deterioration in surface water quality due to run-off of pollutants, including silts and hydrocarbons, to watercourses within and downstream of the site. This has potential to result in habitat degradation for kingfisher and negatively affect availability of food resources for the SCI species kingfisher.</p> <p>During the implementation of the proposed rehabilitation plans for the Application Site there will likely be a requirement for small volumes of machinery and personnel on site for drain blocking works. Taking a precautionary approach a potential pathway for indirect effects on kingfisher as a result of deterioration of water quality due to runoff of pollutants during such works was identified.</p>

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
			<p>Taking a precautionary approach a potential pathway for indirect effects on kingfisher during all phases of the Project, as a result of disturbance was also identified.</p> <p>This SPA is therefore within the likely zone of impact and following the precautionary principle the potential for significant effect on the Kingfisher was identified. Further assessment is required.</p>
<p>Lough Derravaragh SPA [004030]</p> <p>13.4km northwest</p>	<ul style="list-style-type: none"> > Whooper Swan (<i>Cygnus cygnus</i>) [A038] > Pochard (<i>Aythya ferina</i>) [A059] > Tufted Duck (<i>Aythya fuligula</i>) [A061] > Coot (<i>Fulica atra</i>) [A125] > Wetland and Waterbirds [A999] 	<p>This site has the generic conservation objective:</p> <p>“To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests of this SPA.”</p> <p>This site also has a second conservation objective:</p> <p>“To maintain or restore the favourable conservation condition of the wetland habitat at lough Derravaragh SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.” (NPWS, version 8, 2021).</p>	<p>No pathway for direct effects was identified as this European Site lies entirely outside of the Application Site.</p> <p>There is no hydrological connectivity between the Application Site and the SPA which is located in a different hydrological sub-catchment to the Application Site. Therefore no potential for indirect effect on supporting wetland habitat for SCI bird species due to deterioration in water quality exists.</p> <p>The Application Site lies outside the core foraging distance of Whooper swan (core range of <5km) as per Scottish Natural Heritage Guidelines (SNH, 2016). Given the distance between the site and the SPA, there is no potential for significant indirect disturbance or displacement effects on whooper swan or any other SCI species as a result of peat extraction activities and all ancillary works at the Application Site.</p>

European Sites and distance from the site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 14/09/2021)	Conservation Objectives	Likely Zone of Impact Determination and assessment of potential for significant effect
			There is no potential for significant effect on this European Site, it is not located within the Zone of Likely Impact and no further assessment is required
<p>Boyne Estuary SPA [004080]</p> <p>48km North-east</p> <p>>70km downstream</p>	<ul style="list-style-type: none"> ➤ Shelduck (<i>Tadorna tadorna</i>) [A048] ➤ Oystercatcher (<i>Haematopus ostralegus</i>) [A130] ➤ Golden Plover (<i>Pluvialis apricaria</i>) [A140] ➤ Grey Plover (<i>Pluvialis squatarola</i>) [A141] ➤ Lapwing (<i>Vanellus vanellus</i>) [A142] ➤ Knot (<i>Calidris canutus</i>) [A143] ➤ Sanderling (<i>Calidris alba</i>) [A144] ➤ Black-tailed Godwit (<i>Limosa limosa</i>) [A156] ➤ Redshank (<i>Tringa totanus</i>) [A162] ➤ Turnstone (<i>Arenaria interpres</i>) [A169] ➤ Little Tern (<i>Sterna albifrons</i>) [A195] ➤ Wetland and Waterbirds [A999] 	<p>Detailed conservation objectives for this site (Version 1, February 2013) were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>No pathway for direct effects was identified as this European Site lies entirely outside of the Application Site.</p> <p>The potential for the Project to result in indirect effects on this European Site was considered. The site is located >70km downstream of the Project. Given the significant distance between the Application Site and the SPA, and the attenuation properties of the intervening watercourses, no potential for significant indirect effects on supporting wetland habitat for any of the SCI species was identified.</p> <p>Given the distance between the site and the SPA, there is no potential for significant indirect disturbance or displacement effects on any of the SCI species as a result of peat extraction activities and all ancillary works at the Application Site.</p> <p>There is no potential for significant effect on this European Site and it is not located within the Zone of Likely Impact and no further assessment is required</p>

3.3

European Sites with the Potential to be Significantly Affected by the Project

A potential pathway for direct and indirect effects on the following European Sites as a result of the Project was identified:

