



Cush Wind Farm

# Environmental Impact Assessment Report

## Chapter 1: Introduction

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# Contents

<b>1.1</b>	<b>Introduction</b>	<b>1</b>
1.1.1	What is Environmental Impact Assessment?	1
1.1.2	What is an Environmental Impact Assessment Report?	2
<b>1.2</b>	<b>Consent Process</b>	<b>2</b>
<b>1.3</b>	<b>Screening</b>	<b>3</b>
<b>1.4</b>	<b>Content</b>	<b>3</b>
<b>1.5</b>	<b>Format</b>	<b>4</b>
<b>1.6</b>	<b>Structure</b>	<b>4</b>
<b>1.7</b>	<b>Guidance</b>	<b>5</b>
<b>1.8</b>	<b>EIAR Project Team</b>	<b>6</b>
1.8.1	Project Management	6
1.8.2	Environmental Specialists	8
<b>1.9</b>	<b>Scoping</b>	<b>10</b>
1.9.1	Scoping Report	11
1.9.2	Formal Scoping	11
1.9.3	Ongoing Scoping	12
<b>1.10</b>	<b>Consultation &amp; Public Participation</b>	<b>12</b>
1.10.1	Statutory Consultations	12
1.10.2	Public Participation	19
<b>1.11</b>	<b>Cumulative Impact Assessment</b>	<b>19</b>
<b>1.12</b>	<b>Impact Assessment</b>	<b>21</b>
<b>1.13</b>	<b>Mitigation &amp; Monitoring Measures</b>	<b>22</b>
<b>1.14</b>	<b>Non-Technical Summary</b>	<b>22</b>
<b>1.15</b>	<b>Public Access</b>	<b>22</b>
<b>1.16</b>	<b>Habitats Directive – Appropriate Assessment</b>	<b>23</b>
<b>1.17</b>	<b>Water Framework Directive – Article 4 Assessment</b>	<b>24</b>
<b>1.18</b>	<b>Limitations and Difficulties Encountered in Compiling the EIAR</b>	<b>24</b>
<b>1.19</b>	<b>Note on Quotations</b>	<b>25</b>
<b>1.20</b>	<b>Definition of the Project</b>	<b>25</b>



## 1.1 Introduction

This Environmental Impact Assessment Report has been prepared by Galetech Energy Services Limited (GES) on behalf of Cush Wind Limited ('the Developer') to inform the Environmental Impact Assessment to be carried out in respect of a Strategic Infrastructure Development planning application submitted directly to An Bord Pleanála pursuant to Section 37E of the Planning & Development Act 2000 (as amended) ('the Planning Act').

The project comprises a proposed wind energy development ('wind farm'), consisting of 8 no. turbines with a total generated electricity output of 57.6 megawatts (MW) and all associated site development and ancillary works.

The project also includes electrical infrastructure to connect the proposed wind farm to the national electricity network at the existing Dallow 110kV electricity substation, located c. 1.6 kilometres (km) southwest, in the townland of Clondallow, via underground electricity cables of approximately 5.6km in length.

Off-site and secondary elements of the project which are included for assessment in this Environmental Impact Assessment Report also include temporary upgrade works to be undertaken to the turbine component haul route.

A full description of the project is provided in **Chapter 3**.

### 1.1.1 What is Environmental Impact Assessment?

Environmental Impact Assessment (EIA) is a formal, statutory process required by the European Union (EU) Environmental Impact Assessment Directive 2011/92/EU, as amended by 2014/52/EU ('the EIA Directive') and transposed into Irish law by way of Part X of the Planning Act.

EIA is carried out by the relevant Competent Authority (in this case An Bord Pleanála) as part of the planning application (consent) process to ensure that projects, where the likelihood of significant effects on the environment cannot be excluded, are subject to a comprehensive and independent examination, analysis and evaluation of their likely significant effects on the environment prior to being granted planning permission (development consent). The process includes:-

- The submission of an Environmental Impact Assessment Report by the Developer;
- Public participation and consultation;
- An examination by the Competent Authority of the Environmental Impact Assessment Report, any supplementary information and any relevant information received during consultation;
- A reasoned conclusion prepared by the Competent Authority of the likely significant environmental effects of the project; and,
- The integration of the reasoned conclusion into the formal decision on the planning application published by the Competent Authority, including any conditions to avoid, prevent or reduce (mitigate) any likely significant adverse environmental effects together with, where appropriate, monitoring measures.

EIA is therefore fully integrated into the planning application process and helps to ensure that decisions to grant or refuse planning permission are made in the full knowledge of their likely significant effects on the environment, including through consultation with the public concerned. This includes an assessment of the direct effects together with any indirect, secondary, cumulative, transboundary, short-term, medium-term, long-term, permanent, temporary, positive and negative effects of the

construction, operational and, where appropriate, the decommissioning phases of the project. By doing so, EIA contributes to a high level of protection for the environment through better informed decision-making processes.

### 1.1.2 What is an Environmental Impact Assessment Report?

An Environmental Impact Assessment Report (EIAR) is a written statement prepared by the Developer of the significant effects, if any, which the project, if carried out, is likely to have on the environment<sup>1</sup>.

The EIAR consists of a transparent, systematic and objective analysis of the project in relation to the existing baseline environment, including of its construction, operational and decommissioning phases. Key features of EIAR include screening; scoping; public participation and consultation; consideration of reasonable alternatives; establishment of the receiving (baseline) environment; assessment of likely significant environmental effects; mitigation; and monitoring.

EIAR is an iterative process incorporating repeated steps of design and re-design carried out throughout the full lifecycle of the project design and consenting process so as to allow for preventative and ameliorative action, as necessary, at the earliest point in time when the approximate magnitude, character, duration and significance of any likely effects become known and when, through the consideration of reasonable alternatives, changes can still be made to the project design that anticipate, avoid and mitigate any foreseen likely significant adverse effects.

The EIAR is therefore the principal document that informs the EIA process and provides relevant information which the Competent Authority can use, amongst other considerations (including, where appropriate, its own supplementary assessments), in independently undertaking EIA and informing its decision to grant (including subject to conditions and/or modifications) or to refuse planning permission and/or to seek further information from the Developer.

The EIAR also facilitates better public participation and consultation, and can also be used by third parties, including members of the public concerned, to evaluate the project and its likely significant environmental effects, and to inform any submissions made to the Competent Authority during the planning application process (see **Section 1.10**).

## 1.2 Consent Process

Strategic Infrastructure Development (SID) is development which is of strategic national or regional importance and where a planning application must be made directly to An Bord Pleanála in the first instance pursuant to Section 37E of the Planning Act, and not to the local planning authority via Section 34, as would be the normal course.

Wind energy installations for the generation of electricity may be considered SID should the size of the project, either in terms of turbine numbers or electrical output, exceed the thresholds set out at the Seventh Schedule of the Planning Act. The threshold for wind energy developments is more than 25 no. turbines or having a total output greater than 50 megawatts (MW). Prior to submitting a SID planning application, a project must firstly be the subject of formal Pre-application Consultation

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<sup>1</sup> In the EIA Directive, the person or organisation proposing to carry out a project is generally referred to as the 'Developer'. In the Planning Act the equivalent term is the 'Applicant'.

with An Bord Pleanála pursuant to Section 37B of the Planning Act to determine whether it constitutes SID, or not, pursuant to the criteria set out in Section 37A.

