



APPENDIX 1

REMEDIAL APPROPRIATE ASSESSMENT SCREENING REPORT (rAASR)

Remedial Appropriate Assessment Screening Report (rAASR)

Peat Extraction at
Ballydermot, Co. Kildare
and Co. Offaly



Table of Contents

1.	INTRODUCTION	1
1.1	Background	1
1.2	Appropriate Assessment Process	2
1.2.1	Stage 1 Screening for Appropriate Assessment.....	2
1.2.2	Stage 2 Appropriate Assessment.....	3
1.3	Statement of Authority	3
1.4	References to Project	4
1.4.1	Information Used to Inform the rAASR.....	4
2.	DESCRIPTION OF THE PROJECT	6
2.1	Site Location	6
2.2	Project Details.....	9
2.2.1	Description of the Application Site in 1988 and 1994.....	9
2.3	Overview of Peat Extraction at the Application Site	13
2.3.1	Peat Extraction Volumes July 1994-2020	13
3.	IDENTIFICATION OF RELEVANT EUROPEAN SITES	15
3.1	Identification of the European Sites within the Likely Zone of Influence	15
3.2	Assessment of Potential for Significant Effects on European Sites	16
3.3	European Sites with the Potential to be Significantly Affected by the Project	30
4.	LIKELY CUMULATIVE IMPACT OF THE PROJECT ON EUROPEAN SITES, IN COMBINATION WITH OTHER PLANS AND PROJECTS.....	32
4.1	Plans.....	32
4.2	Projects.....	53
4.3	Conclusion of Cumulative Assessment.....	53
5.	ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND CONCLUSIONS	55
	BIBLIOGRAPHY	56

LIST OF FIGURES

Figure 2-1		Application Site Location
Figure 3-1		European Sites Surrounding the Application Site

APPENDICES

Appendix A		Chapter 4: Project Description, rEIAR
------------	-------	---------------------------------------

1. INTRODUCTION

1.1 Background

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 ancillary activities that took place at Ballydermot within the Allen Bog Group (Ticknevin, Glashabaun North, Glashabaun South, Codd 1, Codd 2, Ballydermot North, Ballydermot South, Blackriver, Lullymore, Lullybeg, Barnaran, Killina, Derrybrennan and Lodge Bogs) (which are hereafter referred to as 'the Application Site'), located in Co. Kildare and Co. Offaly.

This report also assesses the potential for significant effects on European Sites of the implementation of the rehabilitation plans for the Application Site, required under Condition 10 of its EPA Licence P0503-01, following the cessation of peat extraction and ancillary activities in June 2020.

Henceforth, the works as described above will be referred to as the Project, for the purposes of this remedial Appropriate Assessment Screening Report (rAASR). Section 177E of the Planning and Development Act 2000, as amended, permits an application to be made for substitute consent in respect of development which has been carried out where an Environmental Impact Assessment (EIA), screening for EIA and/or Appropriate Assessment (AA) was or is required. Substitute consent is the statutory planning application process to allow for regularisation of historical development of land that would require EIA if that development were to be the subject of a planning application under current legislation. The Habitats Directive does not have retrospective effect; it does not impose a legal requirement to have carried out a prior assessment of a project which had already commenced or been completed. There was, therefore, no legal requirement for Appropriate Assessment in respect of any project prior to the latest date for transposition of the Habitats Directive, which was 10th June 1994.

The application for substitute consent is seeking consent for development which took place from July 1988, when the EIA Directive was required to be transposed into Irish Law, to present day. This rAASR assesses the potential for likely significant effects on European Sites from 1994 onwards, when the Habitats Directive was required to be transposed into Irish law.

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 supporting this rAASR was obtained through a desk study of available information as well as field surveys undertaken by MKO between 2020 and 2026. 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 and ancillary activities, including the future implementation of the 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 - peat extraction and ancillary activities at the Application Site from 1994 to the cessation of peat extraction in June 2020 (1994- 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 - the management of the Application Site since June 2020 (June 2020 to present).
- Remedial Phase - the activities intended to be carried out at the Application Site into the future. This includes the implementation of the Rehabilitation Plans for the Application Site, required under Condition 10 of its IPC Licence P0503-01, following the cessation of peat extraction 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)

1.2 Appropriate Assessment Process

1.2.1 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.

1.2.2

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 NIS 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 that is 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 or have been 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).

1.3

Statement of Authority

This report has been prepared by Sorcha Shanley (B.A., M.Sc.) and has been reviewed by Rachel Walsh (B.Sc. Env., MCIEEM).

Sorcha is a Project Ecologist at MKO and holds a BA (Hons) in Zoology and an M.Sc. in Marine Biology. Sorcha has over four years' experience working in ecological consultancy with experience in undertaking habitat and species surveys and 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

Rachel is a Senior Ecologist with 6 years' experience in professional ecological consultancy and is a full member of CIEEM with a First-Class Honours BSc in Environmental Science. Rachel has extensive experience in writing and review of Appropriate Assessment reporting, Ecological Impact Assessment and EIA inputs.

The baseline terrestrial ecological surveys were conducted by MKO ecologists Amy McDermott (B.Sc.), Bea Jackson (B.A., M.Sc.), Bridín Foster (B.Sc.), Caití Farren (B.A.), Caoimhe Myles (B.Sc., M.Sc.), Chandra Walter, Ciara Lynn Sheehan (B.Sc.), Cuan Feely (B.Sc.), Deepali Mooloo (B.Sc., M.Sc.), Inga Reich (M.Sc., Ph.D.), Kate Johnson (B.Sc.), Kate Leahy (B.Sc.), Kate O'Donnell (B.Sc., ACIEEM), Katy Beckett, Kevin McElduff (B.Sc.), Julie O'Sullivan (B.Sc., M.Sc.), Mairead Kavanagh (B.Sc.), Niamh Leahy (B.Sc.), Ellen Tuck (B.Sc.), Padraig Desmond (B.Sc.), Rachel Walsh (B.Sc., MCIEEM), Rudraksh Gupta (B.Sc., M.Sc., ACIEEM) and Sarah Mullen. All surveyors have relevant academic qualifications and are competent in undertaking habitat and ecological assessments.

MKO's Ecology team includes a dedicated bat unit with expertise in scoping, conducting, and reporting bat surveys, as well as preparing impact assessments. All ecologists hold relevant academic qualifications, licences, and training to meet required survey standards. Bat survey scope development and project management was overseen by Aoife Joyce (B.Sc., M.Sc., MCIEEM). Bat surveys were carried out by Ryan Connors (B.Sc., M.Sc.), Fred Mosley (B.A., M.Sc.), Kate Greaney (B.Sc., M.Sc.), Charlie Meehan (B.A., M.Sc.) and Laura McEntegart (B.Sc.).

Bird surveys were undertaken by Alan Lauder (B.Sc.), Bernard Burke (B.A.), Conor Berney (M.Sc.), Cian Cahalin (B.Sc.), Cora Twomey (B.Sc.), Declan Manley, Donnacha Woods (M.Sc.), Eamonn O'Brien (B.Sc.), Ellen Tuck (B.Sc.), Franck Le Moënner, Fionn O'Donoghue (B.A.), Hannah Keogh, Hannah O'Donoghue (B.Sc.), Ian Hynes (B.Sc.), James Corcoran Hodgins (M.Sc.), Jonah Gaine (B.Sc.), Kate Bismilla (B.Sc.), Kathryn Sheridan (M.Sc.), Katy Beckett (M.Sc.), Laura Gránicz (M.Sc.), Laura McEntegart (B.Sc.), Louis de Vries (M.Sc.), Matthew Kieran (B.Sc.), Neil Bourke, Neil Campbell (M.Sc.), Niall Murray (B.Sc.), Niall McHugh (B.Sc.), Oisín Casasin (B.Sc.), Padraig Cregg (M.Sc.), Padraig Webb (B.Sc.), Patrick Manley (B.Sc., MCIEEM), Sheriene Acun (B.Sc.), Susan Doyle (M.Sc., Ph.D.), Shawn Dowdall (M.Sc.), Shay Fennelly (B.Sc.), Tom Ryan (M.Sc.) and Zuzana Erosova (B.Sc.). Surveyors are all experienced and competent field ornithologists.

All surveyors have relevant academic qualifications and licences, and are competent in undertaking the ecological surveys in which they were involved.

1.4

References to Project

The Project, for which Substitute Consent for peat extraction and all peat extraction ancillary activities from July 1988 to the present day is being sought, is referenced within this rAASR as follows:

- Ballydermot within the Allen Bog Group (Ticknevin, Glashabaun North, Glashabaun South, Codd 1, Codd 2, Ballydermot North, Ballydermot South, Blackriver, Lullymore, Lullybeg, Barnaran, Killina, Derrybrennan and Lodge Bogs) is referred to as 'the Application Site' as shown in Figure 2-1.
- The Project refers to all 'Phases', which are fully detailed in Chapter 4 of the remedial EIAR (rEIAR) in Appendix A of this rAASR.

1.4.1

Information Used to Inform the rAASR

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 (BnM) Habitat Mapping for the Application Site

- The Application Site was subject to detailed habitat surveys by BnM ecologists in 2010 and 2011 (with follow-up site visits in subsequent years for specific bogs) and detailed habitat maps were prepared.
- Draft and Final Bord na Móna Cutaway Bog Decommissioning and Rehabilitation Plans (included in Appendix 2 of the rNIS):
 - Ballydermot Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Barnaran Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Blackriver Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Codd Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Derrybrennan Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Glashabaun Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Killinagh Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Lullybeg Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Lullymore Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - Ticknevin Bog Draft Cutaway Bog Decommissioning and Rehabilitation Plan (2026);
 - and,
 - Lodge Bog Cutaway Bog Decommissioning and Rehabilitation Plan (2022).
- Roughan & O'Donovan Consulting Engineers (2022) Lodge Bog Decommissioning and Rehabilitation Plan Appropriate Assessment Screening Report
- Aerial imagery for the years 1973, 1988, 1995, 2004 and 2020.
- Integrated Pollution Control Licence (IPC) Licence Allen Bog Group (Ref. P0503-01) Environmental Protection Agency.
- Review of NPWS Site Synopses, Conservation Objectives for the European Sites
- Review of EU Habitats Directive (Article 17) Reports (2007, 2013, 2019, and 2025).
- Review of online web-mappers: National Parks and Wildlife Service (NPWS), Environmental Protection Agency (EPA), EPA (Envision) and Water Framework Directive (WFD).
- Review of OS maps and aerial photographs of the site of the Project.
- Review of relevant available plans, including the Offaly County Development Plan 2021-2027, Kildare County Development Plan 2023-2029, and partial versions of Historic County Development Plans for Offaly (including 2014-2020, 2009-2015, 2003-2009, 1995) and Kildare (including 2017-2023, 2011-2017, 2005-2011, 1999-2005) where accessible. The National Biodiversity Plan 2002-2006, National Biodiversity Action Plan 2011-2016, National Biodiversity Action Plan 2017-2021 and National Biodiversity Action Plan 2023-2030 were also reviewed.
- MKO field assessments and surveys carried out between 2020 and 2026 as relevant to Appropriate Assessment, provided in full in the rNIS.
- 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.
- Balmer, D., Gillings, S., Caffrey, B., Swann, B., Downie, I., & Fuller, R. (2013). Bird Atlas 2007–11: The Breeding and Wintering Birds of Britain and Ireland.
- Bord na Móna Breeding and Wintering Bird Survey Reports (2018-2020) undertaken by Inis Environmental Consultants Ltd.
- Aquatic Report (2026) and Fisheries Report (2026) for Peat Extraction at Ballydermot Co. Kildare and Co. Offaly prepared by Triturus Environmental Ltd (Appendix 3 of the accompanying rNIS).
- Bird Report (2026) for Peat Extraction at Ballydermot, Co. Kildare and Co. Offaly, prepared by MKO (Appendix 4 of the accompanying rNIS).

2.

