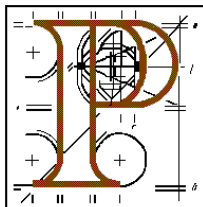


An Bord Pleanála



Inspector's Report

Site Address: Ballynabointra, Milebush, Carrigtohill, Co. Cork.

Proposal: Extension of quarry

Planning Application

Planning Authority: Cork County Council

Planning Authority Reg. Ref.: 15/4371

Applicants: Healy Investments Ltd.

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellant: The Residents of Ballynabointra and Ballyvodock West

Type of Appeal: 3rd party –v- grant

Observers: No valid observations received.

Date of Site Inspection: 29th March 2016

Inspector: G. Ryan

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1.0 SITE

- 1.1 The site consists of a greenfield site in east County Cork which is currently in use for cereal crop production. The towns of Carrigtohill and Midleton are around 2km to the west and east respectively, with an outlying estate of Midleton – Castle Rock, built in the mid-2000s – around 1km to the east.
- 1.2 It is located to the east of a local road (L-7648-0) that runs south from the N25 Cork-Waterford dual carriageway. To the west of the road is a related quarry, and there are further quarries nearby to the north (Walshes), northwest (Lagan), and southwest (Woods). The landform in the vicinity is gently undulating, with landuses consisting of agriculture, quarrying, and dispersed housing.
- 1.3 Section 0.2 of the EIS provides a very informative and detailed overview of the site's context, with Section 0.3 providing information on the site itself.
- 1.4 A gas main and associated wayleave runs through the landholding, and along the subject site's southern boundary.

2.0 PROPOSAL

2.1 BROAD OVERVIEW

- 2.1.1 The scheme consists of the opening of an extension to a quarry (or new quarry, depending on interpretation). Two scenarios are presented by the applicant in the application, Scenario 1 and Scenario 2. Under both scenarios, the basic premise of excavating a large hole in the ground to harvest limestone is the same. The differences can be summarised as follows.
 - Scenario 1 – only primary crushing to be carried out on site, with aggregates trucked across the road (via a new entrance to the existing quarry permitted by the board under PL04.245299) to the Healy/Lagan quarry to the west, for further processing and onward delivery.
 - Scenario 2 – all extraction and processing within the subject site, with direct onward delivery. The extraction rates under this Scenario would be half that of Scenario 1, and the lifespan of the quarry consequentially twice as long (10 as opposed to 5 years)
- 2.1.2 The application cover note states that the existing Healy Investments Limited quarry at Milebush is worked out, and that this application is to extend the quarry into an adjoining site to the east of the

Ballynabointra Road. It states that both the existing quarry and the site for the new quarry have been registered under the S261 process. The site was examined under the S261A process and the PA determined that there was no requirement for an EIS or AA on the existing site.

- 2.1.3 It is proposed to operate the quarry Monday to Friday 0800-1730 and Saturday 0800-1300. It is proposed to extract the limestone by controlled blasting at fortnightly intervals under Scenario 1, and monthly under Scenario 2, with smaller blasts at more frequent intervals.
- 2.1.4 The site is to be 'worked dry', with no excavation below the water table. Section 4.3 of the EIS states that borehole tests indicate the top of the water table at 4.7m aOD near the northern boundary, falling gradually southward from there. The pit floor is proposed to be at 5.7m aOD
- 2.1.5 Figure 4.1 of the EIS shows the two proposed phases of the extraction activity, and the direction of operations. Section 4.3 provides further detail in this regard.
- 2.1.6 The onsite infrastructure required under both Scenario 1 and Scenario 2 is set out in Table 4.3 of the EIS.
- 2.1.7 Proposed site reinstatement is set out in Section 4.10 of the EIS.
- 2.1.8 The proposed development has been screened under the Habitats Directive, which concludes that there is no need to proceed to Stage 2 AA.

2.2 UNSOLICITED FURTHER INFORMATION

- 2.2.1 The applicants submitted a letter to the planning authority in March 2015 stating that they had been incorrect in stating in the EIS that the existing quarry is exhausted, and that Lagan reserve the right to possibly extract less-economic reserves to the west of the Ballynabointra Road in the future. The existing pit is flooded and shut down at present.

2.3 ENVIRONMENTAL IMPACT STATEMENT

- 2.3.1 The application was accompanied by an EIS prepared by Dixon Brosnan noise and ecology specialists, dated February 2015, as per an agreement with the PA (attached), dated February 2015.
- 2.3.2 My assessment at Section 9.0 below draws on the contents of the EIS where relevant to the issues raised in the appeal.

2.4 SCREENING FOR APPROPRIATE ASSESSMENT

2.4.1 Attached to the EIS was a 'Habitats Directive Screening Report'.

2.5 FURTHER INFORMATION REQUEST AND RESPONSE

2.5.1 Prior to issuing a decision, the planning authority sought further information on 19 points, which can be summarised as follows, along with the response from the applicant. The primary response was given in a submission on file from Murphy McCarthy Consulting Engineers, although the bulk of the content is contained in a report by Dixon Brosnan.

Planning authority request	Applicant's response
<i>1. Submit details and drawings for the upgrade of the existing public road that abuts the boundary. The road front boundary fence/ditch to be set back 2 metres from the road edge over the entire road boundary. The bend in the road to the south of the entrance shall be realigned to improve sightlines and road safety. Storm water drainage to be incorporated within the proposed design. The applicant can make contact with the Area Engineer's office, Mr. Robert O'Sullivan, Ph:021.4631554, to discuss the above prior to submission.</i>	Sightlines to be provided as per revised drawing 213107-P09

<p>2. <i>Please note that the EIS is vague in its assessment of the traffic implications of utilising “scenario 1” as proposed. It is stated that potential truck routing through the Milebush site is dependent on a further traffic study. In order to ensure that the EIS properly addresses these impacts, this information is required. As it stands it is not possible to adequately assess the impacts of this routing arrangement.</i></p>	<p>Attachment 15 deals with traffic implications for ‘Scenario 1’ (the transport of material between the east and west sites). This consists of a report by report by ORS. Figure 3 shows a traffic model based on trips per hour (4 for the subject proposal), when operational. Junction capacity calculations show reserve capacity in the order of 99-100%. Drawing 151_071_201 shows the two proposed entrances (west and east).</p>
<p>3. <i>Submit details of the site suitability for a wastewater treatment unit and percolation area using the EPA, Code of Practice for Wastewater Treatment and Disposal Systems Serving Single House 2009, Site Characterisation Form. All aspects of the form to be completed and shall comply with the Code of Practice. Time of trial hole inspection to be provided.</i></p>	<p>Refers to Attachment 16 in relation to wastewater treatment, which consists of a ‘site specific proposal in accordance with EPA code of practice’, including site characterisation form, trial holes, site layout drawings, etc. The system has been designed for 4 full time staff. The treatment system and percolation area are shown in the western corner of the site.</p> <p>Refers to Attachment 13 (which includes Attachments 1-12) – A report from Dixon Brosnan – in relation to items 3-15 and 17.</p>
<p>4. <i>The actual range of water table fluctuation over the annual hydrological cycle has not been established for the development area and it is possible that the winter water table level is higher than 5.7mOD. Indicate if further details are available to determine that the winter water table level never exceeds 5.7mOD.</i></p>	<p>Attachment 13 (Dixon Brosnan report) covers this issue by way of Attachment 1, a report by IE consulting. This report discusses meteorology and water balance, subsurface geology, and aquifer properties. Water levels were taken from 4 boreholes in Nov 2013 and July 2015, ranging from 1.22mODM to 5.05mODM. The maximum depth of excavation is to be 5.8mODM</p>

<p>5. <i>Please note that the EIS does not properly assess the impact of both scenarios proposed in terms of impact on soils/water and geology. The impacts of the proposed development should be assessed separately for each of the development scenarios. In this regard, all potential impacts should be identified including assessment of a high water table, and the impact on groundwater quality of the use of explosives. The risk posed by the release of hydrocarbons in the quarry area should be re-evaluated given that there will be no soil or subsoil to inhibit the direct discharge to the karstified bedrock aquifer. The impacts should be described in accordance with the EPA's EIS Guidelines which recommend that following objective criteria be used to determine the significance of an impact: [cites criteria]</i></p>	<p>Refers again to the IE Consulting report (see Item 4 above).</p>
<p>6. <i>Soils and Geology should be considered in the Interaction Chapter in the context of the two proposed development scenarios. This is because the rate of extraction under the two different scenarios may be of significance in terms of impacts on traffic, noise, dust and human beings.</i></p>	<p>The Dixon Brosnan report discusses this item briefly.</p>