As the project design process was progressed and the preferred turbine type was identified, it became apparent that the total output of the project was likely to exceed 50 MW and that the project may be considered to be SID. Accordingly, the Developer entered into Pre-application Consultation (Reference ABP-313778-22) with An Bord Pleanála who, subsequently, determined that, in accordance with the report of its Inspector, the project constitutes a SID and that an application for permission must be made directly to An Bord Pleanála (see also **Section 1.10** below).

### 1.3 Screening

The first stage of the EIA process involves deciding whether the project is of a type where an EIA needs to be undertaken or not. This ensures that EIA is only undertaken for projects where the likelihood of significant effects on the environment cannot be excluded.

In accordance with the provisions of the Planning Act, EIA is mandatory when certain prescribed classes of projects exceed specific sizes and thresholds. Planning applications for such projects must be accompanied by an EIAR.

Schedule 5 of the Planning and Development Regulations 2001 (as amended) ('the Planning Regulations') provides that the following class of development proposal shall be subject to EIA:-

*“Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts.”*

As the project consists of 8 no. wind turbines and will have a total output in excess of 5MW, it is therefore of a scale which exceeds the mandatory threshold for EIA. Accordingly, this EIAR has been prepared and submitted with the SID planning application.

### 1.4 Content

In order to be relevant, complete and legally compliant, the content of this EIAR includes all of the information required by the EIA Directive and national legislation, as appropriate and necessary to the specific characteristics of the project, and includes:-

- A description of the project comprising information on the site, design, size and other relevant features of the project;
- A description of the likely significant effects of the project on the environment;
- A description of the features of the project and/or mitigation measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;
- A description of the reasonable alternatives studied by the Developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;
- A non-technical summary of the information referred to above; and,
- Any additional information specified in Annex IV of the EIA Directive relevant to the specific characteristics of a particular type of project and to the environmental features likely to be affected.



## 1.5 Format

The EIA is presented as two volumes, which should be read in conjunction with each other, as follows:-

- **Volume I** comprises the main EIA text and follows a 'grouped format' structure whereby each environmental factor (topic) is assessed and presented as a separate chapter. The EIA Directive prescribes the range of environmental factors which should be used to organise descriptions of the environment and likely significant environmental effects and must all be addressed in an EIA. These have been supplemented with additional environmental factors owing to the characteristics of the project under assessment, as follows:-
  - Chapter 1: Introduction;
  - Chapter 2: Assessment of Project Alternatives;
  - Chapter 3: Description of the Project;
  - Chapter 4: Population & Human Health;
  - Chapter 5: Biodiversity;
  - Chapter 6: Land & Soils;
  - Chapter 7: Water;
  - Chapter 8: Air Quality & Climate;
  - Chapter 9: Landscape;
  - Chapter 10: Cultural Heritage;
  - Chapter 11: Noise & Vibration;
  - Chapter 12: Shadow Flicker;
  - Chapter 13: Material Assets; and,
  - Chapter 14: Interactions of the Foregoing.
- **Volume II** comprises a range of annexes, including technical data and reports, which informed the impact assessment provided in **Volume I** so as to ensure the EIA is transparently supported by evidence.

A **Non-Technical Summary** of the EIA is also provided as a separate standalone volume in order to facilitate the wider public concerned in their involvement in the statutory consultation process during the EIA and planning application assessment stage (see **Section 1.14**).

## 1.6 Structure

In order to provide for a consistent approach and to communicate clear, concise, unambiguous information, each chapter of this EIA is systematically organised so as to follow a similar basic structure, as follows:-

- **The existing environment:** A description of the context, character, significance and sensitivity of the receiving (baseline) environment using standard descriptive methods, in order to predict the likely significant effects of the project and the likely evolution of the environment in the absence of the project i.e. the likely future receiving environment;
- **The likely significant impacts of the project:** The aspects of the construction, existence and operation of the project that are likely to affect the existing environment including, as appropriate, predicted, potential, residual, 'do nothing' and 'worst case' effects. The likely significance of any effects is determined with reference to magnitude, intensity, integrity, duration and probability; and,
- **The measures to mitigate and monitor adverse effects:** The range of methods

which are proposed for mitigation by avoidance, reduction and remedy of any likely significant adverse effects (including unplanned events) together with ongoing monitoring of the efficacy of mitigation measures.

The environment is a complex combination of natural and human factors, many of which are constantly changing. In accordance with the 'grouped format' structure of this EIAR, the description of the baseline environment has therefore been broken down into its constituent factors and provided in the relevant individual chapters as presented in **Section 1.5** above.

This systematic, standardised structure, which clearly separates data (descriptions of the receiving environment and of the project) from impact predictions (likely significant effects, mitigation measures and residual effects), is designed to ensure that comprehensive, reliable, replicable and accurate impact assessments are provided, based on rigorous scientific information, verifiable evidence and recognised methods, and presented and documented in a fully legible, transparent and objective manner.

This methodological structure also reduces potential for subjective information and bias, to facilitate the Competent Authority in its independent EIA of the project.

## 1.7 Guidance

There is a wide range of general statutory and non-statutory guideline documents available for the preparation of an EIAR. The guidelines emphasise the importance of the methods used in the preparation of an EIAR to ensure that the information presented is adequate and relevant. The guidelines consulted in undertaking and preparing this EIAR include *inter alia*:-

- *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports* (EPA, 2022);
- *Environmental Impact Assessment of Projects: Guidance on the Preparation of the Environmental Impact Assessment Report* (European Commission, 2017);
- *Environmental Impact Assessment of Projects: Guidance on Screening* (European Commission, 2017);
- *Environmental Impact Assessment of Projects: Guidance on Scoping* (European Commission, 2017);
- *Interpretation of Definitions of Project Categories of Annex I and II of the EIA Directive* (European Commission, 2015);
- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* (DHPCLG, 2018);
- *Guidelines for Environmental Impact Assessment of Electricity Transmission Projects* (EirGrid, various);
- *Wind Energy Development Guidelines for Planning Authorities* (DEHLG, 2006);
- *Draft Revised Wind Energy Development Guidelines* (DHPLG, 2019);
- *Best Practise Guidelines for the Irish Wind Energy Industry* (IWEA, 2012);
- *Guidelines for Ecological Impact Assessment in the UK and Ireland* (CIEEM, 2018);
- and,
- *Electricity Transmission Studies: Evidence-Based Environmental Studies* (EirGrid, various).

The above is a general and non-exhaustive list of EIAR related guidance. Additional guidance documents, specific to each environmental topic, are also referenced in each chapter of this EIAR, as relevant.

This EIAR has also been guided by the knowledge, understanding and application of all aspects of EIA practice emerging from case law in the national and European courts together with EIARs for similar projects on similar sites.

## 1.8 EIAR Project Team

The EIA Directive requires that an EIAR must be prepared by a team of competent, qualified experts with an appropriate combination of experience, expertise and knowledge related to the significance, complexity and range of effects that an EIAR needs to assess, including the early anticipation of effects. In order to ensure that the information included in the EIAR is complete to a high level of objective quality, such competences include relevant prior experience and knowledge of the characteristics of the project type and sensitivities likely to be present in the receiving environment; an understanding of the legal context of the decision-making process, including relevant case law; and an appropriate range of specialist technical experts to address different environmental factors, and their interactions.