3.3.1.1

River Boyne and River Blackwater SAC

A potential pathway for indirect effects on the River Boyne and River Blackwater SAC was identified. Potential indirect effects on the aquatic QIs of this SAC as a result of peat extraction activities and all ancillary works during both the Peat Extraction Phase and Current Phase was identified. During these phases there would have been and currently is potential for deterioration in surface and ground water quality due to runoff of pollutants, including silts and hydrocarbons, to watercourses within and downstream of the site. Therefore, a potential pathway for indirect effects on the following aquatic QIs where they occur downstream of the site was identified:

- Alkaline fens [7230]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae) [91E0]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]

During the implementation of the proposed rehabilitation plans for the Application Site (Current Phase and Remedial Phase) there will be a requirement for small volumes of machinery and personnel on site for drain blocking works. Taking a precautionary approach, a potential pathway for indirect effects on the above listed QIs during the implementation of the proposed rehabilitation plans as a result of deterioration of water quality due to runoff of pollutants during such works was identified.

A potential pathway for indirect effects on otter as a result of disturbance was also identified.

3.3.1.2

River Boyne and River Blackwater SPA

Taking a precautionary approach, a potential pathway for direct effects on Kingfisher, where they occur outside the SPA, as a result of direct habitat loss was identified. If Kingfisher nesting habitat is present within the site, there is potential for loss of this habitat during drain maintenance works.

There is hydrological connectivity between the Application Site and this SPA via watercourses within the Application Site which discharge to the Stonyford River to the east, the Deel (Raharney) River to the west and the River Boyne, all of which are designated as part of the SPA.

A potential pathway for indirect effects on kingfisher as a result of peat extraction activities and all ancillary works during both the Peat Extraction Phase and Current Phase was identified. During these phases there would have been and currently is potential for deterioration in surface water quality due to run-off of pollutants, including silts and hydrocarbons, to watercourses within and downstream of the site. This has potential to negatively affect availability of food resources for the SCI species kingfisher.

During the implementation of the proposed rehabilitation plans for the Application Site (Current phase and Remedial Phase) there will likely be a requirement for small volumes of machinery and personnel on site for drain blocking works. Taking a precautionary approach a potential pathway for indirect effects on kingfisher as a result of deterioration of water quality due to runoff of pollutants during such works was identified.

Taking a precautionary approach a potential pathway for indirect effects on kingfisher during all phases of the Project, as a result of disturbance was also identified.

4.

LIKELY CUMULATIVE IMPACT OF THE PROJECT ON EUROPEAN SITES, IN-COMBINATION WITH OTHER PLANS AND PROJECTS

A search and review in relation to plans and projects that may have the potential to result in cumulative and/or in-combination impacts on European Sites was conducted. This included a review of online Planning Registers, development plans and other available information and served to identify past and future plans and projects, their activities and their predicted environmental effects.

4.1

Development Context – Ecological Plans and Policies

The following development plans have been reviewed and taken into consideration as part of this assessment:

- Westmeath County Development Plan 2021 – 2027
- Westmeath County Development Plan 2014 – 2020
- Westmeath County Development Plan 2008 – 2014
- Westmeath County Development Plan 2002 – 2008
- Meath County Development Plan 2021-2027
- Meath County Development Plan 2013-2019
- Meath County Development Plan 2007-2013
- National Biodiversity Action Plan 2017-2021
- Ireland 4th National Biodiversity Action plan 2023-2030.

The review focused on policies and objectives that relate to designated sites for nature conservation, biodiversity and protected species. Policies and objectives relating to the conservation of peatlands and sustainable land use were also reviewed, particularly where the policies relate to the preservation of surface water quality. An overview of the search results with regard to plans is provided in Table 4-1.

Table 4-1 Assessment of Plans

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
Westmeath County Development Plan 2021-2027	<p>The overall objective of the Development Plan has been identified:</p> <p><i>Continue to protect and enhance the County's natural heritage and biodiversity and ensure that networks of green infrastructure are identified, created, protected and enhanced to provide a wide range of environmental, social and economic benefits to communities.</i></p> <p>Policies: Natural Heritage</p> <p>It is the policy of the Council to:</p> <p>CPO 12.1</p> <ul style="list-style-type: none"> ➤ Contribute as appropriate towards the protection of designated sites in compliance with relevant EU Directives and applicable national legislation <p>Policies: Natura 2000</p> <p>It is a policy of the Council to:</p> <p>CPO 12.4</p> <ul style="list-style-type: none"> ➤ Protect and conserve Special Areas of Conservation, candidate Special Areas of Conservation, Special Protection Areas and candidate Special Protection Areas, designated under the EU Birds and Habitats Directives respectively. <p>CPO 12.5</p> <ul style="list-style-type: none"> ➤ Ensure that no plans, programmes, etc. or projects giving rise to significant cumulative, direct, indirect or secondary impacts on European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation 	<p>The Plans were comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Designated Sites.</p> <p>The potential for peat extraction activities and all ancillary works, which were undertaken at different times and at different levels of intensity throughout the bog between 2003 (when the River Boyne and River Blackwater SAC was first put forward as a cSAC) and 2020, to result in adverse effects on European Sites was assessed. No potential for adverse effects on the integrity of any European Site in light of their conservation objectives was identified, and therefore historic peat extraction activities and all ancillary works are not considered to be in contravention of the policies and objectives within the development plans.</p> <p>The ongoing operations such as peat extraction activities and all ancillary works since 1994, which were undertaken at different times and at different levels of intensity throughout the bog, are unlikely to have resulted in adverse effects on the integrity of any European Site and are therefore not considered to be in contravention of the policies and objectives within the plan.</p> <p>The implementation of the rehabilitation plans for the Application Site will not have an adverse effect on the integrity of any European Site and is in</p>