<p>7. <i>Full location and descriptive details of the identified and referenced noise monitoring locations shall be submitted. The selection process for such locations should be clearly outlined, explained and demonstrated. All information to support the claim that such locations are representative of noise sensitive locations in the vicinity of the proposed development should be submitted.</i></p>	<p>The Dixon Brosnan report refers to Section 5.4 of the EIS. Additional background reports on noise are presented by way of the following attachments</p> <p>A2 – A noise and air quality report for the original Healy quarry from 2001.</p> <p>A3 – An Environmental Noise Survey for the original Healy quarry from 2004.</p> <p>A4 – A Noise Survey for the original Healy quarry from 2006</p> <p>A5 – A Noise and Dust assessment for a proposed timber frame factory from 2006.</p> <p>A6 – A further information response in respect of the Lagan quarry from 2012.</p> <p>Figure 1 of the Dixon Brosnan report shows the location of the Noise Monitoring stations, which also shows the location of dwellings in the vicinity. These two stations were chosen to represent the two nearest clusters of housing not on the landholding.</p>
<p>8. <i>Ambient and background noise monitoring data should be segregated and reported over the 1 hour monitoring intervals in which monitoring was conducted and undertaken.</i></p>	<p>This information was presented in the Dixon Brosnan report.</p>

<p>9. <i>It should be clarified if the predicted noise levels arising from the proposed development have incorporated an assessment for the presence or otherwise of tonal/impulsive elements. Any adjustments in the predicted noise levels should be undertaken if necessary for the presence or otherwise of such tonal/impulsive elements. Any changes in the overall predicted and cumulative noise levels at the site boundary/sensitive locations arising from such an assessment should be reported and commented on.</i></p>	<p>The Dixon Brosnan report states that it is assumed that plant emissions will not be tonal or impulsive based on data presented in BS5228:2009.</p>
<p>10. <i>Details of predicted and cumulative noise levels at the site boundary/noise sensitive locations pre and post noise mitigation should be submitted.</i></p>	<p>The Dixon Brosnan report gives levels for each of the phases at each of the dwelling clusters. Noise levels are shown as ranging from 46dBAL_{Aeq 1h} to 55dBAL_{Aeq}. This would increase to 58dBAL_{Aeq} during the 12/24 drilling days per year. These maximum levels are reached at houses within and outside of the land holding, and the figures assume that berms will be in place.</p> <p>By way of mitigation, it is proposed to halt crushing and screening while drilling is undertaken during phase 1.</p>
<p>11. <i>In relation to Figure 5.3 of submitted E.I.S (Location of proposed straw bale walls), a map showing the location of same relative to noise sensitive locations in the vicinity should be submitted. In addition details with respect to the noise mitigation capacity of such walls and the maintenance of same should also be submitted.</i></p>	<p>The Dixon Brosnan report states that it is proposed to eliminate the straw bale walls by increasing the heights of the northern berm from 5m to 7m.</p>

<p>12. <i>In terms of noise level impact the overall residual and cumulative impact of the proposed development should be clarified and submitted. Such impact should have due regard to the current ambient environment.</i></p>	<p>The Dixon Brosnan report refers to this issue, and states that anecdotal evidence and site inspections suggest that a number of the quarries in the area may be nearing exhaustion.</p> <p>Cumulative analysis presented in Table 4 of the applicant's pit, the Lagan Site, and the Walsh Quarry shows levels increasing in the range of 1-5dBAL_{Aeq}, to a maximum of 56dBAL_{Aeq}</p>
<p>13. <i>In relation to blasting, please address the third party concerns raised which refer to structural damage to property from quarry-related blasting that has occurred in the area, and assess fully the potential cumulative impact of the blasting associated with the proposed development. In this regard, the impact of blasting at the cluster of houses to the immediate north of the proposed extraction area (identified in the Blastings Operations Report as NW2), needs to be addressed. Para 5.10.4 of the EIS states that blast records associated with the neighbouring quarries indicate compliance with peak particle velocity criteria. Provide a summary of the blast monitoring results that have been reviewed in the preparation of the EIS. The blasting assessment should also fully assess the possible impacts associated with both extraction scenarios.</i></p>	<p>The Dixon Brosnan report refers to Attachment 8, a report by John Kilcoyne, Chartered Engineer. This report notes that cumulative impacts are unlikely to be an issue.</p> <p>The results of several blasts undertaken in 2014-2015 are presented in Attachment 10, and show compliance with standard criteria.</p>

<p><i>14. In terms of air quality, it is stated in the EIS that Scenario 2 will be more impactful as it requires secondary processing. The distribution of the aggregates along a conveyor to stockpiles has potential for dust emissions. While the mitigation measures proposed are acknowledged the extent of the impact of Scenario 2 processing on the neighbouring Walsh households does not appear to have been adequately addressed. These dwellings appear to have been somewhat dismissed as receptors by virtue of their association with a neighbouring quarry. Please address.</i></p>	<p>The Dixon Brosnan report refers to Attachment 11, a report by TMS Environment Limited dated October 2015.</p> <p>This report includes baseline air quality surveys, and modelled air quality impacts. The closest residential receptors are the Walsh family, who are upwind of the prevailing wind direction.</p> <p>It concludes that there is adequate assimilate capacity in the receiving environment to allow the development to proceed without exerting an adverse impact on air quality.</p>
<p><i>15. A detailed evaluation of existing dust levels should be undertaken and submitted along with accompanying meteorological data to enable the assimilative capacity of the receiving environment to be determined. Arising from same the potential impact of the proposed development should be assessed.</i></p>	<p>As per response to item 14.</p>

<p>16. <i>It is noted that under the quarry registration process (04.QC. 2135) for the Milebush pit, a 20m buffer between the quarry face and the public road/ neighbouring properties was required in order to protect amenities. The current proposal appears to have a separation distance of 5m approx. between the local road on its Eastern boundary and the quarry face. You should reconsider the proposed depth of the buffer in light of the existing 20m buffer.</i></p>	<p>The applicant asserts that a 20m buffer is not necessary due to the lack of residential development in the vicinity.</p>
<p>17. (a) <i>The applicant shall submit details of native hedgerows to be planted inside the new post and wire fencing along the realigned road side boundary as required by the Area Engineer. The new hedgerow will be planted with native species which will include Whitethorn, Blackthorn, Spindle and Guelder.</i></p> <p>(b) <i>It is noted that Japanese Knotweed is present along sections of the roadside boundary. The applicant shall submit a Japanese Knotweed management plan detailing what measures will be used to remove this invasive species. The management plan will ensure that the Japanese Knotweed is irradiated within the site including its disposal prior to the removal of topsoil and subsoil.</i></p>	<p>The Dixon Brosnan report refers to Attachment 12, an invasive species management plan and landscape proposals, prepared by Dixon Brosnan.</p>

<p>18. <i>In relation to the site restoration proposals, please provide a timeframe for implementation.</i></p>	<p>Phase 1 would take 4/2 years and Phase 2 would take 2/1 years, depending on which Scenario was applied. It is intended that restoration would be undertaken in the Spring or Autumn immediately on completion of each phase.</p>
<p>19. <i>Having regard to the unsolicited F.I. received on the 23/3/2015 - please clarify the likely extent of the reserve available on the existing Milebush pit on the Western side of the local road, and address whether or not the pit is exhausted. You should have regard to the extent of quarrying allowed for in the registration of the quarry under S261. Please also address the restoration proposals for this pit.</i></p>	<p>The remaining reserve west of the road is within the area registered under S261, but is extremely difficult to estimate. The quality of rock is poor and it is a borderline decision as to whether it will ever be economic to extract this reserve. It might be in the region of 100,000 tonnes. The programme for extraction lies with Lagan. Accordingly, the applicant is unable to make a commitment in relation to the timing for extraction and restoration. The restoration proposal is that the natural ground water level be restored, with minor restoration works around the perimeter to remove any mounds of loose material.</p>

Table 1

3.0 SUMMARY OF REPORTS TO THE PLANNING AUTHORITY

3.1 DEPARTMENTAL REPORTS PRIOR TO THE FURTHER INFORMATION REQUEST

3.1.1 Area Engineer

3.1.2 States that the sight distances at the existing entrance are poor. Requests further information regarding the upgrade of the existing public road inducing setbacks and realignment.

3.1.3 Requests further information in relation to a wastewater treatment unit and percolation area.

3.1.4 Heritage unit

3.1.5 The heritage unit are is satisfied that he proposed development would not have significant impacts on Annex species. Requests further information on the issues of the hedgerow species proposed and the management of Japanese Knotweed.

3.1.6 Environment Report

3.1.7 The Environment report does not assess the vibration impact as a result of blasting, which should be assessed by an appropriate

person with specific expertise, given the proximity of dwellings and the gas pipeline.

- 3.1.8 Recommends further information on 7 points relating to noise impacts and dust.

3.2 DEPARTMENTAL REPORTS FOLLOWING THE FURTHER INFORMATION REQUEST

3.2.1 Area Engineer

- 3.2.2 No objection subject to conditions.