### 1.8.1 Project Management

GES was appointed by the Developer to manage and co-ordinate the preparation of this EIAR. GES is an Irish multi-disciplinary renewable energy consultancy that specialises in the project management of planning, environmental and technical engineering services of renewable energy developments from project feasibility through to delivery and operation. GES combines the expertise of leading experts in wind farm design, planning and environmental assessment and has extensive experience in managing and coordinating the preparation of EIARs for wind energy and associated electricity grid and substation infrastructure developments. Some examples of wind energy and ancillary EIAR projects managed by GES are provided at **Table 1.1** below.

Development	Planning Register Reference	Development Description	Status
Carrickallen Wind Farm, Co. Cavan	Cavan County Council Planning Register Reference 09/280 (An Bord Pleanála Reference PL02.235597) & various others	Wind Farm comprising 10 no. wind turbines and associated ancillary infrastructure.	Permitted & operational
Oldmill Wind Farm, Co. Monaghan	Monaghan County Council Planning Register Reference 10/485 & various others	Wind Farm comprising 7 no. wind turbines and associated ancillary infrastructure.	Permitted & operational
Taghart Wind Farm, Co. Cavan	Cavan County Council Planning Register Reference 16/74 (An Bord Pleanála Reference PL02.247401) & various others	Wind Farm comprising 7 no. wind turbines and associated ancillary infrastructure.	Permitted & operational
Taghart Wind Farm Grid Connection, Co. Cavan & Co. Meath	Cavan County Council Planning Register Reference 17/502 (An Bord Pleanála Reference ABP-301717-18) &	Approximately 12km of underground electricity line located predominately within the carriageway of the public road network.	Permitted & operational



	Meath County Council Planning Register Reference KA171177 (An Bord Pleanála Reference ABP-301742-18)		
Cloghan Wind Farm, Co. Offaly	Offaly County Council Planning Register Reference 14/188 (An Bord Pleanála Reference PL19.244053) & Offaly County Council Planning Register Reference 19/404	Wind Farm comprising 9 no. wind turbines and associated ancillary infrastructure.	Permitted & operational
Cloghan Wind Farm Grid Connection, Co. Offaly	Offaly County Council Planning Register Reference 19/555	Approximately 8km of underground electricity line located predominately within the carriageway of the public road network.	Permitted & operational
Pinewoods Wind Farm, Co. Laois & Co. Kilkenny	Laois County Council Planning Register Reference 16/260 (An Bord Pleanála Reference PL11.248518) & Kilkenny County Council Planning Register Reference 17/62 (An Bord Pleanála Reference PL10.248392)	Wind Farm comprising 11 no. wind turbines and associated ancillary infrastructure.	Permitted
Pinewoods Wind Farm Substation & Grid Connection, Co. Laois	An Bord Pleanála Reference ABP-308448-20	110kV electricity substation and ancillary electrical infrastructure and all associated site development works.	Permitted
Drumlins Park Wind Farm, Co. Monaghan	Monaghan County Council Planning Register Reference 19/486	Wind Farm comprising 8 no. wind turbines and associated ancillary infrastructure.	Permitted & under construction
Drumlins Park Wind Farm Substation & Grid Connection, Co. Monaghan	An Bord Pleanála Reference ABP-309119-21	110kV electricity substation and ancillary electrical infrastructure and all associated site development works.	Permitted & under construction
Bracklyn Wind Farm, Substation & Grid Connection, Co. Westmeath & Co. Meath	An Bord Pleanála Reference ABP-311565-21	Wind Farm comprising 9 no. wind turbines and associated ancillary infrastructure including a 110kV electricity substation and approximately 6km of underground electricity line.	Permitted
White Hill Wind Farm, Co. Carlow & Co. Kilkenny	An Bord Pleanála Reference ABP-315365-22	Wind Farm comprising 7 no. wind turbines and all associated works.	Permitted

**Table 1.1: Examples of EIAR Wind Energy Developments managed by GES**

## 1.8.2 Environmental Specialists

The EIAR is also critically dependent on the technical expertise, experience, independence and objectivity of environmental specialists. They characterise the existing environment, evaluate its sensitivity and the likely significant effects of the project.

The Planning Regulations require that an EIAR includes a list of names of all the experts contributing to the various environmental factors assessed in the EIAR, together with details of their competency including, as appropriate, qualifications and experience. An overview of the specialist experts involved in the preparation of each chapter of this EIAR, together with their relevant qualifications and key environmental factors covered, is provided in **Table 1.2** below. Some specialisms were provided in-house by GES expert staff while, in other cases, external specialists were appointed as expert consultants in order to undertake individual assessments and prepare chapters on specific environmental topics.

Each appointed specialist is a recognised expert in their field and was selected having regard to their knowledge of relevant environmental legislation; their experience and involvement in EIAR projects for wind energy developments; familiarity with pertinent standards and criteria for the evaluation and classification of significance of effects; their ability to interpret technical documents and to work with project designers to arrive at practical and reliable measures to avoid, mitigate and monitor any likely significant adverse environmental effects; and to clearly and comprehensively present their findings in a concise and objective manner. A statement of competence for all of the specialist consultants who contributed to the preparation of this EIAR is also provided in each individual chapter of this EIAR, as appropriate.

As part of its project management role, GES was responsible for the briefing and steering of specialist consultants throughout the iterative EIAR and design process; maintaining a two-way feedback loop between specialists and project designers, with the designers continually adjusting the design in response to assessments received from the specialists, and *vice versa*; identifying likely interactions between different environmental factors; and in conducting overall editorial management of the EIAR to ensure consistency and cross-referencing between different chapters and volumes.

Ch.	Environmental Factor/Topic	Specialist Consultant	Personnel/Credentials
1	<b>Introduction</b>	GES	Dr. Gavin Daly <i>MIPI MIEMA CEnv</i>
2	<b>Assessment of Project Alternatives</b> , including: <ul style="list-style-type: none"> <li>• Alternative Sites;</li> <li>• Alternative Technologies; and,</li> <li>• Alternative Project Designs.</li> </ul>	GES	Declan Owens <i>BSc MSc MIPI</i> Conor Foy <i>BSc MSc MIEMA CEnv</i> Bláithín Rafferty <i>MPlan</i>
3	<b>Description of the Project</b> , including: <ul style="list-style-type: none"> <li>• Wind Farm;</li> <li>• Turbine Component Haul Route;</li> <li>• Grid Connection; and,</li> <li>• Construction Materials &amp; Aggregates.</li> </ul>	GES	
4	<b>Population &amp; Human Health</b> , including: <ul style="list-style-type: none"> <li>• Employment;</li> </ul>	GES	