DESCRIPTION OF THE PROJECT

2.1

Site Location

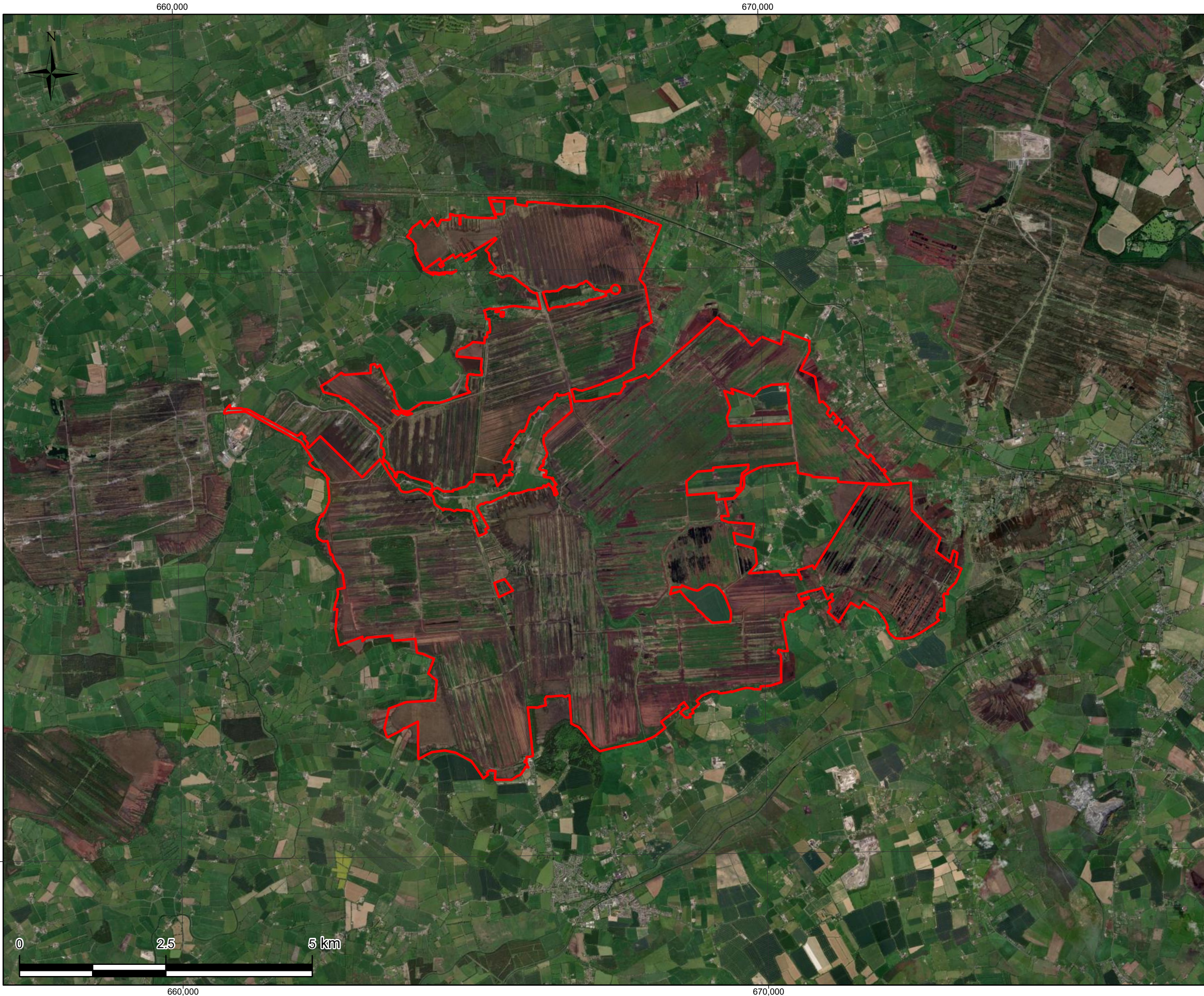
The Application Site is located 2.2km southeast of Edenderry, 3.3km west of Allenwood, 2.4km north of Rathangan and 1.7km east of Clonbullogue Village. The Application Site comprises 14. No. bogs located on the Offaly-Kildare County border. The bogs include: Ticknevin, Glashabaun North, Glashabaun South, Codd 1, Codd 2, Ballydermot North, Ballydermot South, Blackriver, Lullymore, Lullybeg, Barnaran, Killina, Derrybrennan and Lodge. The Application Site comprises an area of 5,448 hectares (ha).

The Application Site is located in a low-lying landscape rural in character. The topography today ranges between 84 m above ordnance datum (AOD) at its highest point to approximately 68 m AOD at its lowest point. The site measures approximately 10 km in length from north to south, and approximately 10.7 km from east to west, at its widest point. The Grid Reference co-ordinates for the approximate centre of the Bog Group are E 266159, N 225145. The boundaries of the individual bogs are mainly defined by hedgerows, watercourses and laneways. Under the Water Framework Directive (WFD; Directive 2000/60/EC), the Application Site is located primarily within the Figile_SC_010, Figile_SC_020, Figile_SC_030, Slate_SC_050 and Slate_SC_010 sub catchments with a small section of the site on the north boundary in Boyne_SC_010 sub catchment, and within the Barrow (Catchment ID 14). The Application Site is generally accessible via the local road network branching from the R402 to the north, R403 to the east, the R401 to the west and the R414 to the south, with the latter cutting through the southeast of the site.

Table 2-1 Townlands in which the Application Site is located

Bog Reference	County	Townlands - Kildare	Townlands - Offaly
Ballydermot North	Kildare/Offaly	Killinthomas	Clonbrown, Cushaling, Ballydermot, Clonmel
Ballydermot South	Kildare/Offaly	Rathangan, Killinthomas, Cushaling, Ballysooghan North, Ballinure	Clonbrown, Coolygagan, Clonroosk Big, Clonroosk Little
Blackriver	Kildare	Cappanargid, Killinthomas, Cushaling, Killyguire, Lullybeg	N/A
Lullybeg	Kildare	Lullymore West, Lullybeg	N/A
Lullymore	Kildare	Lullymore West, Lullybeg	N/A
Lodge	Kildare	Killina Upper, Ballybrack, Killina Lower, Lullymore East, Allenwood South	N/A
Killina	Kildare	Lullymore West, Derrybrennan	N/A
Barnaran	Kildare	Cappanargid, Killyguire, Lullymore East, Barnaran, Lullybeg	N/A
Derrybrennan	Kildare	Ticknevin, Ballybrack, Kilpatrick, Derrybrennan	N/A
Glashabaun North	Kildare/Offaly	Ticknevin, Cushaling, Derries	Codd

Bog Reference	County	Townlands - Kildare	Townlands - Offaly
Glashabaun South	Kildare/Offaly	Ticknevin, Cushaling, Lullymore West, Lullybeg, Derrybrennan	N/A
Ticknevin	Kildare/Offaly	Clonkeen	Derries, Cloncanon
Codd 1	Kildare/Offaly	Cushaling	Cloncant, Shean, Ballydermot
Codd 2	Offaly	N/A	Cushaling, Codd, Shean

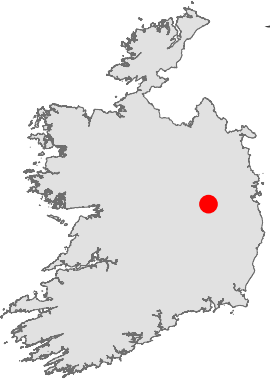


Map Legend

 Application Site Boundary

Spatial Reference
Name: IRENET95 Irish Transverse Mercator
Datum: IRENET95
Projection: Transverse Mercator

© Ordnance Survey Ireland. All rights reserved. Licence number CYAL50267517



SITE LOCATION - NOT TO SCALE

Application Site Location

Project Title
**Peat Extraction at Ballydermot,
Co. Kildare and Co. Offaly**

Project No. 250709	Drawing No. 2-1	Scale 1:60,000
Drawn By TS	Checked By JB	Date 30/07/2026



Email: info@mkofireland.ie/ Website: www.mkofireland.ie

2.2

Project Details

Chapter 4: Project Description within the rEIAR, which is included in Appendix A of this report, provides a description of the activities at the Application Site from 1935. It details activities 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, including rehabilitations plans required under Condition 10.2 of the IPC Licence.

Peat extraction and ancillary activities undertaken at the Application Site, which comprise the Project for which substitute consent is being sought, and for which this rAASR is prepared, consists of the following:

- Industrial scale peat extraction (milled peat, sod peat, sod moss and bin sod) at the Application Site from 1988 to June 2020;
- Installation, use and maintenance of surface water drainage infrastructure (drains, silt ponds, pumps) at the Application Site to facilitate peat extraction activity from 1988 to present day;
- Vegetation clearance to facilitate peat extraction activity from 1988 to June 2020;
- Provision of 1 no. welfare building, 1 no. handwashing facility, a toilet cubical building and an associated septic tank, 19 no. containers, 2 no. sheds, 8 no. vehicular bridges and 7 no. rail bridges;
- Use and maintenance of pre-existing railway infrastructure to facilitate peat extraction from 1988 to present day;
- Control Measures associated with the above, inclusive of the IPC Licence measures (Ref. P0503-01) which commenced from 2000 onwards to the present day; and,
- All associated site development and ancillary works.

The Draft Cutaway Bog Decommissioning and Rehabilitation Plans for the Application Site, required under Condition 10 of the IPC Licence (Ref. P0503-01), provide a description of the bogs and their ecology, and outline the works that will be undertaken to achieve the aims of successful rehabilitation, the criteria for which are defined in the plans, along with a timescale for implementation. The remedial measures to be undertaken will follow proven and standard procedures that have been successfully applied by BnM, including drain blocking and modification of outfalls and overflow pipes to control water levels over time. A programme of monitoring, aftercare and maintenance will be implemented to validate the efficacy of the rehabilitation measures in achieving environmental stabilisation. These measures are described in full in Section 4.9 of Chapter 4 of the rEIAR (Appendix A).

Whilst Chapter 4: Project Description includes extensive information on activities within the Application Site from 1935 onwards, this rAASR assesses activities within the Application Site detailed in Appendix A from 1994 onwards. As previously stated, 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 Application Site in 1988 and 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 assesses activity within the Application Site from 1994, the information provided below would still have been applicable at this time as peat extraction continued until 2020.

By 1988, the land use at the Application Site was well established as industrial peat extraction. The Application Site was drained with milled, sod moss and sod peat extraction were taking place across most of the Application Site in 1988. Railway infrastructure was also established throughout the Application Site by 1988. The main entrance points to the Application Site were at the Ballydermot

Works entrance on the L-3001 road in the southwest of the Application Site, and from a local road (L-2506-3) which crosses the Grand Canal, passing the Lullymore Briquette Factory before cutting through Killina Bog in the northeast. Other access points include entrances off the L3001 Rathangan to Edenderry Road which cuts through the Application Site in a north to west direction and off the Allenwood to Rathangan Road (designated R414 in 1993) which cuts through the southeast of the Application Site. Ballydermot Works, which comprised welfare facilities, storage sheds, offices maintenance buildings, staff carparks, HGVs storage area, a tiphead and a refuelling area is still in situ at present day. The following ancillary infrastructure was established at the site by July 1988:

1. *Railway infrastructure;*
2. *Internal machine passes/tracks;*
3. *Silt ponds and drains;*
4. *Welfare facilities;*
5. *Local holding areas;*
6. *Tiphead; and*
7. *Pumping stations.*

2.2.1.1 Ballydermot North Bog

Aerial imagery indicates that by July 1988, approximately 456.4ha of the Application Site was subject to milled peat extraction. Thus, the main landcover type at this time was cutover peat. Drainage was already installed, predominantly in an east-west orientation. Railway infrastructure was established in the bog at this time. 2 no. storage containers are located in the middle of the bog, 1 no was installed between 1995 and 1996 and remaining storage container was installed between 2001 and 2005. There were no silt ponds, pumps or surface water emission points located on Ballydermot North which remains the same today. The bog was accessed from several locations leading from the L3001 Edenderry to Rathangan Road along the eastern boundary. The topography of the Application Site is estimated to have been approximately 72 – 86mOD by 1988.