3.2.3 Heritage unit

- 3.2.4 The second report from the Heritage unit consists of a Habitats Directive Screening Assessment and Conclusion Statement. It relates to the Great Island Channel SAC (1058) and Cork Harbour SPA (4030). It concludes that there is no requirement for the proposal to be subject to [stage 2] Appropriate Assessment.

3.2.5 Environment Report

- 3.2.6 Notes the two scenarios proposed, and the mitigation measures proposed. The preference would be for Scenario 2 (10 years) in terms of noise.
- 3.2.7 Vibration should be assessed by an appropriate person with specific expertise.
- 3.2.8 No objections subject to conditions.

3.3 REPRESENTATIONS

- 3.3.1 Objections were submitted on behalf of the current appellant, and from the following parties.
- David Walsh Junior, Ballynabointra
 - James and Margot O'Byrne, Ballynabointra
 - Kathleen Walsh and David Walsh Senior, Ballynabointra
 - Niall Healy, Midleton
- 3.3.2 The matters raised in these objections are largely reflected in the appeal grounds summarised in section 7.0 below. Other matters of note can be summarised as follows.
- Includes photographs of the condition of the public road.
 - Structural damage is already being done to homes.

- Refers to the Gas supply pipeline through the site.
- [David Walsh Junior] disagrees with the contention in the EIS that the objectors operate the 'Walsh Quarry'.
- [David Walsh Senior] states that he has nothing to do with John Walsh Lime and aggregates, which belongs to his son.

3.4 EXTERNAL CONSULTEES

3.4.1 Gas Networks Ireland

3.4.2 State that there is a Gas Transmission Pipeline¹ with an 18m wide wayleave in the immediate vicinity of the subject site. The wayleave is shown in red on the attached drawing [running through the subject landholding, and along the southern boundary of the subject site]. Gas Networks Ireland have no objection to a grant of planning permission, but ask that a condition requiring compliance with an attached Code of Practice be attached to any grant of permission.

3.4.3 Irish Water

3.4.4 No objections subject to conditions.

3.4.5 Health Service Executive

3.4.6 Recommends that mitigation measures on the issue of noise and vibration be agreed with the planning authority prior to the commencement of Phase 1.

3.4.7 Recommends requirements around the issue of blasting. The issue at the cluster of houses at NW2 may be of particular note. An Environmental Management procedure for the recording of any possible future noise complaints should be put in place.

3.4.8 The mobile dust suppression unit should be available at all times, rather than supplied if required, as stated in the EIS.

3.4.9 Monitoring and remedial action procedures should be agreed with the planning authority around the issue of protecting surface water and groundwater.

3.4.10 An Taisce

3.4.11 Recommends that all issues of planning compliance at the existing site should be addressed as a preliminary matter.

¹ This pipe would appear to form a major part of the transmission network, linking Cork City and West Cork with the national network. (source: <http://www.gasnetworks.ie/en-ie/about-us/our-network/pipeline-map/>)

3.4.12 Geological Survey of Ireland

- 3.4.13 A submission from the GSI sets out generic considerations for the EIA process in relation to geology / groundwater and quarries.

3.5 PLANNING OFFICER'S FIRST REPORT

The issues raised in the planning officer's initial report (prior to the further information request) can be summarised as follows.

- 3.5.1 The report contains a number of photographs of the site.
- 3.5.2 Notes that the wider overall quarry site to the west of the road has been divided between two operators, Healy Investments Limited, and Lagan Limited. In 2009, the Milebush operation was sold to Lagan Group, but the Healy brothers retained the Southern portion of the existing site and the land subject of the current application. The pit that was retained by Healy investments is now nearly exhausted as per the unsolicited further information. A general overview of quarrying activities in the area is given on Page 18 of the report.
- 3.5.3 The report notes the two proposed options within the planning application and states that Option A [Scenario 1] is a clear 'extension' of the existing quarry, whereas Option B [Scenario 2] is ostensibly a new self-contained quarry, but can be considered an extension by virtue of being within the area of land registered as part of the 'workable quarry area' under the S261 registration process. As the application relates primarily to an extension of an existing quarry, which has been appropriately regularised through the registration process, it is considered generally acceptable in principle, subject to normal planning and sustainable development criteria. In the interests of clarity, one scenario only should be sanctioned. The Senior Executive Planner may wish to further add to this position.
- 3.5.4 Notes that it is proposed to finish the quarry floor 1m above the water table.
- 3.5.5 The report consists of an EIA, which consists largely of the distillation of information contained within the EIS.
- 3.5.6 The planning officer notes that in relation to air quality, the two dwellings in the ownership of the Walsh Family appear to have been somewhat dismissed by virtue of their connection with the adjacent Walsh Quarry. The planning officer is not satisfied that the impact of Scenario 2(/B) – which would be more impactful due to secondary processing - on the Walsh households has been adequately addressed.
- 3.5.7 The planning officer notes that the hydrogeologist requires further information in relation to the water table. It is not advisable to rely on

a single set of groundwater levels as representing the maximum seasonal high water table levels, particularly given the known seasonal range of fluctuations in the bedrock acquirer.

- 3.5.8 In relation to soils, water, and geology, Scenario 1 would result in the quarry being excavated twice as fast as Scenario 2, and result in twice as much dust, and significantly higher levels of traffic across the road. In general, mitigation measures presented in the EIS on this issue are satisfactory.
- 3.5.9 On the issue of traffic, the applicant asserts that the increase in vehicle movements would be offset by the drop in traffic associated with neighbouring quarries that are nearly exhausted. However, neighbouring dwellings hoping to finally enjoy the benefits of lessening quarry activity would have to contend with a 10 year uptick if Scenario 2 is pursued, or 5 years under Scenario 2. The planning officer queries the assertion that neither scenario would have a significant impact on local roads.
- 3.5.10 The overall visual impacts of the proposed development are not considered to be significant. The impact on amenity is not considered to be significant. Health and safety measures could be dealt with via the mitigation measures proposed.
- 3.5.11 The planning officer considers the EIS to be compliant with Article 94 and Schedule 6 of the Planning and Development Regulations 2001, as amended. The requirement to consider alternative sites is not applicable in this instance.
- 3.5.12 Under the registration process (ABP Ref 04.QC2135), the board specified a 20m buffer between the quarry face and the public road/neighbouring properties. The current proposal has a proposed separation distance of only 5m between the local road and the quarry face. A 20m buffer should be maintained. The northern boundary is shared with a neighbouring quarry, and so the 20m buffer may not be important. The nearest 3rd party dwelling is around 50m from the northern boundary face, which would appear suitable.
- 3.5.13 Recommends requesting further information on 17 points.

3.6 SENIOR EXECUTIVE PLANNING OFFICER'S REPORT

- 3.6.1 Reiterates and concurs with the planning officer's report.
- 3.6.2 States that the planning authority commissioned a report by O'Callaghan Moran (OCM) to consider the impacts on hydrogeology, and that further information is recommended. The applicant's establishing of the water table cannot be relied upon.
- 3.6.3 Recommends requesting further information.

3.7 PLANNING OFFICER'S SECOND REPORT

The issues raised in the planning officer's second report (following the receipt of further information) can be summarised as follows.

- 3.7.1 In relation to items 3, 4, 5, and 6 of the further information request [see section 2.5 above], the planning authority requested the services of an external consultant (Sean Moran c/o OCM Environmental Management) to comment. The content of this OCM report are replicated within the planning officer's report. The consultant finds that the proposed wastewater treatment system is satisfactory, the measured groundwater depths are satisfactory with respect to the proposed quarry floor, impacts on soils/water and geology are satisfactory, and in relation to dust, OCM note that Scenario 1 would generate twice as much dust as Scenario 2, but concludes that there would be no significant difference in terms of the potential impacts on soils, geology, hydrology, and hydrogeology between the two scenarios.
- 3.7.2 In relation to blasting (item 13), it could be assumed that Scenario 2, which only requires one blast per month, would have a lower impact.
- 3.7.3 On the issue of a buffer to site boundaries (item 16), the planning officer recommends, notwithstanding the assertions of the applicant, that a buffer of 20m be required by way of condition.
- 3.7.4 Notes the Heritage Officer's position that he is 'satisfied that the proposed development will not have significant impacts on the Great Island Channel SAC (1058) or on Cork Harbour SPA'.
- 3.7.5 The applicant appears to have addressed outstanding concerns. The key issue is the variance in the two 'scenario' options presented. The applicant has also pointed out that there is an ongoing legal action between Healy Investments Ltd. and Lagan Group. Any condition must be clear, precise, and enforceable. The two scenarios represent two very different approaches to development of this site. While both would appear acceptable in practice, the planning officer does not consider that both outcomes can be accommodated within the terms of a single planning permission. The planning authority, if granting permission, should sanction one approach or the other.
- 3.7.6 Most reporting officers have not indicated a clear preference, but the environment officer has indicated a preference for Scenario 2 (the 10 year permission). Furthermore, the new access road to accommodate Scenario 2 is pending decision by An Bord Pleanála. Scenario 2 could be developed fully within the applicant's lands without recourse to a separate entity (Lagan Group). For these reasons, the planning officer recommends that should permission be granted, that it be in accordance with 'Scenario 2'.
- 3.7.7 Recommends a grant of permission subject to conditions.