	<p>requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans, programmes, etc. or projects).*</p> <p>CPO 12.6</p> <ul style="list-style-type: none"> ➤ Ensure that any plan or project that could have a significant adverse impact (either by themselves or in combination with other plans and projects) upon the conservation objectives of any Natura 2000 Site or would result in the deterioration of any habitat or any species reliant on that habitat will not be permitted.* <p><i>* Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.</i></p> <p>Policies: Rare and Protected Sites</p> <p>CPO 12.18</p> <ul style="list-style-type: none"> ➤ Consult with the National Parks and Wildlife Service (NPWS) in regard to any developments (those requiring permission and those not requiring planning permission) which the Council proposes to carry out within pNHAs, NHAs, SACs, SPAs, and other important ecological sites. <p>Policies: Invasive species</p> <p>It is a policy of the Council to:</p> <p>CPO 12.27</p> <ul style="list-style-type: none"> ➤ Prevent the spread of invasive species within the plan area, including requiring landowners and developers to adhere to best practice guidance in relation to the control of invasive species <p>CPO 12.29</p>	<p>compliance with the policies and objectives outlined within the plan.</p>
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	<ul style="list-style-type: none"> Support, as appropriate, the National Parks and Wildlife Service's efforts to seek to control and manage the spread of non-native invasive species on land and water. Where the presence of non-native invasive species is identified at the site of any proposed development or where the proposed activity has an elevated risk of resulting in the presence of these species, details of how these species will be managed and controlled will be required. 	
Meath County Development Plan 2021-2027	<p>Policies and Objectives : Biodiversity</p> <p>HER POL 27</p> <ul style="list-style-type: none"> To protect, conserve and enhance the County's biodiversity where appropriate <p>HER POL 28</p> <ul style="list-style-type: none"> To integrate in the development management process the protection and enhancement of biodiversity and landscape features wherever possible, by minimising adverse impacts on existing habitats (whether designated or not) and by including mitigation and/or compensation measures, as appropriate. <p>HER POL 31</p> <ul style="list-style-type: none"> To ensure that the ecological impact of all development proposals on habitats and species are appropriately assessed by suitably qualified professional(s) in accordance with best practice guidelines – e.g. the preparation of an Ecological Impact Assessment (EcIA), Screening Statement for Appropriate Assessment, Environmental Impact Assessment, Natura Impact Statement (NIS), species surveys etc. (as appropriate). <p>HER OBJ 31</p> <ul style="list-style-type: none"> To implement, in partnership with the Department of Culture, Heritage and the Gaeltacht, relevant stakeholders and the community, the objectives and actions of the County Meath Biodiversity Plan 2015-2020 and any revisions thereof <p>Policies and Objectives : Sites Designated for Nature Conservation</p>	

	HER POL 32	
	<ul style="list-style-type: none"> ➤ To permit development on or adjacent to designated Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas, Statutory Nature Reserves or those proposed to be designated over the period of the Plan, only where the development has been subject to the outcome of the Appropriate Assessment process and has been carried out to the satisfaction of the Planning Authority, in consultation with National Parks and Wildlife. 	
	HER POL 33	
	<ul style="list-style-type: none"> ➤ To have regard to the views and guidance of the National Parks and Wildlife Service in respect of proposed development where there is a possibility that such development may have an impact on a designated European or National site or a site proposed for such designation. 	
	HER POL 34	
	<ul style="list-style-type: none"> ➤ To undertake appropriate surveys and collect data to provide an evidence-base to assist the Council in meeting its obligations under Article 6 of the Habitats Directives (92/43/EEC) as transposed into Irish Law, subject to available resources. It is an objective of the Council: 	
	HER OBJ 33	
	<ul style="list-style-type: none"> ➤ To ensure an Appropriate Assessment in accordance with Article 6(3) and Article 6(4) of the Habitats Directives (92/43/EEC) and in accordance with the Department of Environment, Heritage and Local Government Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009 and relevant EPA and European Commission guidance documents, is Meath County Development Plan 2021-2027 Chapter 8 carried out in respect of any plan or project not directly connected with or necessary for the management of the site but likely to have a significant effect on a Natura 2000 site(s), either individually or in combination with other plans or projects, in view of the site's conservation objectives. 	
	HER OBJ 34	