2.2.1.2 Ballydermot South Bog

Aerial imagery from 1988 indicates that drainage was in place and extraction of milled peat was underway on approx. 357.7ha in the majority of Ballydermot South Bog. A total of 74.8ha were not drained nor subject to peat extraction in the west and southeast of the bog. Ballydermot South bog was linked via railway infrastructure to Ballydermot Works in the southeast, to Ballydermot North to the north-west and Blackriver to the east of the bog. There were no silt ponds, pumps or surface water emission points located on Ballydermot South by 1988. The main access point to Ballydermot South Bog was to the south of the Application Site via the west of the L3001 from Ballydermot Works, which remains the main access point today. The topography of this bog is estimated to have been approx. 73 - 80mOD by July 1988.

2.2.1.3 Blackriver Bog

By July 1988, peat extraction was underway across the majority of Blackriver Bog, (approx. 707.6ha). Areas of drained bog not yet subject to peat extraction were located in the northwest of the bog (approx. 20.1ha). Drainage for milled peat was already installed, and railway infrastructure, which was laid throughout the 1950s and 1960s, connected Blackriver Bog to Glashabaun South Bog (to the north) and Barnaran Bog (to the east). There were no silt ponds, pumps or surface water emission points located on Ballydermot South by 1988. The main access point to Blackriver Bog was off the L3001 Edenderry to Rathangan Road at the western boundary of the bog. The topography of Blackriver Bog is estimated to have been approx. 72 - 81mOD by July 1988.

2.2.1.4 Lullybeg Bog

By July 1988 Lullybeg Bog had been drained and sod moss extraction was underway across the entirety of the bog, 266.9ha. Railway infrastructure established on the eastern boundary of the bog, connecting Lullybeg Bog to Killina Bog to the northeast and Blackriver Bog to the south. Access to the Lullybeg Bog in 1988 was via the L81371 Killyguire local road, and this remains the main access point at present day. There were no silt ponds, pumps or surface water emission points located on Lullybeg by 1988. The topography of Lullybeg Bog is estimated to have been approx. 72 - 78mOD by July 1988.

2.2.1.5 Lullymore Bog

Drainage infrastructure was fully established for sod moss in 146.17ha of Lullymore Bog by 1988, as deduced from available aerial imagery. An area of 28.6ha of Lullymore Bog was drained but not yet subject to peat extraction. There were no silt ponds, pumps or surface water emission points located on Lullymore Bog by 1988. Access to Lullymore Bog was and remains via a local road which runs from the R414 and through the Lullymore Heritage & Discovery Park which opened in 1993. The topography of the bog is estimated to have been approx. 73 - 84mOD by July 1988. The Lullybeg stream runs alongside the western boundary of the bog.

2.2.1.6 Lodge Bog

Satellite imagery and annual reports indicate that by July 1988, approx. 379.4ha of Lodge Bog were undergoing sod moss peat extraction. Thus, the main landcover type at this time was cutover peat. A small area measuring approx. 28.9ha of remnant uncut raised bog was located in the southwest of the bog. Drainage was already installed, predominantly in a northeast-southwest orientation. Railway infrastructure was laid in the bog, connecting the bog to Barnaran Bog in the west and Allenwood Power Station in the northeast. There were no silt ponds, pumps or surface water emission points located on Lodge Bog by 1988. The main access point to Lodge Bog was off the Rathangan to Allenwood (R414) road. The topography of Ballivor Bog is estimated to have been approx. 78 - 85mOD by July 1988.

2.2.1.7 Killina Bog

Aerial imagery from 1988 indicates that drainage was fully established across Killina Bog. A total of 28.9ha were drained but not subject to peat extraction in 1988. Sod moss extraction was ongoing in 1988 across 171.89ha of Killina bog. The bog was linked via railway infrastructure to Lullymore Briquette Factory to the north and Allenwood Power Station to the southeast. There were 2 no. silt ponds on Killina Bog, both were installed between 1988 and 1995. There are 2 no. surface water emission points which were installed around 1988 and no pumps on the bog. The silt ponds and surface water emission points remain in situ today. The main access point to Killina Bog was to the north of the Rathangan to Allenwood (R414) road, which remains the main access point today. The topography of this bog is estimated to have been approx. 78 - 88mOD by July 1988.

2.2.1.8 Barnaran Bog

By July 1988, sod moss extraction was underway across all of Barnaran Bog, (approx. 494.3ha). Railway infrastructure connected Barnaran Bog to Blackriver Bog to the west and Lodge Bog to the east. There are 3 no. silt ponds located in Barnaran Bog; all of which were installed by 1988. There are 2 no. surface water emission points which were installed at the same time as the silt ponds. There are no pumps on Barnaran Bog. The main access to the eastern part of the site was from the R414 road or through the Lullymore Heritage Park. Access to the western part was available from a track which runs along the western margin. The topography of Barnaran Bog is estimated to have been approx. 75 - 84mOD by July 1988.

2.2.1.9 **Derrybrennan Bog**

By July 1988 Derrybrennan Bog had been drained and milled peat extraction was continuing across 199.7ha of the bog. Railway infrastructure was also in situ, connecting Derrybrennan Bog to Lullymore Briquette Factory to the east. Access to Derrybrennan Bog in 1988 was via a fourth-class road which runs northeast from the grand canal into the bog, and this remains the main access point at present day. There are 2 no. silt ponds, 2 no. surface water emission points and no pumps located on Derrybrennan Bog. Both of the silt ponds were installed between 1988 and 1995. The topography of Derrybrennan Bog is estimated to have been approx. 75 -86mOD by July 1988.

2.2.1.10 **Glashabaun North Bog**

Satellite imagery and annual reports indicate that by July 1988, the majority of Glashabaun North was subject to milled peat extraction, approx. 406.7ha. Thus, the main landcover type at this time was cutover peat. Several small areas measuring approx. 86.3ha of remnant uncut raised bog were located predominantly in the north at the edges of the bog. Drainage was already installed, predominantly in a west-east orientation. Railway infrastructure was laid in the bog connecting Glashabaun North to Glashabaun Works in the northwest and Glashabaun South in the south. There were 2 no. silt ponds located in Glashabaun North Bog, 2 no. of which was installed by 1988. There are 2 no. pumps located on the south of the bog one submersible pump and one screw pump; the installation date of the pumps is unknown. There were no surface water emission points located on the bog. Access was available from the L1001 Edenderry to Rathangan or from the Glashabaun works entrance to the north. The topography of Glashabaun North Bog is estimated to have been approx. 72 - 83mOD by July 1988.

2.2.1.11 **Glashabaun South Bog**

Aerial imagery from 1988 indicates that drainage was in place and extraction of milled peat was underway on approx. 447.5ha in the northern portion of Glashabaun South Bog. A total of 121.5ha were drained but not subject to peat extraction. Glashabaun South bog was linked via railway infrastructure to Glashabaun North Bog in the north, Killina Bog to the east and Blackriver Bog to the west. There are 11 no. silt ponds in Glashabaun South and 6 no. surface water emission points. Of the 11 no. silt ponds installed at Glashabaun South, 6 no. were installed between 1988 and 1995. No pumps were installed on Glashabaun South Bog by 1988. The Cushaling River runs along the northern boundary of Glashabaun South Bog. The main access point to the bog was from the existing L81371 Cushaling to Killyguire Road which runs along the southwest margin of the bog site or from an existing track which runs along the extreme northeast margin, which remains the main access point today. The topography of this bog is estimated to have been approx. 73 - 81mOD by July 1988.

2.2.1.12 **Ticknevin Bog**

By 1988 sod moss extraction was underway across 357.6ha of Ticknevin bog. A total of 30.6ha were drained but not subject to peat extraction. Approximately 28.25ha was neither drained nor subject to peat extraction. Access to the bog was possible via the L1001 Edenderry to Rathangan Road which runs northwest to southeast through the bog and is still the main access point today. There are 6 no. silt ponds, 1 no. of which was installed between 1988 and 1995 which remain in situ today. There are 2 no. submersible pumps on Ticknevin Bog; the installation date of these pumps is unknown. The topography of the bog today ranges from approx. 77 - 81mOD by July 1988.

2.2.1.13 **Codd 1 Bog**

Drainage infrastructure was fully established for milled peat extraction in 247ha of Codd 1 Bog by 1988, as deduced from available aerial imagery. There were 4 no. silt ponds installed by 1988 and 3 no. surface water emission points installed at the same time as the silt ponds, 2 no. pumps were located on Lullybeg by 1988. Access to the bog remains available from a drivable track off of the L3001

Rathangan to Edenderry Road which runs along the eastern boundary. The topography of the bog is estimated to have been approx. 72 - 79mOD by July 1988.

2.2.1.14 Codd 2 Bog

Drainage infrastructure was established for milled peat extraction in 291ha of Codd 2 Bog by 1988, as deduced from available aerial imagery. A total of 1.9ha were drained but not subject to peat extraction. Approximately 10.54 ha was neither drained nor subject to peat extraction. There was 1 no. surface water emission point in place, all of which remain in situ today. 4 no. silt ponds were installed by 1988 and there are no pumps located on Codd 2. Access is available from the public road L1001 along the eastern boundary and from an existing track which runs off of the L1001 close to the southern and western boundaries. The topography of the bog is estimated to have been approx. 72 - 80mOD by July 1988.

2.3 Overview of Peat Extraction at the Application Site

Peat extraction, as detailed in Section 4.2.2 of Appendix A of this rAASR, 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 and ancillary 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. below is a modified version of Section 4.6.1 of Appendix A to cover the peat extraction assessment period of this rAASR only.

2.3.1 Peat Extraction Volumes July 1994-2020

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

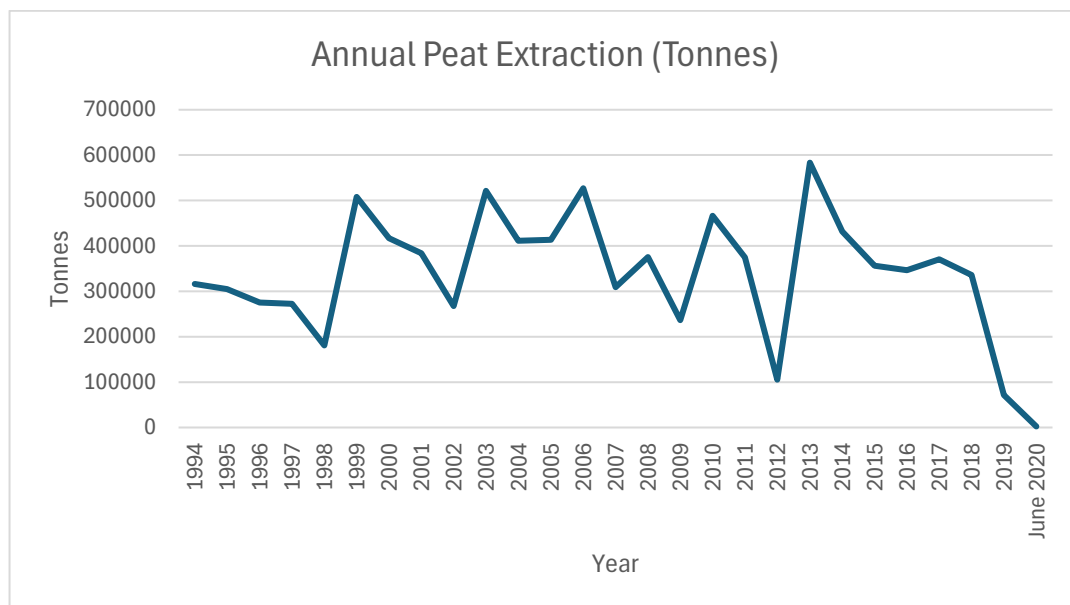


Plate 2- 1 Annual Peat Extraction Volumes 1994-2020

There are no detailed records for peat extraction volumes from 1988 to 1993 and 1996 to 1997, therefore data for the 10-year periods from 1994 to 2004 and 1998 to 2008 was selected as a representative sample from which an average value has been calculated to represent peat extraction volumes in the 1988 to 1993 and 1996 to 1997 periods.

Between 1994 and June 2020, an average of 330,506 tonnes of peat were extracted each year, with a total of approximately 8,923,660 tonnes extracted between 1994 and the cessation of peat extraction in June 2020. There was a closing stock of horticultural peat (sod moss and bin sod combined) recorded for the 2020 season of 2,321 tonnes at the point of the cessation of peat extraction.