3.8 SENIOR PLANNER'S REPORT

The issues raised in the Senior Planner's second report (following the receipt of further information) can be summarised as follows.

- 3.8.1 Only one of the two 'Scenarios' can be considered. The reports on file indicate that both are acceptable. Notes the Environment Directorate preference for Scenario 2. The area planner's comments regarding blasting are endorsed.
- 3.8.2 Notes that no contribution is recommended by the Area Engineer. The road is to be upgraded by the applicant at the site's roadside boundary. The haul route is via the N25 with only a short section of the local road network included.
- 3.8.3 All outstanding issues have been adequately addressed. Recommends a grant of permission subject to conditions.

4.0 PLANNING AUTHORITY DECISION

The planning authority decided to grant permission subject to 39 conditions, many of which could be considered 'standard' conditions. Others of note can be summarised as follows.

- 2 10 year permission. To be carried out in accordance with 'Scenario 2'.
- 15 Requires restoration plan (details specified).
- 19 Sets operational noise limits.
- 25 Sets operational dust deposition limits.
- 27 Requires Environmental Management System.
- 28 A record of complaints must be kept.
- 29 Monitoring to be submitted annually to PA.
- 31-35 Relates to blasting, which is to be no more than once per month.
- 37 Requires compliance with code of practice re gas main.
- 38 Sets operational hours.

5.0 HISTORY

5.1.1 On the subject site

PL04.QC2135 (Planning Authority Ref QY078) - Registration under Section 261 was confirmed by the board in 2008 on a site that included both the Healy/Lagan sites to the west of the roadway, and the subject site, which was shown included within the 'workable area'.

PL04.LV3276 – Leave to appeal sought by Lagan Cement in respect of the subject application on the basis of the fact that they are the owners of the lands immediately northeast of the subject site, where the proposed roadway (See PL04.245299 below) that would facilitate Scenario 1 would be located.

Lagan would have been involved in the processing of the aggregate under the subject application, had it not been for the planning authority's imposition of Scenario 2 by condition. The board decided to refuse leave to appeal

5.1.2 On the Healy/Lagan site to the west of the Ballynabointra Road

PL04.245299 (Planning Authority Ref. 15/04529) – permission granted by the board in November 2015 to Healy Brothers Ltd. (trading as Lagan Concrete) on a site to the immediate west of (across the road from) the subject site for construction of a new gated access to serve the Lagan Concrete site. Works include provision of a wheel wash, fencing, traffic signs, public lighting and all associated site works.

The planning officer's report sets out a detailed planning history of this site, stretching from 1985 to 2012, covering a ready-mix plant and concrete block works, landscaping, quarry registration under S261, generator station, and asphalt plant.

5.1.3 Walsh Quarry to the immediate north

The planning officer's report sets out a detailed planning history of the site stretching from 2008 to 2014, covering rock extraction and blasting, quarry registration under S261, continuance of use, and retention of quarrying (pending at time of writing).

6.0 POLICY

6.1 CORK COUNTY COUNCIL DEVELOPMENT PLAN 2014

The subject site is located within an area of the County which has identified as County Metropolitan Cork Strategic Planning Area and within a prominent and strategic Metropolitan Greenbelt Area. Mapping shows that the site is located in a 'High Value Landscape', which is a designation that applies to the entirety of the county's coastal belt, as well as some inland valley and mountain areas.

Chapter 13 deals with green infrastructure and the environment and section 13.8 deals with Prominent and Strategic Metropolitan Greenbelt Area. The Plan provides that such greenbelt areas

'require the highest degree of protection because they are made up of the prominent open hilltops, valley sides and ridges that give Metropolitan Cork its distinctive character and the strategic, largely undeveloped gaps between the main Greenbelt settlements. This plan recognises the importance of protecting these areas'

Objective GI 8-1 deals with Prominent and Strategic Metropolitan Greenbelt Areas requiring Special Protection and provides as follows:

'Protect those prominent open hilltops, valley sides and ridges that define the character of the Metropolitan Cork Greenbelt and those areas which form strategic, largely undeveloped gaps between the main Greenbelt

settlements. These areas are labelled MGB1 in the Metropolitan Greenbelt map (Figure 13.3) and it is an objective to preserve them from development’.

Objective RCI 5-6 relates to ‘Long Established Uses’ and is to

“Recognise the requirements of long established commercial or institutional uses located entirely within the Greenbelt which may make proposals for expansion / intensification of existing uses.”

Chapter 6 of the Plan deals with Economy and Employment where section 6.12 deals with Mineral Extraction. Section 6.12.3 identifies that there are distinct clusters (sand, gravel and stone quarries) at locations near Carrigtohill, Midleton, etc. The subject site is located within such a cluster of quarries.

Section 6.12.7 is also of relevance in this instance, where it states the following:

“Quarrying operations can give rise to land use and environmental issues which require mitigation and control. It is necessary to ensure that minerals can be sourced without significantly damaging the landscape, environment, groundwater and aquifer sources, road network, heritage and / or residential amenities of the area.”

Other relevant objectives include as follows:

Objective EE 12-1: Safeguarding Mineral Reserves

Objective EE 12-2: Mineral Strategy

Objective EE 12-3: Impacts of Mineral Extraction

In terms of landscape protection, the plan seeks to discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments (Objective GI 6-1).

6.2 QUARRIES AND ANCILLARY ACTIVITIES – GUIDELINES FOR PLANNING AUTHORITIES 2004:-

This publication provides guidance to planning authorities on the issues surrounding quarry development. It deals with planning applications, development plan policy, and section 261 of the 2000 Act. These Guidelines are published under section 28 of the 2000 Act hence the Board is required to have regard to them.

Section 2.3 recommends that in formulating development plan aims and strategy priority should be given to identifying the location of major deposits, and to including a commitment to safeguard valuable un-worked deposits for future extraction. This does not imply a blanket ban on other forms of development, but consideration should be given to the fact that the proximity

of major new housing developments, for example, could effectively sterilise such deposits.

Section 2.4 addresses development control objectives and includes comments on bonds and on the upgrading of roads.

Chapter 3 deals in detail with the environmental implications of quarries and sets out best practice which is useful for the assessment of applications and EIS as well as for the formulation of planning conditions. Included in detail are considerations related to noise and vibration, dust, water supplies and groundwater, traffic, archaeology, water, etc.

Chapter 4 deals with planning applications and is more prescriptive in terms of mitigation and planning conditions.

7.0 GROUNDS OF APPEAL

The 3rd party appeal was submitted by 'The Residents of Ballynabointra and Ballyvodock West'. Ballynabointra is the townland in which the site is located, whereas Ballyvodock West is the next townland to the south. The main grounds of this appeal can be summarised as follows.

- 7.1.1 The residents of the area completely oppose the further development and intensification of quarrying activity in the area.
- 7.1.2 The proposed development would be harmful to the amenities of the neighbouring 10 properties in terms of loss of privacy, road safety, visual amenities, noise and vibration (including blasting), and loss of recreational amenities.
- 7.1.3 Refers to policies of the County Development Plan [see Section 6.1 above].
- 7.1.4 The application does not include a Traffic and Transport Assessment or a Road Safety Audit, as required by Objective TM3-3 of the County Development Plan. The road does not have the carrying capacity to accommodate the resulting traffic levels.
- 7.1.5 The removal of roadside hedges would have a visual impact.
- 7.1.6 The appellants state that there is legal action between the applicant and Lagan Cement over a complex contractual dispute. They state that Lagan operate the applicant's existing quarry under contract. The appellants believe that the applicant would contract all works to a 3rd party, and raise concerns about Lagan's potential involvement in arrangements. Planning permission should not be granted until such time as these legal issues have been clarified, as a number of potential scenarios could emerge.

- 7.1.7 The appellants refer to existing ongoing planning enforcement cases in the vicinity, and to communication difficulties between local residents and quarry operators.
- 7.1.8 The appellants understand that this is a quarrying area, but it is also a residential area. The appeal refers to permissions granted along this road in recent times ('09, '10, '11)
- 7.1.9 Applications 15/04371 and 14/04529 [see Section 5.0 above] are effectively reliant on each other and this has effectively resulted in project splitting. The applicant links and separates the two applications when it suits them.
- 7.1.10 The current application for an 'extension' of a quarry is misleading. This is an application for a new quarry.
- 7.1.11 Refers to localised flooding in the vicinity and the lack of use of wheel washes by existing quarry operators.

8.0 SUMMARY OF RESPONSES

8.1 PLANNING AUTHORITY

- 8.1.1 The planning authority have not responded to the matters raised in the appeal.