	<p> ➤ To protect and conserve the conservation value of candidate Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas and proposed Natural Heritage Areas as identified by the Minister for the Department of Culture, Heritage and the Gaeltacht and any other sites that may be proposed for designation during the lifetime of this Plan in accordance with the provisions of the Habitats and Birds Directives and to permit development in or affecting same only in accordance with the provisions of those Directives as transposed into Irish Law. </p> <p>Policies and Objectives: Protected Species</p> <p>HER POL 36</p> <p> ➤ To consult with the National Parks and Wildlife Service and take account of their views and any licensing requirements, when undertaking, approving or authorising development which is likely to affect plant, animal or bird species protected by law. </p> <p>HER OBJ 35</p> <p> ➤ To ensure that development does not have a significant adverse impact, incapable of satisfactory avoidance or mitigation, on plant, animal or bird species protected by law. </p> <p>Policies and Objectives: Peatlands</p> <p>HER POL 45</p> <p> ➤ To ensure that peatland areas which are designated (or proposed for designation) as NHAs, SACs or SPAs are conserved for their ecological, climate regulation, archaeological, cultural and educational significance. </p> <p>HER OBJ 39</p>	
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	<p>➤ To work in partnership with relevant stakeholders on a suitable peatland site(s) to demonstrate best practice in sustainable peatland conservation, management and restoration techniques and to promote their heritage and educational value subject to Ecological Impact Assessment and Appropriate Assessment Screening, as appropriate, having regard to local and residential amenities.</p>	
Westmeath County Development Plan 2014-2020	<p>Policies</p> <p>P-PTL1: To protect the county's designated peatland areas and landscapes, including any historical walkways through bogs and to conserve their ecological, archaeological, cultural, and educational heritage.</p> <p>P-PTL4: To plan and prepare for the future sustainable and environmentally sensitive use of large industrial bog sites when peat harvesting finishes and to encourage a balanced approach to the redevelopment of cutaway bogs, including habitat creation, in conjunction with adjacent Local Authorities. This plan will have regard to both National and Regional frameworks with regard to the future use of peatlands, including cutaway bogs.</p> <p>P-PTL5: To exercise control of peat extraction, both individually and cumulatively, which would have significant impacts on the environment.</p> <p>Objectives</p> <p>O-PTL3: To work with other bodies such as the NPWS and Coillte to support the conservation of peatlands.</p> <p>O-PTL5: To work in partnership with relevant stakeholders on suitable peatland site(s) to demonstrate best practice in sustainable peatland conservation, management and restoration techniques and to promote their heritage and educational value subject to Ecological Impact Assessment and Appropriate Assessment, as appropriate.</p> <p>O-PTL6: To support the preparation of a Sustainable Holistic Management Plan for the future use of the Industrial Peatlands in the county, which recognises the role of peatlands in carbon sequestration.</p>	
Westmeath County Development Plan 2008 - 2014	<p>Policies & Objectives</p> <p>Natural heritage</p>	

	<p>O-EH2: To protect, manage and enhance the natural heritage, biodiversity, landscape and environment of County Westmeath in recognition of its importance as a non-renewable resource, unique identifier and character of the county and as a natural resource asset.</p> <p>O-EH3: It is a key objective to ensure as far as possible that development does not impact adversely on wildlife habitats and species. In the interests of sustainability, b</p> <p>P-EH19: It is the policy of Westmeath County Council to ensure the conservation of the county's peatlands in order to minimise the negative impact on natural diversity and the archaeological and cultural heritage of the county.</p> <p>O-EH14: To conserve peatlands and protect peatland landscapes within the county.</p> <p>O-EH15: To continue to identify and map peatland sites of high local ecological value and protect them for their biodiversity.</p> <p>O-EH16: To exercise control of peat extraction both individually and cumulatively which would have significant impacts on the environment as provided for under SI 364 of 2005.</p> <p>O-EH18 :To seek hydrological reports for significant developments within and in close proximity to peatlands so as to assess impacts on integrity of peatland ecosystems.</p> <p>O-EH19: To plan and prepare for the future use of large industrial bog sites when peat harvesting finishes and to encourage a balanced approach to the redevelopment of cutaway bogs. There is potential for habitat creation such as woodlands, grasslands, and wetlands. There is also potential for amenity value with development of parklands and economic uses such as agricultural grasslands, forestry and wind energy.</p> <p>O-EH20 To work with other bodies such as NPWS and Coillte to support the conservation of Peatlands.</p> <p>Future of Cutaway Peatland</p> <p>P-EH32 Within the next 20–30 years large areas of peatland will be exhausted and provide tracts of land that have potential for agriculture, habitat and amenity. The Council, in consultation with relevant agencies, will explore future potential of cut away peatlands that may offer opportunities for habitat creation or amenity and recreation areas such as community woodlands or parklands.</p>	
Meath County Development 2013-2019	It was an objective of this Plan for Meath County Council to “ <i>investigate the potential of renewable energy identified in the initial assessment areas with a view to developing a renewable energy strategy for the County.</i> ”	
Meath County Development 2007 - 2013	Policies	