	<ul style="list-style-type: none"> <li>• Settlement/Land use patterns;</li> <li>• Demographic trends;</li> <li>• Human Health (considered with reference to benchmark standards under other chapters such as noise, shadow flicker, air quality etc.); and,</li> <li>• Amenity.</li> </ul>		
5	<b>Biodiversity</b> , including: <ul style="list-style-type: none"> <li>• Habitats</li> <li>• Birds</li> <li>• Bats</li> <li>• Non-volant mammals; and,</li> <li>• Aquatic ecology</li> </ul>	Ecology Ireland	Richard Arnold <i>BSc MRes MCIEEM CEnv</i> Sinead Clifford <i>BSc CEC</i> Others Various
6	<b>Land &amp; Soils</b> , including: <ul style="list-style-type: none"> <li>• Superficial Geology;</li> <li>• Bedrock Geology;</li> <li>• Geological Heritage &amp; Designated Sites; and,</li> <li>• Soil Contamination.</li> </ul>	Hydro-Environmental Services	Michael Gill <i>P. Geo., B.A.I., MSc, Dip. Geol., MIEI</i> David Broderick <i>BSc, H.Dip Env Eng, MSc</i>
		Fehily Timoney & Company (Geotechnical peat stability risk assessment)	Ian Higgins <i>BSc MSc</i>
7	<b>Water</b> , including: <ul style="list-style-type: none"> <li>• Local &amp; Regional Hydrology;</li> <li>• Flood Risk;</li> <li>• Hydrogeology;</li> <li>• Ground/Surface physical characteristics; and,</li> <li>• Drainage Management.</li> </ul>	Hydro-Environmental Services	Michael Gill <i>P. Geo., B.A.I., MSc, Dip. Geol., MIEI</i> David Broderick <i>BSc, H.Dip Env Eng, MSc</i>
8	<b>Air Quality &amp; Climate</b> , including: <ul style="list-style-type: none"> <li>• Air Quality;</li> <li>• Climate;</li> <li>• Dust;</li> <li>• Greenhouse gas emissions; and,</li> <li>• Contribution of the project to binding targets.</li> </ul>	AWN Consulting	Avril Challoner <i>CEnv CSci BEng MIEMA MIAQM MEnvSc</i>
9	<b>Landscape</b> , including: <ul style="list-style-type: none"> <li>• Landscape Character;</li> <li>• Views &amp; Prospects</li> <li>• Landscape Impact; and,</li> <li>• Visual Impact.</li> </ul>	Macro Works	Richard Barker <i>MLA MILI</i> Jordan Derecourt <i>BSc MSc</i>
		GES (photomontages)	Joseph Buckley <i>BSc MSc</i> Cormac McPhillips <i>BSc</i>
10	<b>Cultural Heritage</b> , including: <ul style="list-style-type: none"> <li>• Known archaeological monuments;</li> <li>• Areas of archaeological potential (including unknown archaeology);</li> <li>• Architectural heritage; and,</li> <li>• Designations or sensitivities</li> </ul>	Dermot Nelis Archaeology	Dermot Nelis <i>BA ArchOxon AIFA MIAI</i>
11	<b>Noise &amp; Vibration</b> , including:	AWN Consulting	Mike Simms

	<ul style="list-style-type: none"> <li>• Daytime Noise;</li> <li>• Nighttime Noise;</li> <li>• Vibration sources; and,</li> <li>• Sensitive receptors.</li> </ul>		BE MEngSc MIOA MIET
		GES (noise monitoring)	Cormac McPhillips
12	<b>Shadow Flicker</b> , including: <ul style="list-style-type: none"> <li>• Worst Case Effects;</li> <li>• Expected Effects; and,</li> <li>• Mitigation Measures.</li> </ul>	GES	Cormac McPhillips Gavin Daly Declan Owens Conor Foy
13	<b>Material Assets</b> , including: <ul style="list-style-type: none"> <li>• Transport &amp; Access;</li> <li>• Aviation;</li> <li>• Telecommunications; and,</li> <li>• Resources &amp; Utility Infrastructure.</li> </ul>	GES	Gavin Daly Declan Owens Conor Foy Bláithín Rafferty
14	<b>Interaction of the Foregoing</b>	GES	Gavin Daly Declan Owens Bláithín Rafferty
<b>Non-Technical Summary</b>		GES	Gavin Daly Declan Owens Bláithín Rafferty

**Table 1.2: Specialist Consultants involved in the preparation of this EIAR**

## 1.9 Scoping

The scoping process involves identifying the environmental factors that are both 'likely' and 'significant' during EIA and eliminates those that are not ('scoped out'). The scoping process is therefore highly interrelated with the consultation and public participation process as described in **Section 1.10** below.

The prior determination of the nature and detail of the information to be contained in the EIAR, and what methods should be used to gather and assess that information, is one of the most important stages of EIA and may be conducted through a formal or informal process. Scoping helps ensure that the EIAR remains tightly focussed on factors that are environmentally based, likely to occur and may have likely significant and adverse effects. This helps improve the clarity and conciseness of the EIAR, making it easier for the public concerned to participate. It is important to note that all of the prescribed environmental factors listed in **Section 1.5** must all be addressed in an EIAR. Only sub-topics and headings related to each factor can be scoped out. In this case, however, no environmental factors were scoped out or eliminated from the EIAR.

In undertaking scoping, the statutory obligations as set out in the Planning Regulations and a range of guidance documents were consulted, including those referenced in **Section 1.7** above. A desktop analysis was undertaken of relevant data sources and precedents of EIAs carried out for similar developments, together with other relevant policy documents; such as the *Offaly County Development Plan 2021-2027*; and the accompanying Strategic Environmental Assessments (SEA) prepared pursuant to the SEA Directive 2001/42/EC.

### 1.9.1 Scoping Report

The provision of sufficient detail at the scoping stage is the best way to facilitate useful and specific responses from consultees. As part of the scoping process, a *Preliminary Scoping Report* was prepared to provide an overview of the project context; description of the baseline environment; alternatives considered; the project; its possible likely significant environmental effects; and proposed mitigation and monitoring measures. This report was also used in the course of the consultation process, as described in **Section 1.10** below, to allow consultees to inform themselves of the scope of the project and possible likely significant environmental effects, and to invite comments on the information which should be included in the EIAR. This allowed for preliminary opinions to be shared as early as possible with the Developer and the project design team and, where possible, to allow for the modification of the project such that likely significant adverse environmental effects were avoided or minimised.

The scoping process also included an assessment of relevant 'secondary' or 'off-site' developments including:-

- The project's connection to the national electricity grid (in accordance with the judgement of the High Court in respect of *O'Grianna & Ors v An Bord Pleanála* ([2014] IEHC 632);
- Indirect impacts in respect of the importation of aggregates and materials to be used in the construction phase;
- Transport and access considerations, including the road haul route for turbine components; and,
- The felling of forestry within the project site and off-site replanting.

Following the completion of the preliminary environmental scoping process, a detailed *Scoping Report* (see **Annex 1.1**) was prepared which details the findings of the scoping exercise, including an environmental constraints analysis and consultation with stakeholders, prescribed bodies and the local community. This *Scoping Report* was continually reviewed and updated by the EIAR Project Team throughout the preparation of this EIAR to ensure that all constraints identified therein were fully assessed and, where possible, that the project design was continuously modified to avoid or reduce likely significant adverse environmental effects.