8.2 FIRST PARTY RESPONSE TO THIRD PARTY APPEAL

- 8.2.1 A response submitted by Murphy McCarthy on behalf of the applicant counters the grounds of the appeal, stating that the issues raised by the appellants have been dealt with by the planning authority. The applicant notes the points raised in relation to the operational methods of Lagan on their own quarry lands, and notes that Lagan have applied for leave to appeal. If this appeal is successful, forum to comment on Lagan would then arise. In any event, the matters raised are not pertinent to this application.

9.0 ASSESSMENT

- 9.1 In accordance with the requirements of Article 3 of the European Directive 85/337/EEC, as amended by Council Directives 97/11/EC and 2003/35/EC and Section 171A of the Planning & Development Act 2000-2010, the environmental impact statement submitted by the applicant is required to be assessed by the competent authority, in this case by the Board. In effect, it is the board that undertakes the EIA. In this assessment, the direct and indirect effects of the proposed project need to be identified, described and assessed in an appropriate manner, in accordance with Articles 4 to 11 of the Directive.

9.2 Such an EIA undertaken here in this report will, by virtue of the specific range of issues pertinent to this appeal, cover most of the issues that would in any event have been covered in an inspector's assessment in a non-EIA case.

9.3 Other issues can be addressed under the following headings;

- Principle of Development and policy context
- Legal and Procedural matters

While these fall outside what could be considered relevant to the EIA, it should be noted that they are also addressed as part of the Applicants' submitted EIS.

9.4 In the interests of clarity, I propose that my assessment be structured on the basis of the 2 headings above, followed by a series of headings addressing the EIA of the scheme, mirroring the structure of the Applicants' original EIS (grouped where appropriate), but also drawing on the submissions of other parties to the appeal, on relevant policies, data, and my own observations, analysis, and conclusions. I propose that these subsequent headings be laid out as follows.

- EIS - Compliance with Planning and Development Regulations 2001
- EIA - Noise and Vibration (EIS Chapter 5)
- EIA - Air Quality (EIS Chapter 6)
- EIA – Ecology (EIS Chapter 7)
- EIA – Soils, Geology, and Water (EIS Chapter 8)
- EIA – Traffic, Material Assets (EIS Chapters 9 and 10)
- EIA – Cultural Heritage, Landscape and Visual Impact, Human Environment (EIS Chapters 11, 12, 13)
- EIA - Interactions (EIS Chapter 14)
- EIA – Alternatives Considered

9.5 PRINCIPLE OF DEVELOPMENT AND POLICY CONTEXT

9.5.1 Chapter 6 of the County Development plan explicitly recognises distinct clusters of quarries at locations near Carrigtohill, Midleton, etc. The subject site is within such a cluster. This policy would appear to be consistent with the recommendations of the DoEHLG's 2004 'Quarry Guidelines' which recommend identifying, locating, and protecting valuable unworked deposits for future extraction.

9.5.2 The policies of the development plan generally give qualified support to the extractive industry, subject to appropriate protections to environmental quality and residential amenity.

9.5.3 As such, I consider that the proposed development is broadly consistent with development plan policy, subject to acceptable performance in the remainder of this assessment.

- 9.5.4 I consider that, policy aside, some weight should be given to the site's location within a cluster of existing quarries from a precedent perspective.

9.6 LEGAL AND PROCEDURAL MATTERS

- 9.6.1 I note the planning officer's position (See Section 3.5 above), as supported by the Senior Executive Planner and the Senior Planner, that only one of the two 'proposed' Scenarios can be granted permission. I would concur with this position, and will return to the question in my conclusions.

- 9.6.2 I also note the material on file relating to legal proceedings between the applicant and a neighbouring quarry operator, with whom the applicants have legal agreements, and whose cooperation would be required to implement Scenario 1. I do not consider it appropriate to consider such matters in this assessment.

9.6.3 Development Contribution

- 9.6.4 Unusually, no development contribution condition is proposed. This is noted in the report of the Senior Planner, who points to the fact that the road is to be upgraded by the applicant at the site's roadside boundary.

- 9.6.5 The following excerpts from the current Development Contribution Scheme are of relevance

“Development contributions for windfarms, golf courses, quarries, gravel pits and other non-agricultural developments, which are not specifically allowed for in the General Scheme, will be levied as special contributions”

“Special contributions for quarries and gravel pits shall be based on the following criteria:-

- *The scale of the proposed development, i.e. the volume of materials that it is proposed to supply from and deliver to the site;*
- *The condition of the road serving the development;*
- *The length of the road or roads from the development to the nearest major road which is in good condition;*
- *The cost of bringing the road or roads up to a standard necessary to facilitate the development and not cause an adverse impact on other road users.*
- *And the cost of traffic control measures.*
- *Buildings provided as part of a quarry or gravel pit development will however also be subject to the provisions of the general Contributions Scheme (i.e. based on the gross floor area of the buildings).”*

- 9.6.6 It would appear that the planning authority is accepting works to the public roadway in lieu of a financial contribution. This would appear to be quite a favourable outcome for the applicant. However, it does appear to be broadly consistent with the scheme, and I would not propose to recommend imposing a financial contribution in this instance without recourse to the parties involved.

9.7 EIS - COMPLIANCE WITH PLANNING AND DEVELOPMENT REGULATIONS 2001

- 9.7.1 Article 94 and Schedule 6 of the Planning and Development Regulations 2001, as amended, set out the information to be contained in an EIS.
- 9.7.2 In my opinion, the EIS accompanying the application, as supplemented by the further information, technically accords with the legislative requirements and with the subjects to be addressed set out therein. This material validly supplements the initial EIS, in my opinion, and comes within the terms of the process as outlined by legislation.

9.8 EIA - NOISE AND VIBRATION (EIS CHAPTER 5)

9.8.1 Proximity to noise sensitive locations

- 9.8.2 The nearest houses to the subject site are shown in Fig 2.3 of the EIS. There is some discussion in Section 2.3 of the EIS which is well detailed, and provides a good overview.
- 9.8.3 In relation to cumulative impacts, Section 5.12 of the EIS refers to the houses owned by the Walsh family to the northwest in the context of their involvement in the quarrying industry. Exceedances of the 55dBA limit (see below) are stated as being likely. Submissions to the planning authority by the Walsh family contest the applicant's assertions regarding their involvement with the Walsh quarry.

9.8.4 Operational noise

- 9.8.5 The EIS (Section 5.2) adopts the recommended noise limit of 55dB_{L_{Aeq1h}} from the DoEHLG guidance 'Quarries and Ancillary Activities: Guidelines for Planning Authorities (2004)' and the EPA's 'Environmental management guidelines: Environmental management in the extractive industry (non-scheduled minerals)'(2006). The EIS notes that BS 5228:2009 allows for higher limits during the construction phase.
- 9.8.6 Two noise monitoring locations, N1 and N2 were selected as proxies for the nearby dwellings. Ambient noise levels of 48-49 and 44-48 dBA_{L_{Aeq1h}} were recorded.

- 9.8.7 Modelled noise levels at sensitive receptors are given in Sections 5.6 and 5.7 of the EIS as 65dB during the construction phase and up to 55dBA in the operational phase, rising to 58dBA where drilling is also undertaken. To mitigate this, it is proposed to temporarily halt crushing and screening during drilling phases where the noise limits would otherwise be exceeded.
- 9.8.8 Proposed straw bale walls are shown in Figure 5.3 of the EIS as further mitigation. These are however omitted on foot of Item 11 of the further information request, in favour of increasing the height of the northern berm from 5m to 7m.
- 9.8.9 The response to Item 7 of the further information request provides a number of additional historic noise monitoring reports in respect of the surrounding quarries. Items 8, 9, 10, 11, 12, and 13 of the further information request also relate to the issue of noise.
- 9.8.10 I note the submission from the HSE on issues of noise and air quality (see Section 3.4.5 above).
- 9.8.11 The appellants concerns include impacts by way of noise and dust, and they urge a rebalancing towards the residential function of this area.

9.8.12 Blasting

- 9.8.13 Noise from traffic and blasting are dealt with separately in Sections 5.9 and 5.10 of the EIS.
- 9.8.14 Appendix 5.5 consists of an assessment of potential vibration impacts. It recommends that advance notice be given to neighbouring dwellings of when blasting operations are to take place. Attachment 10 of the further information response includes the results of several blasts undertaken in 2014-2015.
- 9.8.15 I note that the author of the planning authority's Environment Report explicitly stated that they would not be assessing the issue of vibration, and recommended specific expertise. I also note the objections to the planning authority, which asserts that structural damage has already occurred at nearby homes due to quarrying activity in the vicinity.

9.8.16 Conclusions on noise

- 9.8.17 The material presented by the applicant is indicative of a situation whereby recommended noise limits would be exceeded, all else being equal. However, the proposals to stagger activities on site in order to comply with limits would appear to be a reasonable approach. Furthermore, I note that Condition 19, along with Conditions 28-35 of the planning authority's decision deal with noise.