During the Peat Extraction Phase, BnM implemented a stockpiling system whereby the aim was to have three years supply stockpiled at any time to ensure there was a supply available to the power stations in years of poor harvest due to weather conditions. Although peat extraction ceased in June 2020, the removal of stockpiled peat continued beyond this date and was completed in October 2021.

From the recorded volumes in Table 2-2, the most productive extraction year was 2013 with 583,428 tonnes extracted this season. The least productive extraction year was 2019 with 71,352 tonnes. The year of 2020 doesn't represent a full year as peat extraction ceased after 3 weeks in June 2020.

Full details of peat extraction and ancillary activities within the Application Site during the assessment period are detailed in Appendix A.

Table 2-1 Peat Extraction 1994-2020 (Tonnes)

Year	Tonnes	Year	Tonnes
1994	316,235	2008	375,433
1995	304,810	2009	236,762
1996	275,297*	2010	466,231
1997	272,497*	2011	374,627
1998	180,800	2012	105,369
1999	507,659	2013	583,428
2000	416,772	2014	431,814
2001	383,787	2015	356,030
2002	26,481	2016	346,540
2003	521,327	2017	370,754
2004	411,387	2018	336,175
2005	413,319	2019	71,352
2006	527,185	June 2020**	2321
2007	309,268		
Total Volume Extracted (tonnes)	8,923,660		

*Based on average peat extraction volumes at the Application Site in the 10-year period between 1998 and 2008 in the absence of accurate data.

**Peat extraction at the Application Site was ongoing for 3 weeks in June in this year leading to a lower annual extraction volume compared to previous years

3. IDENTIFICATION OF RELEVANT EUROPEAN SITES

3.1 Identification of the European Sites within the Likely Zone of Influence

The following methodology was used to establish which European Sites are within the Likely Zone of Influence 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)² and the EPA website (www.epa.ie)³.
- 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.
- 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 and ancillary activities 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 and ancillary activities 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 4-1.
- Where potential pathways for Significant Effect such as habitat or hydrological connectivity are identified, the site is included within the Likely Zone of Influence.

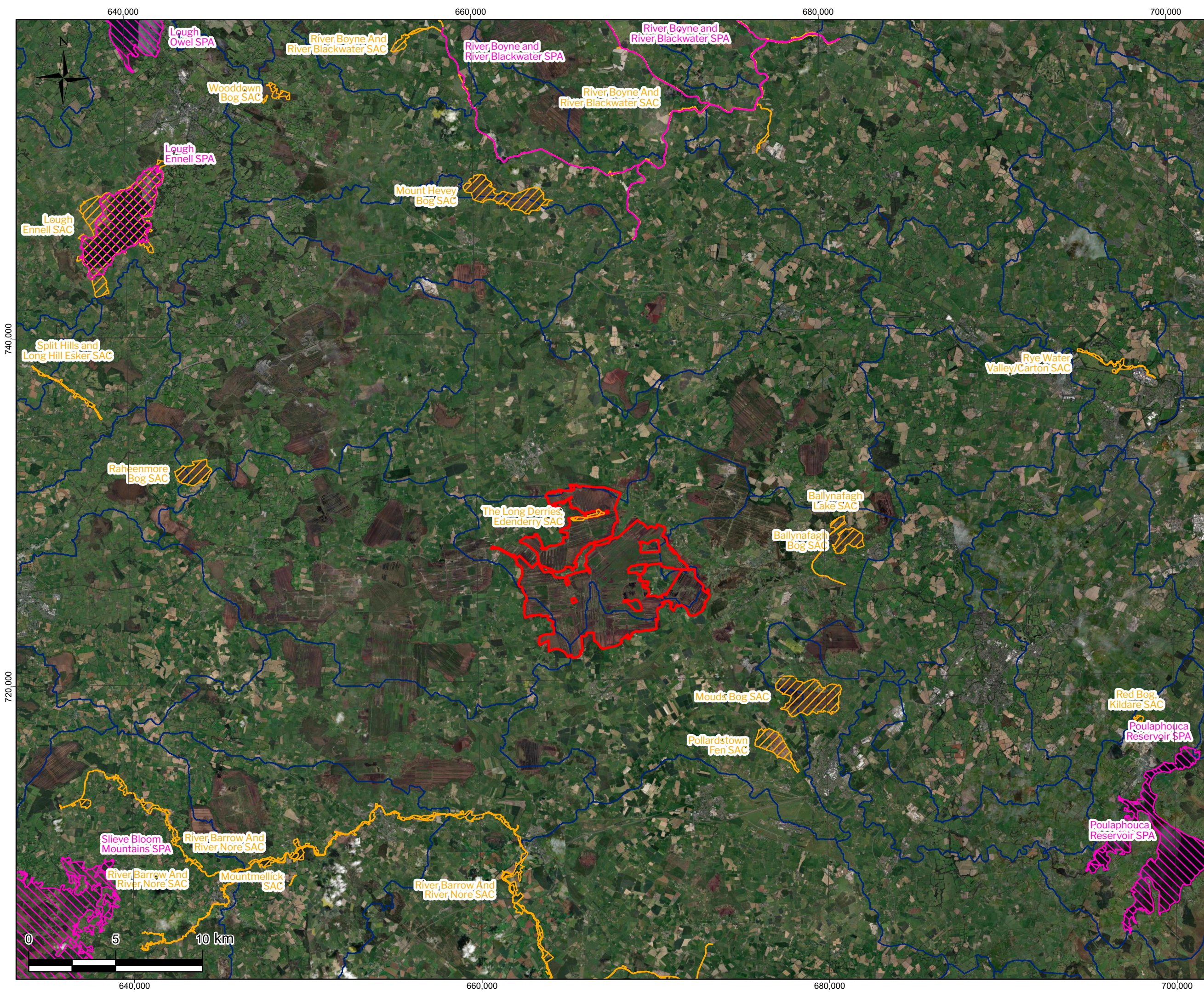
² The following SAC and SPA GIS boundary datasets are the most recently available at the time of writing: SAC_ITM_2024_12 and SPA_ITM_2024_01

³ <https://gis.epa.ie/GetData/Download> last accessed July 2026

3.2

Assessment of Potential for Significant Effects on European Sites

Table 3-1 below identifies which European Sites are located within the Likely Zone of Influence 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 Likely Zone of Influence 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 Areas (SPA)
- Special Area of Conservation (SAC)
- WFD Sub-Catchments

Spatial Reference
Name: IRENET95 Irish Transverse Mercator
Datum: IRENET95
Projection: Transverse Mercator

SITE LOCATION - NOT TO SCALE

European Designated Sites

Project Title
Peat Extraction at Ballydermot, Co. Kildare and Co. Offaly

Project No.	Drawing No.	Scale
250709	3-1	1:200,000
Drawn By	Checked By	Date
TS	JB	31/07/2026

Email: info@mkofireland.ie / Website: www.mkofireland.ie

© Ordnance Survey Ireland. All rights reserved. Licence number CYAL50267517

Table 3-1 Identification of European Sites within the Likely Zone of Influence

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
Special Areas of Conservation (SAC)			
The Long Derries, Edenderry SAC [000925] Distance: The Application Site is located within the boundary of this SAC	➤ [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites)	Detailed conservation objectives for this site, (Version 1, November 2021⁴), were reviewed as part of the assessment and are available at www.npws.ie	The Application Site overlaps with the boundary of this designated site. Following the precautionary principle, a potential pathway for direct effects on the QI habitats of this designated site was identified. The potential for the Project to result in indirect effects on this European Site was considered. There is a hydrological connection via the Codd river running through the SAC and Application Site. However, this site is designated for terrestrial habitats only. Therefore, no potential for impacts due to hydrological or hydrogeological impacts was identified. A complete source-pathway-receptor chain was identified and in the absence of mitigation, there is potential for the Project to result in likely significant effects on this European Site. The European Site is considered to be within the Likely Zone of Influence of the Project and further assessment is required.
Mouds Bog SAC [002331] Distance: 5.9 km	➤ [7110] Active raised bogs ➤ [7120] Degraded raised bogs still capable of natural regeneration	Detailed conservation objectives for this site, (Version 1, November 2015⁵), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >5km from the Application Site. The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Project and this SAC via surface or groundwater. On this

⁴<https://www.npws.ie/protected-sites/sac/000925>

⁵<https://www.npws.ie/protected-sites/sac/002331>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
	> [7150] Depressions on peat substrates of the Rhynchosporion		basis and given the distance between the Application Site and this site, no potential for indirect effects was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Ballynafagh Lake SAC [001387] Distance: 6 km	> [1016] Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) > [1065] Marsh Fritillary (<i>Euphydryas Aurinia</i>) > [7230] Alkaline fens	Detailed conservation objectives for this site, (Version 1, December 2021⁶), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >6km from the Application Site. The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site and this SAC via surface or groundwater. On this basis and given the distance between the Application Site and this site, no potential for indirect effects was identified. While marsh fritillary and suitable marsh fritillary habitat was recorded within the Application Site, it is located 6km from Ballynafagh Lake SAC. Evidence suggests marsh fritillary rarely disperses beyond 750 metres, although long-range dispersal over longer distances of 5 to 20 km is possible (NPWS, 2025). Due to the species' average dispersal abilities, it is thought a distance of 2km between habitat patches is appropriate when defining the functional landscape for the species (Fowles, 2003). Therefore, due to the intervening distance between the Application Site and the SAC, no potential pathway for effects on

⁶<https://www.npws.ie/protected-sites/sac/001387>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
			marsh fritillary populations associated with Ballynafagh Lake SAC was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Pollardstown Fen SAC [000396] Distance: 7.5 km	➤ [1013] Geyer's Whorl Snail (<i>Vertigo geyeri</i>) ➤ [1014] Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>) ➤ [1016] Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) ➤ [7210] Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>* ➤ [7220] Petrifying springs with tufa formation (Cratoneurion)* ➤ [7230] Alkaline fens	Detailed conservation objectives for this site, (Version 1, January 2022 ⁷), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >7km from the Application Site. The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site and this SAC via surface or groundwater. On this basis and given the distance between the Application Site and this site, no potential for indirect effects was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Ballynafagh Bog SAC [000391]	➤ [7110] Active raised bogs	Detailed conservation objectives for this site, (Version 1,	No pathway for direct effects was identified as this European Site lies entirely outside of and >7km from the Application Site.

⁷ <https://www.npws.ie/protected-sites/sac/000396>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
Distance: 7.6 km	➤ [7120] Degraded raised bogs still capable of natural regeneration ➤ [7150] Depressions on peat substrates of the <i>Rhynchosporion</i>	November 2015 ⁸), were reviewed as part of the assessment and are available at www.npws.ie	The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site and this SAC via surface or groundwater. On this basis and given the distance between the Project site and this site, no potential for indirect effects was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
River Barrow and River Nore SAC [002162] Distance: 9.8 km	➤ [1016] Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) ➤ [1029] Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) ➤ [1092] White-clawed Crayfish (<i>Austropotamobius pallipes</i>) ➤ [1095] Sea Lamprey (<i>Petromyzon marinus</i>) ➤ [1096] Brook Lamprey (<i>Lampetra planeri</i>) ➤ [1099] River Lamprey (<i>Lampetra fluviatilis</i>)	Detailed conservation objectives for this site, (Version 1, June 2025 ⁹), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >9km from the Application Site boundary. The potential for the Project to result in indirect effects on this European Site was considered. There is hydrological connectivity between the Application Site and this SAC (approximately 17km hydrological flowpath) via drainage ditches and watercourses within the Application Site. The majority of the Application Site lies within the River Barrow (14) catchment, specifically the Figile sub-catchment, drained by several streams including the Abbeylough, Lullymore East, Lullybeg, Clonbrown, Cloncant, Codd, Ballyleakin, Clonbulloge and Ballygarrett streams, all of which drain into the Figile River before discharging into the River Barrow. The River Barrow forms part of River Barrow and River Nore SAC.