### 1.9.2 Formal Scoping

Section 37D(1) of Planning Act provides for a discretionary provision whereby a prospective applicant during Pre-application Consultation with An Bord Pleanála may formally request an opinion on the scope and level of detail to be included in the EIAR. Where such an opinion is issued, the EIAR must take account of that opinion. In this case, no formal scoping was considered necessary. In the course of Pre-application Consultation, An Bord Pleanála gave advice to the Developer, both during consultations and through the published Inspector's Report, on the considerations related to the likely significant environmental effects which may have a bearing on its decision in relation to any subsequent SID planning application (see **Section 1.10.1** below).

Informal scoping was therefore considered the most appropriate means of EIAR scoping in this case, as it was envisaged from the outset that no environmental factors would be scoped out or eliminated from the EIAR. Accordingly, no formal scoping was considered necessary and all environmental factors, as prescribed in the legislation,



have been fully addressed and included in this EIAR, as described in **Section 1.4** above.

### 1.9.3 Ongoing Scoping

As an active, integrated and iterative process, even after the preliminary scoping stages, scoping continued throughout the preparation of the EIAR, including during the impact assessment stage. The EIAR Project Team continuously maintained a flexible view of the scope by way of open, effective and ongoing communication, and consultation with the project design team, and through the ongoing feedback received from the consultation and public participation process. The EIAR scope was therefore dynamically informed and continually reviewed and revised in light of environmental analysis and information emerging during the project design and EIAR process, and *vice versa*. This resulted in the effective anticipation of any likely significant environmental effects and the consequent modification of the project to avoid or reduce effects through redesign and identification of mitigation measures. This EIAR, particularly in the consideration of reasonable alternatives (**Chapter 2**), records the key outcomes of this iterative process.

## 1.10 Consultation & Public Participation

Good practice in EIAR preparation and compliance with the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters, involves clear and focused public participation and consultation at key stages in the assessment process. The objective is to ensure that the public concerned, together with statutory and non-statutory stakeholder consultees, are made as fully aware as possible, and as early as possible, of the likely significant environmental effects of the project prior to a decision being made by the Competent Authority. This provides for a greater understanding of the project; a more focused consideration of likely significant environmental effects; an early indication of the need for specific survey work; and the early identification of opportunities to incorporate mitigation measures into the project design.

There are specific statutory procedures for public participation and consultation at various stages in the EIA and SID planning application process. Public participation is not, however, a mandatory obligation for the pre-application consultation stage. Nevertheless, it is recommended as standard per the *Draft Revised Wind Energy Development Guidelines 2019* and, in accordance with best practice, the Developer therefore undertook to facilitate the widest possible public participation at the earliest possible stage in the project design and EIAR preparation process.

### 1.10.1 Statutory Consultations

#### 1.10.1.1 SID Pre-application Consultation

As discussed in **Section 1.2** above, the project was the subject of mandatory Pre-application Consultation with An Bord Pleanála (Reference ABP-313778-22). As prescribed by legislation, the purpose of the Pre-application Consultation was twofold. Firstly, to determine whether the project constituted SID; and if so, secondly, to give advice to the Developer on the procedures involved in making such an application and what considerations, related to proper planning and sustainable development or the likely significant environmental effects, in the opinion of An Bord Pleanála, may have a bearing decision in relation to any subsequent SID planning application.

A meeting was held between the Developer and An Bord Pleanála on 5 August 2022. During this meeting, the evolution of the project design was described in detail; including the site selection process, environmental scoping and constraints analysis, and details of stakeholder consultation; while advice was given to the Developer on key factors which would be relevant as part of the EIAR for any subsequent SID planning application including:-

- Landscape & visual effects;
- Transport & Access;
- Assessment of carbon losses and gains;
- Connection to the national electricity grid;
- Ecological effects, including potential effects on designated sites;
- Residential amenities;
- Ground conditions and the presence of peat; and
- Cumulative effects with other developments, including wind farms.

A copy of the meeting record was subsequently furnished to the Developer (see **Annex 1.2, Volume II**).

In consequently issuing its determination that the project constitutes SID, An Bord Pleanála also provided a list of prescribed bodies which were considered relevant and to be consulted with by the Developer (see **Annex 1.3, Volume II**). Each of these prescribed bodies has also been notified by the Developer in relation to the planning application for the project.

#### 1.10.1.2 Planning Authority Consultations

As part of the Pre-application Consultation process, An Bord Pleanála identified Offaly County Council, as the applicable planning authority for the project site, as a relevant prescribed body for the purposes of EIAR consultation.

A scoping request was issued to Offaly County Council on 30 May 2022 and included the *Preliminary Scoping Report*, described at **Section 1.9.1** above, in order to provide the Planning Authority with sufficient information on the project and its possible likely significant environmental effects. A response was received (see **Annex 1.4, Volume II**), dated 01 November 2023; and referred to matters including statutory planning policy; community benefit and amenity; natural and built heritage; landscape and visual impact; noise and shadow flicker; and road safety, transport and access.

A consultation meeting with Offaly County Council was also held (online) on 13 March 2023. During the meeting the project was described in detail together with the relevant environmental factors; including, *inter alia*, residential amenity, biodiversity, transport, flooding, landscape and visual amenity, noise, and shadow flicker; to be addressed in the EIAR. Other matters discussed during the meeting included the provisions of the *Offaly County Development Plan 2021-2027*, as well as some of the key issues to be considered in the project EIAR including, biodiversity; cumulative impact; haul route upgrades; landscape and visual impact; and transport and access. A written record of the meeting is enclosed at **Annex 1.5 (Volume II)**.

#### 1.10.1.3 Stakeholder & Prescribed Body Consultations

A wide range of statutory and non-statutory organisations, including all bodies prescribed in the Planning Regulations, were contacted in writing at an early stage in the scoping process to gather their views and preliminary opinions on the EIAR scope and the possible likely significant environmental effects of the project.

As part of the early-stage scoping process, telecommunication service providers in the region were consulted to determine if any effects were likely to arise, this included a review of the Commission for Communications Regulation (COMREG) mapping database<sup>2</sup>, and subsequent consultation with the link providers identified, see detailed Scoping Report at **Annex 1.1**.

The consultation process also involved furnishing, in May & June 2022, each organisation with the *Preliminary Scoping Report*, described above, accompanied by a set of maps and drawings, and requesting written feedback. This included consultation with the Irish Low Frequency Array (I-LOFAR) at Birr Castle, who were furnished with a copy a Radio Telescope Impact Assessment (**Annex 13.3, Volume II**) which was carried out at the early stages of the scoping process.

**Annex 1.6 (Volume II)** provides a sample copy of the consultation letter issued to each organisation, while a copy of all responses received is enclosed at **Annex 1.7 (Volume II)**. **Table 1.3**, below, lists all organisations which have been consulted with and details whether or not a response was received, and provides a summary of the content contained therein. The specific prescribed bodies identified by An Bord Pleanála as relevant, and to be consulted by the Developer as part of the SID planning application process, are also identified.

It should be noted that there is no obligation on any organisations to respond to consultation requests. Where a consultee did not respond, it has been assumed that they had no specific comment to make at this stage in relation to the project or the scope of the EIAR. While the consultation undertaken to date has allowed for any identified concerns to be addressed within this EIAR, the statutory consultation process, to be commenced following submission of the SID planning application to An Bord Pleanála, will allow these organisations to make any further comments, as necessary.