- 9.8.18 In my opinion, conditions as per those attached by the planning authority would be sufficient to ensure an appropriate standard of residential amenity for residents in the vicinity.

9.9 EIA - AIR QUALITY (EIS CHAPTER 6)

- 9.9.1 Historic dust modelling results from the Walsh and Lagan quarries are given in Table 6.2 of the EIS, and range from 102 to 294 mg/m²/day. All are within the permitted levels of 350 mg/m²/day set out under the German TA Luft Air Quality Standard, which was adopted by the DoEHLG.
- 9.9.2 Chapter 6 of the EIS goes on to discuss potential impacts from dust in a qualitative sense – no modelling – with particular reference to the favourable relationship between the site and sensitive receptors in terms of prevailing wind directions.
- 9.9.3 Attachment 11 to the further information response, a report by TMS Environment Ltd. provides more quantitative analysis of modelled impacts, and confirms that significant assimilative capacity exists.
- 9.9.4 The information available is not indicative of a situation where standards would be breached on this issue. As with the issue of noise, I consider that this can be adequately addressed by way of Condition.

9.10 EIA – ECOLOGY (EIS CHAPTER 7)

- 9.10.1 Section 7.2 of the EIS consists of a habitat map. Section 7.5 of the EIS states that the site is considered to be of limited value for birds, and no specialised bird surveys were considered necessary. This section goes on to make a number of assumptions about the likely fauna that would be present on site, and concludes that despite some disturbance and displacement, the impacts on such species would be of minor significance.
- 9.10.2 Section 7.4 of the EIS refers to the presence of Japanese knotweed, an invasive species, and Section 7.7 commits to the drawing up of a detailed Japanese Knotweed management plan. This issue is also covered in Item 17 of the further information request, which was issued on foot of concerns by the planning authority's Heritage Unit, and in Condition 16 of the planning authority's decision.
- 9.10.3 Section 4.8 of the EIS states that an Environmental Management Plan would be prepared in respect of site operations. PA's condition 17 refers to 'Environmental Management System', which would appear to be analogous.
- 9.10.4 I concur with the conclusions of the EIS in that the site is unlikely to be of any significant value from a flora and fauna perspective. The issue of Japanese Knotweed could be adequately dealt with post-

consent on foot of a condition, as per that applied by the planning authority.

9.11 EIA – SOILS, GEOLOGY, AND WATER (EIS CHAPTER 8)

9.11.1 Geology

9.11.2 Chapter 8 of the EIS discusses the underlying geology, overburden depth, aquifer characteristics, etc. The bedrock formation is classified as a Regionally Important Karstified Aquifer with conduit diffuse flow (Rkd).

9.11.3 Water table

9.11.4 The EIS (Section 4.3) says water table is assumed to be at 4.7m aOD, and that consequently the floor of the quarry is to be at 5.7m/5.8m aOD.

9.11.5 Table 8.2 gives the borehole data from tests in October 2013, with reduced water levels ranging from 1.22m aOD to 4.9m aOD. Borehole locations are shown in Figure 8.8. Section 8.2.7 of the EIS refers to the recovery of groundwater levels in the quarry to the west to 5.08m aOD.

9.11.6 Items 4 and 5 of the further information request look for additional work in the area of water table fluctuation. Attachment 13 of the response supplements the November 2013 results with results from July 2015. This broadens out the range of water heights in the boreholes to 1.22m aOD – 5.05m aOD.

9.11.7 I would have concerns that summer and autumn measurements do not necessarily represent the highpoint of the water table at this location. As it stands, the 1m 'buffer' proposed in the application has been reduced to 0.75m by way of the further information. In the absence of comprehensive information in this regard, I would propose to require by way of condition that no part of the excavation be less than 6.8m aOD, an additional 1m of cover.

9.11.8 Groundwater and potential impacts

9.11.9 A 'Mean Water Balance' exercise is presented in Table 8.3 of the EIS.

9.11.10 Section 8.5 of the EIS sets out constriction practices intended to prevent the escape of polluting materials to the surface and groundwater systems.

9.11.11 A Septic tank, wheel wash, staff facilities are proposed under Scenario 2 only. Details relating to effluent treatment are fleshed out in Item 3 of the further information request.

9.11.12 Conclusions on these issues

- 9.11.13 I note that the planning authority engaged the services of a consultant (OCM) to advise on issues of soils, geology, hydrology, and hydrogeology, and that the consultant provided a favourable assessment of the scheme on these topics. Subject to an increase in cover to the water table to account for seasonal fluctuations, I would concur with this assessment.
- 9.11.14 The proposed site reinstatement is set out in Section 4.10 of the EIS, is covered by Item 18 of the further information, and by Conditions 15 and 39 of the planning authority's decision. These measures and commitments would appear to be reasonable.

9.12 EIA – TRAFFIC, MATERIAL ASSETS (EIS CHAPTERS 9 AND 10)

9.12.1 Traffic Safety

- 9.12.2 Section 9.2 of the EIS says 80m sightlines are available. The response to Item 1 of the further information request – issued on foot of the Area Engineer's concerns - provides further details in this regard (See Section 2.5 above). Following the receipt of this further information, the Area Engineer is satisfied with the proposals.
- 9.12.3 The Milebush junction on the N25 dual carriageway is left in / left out on the westbound carriageway, necessitating the use by quarry traffic of the grade separated interchanges to the west and east in conjunction with the Milebush junction. This junction has a deceleration lane, but no acceleration lane. It appears to have been functioning reasonably well in serving the existing quarries to date, and I would have no specific concerns in this regard.

9.12.4 Traffic Volumes

- 9.12.5 Section 9.4 of the EIS shows traffic counts for the Lagan quarry, and concludes that there are no issues on traffic carrying capacity.
- 9.12.6 Attachment 15 of the further information response (report by ORS) provides further modelling. Figure 3 is of some concern in that it shows half the traffic leaving the subject site turning south on the local road. This runs contrary to the stated intentions under both Scenarios 1 and Scenario 2, as per Section 4.6 of the EIS, which explicitly states that trucks won't be allowed to head south on the L7648.
- 9.12.7 As such, I would query the findings of the ORS report, as the modelling is not consistent with the proposed traffic movements. However, given the very large headroom in capacity terms, as modelled, I consider it highly unlikely that an accurate set of assumptions would have led to a different conclusion in terms of the carrying capacity of the surrounding road network.

9.12.8 The appellants note that the application was not accompanied by a Traffic and Transport Assessment or a Road Safety Audit, as required by Objective TM3-3 of the CDP, and asserts that the road does not have sufficient carrying capacity. This objective states, inter alia that *“Where traffic movements associated with a development proposal will have a material impact on the safety and free flow of traffic on a National, Regional or other Local Routes, to require the submission of a Traffic and Transport Assessment (TTA) and Road Safety Audit as part of the proposal.”* In my opinion, the level of traffic likely to arise from the proposed development would not be of such a level as to trigger this requirement.

9.12.9 Material Assets

9.12.10 Chapter 10 (material assets) discusses the loss of tillage land, and impact on the adjacent gas main. Section 5.10 of the EIS states that a Bord Gais representative was met on site. The submission on file from Gas Networks Ireland states that they have no objections subject to a condition requiring compliance with an attached code of practice.

9.12.11 Chapter 10 also refers to other potential impacts discussed elsewhere in the EIS and in my report.

9.12.12 Item 16 of the further information request dealt with the issue of buffers to boundaries, with the planning authority pushing for a 20m setback, as per the board’s requirement under the registration process. The applicant refuted the necessity for this, and the planning authority subsequently required the 20m by way of Condition 36. I consider the planning authority’s approach on this issue to be appropriate, particularly in relation to the objective to provide structural stability at site boundaries, and in particular at the public road.

9.13 EIA – CULTURAL HERITAGE, LANDSCAPE AND VISUAL IMPACT, HUMAN ENVIRONMENT (EIS CHAPTERS 11, 12, 13)

9.13.1 Cultural heritage

9.13.2 Chapter 11 of the EIS discusses cultural heritage. It points to a 2006 report prepared by archaeological consultants across a larger holding that included the subject site. The 2006 report fed into the subject EIS. An excerpt from the Sites and Monuments record is included in Figure 11.2, which shows there are no features of significance on the site or in the immediate vicinity. Historical mapping is also provided in Figures 11.3 and 11.4. There are no protected structures within or near the subject site.

9.13.3 The EIS states that should archaeological material be encountered, that appropriate practices would be followed. This is a reasonable approach, in my opinion.

