

An
Coimisiún
Pleanála

Commission Order
ABP-322336-25

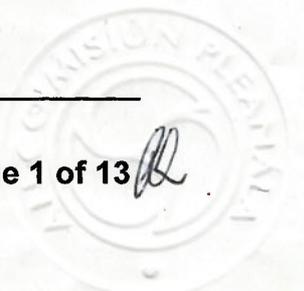
Planning and Development Act 2000, as amended

Planning Authority: Mayo County Council

Planning Register Reference Number: 2560055

Appeal by Sinead O'Brien of 1 Drumsheel Upper, Cong, County Mayo against the decision made on the 26th day of March 2025 by Mayo County Council to grant, subject to conditions, a permission to McGraths Limestone Works Limited care of Peter Kinghan of 3 Cedar Crescent, Cedar Park, Westport, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the deepening of 19 hectares of the existing permitted quarry extraction area (Planning Authority Register Reference Number 20/77: An Bord Pleanála Register Reference Number -ABP-308748-20 and Planning Authority Register Reference Number PL16.SU0132: QD16.QD0009) from five mOD to -12 mOD; landscaping and restoration of the site, all associated ancillary facilities/works, all at Cregaree, Cong, County Mayo. The developer is seeking a 25-year permission as part of the planning application.



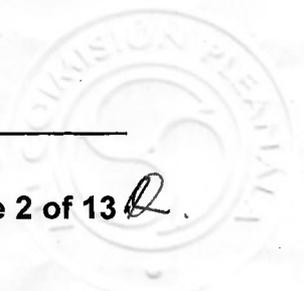
Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

In coming to its decision, the Commission had regard to:

- (a) the nature, scale and extent of the proposed development,
- (b) the pattern of development in the area,
- (c) The national, regional and local policy provisions for the proposed development including:
 - National Planning Framework First Revision 2025.
 - National Development Plan Review 2025.
 - European Union Water Framework Directive 2000/60/EC (WFD).
 - Quarries and Ancillary Activities - Guidelines for Planning Authorities 2004.
 - Environmental Management in the Extractive Industry, Environmental Protection Agency, 2006.
 - Mayo County Development Plan 2022-2028.
- (d) The documentation and drawings submitted within the application, including the Environmental Impact Assessment Report and Appropriate Assessment Screening Report.



- (e) The submissions on file, including those from prescribed bodies, the planning authority and the third party.

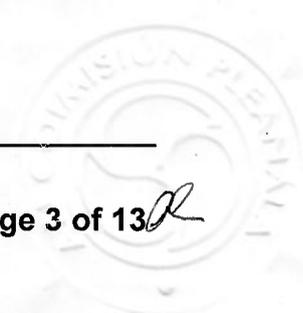
- (f) The report of the Planning Inspector.

Climate Action

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

Appropriate Assessment Screening:

In completing the screening for Appropriate Assessment, the Commission accepted and adopted the screening assessment and conclusions reached in the Inspector's Report. This assessment identified the relevant European Sites that could potentially be affected by the proposed development and evaluated the potential for likely significant effects, either individually or in combination with other plans or projects, on these sites, in view of the sites' conservation objectives. The Commission is satisfied that the proposed development, either alone or in combination with other plans or projects, would not be likely to have a significant effect on any European Site, in view of the sites' conservation objectives.



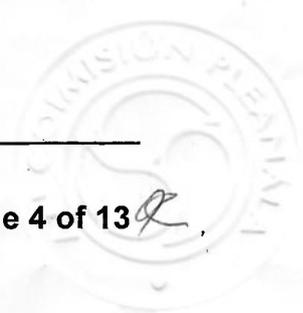
Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development taking account of:

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submissions made in the course of the application; and
- (d) the Inspector's Report.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the developer, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, set out in the Inspector's Report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the developer and submissions made in the course of the application. The Commission considered, and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are as follows:



Population and Human Health:

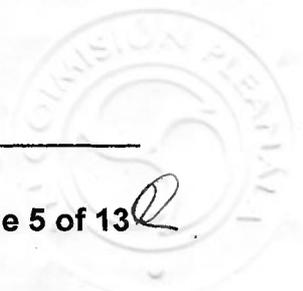
The potential for significant effects on human health from noise and vibration, air quality (dust) during the operational phases can be avoided, managed and mitigated by the mitigation measures proposed that form part of the proposed scheme and the conditions set out below, as well as compliance with other regulatory obligations. The quarry will continue to provide local employment with neutral direct impacts for population arising.