⁸<https://www.npws.ie/protected-sites/sac/000391>

⁹<https://www.npws.ie/protected-sites/sac/002162>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
	➤ [1103] Twaite Shad (<i>Alosa fallax fallax</i>) ➤ [1106] Salmon (<i>Salmo salar</i>) ➤ [1130] Estuaries ➤ [1140] Mudflats and sandflats not covered by seawater at low tide ➤ [1170] Reefs ➤ [1310] Salicornia and other annuals colonising mud and sand ➤ [1330] Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) ➤ [1355] Otter (<i>Lutra lutra</i>) ➤ [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) ➤ [1421] Killarney Fern (<i>Trichomanes speciosum</i>) ➤ [3260] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation ➤ [4030] European dry heaths ➤ [6430] Hydrophilous tall herb fringe communities of plains		A potential pathway for indirect effects on the aquatic QIs of this SAC as a result of peat extraction and ancillary activities 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 hydrocarbons, to watercourses within and downstream of the Application Site. Therefore, a potential pathway for indirect effects on the aquatic QIs of the SAC where they occur downstream of the Application Site was identified. During the implementation of the 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 aquatic QIs during the Remedial Phase 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. There is likely to be a regularly occurring population utilising the watercourses within and downstream of the Application Site. Otters can utilise extensive territories, (approximately $7.5 \pm 1.5\text{km}$ for females and $13.2 \pm 5.3\text{km}$ for males (Ó'Neill, 2008)). On a precautionary basis, it is considered that otters potentially using watercourses within or downstream of the Application Site may be associated with River Barrow and River Nore SAC. Therefore, a potential pathway for disturbance during the Peat Extraction, Current Phase and Remedial Phase has been identified.

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
	and of the montane to alpine levels ➤ [7220] Petrifying springs with tufa formation (Cratoneurion)* ➤ [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ➤ [91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*		A potential pathway for indirect effects on migratory fish species (Atlantic salmon, lamprey and twaite shad) was also considered. The majority of watercourses within the Application Site comprise small, highly modified drainage channels of low suitability for migratory fish species. Some larger watercourses within the Application Site boundary, such as the Figle River, are of higher aquatic value and have recorded Atlantic salmon and other salmonids. However, no instream works were undertaken in any watercourse draining the Application Site during the Peat Extraction or Current Phase, and none will occur during the Remedial Phase. The only in-channel activity identified was routine maintenance of artificial drainage channels. On this basis, no disturbance pathway for migratory fish species has been identified A complete source-pathway-receptor chain was identified and in the absence of mitigation, there is potential for the Project to result in likely significant effects on this European Site. The European Site is considered to be within the Likely Zone of Influence of the Project and further assessment is required.
River Boyne and River Blackwater SAC [002299] Distance: 14.3 km	➤ [1099] River Lamprey (<i>Lampetra fluviatilis</i>) ➤ [1106] Salmon (<i>Salmo salar</i>) ➤ [1355] Otter (<i>Lutra lutra</i>) ➤ [7230] Alkaline fens	Detailed conservation objectives for this site, (Version 1, December 2021¹⁰), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >14km from the Application Site boundary. The potential for the Project to result in indirect effects on this European Site was considered. There is hydrological connectivity between the Application Site and this SAC (approximately 22km

¹⁰<https://www.npws.ie/protected-sites/sac/002299>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
	➤ [91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*		hydrological flowpath) via drainage ditches and watercourses within the Application Site.. A small area in the north of the Application Site lies within the River Boyne (07) catchment, drained by the Clonkeen Stream which discharges into the River Boyne approximately 2 km north of the Application Site. The River Boyne forms part of River Boyne and River Blackwater SAC. This SAC is downstream of the Application Site along the River Boyne. The length of the hydrological flowpath between the boundary of the Application Site and the SAC is 22km. However, it is noted that there is no surface water outfall from the bog with this catchment. All water from Ticknevin Bog is directed to the south and discharges via several settlement ponds to the Codd Stream, a tributary of the Figile River. Therefore, due to its distance from the Application Site and the lack of any surface water emission points from the bogs within the catchment to the River Boyne, there is no potential for significant effects due to water quality impacts. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Special Protection Area (SPA)			
River Boyne and River Blackwater SPA [004232]	➤ [A229] Kingfisher (<i>Alcedo atthis</i>)	Detailed conservation objectives for this site, (Version 1, July	No pathway for direct effects was identified as this European Site lies entirely outside of and >14km from the Application Site.

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
Distance: 14.3 km		2024 ¹¹), were reviewed as part of the assessment and are available at www.npws.ie	There is hydrological connectivity between the Application Site and this SPA (approximately 22km hydrological flowpath) via drainage ditches and watercourses within the Application Site.. A small area in the north of the Application Site lies within the River Boyne (07) catchment, drained by the Clonkeen Stream which discharges into the River Boyne approximately 2 km north of the Application Site. The River Boyne forms part of River Boyne and River Blackwater SPA. This SPA is downstream of the Application Site along the River Boyne. The length of the hydrological flowpath between the boundary of the Application Site and the SPA is 22km. However, it is noted that there is no surface water outfall from the bog with this catchment. All water from Ticknevin Bog is directed to the south and discharges via several settlement ponds to the Codd Stream, a tributary of the Figile River. Therefore, due to its distance from the Application Site and the lack of any surface water emission points from the bogs within the catchment to the River Boyne, no potential for indirect effect on supporting wetland habitat for SCI bird species due to deterioration in water quality exists. The potential for indirect impacts on the SCI species this site is designated for was also considered. Given the distance between the Application Site and the SPA, no potential for significant indirect effects on kingfisher as a result of peat extraction and ancillary activities was identified.

¹¹<https://www.npws.ie/protected-sites/spa/004232>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
			No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Poulaphouca Reservoir SPA [004063] Distance: 26.2 km	➤ [A043] Greylag Goose (<i>Anser anser</i>) ➤ [A183] Lesser Black-backed (<i>Gull Larus fuscus</i>)	Detailed conservation objectives for this site, (Version 1, June 2024¹²), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >26km from the Application Site. The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site and this SPA via surface or groundwater. On this basis and given the distance between the Application Site and this site, no potential for indirect effect on supporting wetland habitat for SCI bird species due to deterioration in water quality exists. The Application Site is located over 26km from this SPA and is not considered to represent a significant foraging or roosting resource for SCI populations of this SPA. On this basis, no potential for significant indirect effects on SCI species arising from peat extraction and ancillary activities was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.

¹²<https://www.npws.ie/protected-sites/spa/004063>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
Lough Ennell SPA [004044] Distance: 26.3 km	➤ [A059] Pochard (<i>Aythya farina</i>) ➤ [A061] Tufted Duck (<i>Aythya fuligula</i>) ➤ [A125] Coot (<i>Fulica atra</i>) ➤ [A999] Wetlands	Detailed conservation objectives for this site, (Version 1, May 2024¹³), were reviewed as part of the assessment and are available at www.npws.ie	No pathway for direct effects was identified as this European Site lies entirely outside of and >26km from the Application Site. The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site and this SPA via surface or groundwater. On this basis and given the distance between the Application Site and this site, no potential for indirect effect on supporting wetland habitat for SCI bird species due to deterioration in water quality exists. The Application Site is located over 26km from this SPA and is not considered to represent a significant foraging or roosting resource for SCI populations of this SPA. On this basis, no potential for significant indirect effects on SCI species arising from peat extraction and ancillary activities was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Slieve Bloom Mountains SPA [004160]	➤ [A082] Hen Harrier (<i>Circus cyaneus</i>)	Detailed conservation objectives for this site, (Version 1, September 2022¹⁴), were reviewed as part of the	No pathway for direct effects was identified as this European Site lies entirely outside of and >27km from the Application Site.

¹³<https://www.npws.ie/protected-sites/spa/004044>

¹⁴<https://www.npws.ie/protected-sites/spa/004160>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
Distance: 27.5 km		assessment and are available at www.npws.ie	The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site t and this SPA via surface or groundwater. On this basis and given the distance between the Application Site and this site, no potential for indirect effect on supporting wetland habitat for SCI bird species due to deterioration in water quality exists. The Application Site is located over 27km from this SPA and is not considered to represent a significant foraging or roosting resource for SCI populations of this SPA. The maximum foraging distance for breeding hen harrier is considered to be 10km (SNH, 2016) and the Application Site therefore lies well outside the foraging range of hen harrier associated with this SPA. On this basis, no potential for significant indirect effects on SCI species arising from peat extraction and ancillary activities was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.
Lough Owel SPA [004047] Distance: 33.7km	➤ [A056] Shoveler (<i>Anas clypeata</i>) ➤ [A125] Coot (<i>Fulica atra</i>)	Detailed conservation objectives for this site, (Version 1, January 2025 ¹⁵), were reviewed as part of	No pathway for direct effects was identified as this European Site lies entirely outside of and >33km from the Application Site.

¹⁵<https://www.npws.ie/protected-sites/spa/004047>

European Sites and distance from Application Site	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Identification of Source-Pathway-Receptor chain
	➤ [A999] Wetlands	the assessment and are available at www.npws.ie	The potential for the Project to result in indirect effects on this European Site was considered. There is no hydrological connection between the Application Site and this SPA via surface or groundwater. On this basis and given the distance between the Application Site and this site, no potential for indirect effect on supporting wetland habitat for SCI bird species due to deterioration in water quality exists. The Application Site is located over 33km from this SPA and is not considered to represent a significant foraging or roosting resource for SCI populations of this SPA. On this basis, no potential for significant indirect effects on SCI species arising from peat extraction and ancillary activities was identified. No pathway for likely significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects. This site is not within the Likely Zone of Influence of the Project. Therefore, it is not considered further in this assessment.

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 The Long Derries, Edenderry SAC

The Application Site is located within the boundary of this SAC. There is hydrological connectivity between the Application Site and this SAC.

A potential pathway for direct effects on the qualifying interest habitat of this SAC as a result of peat extraction and ancillary activities during the Peat Extraction Phase and Current Phase was identified, given that the Application Site is located within the SAC boundary. The SAC is designated for Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (important orchid sites) [6210]. The potential pathway for direct effects is habitat loss and habitat degradation through encroachment of machinery or infrastructure, spread of invasive or negative indicator species from disturbed areas, and dust or particulate deposition from peat extraction and ancillary activities.

Rehabilitation works during the Remedial Phase will be confined to the cutover bog areas of the Application Site and will not involve works within or adjacent to the qualifying interest habitat of the SAC. No potential pathway for direct or indirect effects on the qualifying interest of this SAC during the Remedial Phase was identified.

While there is hydrological connectivity between the Application Site and the SAC, the SAC is designated for terrestrial habitats only and there is therefore no hydrological pathway for indirect effects on the qualifying interest.

The Long Derries, Edenderry SAC was first proposed as a Site of Community Importance (SCI) in 1997 and was formally designated as a Special Conservation Area (SAC) in 2016.

3.3.1.2 River Barrow and River Nore SAC

There is hydrological connectivity between the Application Site and this SAC via watercourses within the Application Site which discharge to the River Barrow which is designated as part of the SAC.

Potential indirect effects on the aquatic QIs of this SAC as a result of peat extraction and ancillary activities during the Peat Extraction Phase and the Current Phase was identified. During these phases there was 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.

During the implementation of the Rehabilitation Plans for the Application Site in the 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 SAC during the Remedial Phase as a result of deterioration of water quality due to runoff of pollutants during such works was identified.

Following application of the precautionary principle, a potential pathway for indirect effects on otter where they occur outside the SAC, as a result of disturbance was identified. Disturbance could potentially have occurred during drain maintenance works where any otter resting or breeding sites were present on the Application Site during the Peat Extraction Phase and Current Phase and could potentially occur during the Remedial Phase.

The River Barrow and River Nore SAC was first proposed as a Site of Community Importance (SCI) in 2002 and was formally designated as a Special Conservation Area (SAC) in 2024.