9.13.4 Landscape and visual impact

- 9.13.5 This topic is discussed in Chapter 12 of the EIS, which draws on development plan designations (albeit those from the superseded county plan) and provides an analysis of the local topography, and how it might impact on the quarry's visibility.
- 9.13.6 Figures 12.3 and 12.4 of the EIS consist of useful maps showing the Zones of Visual Influence. The EIS concludes that the proposed development could be successfully integrated in visual terms.
- 9.13.7 There are no planning policies of any significance on this topic relating to this locality under either the 2009 or 2014 plan, in my opinion, and the local topography would largely prevent views of the subject site. I can confirm from my site inspections that the existing quarries in the area are not visually evident from the public road.
- 9.13.8 The planning officer's report concludes that the overall visual impacts of the proposed development would not be significant. I concur with this assessment.

9.14 EIA - INTERACTIONS (EIS CHAPTER 14)

- 9.14.1 Chapter 14 sets out the potential interactions between the EIS topics, much of which was dealt with in the body of the EIS. I consider this matter to have been adequately assessed

9.15 EIA – ALTERNATIVES CONSIDERED

- 9.15.1 The applicant has not presented much information in this regard, but does imply in Section 1.6 of the EIS that the proposed development is somewhat inevitable, given the cluster of quarries, the quality of the rock at this location, and the extent to which nearby quarries are exhausted or in the process of becoming exhausted.
- 9.15.2 While more work could have been done on this topic, I concur with the applicant's general thrust on this issue.

10.0 SCREENING FOR APPROPRIATE ASSESSMENT UNDER THE HABITATS DIRECTIVE

- 10.1 Significant inputs to the consideration of this issue are available from:
- The Applicants' NIS Screening Report, available at the rear of the EIS.
 - The reports from the planning authority, particularly the heritage officer's report.
 - 3rd party submissions

- 10.2 The plan is not directly connected with or necessary to the management of a Natura 2000 site.
- 10.3 The proposed development is for a quarry, as described in detail in section 2.0 above.
- 10.4 Species, habitats, surface drainage patterns, etc. are all described in full in Chapters 7 and 8 of the EIS
- 10.5 In order to screen for appropriate assessment, I will undertake 6 steps, as follows

10.6 STEP 1: IDENTIFY EUROPEAN SITES WHICH COULD POTENTIALLY BE AFFECTED - CONSIDER SOURCE-PATHWAY-RECEPTOR

10.7 There are 2 European sites in proximity to the study area, as follows, both of which are approximately 2.1km south of the subject site.

- Great Island Channel SAC (Site code 1058)
- Cork Harbour SPA (Site code 004030)

10.8 On the basis of the source-pathway-receptor principle, there is a potential route from the groundwater beneath the subject site to the Natura 2000 sites. As such, it is appropriate to bring both forward for consideration.

10.9 STEP 2: IDENTIFY THE CONSERVATION OBJECTIVES OF THE RELEVANT SITES

10.9.1 Great Island Channel SAC

10.9.2 The NPWS has published site-specific conservation objectives² (June 2014) for the SAC. The qualifying interests for this SAC consists of the following habitats

- Mudflats and sandflats not covered by seawater at low tide
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

10.9.3 The conservation objectives document lists a number of supporting documents and data sources, and provides specific conservation objectives for each qualifying interest, giving measures, targets, and notes across a range of attributes for each species/habitat.

10.9.4 Cork Harbour SPA

10.9.5 The NPWS has published site-specific conservation objectives³ (December 2014) for the SPA. The qualifying interests for this SAC consists of the habitat 'wetlands' and the following birds.

² http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001058.pdf

- Little Grebe Tachybaptus ruficollis
- Great Crested Grebe Podiceps cristatus
- Cormorant Phalacrocorax carbo
- Grey Heron Ardea cinerea
- Shelduck Tadorna tadorna
- Wigeon Anas penelope
- Teal Anas crecca
- Pintail Anas acuta
- Shoveler Anas clypeata
- Red-breasted Merganser Mergus serrator
- Oystercatcher Haematopus ostralegus
- Golden Plover Pluvialis apricaria
- Grey Plover Pluvialis squatarola
- Lapwing Vanellus vanellus
- Dunlin Calidris alpina alpina
- Black-tailed Godwit Limosa limosa
- Bar-tailed Godwit Limosa lapponica
- Curlew Numenius arquata
- Redshank Tringa totanus
- Black-headed Gull Chroicocephalus ridibundus
- Common Gull Larus canus
- Lesser Black-backed Gull Larus fuscus
- Common Tern Sterna hirundo

10.9.6 The conservation objectives document lists a number of supporting documents and data sources, and provides specific conservation objectives for each qualifying interest, giving measures, targets, and notes across a range of attributes for each species/habitat.

10.10 STEP 3: IDENTIFY THE POTENTIAL A) LIKELY AND B) SIGNIFICANT EFFECTS OF THE PROJECT WITH REFERENCE TO THE SITE'S CONSERVATION OBJECTIVES

10.10.1 In summary, the impacts relate to the following, with reference to the relevant Natura 2000 sites' conservation objectives.

- Construction/Operation: Run-off of silt, fuels/oils, construction materials, to watercourses.

10.10.2 With reference to this information, I would identify the significance of the potential risks as follows.

	Potential significant impact	Potential receptor
SAC	Runoff to groundwater	Mudflats and Salt Marshes
SPA	Runoff to groundwater	Mudflats

Table 2

³ http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004030.pdf

10.11 STEP 4: AS ABOVE, CONSIDERING IN-COMBINATION EFFECTS

10.11.1 I note the presence of other Quarries in the vicinity. However, I do not consider that there are any specific additional in-combination effects that arise from other plans or projects.

10.12 STEP 5: EVALUATE POTENTIAL EFFECTS ABOVE

10.12.1 As the potential risks for both sites are comparable, I will consider both in tandem.

10.12.2 Using the source-pathway-receptor model, I do not consider, on the basis of the information submitted, that the proposed development would be likely to impact on the qualifying interests of the SAC or the SPA through the potential mechanisms outlined above. I consider that the distances involved, and the likely attrition, dispersal, and assimilation of potential pollutants through groundwater over the course of travel from the quarry to the Natura 2000 sites through natural means, are such that no significant risk arises.

10.12.3 The design of the drainage systems on site, which I consider to be an integral part of the project itself, would be sufficient to prevent run-off of pollutants to the surrounding watercourses, which connect to Natura 2000 sites.

10.13 STEP 6: DETERMINE WHETHER OR NOT LIKELY SIGNIFICANT EFFECTS, INDIVIDUAL OR IN COMBINATION WITH OTHER PLANS OR PROJECTS, ON THE EUROPEAN SITES, CAN BE REASONABLY RULED OUT ON THE BASIS OF OBJECTIVE SCIENTIFIC INFORMATION.

10.13.1 It is reasonable to conclude that on the basis of the information available, which I consider adequate in order to issue a screening determination, that the proposed development, individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and in particular specific sites Great Island Channel SAC (Site code 1058) and Cork Harbour SPA (Site code 004030) in view of these sites' conservation objectives and an appropriate assessment (and submission of a NIS) is not therefore required'.

11.0 CONCLUSION AND RECOMMENDATION

11.1 CONCLUSION ON EIA

11.1.1 I have assessed the proposed development against the requirements of the EIA directive. In my professional opinion, no unacceptable residual impacts are predicted for the construction and operation phase of the proposed development.

11.2 CONCLUSION ON THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

11.2.1 The proposed development is broadly consistent with planning policy, and has been shown to be acceptable in terms of its impacts on the public and on environmental receptors, subject to conditions.

11.3 CONCLUSION ON THE ISSUE OF THE 2 'SCENARIOS'

11.3.1 As stated at Section 9.6 above, I consider it appropriate that just one of the two 'Scenarios' proposed by the applicant is stipulated in the planning permission, as per the planning authority's approach.

11.3.2 The planning officer states in the first report that Scenario 2 would have a greater impact on nearby dwellings due to the secondary processing on site, but goes on to state a preference for this scenario based on the longer duration of extraction, which would 'spread out' impacts over a 10 year as opposed to a 5 year horizon. The planning officer concurs with the Environment Officer in this regard. In my opinion, this conclusion could be open to question. Impacts on surrounding properties have clearly been identified. The question arises as to whether it would be preferable for these residents to experience more intense impacts over 5 years or more prolonged impacts over 10 years.

11.3.3 The planning officer's preference for Scenario 2 is also informed by the fact that the proposed new entrance to the Lagan site had been on appeal. This entrance has since been granted.

11.3.4 All else being equal, I consider that Scenario 1, which involves secondary processing across the road on the Lagan site, facilitated by a new access road recently granted by the board almost directly across from the proposed entrance to the subject site, offers somewhat better planning outcomes than a 'stand-alone' quarry on the subject site, as proposed under Scenario 2.

11.3.5 The question then becomes one of whether the board has the latitude at this point to grant permission for Scenario 1, where the planning authority had granted permission for Scenario 2. In my opinion, the board does have this latitude, as the application is being

considered de-novo. I propose that the planning authority's conditions be amended to this effect.