Lands, Soils and Geology:

Significant positive impacts arise through the supply of aggregates for the construction industry. Site investigations indicate that the bedrock is solid and virtually impermeable, with no evidence of subterranean karst features or water bearing conduits. Given the nature of the proposed development, significant impacts will arise in terms of the loss of bedrock due to the proposed continuation of extraction activity. The site will be returned to a natural habitat upon the cessation of quarrying activities. Adequate mitigation measures have been outlined to prevent fuel/contaminant leaks into the rock and to prevent slope failures.

Water:

Negative effects on surface water and ground water as a result of contamination from quarrying activities, blasting and machinery use can be adequately mitigated by measures outlined in the proposed application. The site will operate under a Section 4 Discharge License and discharges to the Cong Canal which is recorded as 'good status' and 'not at risk'. The proposed development would not impede the ability of surface waters to achieve good or high status with regards to the Water Framework Directive.

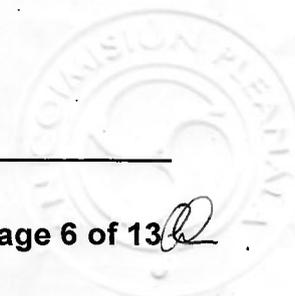


Air and Climate:

Dust deposition and emissions from plant and machinery are identified as being the main potential impacts on air quality and climate. The potential impacts of dust would be mitigated by measures, to achieve adherence to the appropriate emission limit value, the existing topography and screening berms and the use of a wheel wash. The effect of the proposed development on global carbon concentrations will be insignificant. It is concluded there is no potential for significant adverse environmental effects on air and climate.

Proper Planning and Sustainable Development

Having regard to the nature, scale and extent of the proposed development which comprises the continued extraction within an existing quarry site, it is considered that, subject to compliance with the conditions set out below, the proposed development will continue to provide the supply of aggregates for the construction industry and would not have an unacceptable impact on water quality, traffic, visual amenity or residential amenity and would constitute an acceptable form of development in this location. It is considered that the proposed development would be in accordance with national, regional and local planning policy and that it would be acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 31st day of January 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

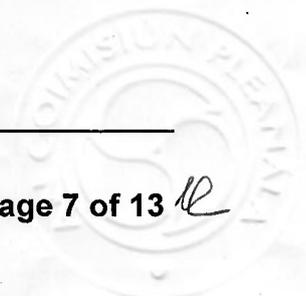
Reason: In the interest of clarity.

2. This grant of permission shall be for a period of 25 years from the date of this Order. Restoration shall be completed within a further two years, unless a permission for further quarrying has been received prior to the expiry of this permission.

Reason: Having regard to the scale of the quarry and its environmentally sensitive location, it is considered reasonable to require the acceptability of continued quarrying to be reconsidered at this time having regard to the circumstances then pertaining.

3. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be fully implemented.

Reason: To protect the environment.



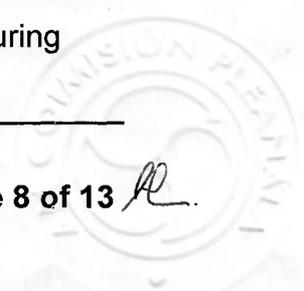
4. This grant of permission authorises extraction within the application area to a maximum depth of -12 metre Ordnance Datum. The developer shall comply with the following:
- (a) Prior to commencement of development, a benchmark shall be established on site as a reference point from which all levels shall be taken. Details of the location and construction of the benchmark shall be agreed in writing with the planning authority.
 - (b) A topographical survey shall be submitted to the planning authority on an annual basis, beginning before the commencement of works on site.

Reason: In the interest of clarity and to allow for the appropriate monitoring of activity.

5. The quarry, and all activities occurring therein, shall operate only between 0700 hours to 1800 hours, Mondays to Saturdays inclusive. No activity shall take place outside these hours, or on Sundays, or public holidays. Where market conditions or the nature of particular ancillary processes requires greater flexibility of working hours, these times may be adjusted following the written agreement of the planning authority.

Reason: To protect the residential amenities of property in the vicinity.

6. The frequency of the blasting operation on the entire quarry shall be limited to not more than four production blasts per month. Blasting shall take place between 1000 hours and 1600 hours from Monday to Friday only. Monitoring of the noise and vibration arising from the blasting shall be carried out at the developer's expense by an independent contractor to be agreed in writing with the planning authority. All monitoring records shall be made publicly available. A protocol for alerting neighbouring



residents of each blast shall be agreed in writing with the planning authority.