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

Plans

Available County Development Plans were reviewed, including partial versions of earlier plans where full documents were not accessible. The following plans have been taken into consideration as part of this assessment:

- Offaly County Development Plan 2021 – 2027
- Offaly County Development Plan 2014 – 2020
- Offaly County Development Plan 2009 – 2015
- Offaly County Development Plan 2003 – 2009
- Offaly County Development Plan 1995
- Kildare County Development Plan 2023-2029
- Kildare County Development Plan 2017-2023
- Kildare County Development Plan 2011-2023
- Kildare County Development Plan 2005-2011
- Kildare County Development Plan 1999-2005
- National Biodiversity Plan 2002–2006
- National Biodiversity Action Plan 2011–2016
- National Biodiversity Action Plan 2017–2021
- Ireland's 4th National Biodiversity Action plan 2023-2030.
- Offaly Biodiversity Action Plan 2025-2030
- Kildare County Council Draft Biodiversity Action Plan 2026-2031

The review focused on policies and objectives that relate to designated sites for nature conservation from 1997 (when the Long Derries, Edenderry SAC was first designated). 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
Offaly County Development Plan 2021 - 2027	The Strategic Vision of the Development Plan has been identified: <i>To create a sustainable and competitive county that supports the health and wellbeing of our people and places, from urban to rural, with access to employment opportunities supported by high quality housing and physical, social and community infrastructure for all, in a climate resilient manner and with respect for our biodiversity</i> The policies concerning peatlands in the Offaly County Development Plan 2021-2027 are as follows: • CAEP-16 It is Council policy to support the preparation of a comprehensive after use framework plan for the industrial peatlands and associated workshops, office buildings and industrial sites in the midlands and adjacent parts of the north west and southern regions, which meets the environmental, economic and social needs of communities in these areas, and also demonstrating leadership in climate change mitigation and land stewardship. 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-17 It is Council policy to investigate the potential for a Green Energy Hub on peatlands in the county and facilitate it if possible. • CAEP-18 It is Council policy to investigate the feasibility of an energy park with educational and amenity facilities relating to any future development of renewable energy projects of significant scale that comes forward over the lifetime of this Plan. Any development of renewable energy on cutaway bog will be required to provide increased opportunities for amenity access and educational facilities. • CAEP-19 It is Council policy that planning applications for development on or immediately adjacent to peatlands shall be accompanied by assessments considering the following issues where relevant; peatland stability, hydrology, carbon emissions balance and ecological impact assessment.	The Plans were comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	• CAEP-20 It is Council policy to support the implementation of any relevant recommendations contained in the National Peatlands Strategy 2015 and any subsequent revisions. • CAEO-06 It is an objective of the Council to source E.U. and national funding to support projects which assist the transition of the industrial peatlands to sustainable after uses. • CAEO-07 It is an objective of the Council to ensure that renewable energy projects located on peatlands or in close proximity to peatlands do not negatively impact on any rehabilitation measures including enhanced rehabilitation measures (i.e. drain blocking and rewetting). • 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. • BLP-17 It is Council policy to support the National Parks and Wildlife Service in carrying out an EU LIFE fund supported raised bog restoration project in restoring the following Special Areas of Conservation sites in the county to favourable conservation status: ○ Clara Bog; ○ Ferbane Bog; ○ Mongan Bog; ○ Moyclare Bog; ○ Raheenmore Bog; and ○ Sharavogue Bog. • BLP-18 It is Council policy to support collaboration between Offaly County Council, Regional Transition Team and relevant stakeholders of a partnership approach to integrated peatland management for a just transition that incorporates the management, rehabilitation and restoration / re-wetting of significant tracts of peatlands in conjunction with appropriate developed after uses.	
Offaly County Development Plan 2014-2020	• Chapter 2: Economic and Enterprise Strategy 'It is Council policy to actively encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the county, in particular, sites with antecedent uses or disused sites which were formerly ESB plants and Bord na Móna work' (Entp-07).	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	It is Council Policy to encourage expansion and employment in industries such as agriculture, horticulture, peatlands, food, craft, tourism and energy' (RDP-11). The County Development Plan also recognises the potential of cutaway bog sites for wind energy development. Chapter 3: Energy Strategy 'The characteristics of cutaway bog appear to be particularly suitable for wind development. The individual sites on cutaway bogs are large and generally uninterrupted by hedgerows, streams, or other natural features. Many are already connected to each other via corridors i.e. bog railway routes, which will allow for transmission infrastructure and roadways to be built between sites, avoiding impacts on the public road in terms of traffic or visual impact. The areas where peatlands occur have a low density road network and are traditionally sparsely populated, and while they have not completely avoided sporadic urban generated one-off housing, they are the least densely populated areas of the county'	
Offaly County Development Plan 2009-2015	The Offaly County Development Plan 2008-2015 was adopted on January 19th 2009, replacing the Offaly County Development Plan 2003-2009. At the time of the writing of the 2009-2025 CDP, 'after use' of cut away bogs and alternative development of cutaway bogs are being considered in the future planning and sustainable development of the county. Chapter 3: Overall Strategy 'The Council intends to facilitate proposals for employment generation and services improvement in this part of the county. One important action in this regard is to work closely with Bord na Mona to investigate and facilitate (where appropriate on planning grounds) the re-use and alternative development of cutaway bogs within its ownership for development which will give an employment and economic boost to the county'	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	Chapter 6: Employment, Economy & Enterprise The 32,400 ha of peatlands within the ownership of Bord na Mona are highlighted and identified as potential sites for industrial/business type generation, in particular wind/biomass energy generation. Section 6.4 acknowledges and is in favour of re-development of disused sites such as former ESB power stations and Bord na Mona works. P06-11 states: <i>It is Council policy to actively encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the county, in particular, disused sites which were formerly ESB plants and Bord na Mona works.</i> Chapter 10 Rural Development P10-15: It is Council policy to support the development of the peatlands within the county for appropriate alternative uses, subject to environmental considerations and nature designations. Chapter 12: Environment The CDP recognises the commitment to the National Climate Change Strategy and seeks to facilitate measures which reduce emissions of greenhouse gases in accordance with the Kyoto Agreement. The CDP also commits to implementing ‘relevant EU and Irish Legislation pertaining to the environment’ (P12-08). The CDP also commits to co-operating with the EPA in regard to any licencing arrangements for scheduled industries in County Offaly in accordance with the provisions of the Environmental Protection Agency Act 1992 (P12-09). Chapter 15: Natural Heritage The CDP notes that peatlands comprise the main topographical feature of the landscape in Offaly and the heritage value associated with them. As such the CDP commits to protecting areas of bogland in line with existing designations.	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	As such the CDP sets an objective to prepare a biodiversity management strategy for Offaly's peatlands in co-operation with Bord na Móna and other relevant authorities. Chapter 16 Landscape and Amenities The preservation of landscape, views and amenities as well as places of natural beauty within the county is set out as a role of the Local Authority. To that effect the Local Authority will ensure that development respects and enhances the appearance and character of existing local landscape. The Landscape Character assessment identifies cut away bog as a moderately sensitive landscape. Lough Boora has been development as a 'prototype' parkland area and the CDP reiterates the need to plan for the future use of large areas of cut-away bog within County Offaly. Table 16.4 states that some cut away bog landscapes may be appropriate for sensitively designed and located development including renewable energy and/or industrial use.	
Offaly County Development Plan 2003-2009	<i>The CDP recognises boglands as a major natural and archaeological resource. The development of this resource and its critical role in employment is also noted. The Council aimed to continue to promote and facilitate the conservation of a representative sample of peatlands and looked to co-operate with Dúchas and the Irish Peatland Conservation Council to have a Bog Conservation Study undertaken the remaining peat resources of County Offaly.</i> Plan for After-use of Industrial Peatlands (Cutaway Bogs) <i>'The Council will seek the formulation of a comprehensive integrated landuse plan for the future development and utilisation of the large areas of cutaway bog, which now exists in the county. In addition, the plan should cater for development of further areas of cutaway bog, which will arise over the next thirty years as turf/peat production comes to an end of the county's industrial boglands. There are 32,000 hectares (80,000) of peatland in Bord na Móna ownership in County Offaly. Because of the significant area of land involved, it is important to avoid piecemeal or unco-ordinated use/development of this major resource.'</i>	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	Renewable Energy <i>In general,</i> a) <i>Wind Farms will not be permitted in NHAs, SACs or in areas above the 400-foot contour, or in areas of special control.</i>	
Offaly County Development Plan 1995	The Offaly County Development Plan of 1995 recognised the importance of the raised boglands as a major natural resource within the county. The importance of peatlands for employment is clear. The CDP notes a major change in employment over the previous 10 years, owing to job losses at Bord na Móna. The Council state that it is an aim of the CDP to continue to support the development of peatlands for peat production. <i>‘The development of the County’s peat resources will be promoted and facilitated.’</i> However, the CDP also recognises the importance of the conservation and preservation of peat land habitats along with the potential for other peatland uses, such as tourism, amenity, educational and research purposes. The Council set a goal to secure at least 4% of the county’s original peatland area for conservation. While the continued industrialisation of peatland was supported, the Council acknowledged the need to develop a plan for the county’s peatland when turf/ peat production comes to an end. The 1995 CDP states: <i>‘The council will seek the formulation of a comprehensive integrated land use plan for the future development and utilization of the large areas of cutaway bog which now exist in the county. In addition, the plan should cater for development of the further areas of cutaway bog which will arise over the next 30 years as turf/peat production comes to an end on the County’s industrial boglands. There are 32,400 hectares (80,000 acres) of peatland in Bord na Móna ownership in County Offaly. Because of the significant area of land involved; it is important to avoid piecemeal or uncoordinated use/ development of this major resource.’</i>	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
Kildare County Development Plan 2023-2029	It is a policy of the Council to: ➤ BI P2 Seek to contribute to maintaining or restoring the conservation status of all sites designated for nature conservation or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites and Statutory Nature Reserves. ➤ BI P4 Ensure that any new development proposal does not have a significant adverse impact, incapable of satisfactory mitigation on plant, animal or bird species which are protected by law. It is an objective of the Council to: ➤ BI O6 Apply the precautionary principle in relation to proposed developments in environmentally sensitive areas to ensure that all potential adverse impacts on a designated NHA or Natura 2000 Site arising from any proposed development or land use activity are avoided, remedied, or mitigated. ➤ BI O8 Support the implementation of the National Raised Bog Special Areas of Conservation Management Plan 2017-2022. ➤ BI O9 Avoid development that would adversely affect the integrity of any Natura 2000 site and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive, to support the conservation and enhancement of Natura 2000 Sites including any additional sites that may be proposed for designation during the period of this Plan and protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site. ➤ BI O10 Ensure an Appropriate Assessment Screening, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, Section 177A of the Planning and Development Act (2001-2022) or any superseding legislation and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or	The Plans were comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest. ➤ BI O11 Support the establishment of conservation measures and the preparation and implementation of management plans for the conservation of Natura 2000 sites by NPWS, as required by Article 6(1) of the Habitats Directive. ➤ BI O15 Ensure that any new development proposal does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2012, the Birds Directive 1979 the Habitats Directive 1992 and the Flora Protection Order species and any species listed under the national red lists or that could be listed on a national red list. ➤ BI O16 Ensure appropriate species and habitat avoidance and mitigation measures are incorporated into all new development proposals. ➤ BI O17 Require a derogation licence, where necessary, issued by the DHLGH, in the event of a proposed development impacting on a site known to be a breeding or resting site of species listed in the Habitats Directive (Annex IV species). ➤ BI O20 Conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92143/EEC) (as amended), the Birds Directive (20091147/EC), Directive Annex 2, the Wildlife Acts 1976 to 2000, The Wildlife Acts 1976 (as amended) and the Flora Protection Order No 94 of 1999. ➤ BI O21 Work with bodies such as the NPWS and National Biodiversity Data Centre to ensure that species for which Kildare is a national stronghold such as Green-Flowered Helleborine Orchid, Yellowhammer and Linnet, which are nationally rare or declining, are supported to flourish and seek to ensure the habitat conditions favourable to such species are retained in the county. ➤ BI O22 Identify and protect areas of high nature conservation value (including but not limited to SAC/SPA/pNHA) and support the landscape features which act as ecological corridors/networks and stepping-stones, such as river corridors, hedgerows, and road verges so as to minimise the loss of habitats and features of the wider countryside which are of major importance for wild fauna and flora in accordance with Article 10 of the Habitats Directive. ➤ LR O22 Co-operate with the relevant government departments and other statutory bodies in the protection and conservation of the Fen, a designated Special Area of Conservation (SAC) ➤ LR O54 Ensure any proposed walking or cycling route does not significantly impact the following:	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	○ Special Areas of Conservation (SACs) ○ Special Protection Areas (SPAs) ○ Natural Heritage Areas (NHAs) ○ Other areas of importance for the conservation of flora and fauna. ○ Known sites of Flora Protection Order species ○ Zones of Archaeological Potential. ○ The vicinity of a recorded monument. ○ Sensitive landscape areas as identified in Chapter 13 of this Plan. ○ Scenic views and prospects. ○ Protected Structures. ➤ - Established rights of way and walking routes.	