#### 1.10.1.4 Transboundary Consultation

The Espoo Convention on environmental impact assessment in a transboundary context places a general obligation on EU Member States and the United Kingdom to notify and consult each other on all projects that are likely to have significant adverse environmental impact across national boundaries. In this case, given the project type and geographical location, there is no likelihood for the project to cause significant adverse transboundary effects and, accordingly, no transboundary consultation was deemed necessary.

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<sup>2</sup> <https://siteviewer.comreg.ie/#explore>

Consultee	Response Received	Summary of Feedback	Prescribed Body per SID Determination
Airspeed Telecom	No	-	No
An Garda Síochána	No	-	No
An Taisce	No	-	Yes
Ajisko Ltd	Yes	Nothing of Concern.	No
Bat Conservation Ireland	Yes	No specific comment.	No
Birdwatch Ireland	No	-	No
Bord Gáis Energy	No	-	No
Broadcasting Authority of Ireland	No	-	No
BT Communications Ireland	Yes	The project will have no impact on the BT Ireland microwave network.	No
Commission for Communications Regulation	No	-	No
Commission for Regulation of Utilities	No	-	No
Department of Agriculture, Food and the Marine	Yes	Felling Licence to be obtained should the project require trees to be felled or removed. Advice offered in relation to Felling and Reforestation Policy.	Yes
Department of Environment, Climate and Communications	No	-	Yes
Department of Defence	No	-	No
Department of Housing, Local Government and Heritage (c/o Development Applications Unit)	No	-	Yes
Department of Transport	No	-	Yes
Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media	No	-	Yes
Eastern & Midland Regional Assembly	No	-	Yes

Consultee	Response Received	Summary of Feedback	Prescribed Body per SID Determination
Eir Ltd	Yes	Turbines positioned outside of buffer zone and therefore do not pose a risk to Eir mobile and fixed network.	No
EirGrid	Yes	No specific comment.	No
Enet	Yes	No effect on current network.	No
Environmental Protection Agency	No	-	Yes
ESB	Yes	No expected impact to microwave or point to multipoint radio networks.	No
Fáilte Ireland	Yes	No specific comments on the project. Recommendation that Failte Ireland's <i>Guidelines for the treatment of Tourism in an EIS</i> be taken into account.	Yes
Gas Networks Ireland	Yes	No GNI infrastructure in the subject vicinity.	No
Geological Survey Ireland	Yes	Recommend that databases maintained by Geological Survey Ireland in relation to geo-hazards, geo-heritage and groundwater features be considered in the EIAR.  GSI also requests that detailed consideration be given to possible effects on groundwater given the presence of important aquifers which supply drinking water to local public and group water schemes.	No
Health and Safety Authority	No	-	No
Health Service Executive – Environmental Health Department	No	-	No
Irish Low Frequency Array (I-LOFAR)	No	-	No
Iarnród Éireann	No	-	No
Imagine Group	Yes	Imagine service will not be affected by the project.	No
Inland Fisheries Ireland	No	-	Yes
Irish Aviation Authority	Yes	Notes the existence of Birr Airfield and advice to engage with Ormande Flying Club. General observations provided.	Yes
Irish Peatland Conservation Council	No	-	No
Irish Raptor Study Group	No	-	No



Consultee	Response Received	Summary of Feedback	Prescribed Body per SID Determination
Irish Water	Yes	General comments relating to the protection of water services and water quality.	Yes
Irish Wildlife Trust	No	-	No
JFK Communications Ltd	No	-	No
National Ambulance Service	No	-	No
National Federation of Group Water Schemes	No	-	No
National Parks & Wildlife Service	No	-	No
Netshare Ireland	No	-	No
Sport Ireland Outdoors (National Trails Office)	No	-	No
Offaly County Council	Yes	Comments made in relation to statutory planning policy; community benefit and amenity; natural and built heritage; landscape and visual impact; noise and shadow flicker; and road safety, transport and access.	Yes
Office of Public Works	Yes	Advice that the Local Authority and the developer should satisfy themselves that there is adequate level of protection against flooding at this location.	Yes
Open Eir	No	-	No
Ripplecom	No	-	No
Radio Services and Buildings Ltd	No	-	No
2rn (RTE Transmission Network Ltd)	Yes	Risk of localised interference with digital terrestrial television and request that an interference remediation protocol be put in place.	No
Sustainable Energy Authority of Ireland	No	-	No
Tetra Ireland Communications Ltd	No	-	No
The Arts Council	No	-	Yes
The Heritage Council	No	-	Yes

Consultee	Response Received	Summary of Feedback	Prescribed Body per SID Determination
Three (3) Ireland	Yes	The project is not anticipated to impact any telecommunications network.	No
Towercom	No	-	No
Transport Infrastructure Ireland	Yes	Provides general guidance for impact assessment and offers advice in relation to the design/assessment of elements of the project which interact with the national road network.	Yes
Údarás na Gaeltachta	No	-	No
Virgin Media Ireland	No	-	No
Viatel Ireland Ltd	No	-	No
Vodafone Ireland Ltd	Yes	Advice that no existing or planned transmission passing through site.	No
Waterways Ireland	No	-	No

**Table 1.3: Summary of Written Consultations**

## 1.10.2 Public Participation

### 1.10.2.1 Non-Statutory Consultation

The Developer carried out extensive public consultation throughout the project design and EIA process. In compliance with the then prevailing COVID-19 public health guidance, in early 2022 door-to-door visits were undertaken with local residents together with leaflet drops. In addition, consultation clinics were organised on 25 and 26 January 2023 at the County Arms Hotel and in Birr Golf Club, Birr, Co. Offaly where individual members of the public and community groups were afforded the opportunity, by appointment, to discuss the project directly with the project design team.

The public consultation process was managed by a dedicated Community Liaison Officer and expertly structured and managed to ensure clarity and consistency, and to maintain an objective and factual approach. A website was also established where members of the public concerned could view details of the project, receive updates on public consultation and to contact the Developer via email or a freephone number ([www.cushwindfarm.ie](http://www.cushwindfarm.ie)).

A full report on the public consultation process undertaken by the Developer is presented at **Annex 1.8 (Volume II)**.

### 1.10.2.2 Statutory Consultation

Once the SID planning application and EIA is formally submitted for consideration; the Developer, An Bord Pleanála, and Offaly County Council will make arrangements for public access to, and dissemination of, the information contained in the EIA in accordance with the procedures contained in the Planning Act and Planning Regulations, and all members of the public and statutory consultees will be entitled to make further submissions, as further described in **Section 1.15** below.

## 1.11 Cumulative Impact Assessment

This EIA assesses the likelihood of the project; in its totality and including secondary and off-site developments, and acting in combination with other existing, permitted and proposed developments in the wider vicinity of the project; to result in effects on the environment which, when combined, may result in effects which are cumulatively significant.

To undertake a cumulative impact assessment, in the first instance, a desktop review of available data sources (e.g. satellite imagery) was undertaken to identify existing developments in the local area. Secondly, the EIA Portal<sup>3</sup> was consulted to assess for the presence of proximate developments which have been subject to EIA. Finally, the online ePlan portals for Offaly County Council<sup>4</sup> and Tipperary County Council<sup>5</sup> were examined to assess for extant planning permissions which had not yet been commenced. Developments warranting a cumulative impact assessment range from one-off rural dwellings to large scale intensive agricultural units, commercial forestry plantations, quarrying activities and other wind energy developments. **Table 1.4**

<sup>3</sup> <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>

<sup>4</sup> <https://www.eplanning.ie/OffalyCC/searchtypes>

<sup>5</sup> <https://www.eplanning.ie/TipperaryCC/SearchTypes>

below provides a list of developments which have been considered in the cumulative impact assessment of this EIAR.