	HER POL 18: To ensure that peatland areas which are designated (or proposed for designation) as NHAs or SACs are conserved and managed appropriately to conserve their ecological, archaeological, cultural and educational significance.	
National Biodiversity Action Plan 2017-2021	<ul style="list-style-type: none"> Target 6.2 - Sufficiency, coherence, connectivity and resilience of the protected areas network substantially enhanced by 2020. 	<p>The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to biodiversity and Designated Sites.</p> <p>The potential for peat extraction activities and all ancillary works which were undertaken at different times and at different levels of intensity throughout the bog between 2003 (when the River Boyne and River Blackwater SAC was first put forward as a cSAC) and 2020, to result in adverse effects on European Sites was assessed. No potential for adverse effects on the integrity of any European Site in light of their conservation objectives was identified, and therefore historic peat extractions activities and all ancillary works are not considered to be in contravention of the policies and objectives within the development plans.</p> <p>The implementation of the rehabilitation plans for the Application Site will not have an adverse effect on the integrity of any European Site and is in compliance with the policies and objectives outlined within the plan.</p>
Ireland 4th National Biodiversity Action plan 2023-2030.	<ul style="list-style-type: none"> ➤ Objective 1: Adopt a Whole-of Government, Whole of-Society Approach to Biodiversity. Proposed actions include capacity and resource reviews across Government; determining responsibilities for the expanding biodiversity agenda providing support for communities, citizen scientists and business; and mechanisms for the governance and review of this National Biodiversity Action Plan. ➤ Objective 2: Meet Urgent Conservation and Restoration Needs. 	<p>The Biodiversity Action Plan was comprehensively reviewed for targets and objectives relating to the Natura 2000 network and other natural heritage interests.</p> <p>The peat extraction activities and all ancillary works since 1994 had the potential to result in significant negative effects on biodiversity which would have</p>

	<p>Supporting actions will build on existing conservation measures. Efforts to tackle Invasive Alien Species will be elevated. The protected area network will be expanded to include the Marine Protected Areas. The ambition of the EU Biodiversity Strategy will be considered as part of an evolving work programme across Government.</p> <p>➤ Objective 3: Secure Nature's Contribution to People. Actions highlight the relationship between nature and people in Ireland. These include recognising the tangible and intangible values of biodiversity, promoting nature's importance to our culture and heritage and recognising how biodiversity supports our society and our economy.</p> <p>➤ Objective 4: Enhance the Evidence Base for Action on Biodiversity. This objective focuses on biodiversity research needs, as well as the development and strengthening of long-term monitoring programmes that will underpin and strengthen future decision-making. Action will also focus on collaboration to advance ecosystem accounting that will contribute towards natural capital accounts.</p> <p>➤ Objective 5: Strengthen Ireland's Contribution to International Biodiversity Initiatives. Collaboration with other countries and across the island of Ireland will play a key role in the realisation of this Objective. Ireland will strengthen its contribution to international biodiversity initiatives and international governance processes, such as the United Nations Convention on Biological Diversity.</p> <p>•</p>	<p>been in contravention of the policies and objectives within the plan.</p> <p>The ongoing peat extraction activities and all ancillary works since the original drainage and peat extraction activities, which were undertaken at different times and at different levels of intensity throughout the bog, are unlikely to have resulted in a significant effects on biodiversity and are therefore not considered to be in contravention of the policies and objectives within the plan.</p> <p>The implementation of the rehabilitation plans for the Application Site will have a slight positive effect on biodiversity and is in compliance with the policies and objectives outlined within the plan.</p>
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4.2

Bord na Mona Developments

The developments listed in Table 4-2 below were considered in the cumulative impacts assessment for this remedial application and relate to infrastructure within the Application Site constructed between 1994 and 2020, when cessation of extraction commenced within the Application Site.

