

Planning and Development Act 2000, as amended

Planning Authority: Carlow County Council

Planning Register Reference Number: 2360042

APPEAL by Milford Quarries Limited care of Tom Phillips against the decision made on the 7th day of February 2024 by Carlow County Council to refuse permission for the proposed development.

Proposed Development: The demolition of existing disused buildings and the development of a dimension stone quarry with a projected lifetime of circa 14 years (12 – 13 years operational with an additional one-year to allow for the implementation of a restoration plan) at this site of circa 9.34 hectares at Bannagagole, Old Leighlin, County Carlow. The proposed quarry void (circa 2.44 hectares) will be extracted to a depth of two number benches of circa 10 metres from top of bedrock, with a final floor level of circa 56.5 metres AOD with a proposed rate of rock extraction of circa 30,000 cubic metres (84,000 tonnes) per annum. A proposed working area of circa 1.2 hectares to the south of the extraction zone will provide for the crushing / processing of unusable stone and temporary storage of dimensional stone and will include machinery storage shed (circa 115 square metres), staff welfare (circa 45.7 square metres), wastewater holding tank, weighbridge and office (circa 14 square metres) and staff car parking area. The proposed development will also include for earthen screening berms to a height of circa three metres, a wheelwash facility; Installation of surface water attenuation and settlement

ponds for the treatment of suspended solids in the floor of the quarry void; soil storage area with an average storage depth of circa four metres and all other site development works above and below ground including the restoration of the final quarry void (extractive area). Access to the proposed development will be facilitated by a HGV site entrance from the L3036 at the eastern boundary of the proposed site. An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) has been submitted

Decision

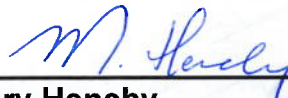
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The Commission is not satisfied that the Environmental Impact Assessment has adequately assessed the likely effects of the proposed development on biodiversity, bats, noise, land stability, hydrology and hydrogeology and the interaction of these factors, together with the cumulative impacts of these factors when considered, in combination with the existing permitted quarry to the north of the site. Accordingly, the Commission is not satisfied that the proposed development would not have significant adverse impacts on sensitive environmental receptors. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The subject site is located proximate to the Old Leighlin Stream_020 which has a current 'at risk' status and the Barrow_190, where the status is currently 'under review'. In addition, the Bagenalstown Lower Groundwater Body (Groundwater Body Code IE_SE_G_157) underlies the site, and, although this groundwater body is stated as being 'not at risk', there is insufficient information presented as part of the planning application and appeal to definitely determine whether or not the

proposed development would not result in a deterioration of the existing Water Framework Directive quality status of these said sites. Consequently, the Commission is not satisfied that the proposed development would not impact negatively on the aforementioned waterbodies to achieve the relevant water quality status required under the Water Framework Directive. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Commission is not satisfied, on the basis of the information provided with the application and appeal that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of the River Barrow and River Nore Special Area of Conservation (Site Code 002162), in view of the site's Conservation Objectives. Accordingly, the proposed development would be contrary to Objective NSP1 and NSP2 Of the Carlow County Development Plan 2020-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *31st* day of *March* 2026