Development	Planning Register Reference	Development Description	Status
Loughnane Concrete (Loughnane Concrete Ltd), Co. Offaly	82/662, 94/13, 95/519, 96/251 and 97/384	Quarry, concrete batching plant and all associated plant and machinery	Existing
Smyths Sand & Gravel Co. Offaly	06/13 (An Bord Pleanála Reference PL19.221091)	Quarry, concrete batching plant and all associated plant and machinery	Existing
Derrinlough Briquette Factory Co. Offaly	88/274, 09/399, and 14/251	Briquette factory with all associated infrastructure.	Existing
Cloghan Wind Farm Co. Offaly	14/188 (An Bord Pleanála Reference PL19.244053), and 19/404	9 no. wind turbines and all associated infrastructure.	Existing
Cloghan Wind Farm Grid Connection Co. Offaly	19/555	Approximately 8km of underground electricity cables.	Existing
Meenwaun Wind Farm Co. Offaly	15/44 (An Bord Pleanála Reference PL19.244903)	4 no. wind turbines and all associated infrastructure	Existing
Leabeg Wind Farm Co. Offaly	10/130 and 14/95	2 no. wind turbines and all associated infrastructure	Existing
Carrig and Skehanagh Wind Farms Co. Tipperary	5123495 and 5123496	5 & 3 (8 total) no. wind turbines and all associated infrastructure	Existing
Carrig Renewables Wind Farm Co. Tipperary	23/60763 (An Bord Pleanála Reference PL92.318689)	7 no. wind turbines and all associated infrastructure	Proposed <sup>6</sup>
Derrinlough Wind Farm Co. Offaly	An Bord Pleanála Reference ABP-306706-20	21 no. wind turbines and all associated infrastructure.	Permitted <sup>7</sup>
Telecommunications Mast, Boolinarig Big Co. Offaly	13/247	1 no. 24m telecoms mast, access track and all ancillary works.	Existing
Telecommunications Mast, Clooneen Co. Offaly	13/69 (An Bord Pleanála Reference PL19.242181)	1 no. 30m telecoms mast, access track and all ancillary works.	Existing
Abattoir Facility (Banagher Chilling Ltd) Co. Offaly	19/325 and ABP-308004-20	Upgrade and extension of an existing abattoir facility.	Permitted
Agricultural Developments	Various	Various	Existing, Permitted and Proposed
Residential Dwellings	Various	Various	Existing, Permitted and Proposed
Commercial Forestry Plantations	-	-	Existing

<sup>6</sup> The proposed Carrig Renewables Wind Farm was refused by Tipperary County Council on 16 November 2023 and is currently the subject of an appeal to An Bord Pleanála.

<sup>7</sup> The permitted Derrinlough Wind Farm is currently under construction.

Bord Na Móna Operations	Various	Various	Existing
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**Table 1.4: Developments addressed in cumulative impact Assessment**

## 1.12 Impact Assessment

This EIAR focuses on describing environmental effects that are both likely and significant by reference to the individual environmental factors described in **Section 1.5** and their sensitivities. In order to provide for clarity of method, language and meaning, and to accurately explain the full range of effects, the impact classification and sensitivity terminology described in the *Guidelines on the information to be contained in Environmental Impact Assessment Reports* (EPA, 2022) is used in this EIAR. This ensures that all likely significant effects are adequately considered and clearly and transparently communicated. Further specific guidance, legislation and technical standards for describing environmental effects, and pertinent to particular environmental factors, are also described in each individual chapter of this EIAR, as necessary.

Within this EIAR, a distinction is drawn between 'impacts' and 'effects'. In accordance with the *Guidelines for Ecological Impact Assessment in the UK and Ireland* (CIEEM, 2018), an 'impact' is an action resulting in changes to the environment (e.g. the construction activities of a development removing a hedgerow). An 'effect' is the outcome on the environment from an 'impact' (e.g. the effects on the local dormouse rodent population from the loss of hedgerow). The effect arising from an impact may, or may not, be likely to be significant. As the purpose of this EIAR is to provide a report of the significant effects, if any, which the project would be likely to have on the environment, the term 'effects' is used generally throughout this EIAR.

Significance is a concept related to the weight that should be attached to effects when decisions are made. A significant effect is an effect that is sufficiently likely and important to require assessment and reporting so that the Competent Authority is adequately informed of the environmental effects of permitting a project.

Magnitude	Sensitivity of Receptor				
	Very High	High	Medium	Low	Negligible
Very High	Profound	Profound-Substantial	Substantial	Moderate	Slight
High	Profound-Substantial	Substantial	Substantial - moderate	Moderate-slight	Slight-imperceptible
Medium	Substantial	Substantial moderate	Moderate	Slight	Imperceptible
Low	Moderate	Moderate-slight	Slight	Slight-imperceptible	Imperceptible
Negligible	Slight	Slight-imperceptible	Imperceptible	Imperceptible	Imperceptible



### Table 1.5: Impact Significance Matrix

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

*\*Categories with dark grey shading are considered to equate with 'significant' impacts/effects*

*\*\*The significance matrix provides an indicative framework from which the significance of impact is derived.*

#### 1.13 Mitigation & Monitoring Measures

Each chapter of the EIAR includes a description of the measures proposed to avoid, prevent, reduce or offset, as appropriate, any likely significant adverse effects on the environment together with any proposed monitoring measures in respect of both construction and operational phases.

Anticipation of effects is the most effective means of avoiding likely significant adverse effects and this is principally achieved through the consideration of reasonable alternatives. Many mitigation measures have therefore already been incorporated into the project design at an early stage, through the iterative scoping and impact assessment processes and adoption of good practices to avoid any likely significant adverse environmental effects i.e. 'mitigation by design' or 'embedded mitigation'. Monitoring measures have also been proposed, where appropriate, to demonstrate compliance with, and efficacy of, the mitigation measures proposed.

In order to ensure clarity of the mitigation and monitoring measures proposed, all such measures are included in a compendium as a separate, standalone annex to this EIAR (see **Annex 1.9, Volume II**). In the event of a grant of planning permission, the Developer will be required to fully implement all mitigation and monitoring measures by way of condition of consent. The submission of such a standalone document was also specifically requested by An Bord Pleanála in their determination on the SID Pre-application Consultation (see **Annex 1.3, Volume II** (Note 1)).

#### 1.14 Non-Technical Summary

A non-technical summary of the EIAR is an important means, specifically required by the EIA Directive, in explaining the content of the EIAR to the wider public.

A short and accessible non-technical summary has therefore also been prepared as a separate and self-contained document which can be distributed to the public concerned and who may be likely to be affected by the project.

The non-technical summary is laid out in a similar, but condensed, format to the main EIAR i.e. describing the project, existing environment, effects, and mitigation and monitoring measures; but presented in a manner that avoids technical language, such that it is easily understandable and accessible to a layperson.