Table 4-2 Bord na Mona developments considered in the cumulative impact assessment.

Year	Description	Planning Reference	Location in relation to Application Site
2005	10/20kV ESB Substation to service Ballivor Horticultural Factory	52348 Westmeath Co. Co.	Ballivor Works, outside Application Site
2013	Laying two intersecting grass strips, 150m x 7m and 75m x 7m, for use as a take-off and landing area for model aircraft and a grass area, 10m x 30m for car parking	12/2067 Westmeath Co. Co.	Lisclogher West, outside Application Site
2015; 2016;	Erect a guyed wind monitoring mast	156135; 166259 Westmeath Co. Co.	Lisclogher Bog
2021	Retention of guyed wind monitoring mast	21620 Westmeath Co. Co.	Lisclogher Bog

4.3

Other Projects

The majority of planning applications in the vicinity relate to one-off rural dwelling houses, residential developments (i.e. modification and/or re-development of existing dwellings) and agricultural development, including new entrances, sheds and ancillary plant and infrastructure. Lands immediately adjacent to, or within near proximity of, Delvin, Raharney and Ballivor settlements and the public road network (e.g. R156, L5513, L1509, L1504, L5507, L8012 and others) have experienced a higher and sustained concentration of development compared to more rural locations along the perimeter of the Application Site. Relevant projects in the area include:

- Meath PI Ref. **96/418**: A two storey dwelling house, septic tank and percolation area (Final Grant – 12th November 1996)
- Westmeath PI Ref. **98/250**: Erect dormer bungalow and septic tank (Final Grant – 23rd December 1998)
- Westmeath PI Ref. **00/900**: Construction of house and septic tank (Final Grant – 14th December 2000)
- Westmeath PI Ref. **01/792**: Dormer bungalow, septic tank and percolation areas [outline] (Final Grant – 19th July 2002)
- Westmeath PI Ref. **04/2084**: New dwelling house, 'septech 2000' treatment system, percolation area and domestic garage (Final Grant – 15th September 2004)
- Westmeath PI Ref. **04/2126**: Construct a bungalow with a proprietary wastewater treatment system (Final Grant – 15th October 2004)
- Westmeath PI Ref. **06/2025**: Construct a new bungalow, domestic garage, septic tank and percolation area (Final Grant – 19th May 2006)
- Westmeath PI Ref. **06/2236**: Erect a new dwelling house, septic tank, treatment system, percolation area and ancillary site works (Final Grant – 13th October 2006)

- Westmeath PI Ref. **08/2101**: Demolish existing dwelling house and planning permission to erect a new replacement dwelling house, septic tank, treatment system and ancillary site works (Final Grant – 2nd February 2009)
- Westmeath PI Ref. **15/6142**: Single storey dwelling, septic tank, sewage treatment system, percolation area, domestic garage, new entrance and all ancillary site works (Final Grant – 13th January 2016)
- Westmeath PI Ref. **15/6135**: To erect a guyed wind monitoring mast, with instruments, up to 100m in height, at Lisclogher Bog, Lisclogher Great, Co Westmeath. The purpose of the proposed mast is to assess the suitability of the company's adjacent lands for wind farm development (Final Grant – 15th October 2015)
- Westmeath PI Ref. **15/6143**: To Renovate and extend existing semi-detached dwelling. One and a half storey extension to the side & rear of existing dwelling, construction of a domestic garage/store, horse stable and tack room, relocate existing entrance & install proprietary waste water treatment system & percolation area (Final Grant - 15th October 2015)
- Meath PI Ref. **TA150349**: development will consist of a storey and a half type dwelling, domestic garage, proprietary wastewater treatment system with associated polishing filter and open new entrance to site (Granted - July 2, 2015)
- Meath PI Ref. **TA150738**: retention permission for essential structural repairs to date including roof & porch replacements and foundations to future extension, planning permission to complete general building upgrade with minor elevational changes and planning permission for a 2 storey extension to south west side, domestic waste treatment unit & new percolation area and removal of existing septic tank, replacement road access vehicular gate and rebuild piers & flanking walls, replacement road access pedestrian gate, extended & repaired/rebuilt stepped road frontage walls, walls & hedges to new site's other boundaries and reusing existing sheds as domestic garage and storage facilities (Granted - October 7, 2015)
- Meath PI Ref. **TA151297**: to retain existing dog kennels, enclosures & associated structures. The Rescue Centre contains (a) 4 no. timber kennels, (b) 2 no. concrete structure kennels, (c) 2 no. prefabricated structure incorporation office, store & grooming room. Significant further information/revised plans submitted on this application (Granted - March 8, 2017)
- Westmeath PI Ref. **17/6274**: Retention of existing dwelling house and ancillary site works (Final Grant – 10th July 2018)
- Meath PI Ref. **TA170047**: a single storey dwelling, a detached domestic garage, a proprietary domestic effluent treatment system, shared site entrance previously granted under Ref. TA/130317 and all associated site works. Significant further information/revised plans submitted on this application (Granted - September 1, 2017)
- Meath PI Ref. **TA180421**: a single storey dwelling, a detached domestic garage, waste water disposal system, site entrance and all associated site works (Granted - August 9, 2018)
- Meath PI Ref. **TA180485**: extension of duration of planning permission ta130317 - single storey dwelling, detached domestic garage, proprietary domestic effluent treatment system, site entrance and all associated site works (Granted - July 5, 2018)
- Meath PI Ref. **TA201217**: change of house type from a single storey type dwelling to a storey and a half type dwelling and revisions to the site layout plan as previously granted under planning ref TA170047 and all associated site works (Granted - December 8, 2020)
- Westmeath PI Ref. **19/6104**: Construction of a new two storey type dwelling, domestic garage, installation of a new septic tank & percolation area, new vehicular entrance and all ancillary site services (Final Grant – 13th August 2019)
- Meath PI Ref. **21/1274**: The construction of 4 bay slatted shed for agricultural use and all associated site works (Final Grant – 7th October 2021);