Kildare County Development Plan 2017-2023	The Kildare County Development Plan 2017-2023 (KCDP 2017-2023) came into effect 1st March 2017, replacing the Kildare County Development Plan 2011-2017. Policies related to the historical activities at the Application Site are noted below. Chapter 7: Infrastructure <i>“SW 16 Recognise the important role of bogland and other wetland areas in flooding patterns. Development in these areas shall therefore be subject to a Flood Risk Assessment in accordance with the relevant guidance.”</i> Chapter 10: Rural Development <i>“Bórd na Móna has produced a 15-year strategy, Sustainability 2030, which outlines the company’s plan to complete the transition from energy peat production into new sustainable business. The strategy recognises the role and responsibility of Bord na Móna in the rehabilitation of its peatlands to an environmentally sustainable condition with a higher biodiversity value.</i> The relevant policies in the KCDP 2017-2023 are as follows:	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	➤ BL 1 Ensure that a balanced approach is taken to the development of the county's peat resources and the restoration of cutaway bogs, in order to minimise the negative impact on biodiversity and the archaeological and cultural heritage of the county. ➤ BL 2 Seek a balance between the peat extraction potential of the county, whilst ensuring the protection and conservation of bogland habitats. Limiting extraction to those bogland areas currently under development will help to minimise impacts by localising effects and thus protect the bog landscape character areas within the county. ➤ BL 3 Take a balanced approach to the redevelopment of cutaway bogs recognising their significant landscape, environmental and heritage value. Future development should seek to conserve cutaway bogs and maximise their potential for wildlife, biodiversity, conservation and amenity in the first instance, whilst the potential for economic uses such as grassland, forestry and renewable energy in some circumstances is acknowledged, subject to the protection of the environment and landscape character. ➤ BL 4 Liaise with Bord na Móna, the Irish Peatland Conservation Council, Coillte and the National Parks and Wildlife Service of the Department of Housing, Planning, Community and Local Government to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value. ➤ BL 5 Seek a Hydrological Report which will also incorporate Flood Risk Assessment in accordance with the Planning Guidelines "The Planning System and Flood Risk Management (2009)" for significant developments within boglands, so as to ensure that the quality of ground or surface water is assessed and mitigation measures identified. This assessment should address the issue of ground and slope stability. ➤ BL 6 Support the development of the peatlands within the county for appropriate alternative uses, subject to environmental considerations and nature designations. ➤ BL 7 Recognise the potential and support the appropriate development of eco-tourism developments based on the unique characteristics and biodiversity of bogland in Kildare.	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	➤ REO 4 <i>Ensure that all new developments and practices do not undermine rural ecosystems, landscapes and conservation areas and are conducted in a manner consistent with the protection of the local environment and in line with national legislation and relevant guidelines.”</i> The KCDP 2017–2023 adopts a balanced policy framework regarding boglands and former peat extraction sites. It recognises the environmental sensitivity of peatlands in relation to flood risk, biodiversity, hydrology, and landscape character while also supporting their transition toward sustainable alternative uses. The KCDP prioritises environmental protection and ecological restoration as the primary objective for cutaway bogs. However, it simultaneously supports renewable energy and other appropriate economic uses, provided these are environmentally sustainable and supported by robust assessments.	
Kildare County Development Plan 2011-2017	The Kildare County Development Plan 2011-2017 (KCDP 2011-2017) came into effect 2nd May 2011, replacing the Kildare County Development Plan 2005-2011. Policies related to the historical activities at the Application Site are noted below. The KCDP 2011-2017 promotes a balanced approach to the after-use of cutaway bogs, recognising the transition toward rehabilitation, biodiversity enhancement, and potential eco-tourism. It prioritises conservation of intact boglands and supports appropriate alternative uses for cutaway bogs (such as forestry or wind energy), subject to robust assessments. Chapter 10 – Rural Development <i>“Bórd na Móna owns c. 8,500ha of peatlands in the county, representing c.10% of its national landholding.</i> <i>Bórd na Móna is reviewing its peatlands with a view to developing a comprehensive plan for their future use after the peat production phase. Bord na Móna’s Sustainability Report 2008/2009 states that it recognises its role and responsibility in the transition of the peatlands within its guardianship and to the rehabilitation and after care of such lands to an environmentally sustainable condition with a higher biodiversity value. The potential for eco-tourism based on the unique characteristics of the peatlands and the biodiversity habitats they provide is also being investigated.</i> The relevant policies in the KCDP 2011-2017 are as follows:	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	○ BL 1 To ensure that a balanced approach is taken to the development of the county's peat resources and the restoration of cutaway bogs, in order to minimise the negative impact on biodiversity and the archaeological and cultural heritage of the county. ○ BL 2 To seek a balance between maximising the peat extraction potential of the county, whilst ensuring protection and conservation of bogland habitats. Limiting extraction to those bogland areas currently under development will help to minimise impacts by localising effects and thus protect the bog landscape character areas within the county. ○ BL 3 To take a balanced approach to the redevelopment of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity, conservation and their amenity value, whilst other portions can be utilised for economic uses such as grassland, forestry and wind energy, subject to all planning and environmental considerations being met. ○ BL 4 To liaise with Bord na Mona, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government, to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value. ○ BL 5 To seek a Hydrological Report which will also incorporate Flood Risk Assessment in accordance with the Planning Guidelines The Planning System and Flood Risk Management (2009) for significant developments within boglands so as to ensure that the quality of ground or surface water is assessed and mitigation measures identified. This assessment should address the issue of ground and slope stability. ○ BL 6 To support the development of the peatlands within the county for appropriate alternative uses, subject to environmental considerations and nature designations. Chapter 14 – Landscape, Recreation and Amenities	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	<i>“It is the policy of the Council:</i> LL 4: <i>To recognise that intact boglands are critical natural resources for ecological and environmental reasons.</i> LL 5: <i>To recognise that cutaway and cut-over boglands represent degraded landscapes and/or brownfield sites and thus are potentially robust to absorb a variety of appropriate developments.”</i> The KCDP 2011-2017 reflects a shift from peat extraction toward sustainable redevelopment, biodiversity protection, environmental safeguards, and long-term ecological restoration of peatlands.	
Kildare County Development Plan 2005-2011	The Kildare County Development Plan 2005-2011 (KCDP 2005-2011) was adopted by members of the Council on the 18th May 2005 and legally came into effect on the 15th June 2005. The importance of the development of peatlands is clear. The Council state that it is an aim of the KCDP 2005-2011 to continue to support the development of peatlands for peat production: <i>“BL 1 That in assessing bogland coverage and peat extraction activities within County Kildare, the Council shall seek to identify bogland areas currently under extraction and remnant bogland areas, so as to maximise the peat extraction potential of the county whilst ensuring protection and conservation of bogland habitats. Limiting extraction to those areas currently under development will help to minimise impacts by localising effects and thus protect the bog landscape character areas within the County.”</i> However, the KCDP 2005-2011 also recognises the importance of the conservation and preservation of peatland habitats along with the potential for other peatland uses, such as amenity, educational and research purposes. The Council set a goal to secure at least 4% of the county’s original peatland area for conservation. Chapter 11 Forestry and Boglands states that <i>“There are approximately 24,300 hectares (60,045 acres) of land in Kildare covered by bogs, which represents 14% of the total land coverage of the county. 38% of this bogland is in industrial production with the majority (8,277 hectares) being operated by Bord na Móna. A number of bogs in the county are designated SACs, SPAs and proposed NHAs”.</i>	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	A key objective of the KCDP 2005–2011 is to “ensure that a balanced approach is taken to the development of the county’s peat resources and the restoration of cutaway bogs, in order to minimise the negative impact on biodiversity and the archaeological and cultural heritage of the county”. In support of this goal, the KCDP outlines several specific measures: <i>“(1) To promote and facilitate the development of the county’s peat resources in a sustainable manner.</i> <i>(2) To seek the conservation of designated bogs and to protect the bogland landscape character areas within the county.</i> <i>(3) To encourage a balanced approach to the re-development of cutaway bogs.”</i> Policies related to the historical activities at the Application Site are noted below. ➤ BL 2 To take a balanced approach to the re-development of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity conservation and their amenity value, whilst other portions can be utilised for economic uses such as grassland, forestry and wind energy. ➤ BL 3 To liaise with Bord na Móna, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government, to ensure the sustainable use of cut away bogland, with due consideration given to their ecological and amenity value. ➤ BL 4 To recognise that cutaway boglands represent degraded landscapes and/or brownfield sites and thus are potentially robust to absorb a wide variety of sympathetic developments. It should be noted that they have potential for grass and forestry, however difficulties can arise with crop production. ➤ Section 18.7.3 of Chapter 18 Landscape Character Areas of the KCDP 2005-2011 deals specifically with the Allen Remnant Bogs. Policies related to the historical activities at the Application Site are noted below. ➤ AR 1 To co-operate with the DOEHLG in the protection and conservation of the Allen Remnant Bog (Mouds Bog) a designated SAC.	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	➤ AR 2 To promote, in conjunction with Bord na Móna and the IPCC, the amenity, ecological and educational value of Allen Remnant Bog (Mouds Bog) while at the same time ensuring the conservation of its fauna and flora. While the continued industrialisation of peatland was supported, the Council acknowledged the need to develop a plan for the county's peatland when turf/ peat production comes to an end.	
Kildare County Development Plan 1999-2005	The Kildare County Development Plan 1999-2005 (KCDP 1999-2005) was adopted in May 1999 and was subsequently amended by several variations, including 1, 2, 3, 4, 6, and 8. The KCDP 1999-2005 adopts a supportive position toward peat extraction, emphasising its role in sustaining employment and facilitating peat-based energy development, subject to environmental designations. It is stated that, <i>“Employment in agriculture, forestry and turf production, as well as mining and quarrying has fallen to the point where it now accounts for only 14% of total employment. The North-West has seen a marked decline in the peat-based economy in recent years, as a result of rationalisation, chiefly by Bord na Mona and the ESB. Employment in the services sector is now dominant accounting for 54% of total employment in the county”</i> The importance of the development of peatlands for employment is clear. <i>“The development of a peat-fired Generating Station adjoining the county (“Europeat 1”) will be of significance to Kildare, not only in terms of employment opportunities for residents of the county but also as most of its raw material will come from the boglands resource of the county. It is important that the Council should facilitate this development, through encouragement of the peat extraction, other than in Natural Heritage Areas and Areas of High Amenity, and in processing the necessary electricity supply distribution network arising from it.”</i> While the continued industrialisation of peatland was supported, the Council acknowledged the need to develop a plan for the county's peatland when turf/ peat production comes to an end. Policies within the KCDP 1999-2005 in relation to the historical activities at the Application Site are noted below. • Part 1 Introduction and Review ○ 1.23.8 Robertstown Countryside	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	The KCDP 1999-2005 recognizes The Robertstown Countryside area as an important recreational and tourism resource, featuring extensive boglands developed by Bord na Móna, canal villages such as Robertstown and Rathangan, natural amenities including Donadea Forest Park, Ballinafagh Lake, the Hill of Allen, and waterways linked to Pollardstown Fen. 1.24 Boglands <i>“At present there is a total of 9,000 hectares (20,000 acres) of bogland in the county. Most of this is being or has been worked, by Bord na Mona, although in recent years there has been a small increase in private working of the bogs.</i> <i>Practically all of the raised bogland in the county has been cut away or is being developed. It is considered important for educational and heritage reasons that at least one intact raised bog area should be preserved in County Kildare because of its location in the east of the county. It is considered that Carbury Bog, because of its international importance as an area of scientific interest and its status as being the most intact of the raised bogs in the East Midlands, should be considered for this preservation.</i> <i>The after-use of cut away bogs in the Robertstown Countryside area is set out in the preceding section of this Plan. The policy in respect of Boglands generally is set out in paragraph 2.23 of this Plan.”</i> 1.27 Areas of Scientific Interest <i>“The county contains many areas of scientific interest, including Pollardstown Fen which is of international importance. Areas of National importance include Carbury Bog, which is of ecological interest, the Chair of Kildare/Grange Hill which is of geological interest, the Curragh, which is of both geological and ecological interest, and the Liffey Valley, which is of geomorphological and ecological interest.</i> <i>Some of the areas, which were listed in the last Plan, have been designated by the Office of Public Works as Natural Heritage Areas and Special Areas of Conservation. While this will confer additional</i>	