The purpose of the non-technical summary is to transparently facilitate the full public access and participation of the public concerned in the statutory consultation process following the submission of the SID planning application to An Bord Pleanála.

#### 1.15 Public Access

Compliance with the Aarhus Convention and the EIA Directive requires that arrangements for public access facilitate the convenient dissemination of the information contained in the EIAR in a timely and fully transparent manner, and in a format that is clear, concise and accessible to the greatest number of people as possible.

Prior to the submission of the SID planning application, public newspaper notices, in a

national and local newspaper, will be published and site notices erected in accordance with the legislative requirements set out in the Planning Act and Planning Regulations, and any further directions provided by An Bord Pleanála. Full information will also be made available in the published public notices on how the public concerned can access the SID planning application documentation and this EIAR, and to involve themselves in the decision-making process, including through making written submissions.

An Bord Pleanála and Offaly County Council will also make arrangement for public access and dissemination of this EIAR and other SID planning application documentation in accordance with the procedures prescribed by legislation. This will include making all documents available to view and purchase at the following offices:-

- An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902; and,
- Offaly County Council, Áras an Chontae, Charleville Road, Tullamore Co. Offaly R35 F893.

URL hyperlinks to all documents will also be available on the website of An Bord Pleanála.

The centralised EIA Portal, managed by the Department of Housing, Local Government and Heritage, is a publicly accessible map-based database which provides users with access to all applications for development consent which have been accompanied by an EIAR since 16 May 2017. Following the submission of the planning application to An Bord Pleanála, the public concerned will also be able to access this EIAR via the EIA portal website. The EIAR shall be submitted in a format searchable by electronic means, in so far as practicable.

Finally, in accordance with the legislative requirements, the Developer is also required to provide a dedicated website containing all of the SID planning application documentation and this EIAR. The address of this website ([www.cushwindfarmplanning.ie](http://www.cushwindfarmplanning.ie)) is included in the public notices described above.

### **1.16 Habitats Directive – Appropriate Assessment**

In addition to EIA, an assessment of the likelihood of significant effects on European nature conservation sites (Natura 2000) designated under the EU Habitats Directive (92/43/EEC) and Birds Directive (2009/147/EC) is also required to be undertaken by the Competent Authority through a statutory process known as Appropriate Assessment (AA). This is formally a separate assessment process, with discrete reporting requirements, but is highly interrelated with EIA. Only projects where it can be determined, beyond reasonable scientific doubt, will not adversely affect the integrity of any Natura 2000 site, either directly or indirectly having regard to their conservation objectives, can be granted development consent.

#### **1.16.1 AA Screening (Stage 1)**

The first stage of this assessment requires what is known as an AA Screening Report (Stage 1) to assess whether formal AA is required. If AA is required, then the Developer is required to submit a report (Stage 2) known as a Natura Impact Statement (NIS) to inform an AA to be undertaken by the Competent Authority.

The Developer has prepared an AA Screening Report which concluded that, in accordance with the 'precautionary principle', it could not be confirmed, in the absence of specific, non-standard avoidance or reduction (mitigation/protective) measures, that designated conservation sites would not be adversely affected by the

direct and indirect effects of the project, either individually or in combination with other plans and projects, having regard to their conservation objectives. As a result, it was concluded that the project should be subject to an AA and that a NIS should be prepared and submitted with the planning application alongside this EIAR.

### 1.16.2 Natura Impact Statement (Stage 2)

The NIS prepared by the Developer is presented and submitted as a separate standalone document and accompanies the SID planning application and this EIAR. The NIS includes both an AA Screening Report (Stage 1) and an Appropriate Assessment (Stage 2). The NIS concludes, with the identified mitigation measures in place, that the Project (beyond all reasonable scientific doubt), either alone or in combination with other plans or projects will not undermine the conservation objectives of any European sites.

The Biodiversity chapter of this EIAR (**Chapter 5**) does not repeat the detailed assessment included in the NIS but cross refers to the findings of this separate assessment, as necessary. This approach is in accordance with the EPA guidance (2022) which states that the “*biodiversity section of an EIAR, for example, should not repeat the detailed assessment of potential effects on European sites contained in documentation prepared as part of the Appropriate Assessment process*” but should “*refer to the findings of that separate assessment in the context of likely significant effects on the environment*”.

### 1.17 Water Framework Directive – Article 4 Assessment

In order to be compliant with the requirements of the Water Framework Directive ('WFD'), a project which has the potential to have an effect on WFD water bodies must be assessed to determine whether it could cause deterioration in the ecological status or potential of a water body. It is, therefore, necessary to consider the possible changes associated with the proposed project.

A WFD Compliance Assessment Report has been prepared and accompanies this EIAR at **Annex 7.3 (Volume II)**. The findings of the assessment are also discussed and summarised at **Chapter 7**.

The strict implementation of the measures set out in **Chapter 7** will ensure that the status of both surface water and groundwater bodies in the vicinity of the site will be maintained.

With regard to treatment standards, the drainage system has been designed to achieve compliance with surface water Environmental Quality Standards (EQS) in the downstream receiving waters. Details of monitoring proposals, to ensure this compliance, is described in the Planning-Stage SWMP at **Annex 3.4 (Volume II)**.

The application of the drainage management as outlined will ensure compliance with EU Surface Water Regulations and WFD requirements while also maintaining the baseline hydrology of the site.

As such, the project is compliant with the requirements of the Water Framework Directive (2000/60/EC) and the Groundwater Directive (2006/118/EC).

### 1.18 Limitations and Difficulties Encountered in Compiling the EIAR

No general difficulties or limitations, other than those specifically identified within the individual chapters, including technical deficiencies or lack of knowledge, were encountered in compiling the information required to be provided in this EIAR. Where specific difficulties or limitations were encountered in relation to specific

environmental factors, they are reported in the individual chapters of this EIAR, as appropriate.

### 1.19 Note on Quotations

It is important to acknowledge that statutory EIAR requirements call for a comprehensive description of the existing environment as well as all likely significant impacts and effects. The EIAR therefore necessarily contains statements describing the positive and negative aspects of the project. Selective quotation, out of context, may not be representative of the overall findings of the EIAR and, therefore, any quotations should always be provided in their proper context.

### 1.20 Definition of the Project

For the purposes of the EIA Directive, the term 'project' is used in to encompass all of the various forms of development, works and activity, including processes, development and operations, which are subject to EIA requirements as set out in the Planning Act and Planning Regulations, and as understood by the EIA Directive. A description of the project is presented in **Chapter 3**.

Within this EIAR, the terms 'project', 'development', 'proposed development', 'project site', 'proposed development site', 'site', and any variation thereof, may be used interchangeably and encompass and refer to the entire project being assessed including wind turbines and all associated secondary and off-site developments, such as grid connection infrastructure or haul route alteration works. Specific components of the project; for example, 'wind farm' or 'grid connection'; may be explicitly referenced, where relevant.

It should be noted that, in order to ensure assessment of any likely significant indirect, secondary or cumulative environmental effects, not all elements of the project assessed within this EIAR will be the subject of a single planning application. Therefore, this EIAR should be read in conjunction with the applicable plans and particulars submitted with the relevant planning application (see **Section 1.15**).