- Westmeath PI Ref. **21/380**: Single storey dwelling & install a proprietary wastewater treatment system and all associated site development works (Notification of Grant -29.10.2021);
- Westmeath PI Ref. **21/401**: Extension of Duration - Erection of a slatted shed, roofed dungstead, silage slab and ancillary site works (Final Grant – 3rd September 2021)
- Meath PI Ref. **21/1324**: An extension to the existing dwelling to include a part single storey / part dormer extension to rear, single storey extension to front / side, new front porch together with modifications to the existing elevations and internal plan layout (Notification of Grant – 18th October 2021)
- Westmeath PI Ref. **21/506**: Retain existing conservatory to south (Notification of Grant – 2nd November 2021)
- Westmeath PI Ref. **20/6054**: Construction of a 83.9 sq.m extension to existing storey and a half type dwelling and all ancillary site services. (Final Grant - July 30, 2020)
- Meath PI Ref. **21/1324**: an extension to the existing dwelling to include a part single storey / part dormer extension to rear, single storey extension to front / side, new front porch together with modifications to the existing elevations and internal plan layout. The development also includes construction of detached domestic garage, decommissioning of the existing septic tank and percolation area, and installation of a new septic tank and percolation area, modifications and upgrade works to existing domestic entrance together with all associated site works (Granted - November 29, 2021)
- Westmeath PI Ref. **20/6221**: Retention permission and permission for development at this site as follows: (i) retention of existing 80 metre meteorological mast which was erected as exempted development in accordance with Class 20A, Schedule 2 of the planning and development regulations 2001 (as amended) and all ancillary infrastructure and associated site development and reinstatement works and (ii) the increase in height of the existing meteorological mast from 80 metres to a maximum height of up to 100 metres. Existing access arrangements using agricultural access tracks, will remain unaltered. The operational lifetime of the proposed development will be up to five years (Retention)
- Westmeath PI Ref. **20/6226**: Retention permission for external milk tank adjacent to existing milking parlour and all associated site works (Granted - November 24, 2020)
- Westmeath PI Ref. **20/6242**: One number residential dwelling consisting of two part single, one part two storey house, associated garage/shed/workshop, approved wastewater treatment system and percolation area to EPA standard and new vehicular entrance (Granted - February 24, 2021)
- Meath PI Ref. **21/2428**: renovation of the existing dwelling and the construction of a new connecting two storey dwelling, upgrading of the existing entrance to facilitate entrance piers and gates, the installation of a packaged wastewater treatment system and polishing filter, and associated site works (Granted - April 7, 2022)
- Meath PI Ref. **21/281**: development consists of a Sheep Shed with Sheep Handling Yard, Meal Storage Bin, Concrete Apron, Farm Access Road, Agricultural Entrance and all site works (Granted - May 19, 2021)
- Westmeath PI Ref. **21/620**: Retention permission for continued use of an existing Guyed Wind Monitoring Mast with instruments, 100m in height on its lands at Lisclogher Bog, Lisclogher Great, Co. Westmeath for a further period of three years. The purpose of the mast is to assess the suitability of the company's adjacent lands for wind farm development. Previous planning application reference number 16/6259 refers. (Granted - February 23, 2022)
- Westmeath PI Ref. **21/659**: for a private dwelling house, proprietary effluent treatment system and percolation area, domestic garage, entrance onto public road and all ancillary site services (Granted - April 13, 2022)
- Meath PI Ref. **22/1656**: amendments to planning register no. 21/2428. The amendments include the increase in footprint and height of the new connecting dwelling (Granted - March 28, 2023)