Reason: In the interest of public safety and residential amenity.

7. (a) Vibration levels from blasting operations shall not exceed a peak particle velocity of 12 millimetres per second when measured at any three mutually orthogonal directions. The peak particle velocity relates to low frequency vibration of less than 40 hertz where blasting occurs no more than once in seven continuous days. Where blasting operations are more frequent, the peak particle velocity limit is reduced to 8 millimetres per second. The air overpressure from any blast shall not exceed a value of 125 dB (Lin) maximum peak with a 95% confidence limit. No individual air overpressure value shall exceed the limit value by more than 5 dB (Lin).
- (b) A monitoring programme, which shall include reviews to be undertaken at annual intervals, shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any quarrying works on the site. This programme shall be undertaken by a suitably qualified person acceptable to the planning authority. The results of the reviews shall be submitted to the planning authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the planning authority following this annual review.

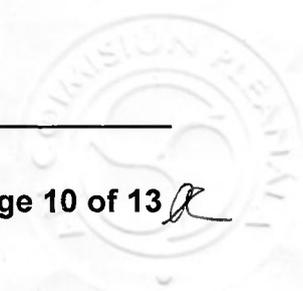
Reason: In the interest of public safety and to protect residential amenity.

8. During the operational phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed- (a) An LArT value of 55 dB(A) during 0700 to 1800 hours. The T value shall be one hour. (b) An LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes.

Reason: To protect the residential amenities of property in the vicinity.

9. (a) The total dust emissions arising from on-site operations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge) when measured as deposition of insoluble and insoluble particulate matter at any position on the boundary of the quarry.
- (b) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with these limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the entire quarry complex, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any quarrying works on the site. This programme shall include an annual review of all dust monitoring data, to be undertaken by a suitably qualified person acceptable to the planning authority. The results of the reviews shall be submitted to the planning authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the planning authority following this annual review.

Reason: To control dust emissions arising from the development and in the interest of the amenity of the area.



10. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of sustainable drainage.

11. The development shall be operated and managed in accordance with a revised Environmental Management System (EMS), updated to take account of works proposed as part of this application, which shall be submitted by the developer to, and agreed in writing with, the planning authority prior to commencement of development. This shall include the following:

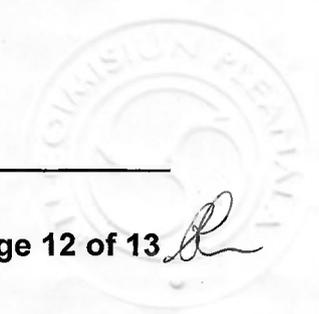
- (a) Proposals for the suppression of on-site noise.
- (b) Proposals for the on-going monitoring of sound emissions at noise sensitive locations in the vicinity.
- (c) Proposals for the suppression and monitoring of dust at prior agreed locations, on site and on the access road.
- (d) All fuels and lubrication shall be stored in fully bunded storage areas and proposals to deal with accidental spillage shall be submitted to the planning authority.
- (e) Details of safety measures for the land above the quarry, to include warning signs and stock proof fencing.
- (f) Management of all landscaping with particular reference to enhancing the ecological value of the woodland/grassland on the bunds and buffer areas.

- (g) Specification of limits in relation to the following parameters or as deemed relevant: Dust, Noise, Groundwaters, Surface Waters.
- (h) Monitoring of ground and surface water quality, levels and discharges.
- (i) Details of site manager, contact numbers (including out of hours) and public information signs at the entrance to the facility.
- (j) Monitoring of Noise levels at identified noise sensitive locations.

Reason: In order to safeguard local amenities.

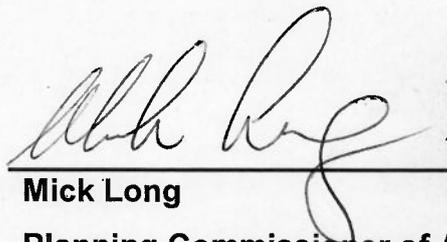
12. A comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works shall be submitted to, and agreed in writing with, the planning authority within six months from the date of this Order. This plan shall include proposals for re-use of the quarry and measures to ensure public safety therein. The developer shall commence implementation of the agreed site restoration plan within the area of the site within one month of cessation of extraction in this area and shall have completed this part of the plan within two years of commencement.

Reason: In the interests of public amenity and public safety.



13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

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

Dated this *17th* day of *December* 2025