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	<i>protection under national legislation, it is considered that their inclusion in the Development Plan remains warranted on planning grounds.”</i> • Part 2 Policy ○ 2.25 Boglands <i>“In the case of cut-away bogland, where the peat resource has been depleted, it will be Council policy to encourage the use of these areas for amenity forestry, using a growth of mixed native deciduous woodlands where possible, in line with the policies for the Robertstown Countryside, and in other areas for forestry and agriculture. In cases in which planning permission is required, it will be the policy of the Council to ensure that the creation of tourist and amenity resources will be facilitated and that the quality of ground and surface water will not be impaired.”</i> ○ 2.51.1 Wind Energy <i>“The Council will encourage the development of wind energy, in accordance with government policy, and in particular will encourage its development in bogland areas and areas of cut-away bog, especially where there are already existing electricity power lines which can be utilised. Such developments will not generally be permitted in Areas of High Amenity, as set out in this Development Plan. Except in such Areas, the assessment of wind energy proposals will have regard to the "Guidelines for Planning Authorities on Wind Farm Development", published by the Department of the Environment, and "Planning Guidelines for Wind Energy", published by the Irish Planning Institute.”</i> The KCDP 1999-2005 seeks to protect designated and intact boglands of ecological value, while supporting the economic and renewable energy potential of cut-away bog areas.	
Kildare County Council Draft Biodiversity Action Plan 2026-2031	<u>Landscapes for Nature</u> 1.5 Support the development of Management Plans for Locally Important Biodiversity Sites, as appropriate 1.6 Prepare a Green and Blue Infrastructure Masterplan (including green, blue and brown infrastructure) that can inform the delineation of core areas, stepping stones, and corridors, that would	The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	identify ecologically sensitive areas to be excluded from any potential amenity/ tourism plans and that may inform the designation of an interconnected Nature Reserve, Regional Park, a potential National Peatlands Park, inter alia. 1.10 Actively support the implementation of national biodiversity initiatives, including the All-Ireland Pollinator Plan. <u>Recording, Monitoring & Data Management</u> 3.2 Update Kildare County Council's Pollinator Plan, and as part of that process design-in ways to assess changes in sample local pollinator populations, resulting from the implementation of the All-Ireland Pollinator Plan actions at site level. <u>General Policy</u> 4.6 Advance a policy of 'biodiversity net gain' (BNG), wherever possible, through strategies, plans, developments, mitigation measures, appropriate off-setting and/or investment in Green and Blue Infrastructure with specific evidence-based and locally relevant biodiversity and environmental measures, through the review of the next County Development Plan.	since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.
Offaly Biodiversity Action Plan 2025-2030	The Plan has been developed to closely align with the objectives and actions of the 4th National Biodiversity Action Plan 2023 – 2030 which ensures the work will benefit habitats and species both locally and nationally. <u>Actions for biodiversity</u> 21 Implement actions of the All-Ireland Pollinator Plan for Councils 22 Support initiatives under the Water Framework Directive that contribute to the restoration of ecology in water bodies, and the Blue Dot Catchments Programme. 23 Protect existing and maximise nesting opportunities arising from new developments for Swift, House Sparrow, House Martin, Swallows and bats.	The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	<u>Invasive Alien Species</u> 25 Prioritise the assessment and management of new IAS discoveries in the county in collaboration with other counties + agencies <u>Building Resilience</u> 28 Work with the relevant authorities to support the preparation of, and implement, Ireland's Nature Restoration Plan, when adopted, and where relevant for Offaly County Council, to help achieve national restoration targets. 30 Work with relevant agencies annually to continue to assess wildfire risk to bogs and upland habitats and management of same.	
National Biodiversity Plan 2002–2006	The overall objective is to secure the conservation, including where possible the enhancement, and sustainable use of biological diversity in Ireland and to contribute to conservation and sustainable use of biodiversity globally. Objectives: • Conserve habitat diversity, including all sites of special biodiversity importance. • Conserve species diversity. • Conserve genetic diversity, both wild and domesticated. • Contribute to the conservation and sustainable use of biodiversity and to advancing other obligations of the CBD in the EU, regionally and internationally.	The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.
National Biodiversity Action Plan 2011–2016 (Actions for Biodiversity)	Objective 6: To expand and improve on the management of protected areas and legally protected species • Headline Target: Biodiversity loss of protected habitats and species halted by 2016. ○ Target 15: Natura 2000 network established, safeguarded, designated by 2012 (2014 for marine SPAs) and under effective conservation management by 2016.	The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long

Plans	Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence	Assessment of Potential Impact on European Sites
	- Target 16: Sufficiency, coherence, connectivity and resilience of the protected areas network substantially enhanced by 2016 and further enhanced by 2020. - Target 17: No protected habitats or species in worsening conservation status by 2016; majority of habitats or species in, or moving towards, favourable conservation status by 2020.	Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.
National Biodiversity Action Plan 2017-2021	Target 6.2 - Sufficiency, coherence, connectivity and resilience of the protected areas network substantially enhanced by 2020.	The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.
Ireland's 4th National Biodiversity Action Plan 2023-2030	The purpose of the 4th National Biodiversity Action Plan is to set out the approach to governance and conservation of biodiversity through a series of targeted actions within the Plan. This is underpinned by five strategic objectives aimed at ensuring that Irelands' biodiversity and ecosystems are conserved and restored, delivering benefits essential for all sectors of society and that Ireland contributes to efforts to halt the loss of biodiversity and the degradation of ecosystems in the EU and globally. The strategic objectives are: - Objective 1: Adopt a Whole-of Government, Whole of-Society Approach to Biodiversity - Objective 2: Meet Urgent Conservation and Restoration Needs - Objective 3: Secure Nature's Contribution to People - Objective 4: Enhance the Evidence Base for Action on Biodiversity - Objective 5: Strengthen Ireland's Contribution to International Biodiversity Initiatives	The Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to European Sites. The potential for the Project to result in significant effects on European Sites since 1997 (when the Long Derries, Edenderry SAC was first proposed) and since 2002 (when the River Barrow and River Nore SAC was first proposed) was assessed. A potential for likely significant effects on European Sites has been identified and further assessment is required in the rNIS.

4.2

Projects

A search was conducted using data from Offaly and Kildare Councils and An Coimisiún Pleanála's planning portals to search for all planned and/or permitted planning applications within 5km of the Application Site boundary. Applications considered within this boundary include all extant permissions between July 1988 to July 2026 available on the various online portals mentioned above. Land uses within the wider catchment which have the potential to result in cumulative impacts with the Project are considered separately in Section 7.4

The majority of planning applications granted permission by the relevant planning authorities during the Peat Extraction Phase mainly relate to one-off rural dwelling houses, residential development (i.e. modification and/or re-development of existing dwellings) and agricultural development, including new entrances, sheds and ancillary plant and infrastructure. It should be noted that the commencement of peat extraction and ancillary activities within the Application Site pre-dates all decided planning applications included in the cumulative assessment. Consequently, potential impacts (e.g. traffic movements) arising from the activities associated with the Peat Extraction Phase would have been considered by the planning authorities in their assessment of planning applications within the cumulative list.

With regard to planning applications lodged during the Current Phase (June 2020 to present day), peat extraction and ancillary activities within the Application Site was already permanently ceased and removal of peat stockpiles, licence compliance activities and rehabilitation works under the Peatland Climate Action Scheme (PCAS) at Lodge Bog (commenced in 2022) were ongoing without any discernible negative effects on the environment.

With regard to the Remedial Phase, the future implementation of the Cutaway Bog Decommissioning and Rehabilitation Plans has been considered for its potential to combine with other current and future activities at and adjacent to the Application Site.

In line with BnM's vision to assist in achieving a climate neutral Ireland by 2050, it is intended to utilise the Application Site for both peatland rehabilitation and wind energy infrastructure. BnM Powergen Ltd, a subsidiary of BNM is progressing a wind energy development consisting of 47 no. turbines through the pre-planning phase of development. It is intended that a direct application will be made to An Coimisiún Pleanála as 'Strategic Infrastructure Development' (SID) under the provisions of Section 37E of the Planning and Development Act 2000, as amended. Following pre-application consultations with An Coimisiún Pleanála under 37B Act, An Coimisiún Pleanála determined that the proposed Ballydermot Wind Farm would be strategic infrastructure within the meaning of section 37A of the Act (ACP Ref: 310143). At the time of writing, the planning application for this development has not yet been submitted to An Coimisiún Pleanála.

Planning permission for the Water Supply Project Eastern and Midlands Region has been submitted to An Coimisiún Pleanála (ACP Ref: 323980). The project includes a proposed pipeline route passing through Codd 2, Glashabaun North, Glashabaun South and Derrybrennan bogs within the Application Site, and a proposed abstraction from the Figile River during the testing and commissioning phase.

4.3

Conclusion of Cumulative Assessment

Following the assessment provided in the preceding sections, there is potential for significant cumulative effects on The Long Derries, Edenderry SAC and the River Barrow and River Nore SAC 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.

5.

ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND CONCLUSIONS

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 and ancillary activities, individually or in combination with other plans and projects, would be likely to have or have had a significant effect on the following sites:

- The Long Derries, Edenderry SAC
- River Barrow and River Nore SAC

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 and ancillary activities 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.

BIBLIOGRAPHY

Birds Directive (2009/47/EC) – http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and Directive 2009/147/EC (codified version of Directive 79/409/EEC as amended) (Birds Directive) – transposed into Irish law as European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011).

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

DoEHLG (2010). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Revision, February, 2010. Department of the Environment, Heritage and Local Government.

EC (2021) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2018) Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC.

EC (2002) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2006) Nature and biodiversity cases: Ruling of the European Court of Justice. Office for Official Publications of the European Communities, Luxembourg.

EC (2007a) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2007b) Interpretation Manual of European Union Habitats. Version EUR 27. European Commission, DG Environment.

EPA website: <http://www.epa.ie>.

European Communities (Conservation of Wild Birds) Regulations, 1985, SI 291/1985 & amendments – <http://www.irishstatutebook.ie>.

European Communities (Natural Habitats) Regulations, SI 94/1997, SI 233/1998 & SI 378/2005 – <http://www.irishstatutebook.ie>.

Fossitt, J. A. (2000). A Guide to Habitats in Ireland. Dublin: The Heritage Council.

Fowles, A. & Smith, R. (2006) Mapping the Habitat Quality of Patch Networks for the Marsh Fritillary *Euphydryas aurinia* (Rottemburg, 1775) (Lepidoptera, Nymphalidae) in Wales *Journal of Insect Conservation*, 10, 161–177

NPWS (2025c) The Status of EU Protected Habitats and Species in Ireland. Volume 3: Species Assessments. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Dublin, Ireland.

NPWS Protected Areas Site Synopses and maps available on <http://www.npws.ie/en/ProtectedSites/>.

OPR (2021). Appropriate Assessment Screening for Development Management. OPR Practice Note PN01 March 2021

Scottish Natural Heritage (2016) Assessing connectivity with Special Protection Areas (SPAs). Scottish Natural Heritage, Inverness, Scotland. Available at: <https://www.nature.scot/sites/default/files/2022-12/Assessing%20connectivity%20with%20special%20protection%20areas.pdf>

Water status data available on <http://www.epa.ie> and <http://www.wfdireland.ie>