- Westmeath PI Ref. **22/245**: construction of agricultural shed consisting of cubicles, feeding area and underground slatted slurry storage tanks and all associated site works (Granted - August 15, 2022)
- Westmeath PI Ref. **22/550**: to construct one number detached single storey dwelling, one number detached single storey garage, to create new entrance to public road, to connect to public watermain, to install a septic tank and percolation area and all associated site works (Granted - May 3, 2023)
- Meath PI Ref. **23/1042**: the construction of a two storey style dwelling, detached domestic garage, a domestic wastewater disposal system, new site entrance and all associated site works (Granted - February 29, 2024)
- Meath PI Ref. **23/254**: detached domestic store shed/garage incorporating plant room area and home office with non-habitable loft storage space overhead. The development also includes p.v. solar panels on north east and south west elevations together with all associated site works (Granted - June 12, 2023)
- Meath PI Ref. **23/297**: the construction of a one and a half storey, 4 bedroom dwelling, a domestic garage, use existing site access, new percolation area and treatment system and all associated site works. Significant further information/revised plans submitted on this application (Granted - January 22, 2024)
- Meath PI Ref. **23/60242**: The development will consist of the renovation and extension to an existing detached bungalow and outbuildings, the installation of a wastewater treatment system and polishing filter, upgrading of existing entrance off the public road and all ancillary site works. (Granted - January 4, 2024)
- Meath PI Ref. **23/60401**: construction of a new bungalow type dwelling house, domestic garage, new vehicular entrance, septic tank and percolation area and all associated ancillary site works (Granted – not yet granted)

The consented Bracklyn Wind Farm (PL25M.311565), comprising 9 no. wind turbines with an overall tip height of 185m, immediately south of Lisclogher West Bog and immediately north and west of Bracklin Bog. By virtue of its proximity to the Application Site, the proposed Bracklyn Wind Farm has been considered as part of this rNIS (and accompanying rEIAR) where relevant. Other infrastructural developments, including but not limited to the below, have been assessed on a pre-cautionary basis and considered, where deemed appropriate, within the supporting environmental cumulative assessments.

- Drehid Wind Farm (Kildare County Council Ref. 18/1534): The development will consist of the following: up to 12 no. wind turbines with a tip height of up to 169 meters and all associated foundations and hardstanding areas and all associated site and ancillary works (Refusal – 1st Party Appeal (PL09.306500) – Grant (7th September 2020);
- N51 Higginstown to Earlsmeadow pavement works²;
- N51 Dunmoe Phase 2 Realignment Scheme

The proposed Ballivor Wind Farm planning application was lodged in 2023. The proposed development was subject to Appropriate Assessment and Environmental Impact Assessment and was designed and included mitigation to ensure that there will be no significant impacts on biodiversity, water quality or Designated Sites. The AA Screening for the proposed Ballivor Wind Farm identified potential for likely significant effects on the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA. As such the potential for in-combination effects with the Project specifically in relation to the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA were initially identified.

² TII - 2021 Grant Allocation to Local Authorities for National Roads;

Conclusion of Cumulative Assessment

Following the assessment provided in the preceding sections, there is potential for significant cumulative effects on the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA when the Project is considered in combination with other plans and projects. This is assessed in further detail in the rNIS which has been prepared for the Project.

Having considered other projects in the area, no potential for the Project to contribute or have contributed to any likely significant negative cumulative effects on any other European Designated Sites was identified when considered in-combination with other plans and projects.

In the review of the projects that was undertaken, no connection, that could potentially result in additional or negative cumulative impacts was identified. Neither was any potential for different (new) impacts resulting from the combination of the various projects and plans in association with the Project.

5. **ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND CONCLUSIONS**

5.1 **Concluding Statement**

Following an examination, analysis and evaluation of the relevant data and information set out within this Screening Report, it cannot be excluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the above described peat extraction activities and all ancillary works, individually or in combination with other plans and projects, would be likely to have or have had a significant effect on the following sites:

- River Boyne and River Blackwater SAC
- River Boyne and River Blackwater SPA

As a result, an Appropriate Assessment is required, and a remedial Natura Impact Statement shall be prepared in respect of the above-described peat extraction activities and all ancillary works in order to assess whether they have had the potential to adversely impact the integrity of these European Sites or have the potential do so in the future.

6.

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