11.4 RECOMMENDATION

- 11.4.1 On the basis of the above assessment, I recommend that permission be granted. I consider that the planning authority's conditions are largely fit for purpose, and I propose that they form the basis for the board's decision. I have modified the planning authority's Conditions 1, 2, and 31, and have added in a new Condition 2, which has affected subsequent numbering.

12.0 REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, the pattern of development in the vicinity, and the policies of the planning authority as set out in the Cork County Development Plan 2014, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity by way of excessive dust or noise, would not detract from the character of the area, would be acceptable from the perspective of environmental impact, traffic impact, and visual impact, and would be in accordance with the policies set out in the said development plan. 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, as modified by the plans and particulars received by the planning authority on 15th October 2015, 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 interests of clarity.

2. No excavation, blasting, or any other works within the site may take place at a depth of less than 6.8m aOD.

Reason: In the interests of preserving appropriate cover to the water table, in the absence of compressive information on seasonal and historic groundwater levels.

3. This permission is for a period of 5 years, with a maximum extraction rate of 200,000 tonnes per annum. The development on site shall be carried out in accordance with the "scenario 1" option presented in presented in the application documents and associated EIS. Mitigation measures as proposed in the EIS relating to "scenario 1" shall be applied in full except where otherwise stipulated. Conditions applied herein thus relate to the "scenario 1" development proposal.

Reason: In the interests of clarity and orderly development.

4. Entrance shall be recessed a minimum of 4.5m from front boundary fence and side walls shall be splayed at an angle of 45 degrees, and walls and piers shall not exceed a height of 1m over the level of the adjoining public road.

Reason: To provide proper sight distance for emerging traffic in the interests of road safety.

5. Entrance recess between public road edge and entrance gate shall be set level with public road surface edge to the Planning Authority's satisfaction and shall not extend beyond road surface edge.

Reason: In the interests of road safety.

6. Gates shall open inwards.

Reason: In the interests of road safety.

7. Vegetation or any structure shall not exceed 1m in height within the sight distance triangle.

Reason: To provide proper sight distance for emerging traffic in the interests of road safety.

8. Surface water shall not be permitted to flow onto the public road from the site.

Reason: To prevent the flooding of the public road.

9. Surface water shall be disposed of within the site by means of soakaways and shall not be allowed to flow onto public road.

Reason: To prevent the flooding of the public road.

10. Existing roadside drainage arrangements shall be preserved to the satisfaction of the Planning Authority.

Reason: To preserve proper roadside drainage and to prevent the flooding of the public road.

11. The proposed septic tank and percolation area shall be designed, constructed, laid out and maintained to conform with the provisions of the Code of Practice, Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. < 10) EPA 2009.

Reason: To ensure satisfactory design, construction and maintenance of the septic tank drainage system.

12. No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: To protect the amenities of the area and in the interests of road safety.

13. Wheel washes shall be installed at the site entrance(s). The location and type shall be agreed in writing with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing. All trucks departing from the site shall pass through the wheel wash.

Reason: To safeguard the amenities of the area.

14. All works relating to the proposed entrance and works to achieve required sightlines as proposed on drawing No. 213107-p04 shall be constructed.

Reason: In the interest of traffic safety.

15. With reference to drawing No. 213107-p04, the applicant shall overlay the length and full width of the public road from the Gas Marker Post located to the south in the drawing, to the northern boundary of the applicant site. The road overlay shall be constructed of DBM regulating layer with 60mm DBM base course and 40mm Clause 942.

Reason: In the interest of road safety.

16. The applicant shall submit a detailed scheme for the restoration of the quarry complex and its aftercare for a period of five years following completion of restoration. It shall be submitted to and approved in writing by the Planning Authority and these works shall

be carried out as approved. The scheme shall provide for the following:

- The purpose, aims and objectives for the after use of the quarry complex.
- A review of the nature conservation opportunities and constraints for the workings;
- Details of the proposed final landform and phased progression of workings toward this form;
- Details of childproof fencing shall be provided, to include height, material and location;
- Details of soil movement and management;
- Description of target habitats and range of species appropriate for the workings;
- Selection of appropriate strategies for maintaining or introducing target habitats and species;
- Techniques and practices for establishing habitats and species;
- Sources of soil forming materials, plant stock and other species introductions;
- Method statement for ground forming, soil preparation and habitat and species establishment;
- Prescriptions and programme for initial aftercare and long-term management;
- Timing of the restoration operations in relation to phased working of the mineral site;
- Proposals for monitoring the success of all restoration works;
- Disposal of wastes arising from the restoration.

All restoration works shall be implemented in all respects to the satisfaction of the Planning Authority and carried out in accordance with the approved details, unless otherwise approved in writing by the Planning Authority.

Reason: To ensure adequate restoration of the lands after quarrying operations cease.

17. Japanese knotweed shall be treated in situ with a suitable chemical prior to its removal and burial within the site in accordance with the procedures submitted in the further information response. The applicant shall submit a site layout to the Planning Authority prior to its removal for burial identifying the location of the burial of the material onsite. The applicant shall erect signs on this area to indicate that Japanese Knotweed is buried there to ensure that this area is not disturbed.

Reason: To prevent the spread of invasive species.

18. The planting of the two rows of hawthorn hedging interspersed with Blackthorn and Holly along the new roadside boundary shall be undertaken the first planting season after the road has been realigned. Any trees that fail within the first year shall be replaced within one planting season

Reason: To protect local biodiversity

19. Sight distances of 80 metres, in both directions, at a point 3 metres back from the edge of the public road shall be provided in the centre of the vehicular entrance to the satisfaction of the Planning Authority prior to the commencement of any other development on site. The removal and burial of the Japanese Knotweed within the site as per the management plan shall be carried out in conjunction with the realignment of the road.

Reason: To protect local biodiversity

20. Noise levels emanating from the proposed development when measured at Noise Sensitive Receptors shall not exceed 55 dBA (30 minute Leq) between 0800 hours and 1730 hours, Monday to Friday and between 0800 hours to 1300 hours on Saturday and shall not exceed 45 dBA (15 minute Leq) at any other time (save for minor exceedances associated with the construction of the boundary berms as set out in the EIS mitigation measures)

All sound measurements shall be carried out in accordance with ISO Recommendations R 1996, "Assessment of Noise with Respect to Community Response" as amended by ISO Recommendations R 1996/1, 2 and 3, "Description and Measurement of Environmental Noise", as appropriate."

If noise contains a discrete, continuous tone (whine, hiss, screech, hum etc.), or if there are distinctive impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of + 5dBA will be applied to the measured noise level and this increased level shall be used in checking compliance with the specified levels.

Reason: To safeguard the amenities of the area and control noise emissions from the development.

21. All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility. Adequate on site arrangements shall be made to the satisfaction of the Planning Authority for the storage of recyclable materials prior to collection.

Reason: To safeguard the amenities of the area

22. No polluting matter shall be allowed to drain from the site and enter any waters on, adjacent to or around the site.

Reason: To safeguard the amenities of the area and prevent water pollution.

23. All operations on site shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs beyond the site boundary because of such operations.

Reason: To safeguard the amenities of the area

24. All waste generated on site shall be disposed of through appropriately licensed collection and disposal contractors.

Reason: To safeguard the amenities of the area.

25. All storage tank areas and drum storage areas shall be rendered impervious to the materials stored therein. In addition, storage tank areas shall be bunded, either locally or remotely, to a volume of 110% of the largest tank within each individual bunded area. Drum storage areas shall be bunded to a volume equal to 110% of the sum of the volumes of the largest five drums likely to be stored therein. The height of the bund for any drum storage area shall not be less than 300 millimetres.

Reason: To safeguard the amenities of the area.

26. Dust deposition levels arising out of activities on site shall not exceed 350 milligrams per square metre per day, averaged over 30 days, when measured at the site boundaries. Details of a monitoring programme shall be submitted to and agreed in writing with the planning authority prior to the commencement of operations on site.

Reason: To safeguard the amenities of the area.

27. A fixed water spray system shall be installed to include the access road, all internal roads, all processing areas, storage yards / storage bays. Mobile water browsers/sprayers shall be operated in locations

where it is impractical or inappropriate to use a fixed water spray system

Reason: To control dust emissions arising from the development

28. An Environmental Management System shall be put in place prior to the commencement of operations on site. A copy of this shall be made available to the Planning Authority on request whether requested in writing or by a member of staff of the planning authority at the site.

Reason: To protect the amenities of the area.

29. The applicant shall record all complaints received relating to site operations. The record shall contain the name of the complainant, nature, time and date and a summary of the company's investigation and response including the name of the person who investigated the complaint and their relationship to the developer or operator of the site. All records of complaints shall be made available to the planning authority on request whether requested in writing or by a member of staff of the planning authority at the site.

Reason: To safeguard the amenities of the area.

30. Before March 1st of each calendar year, the developer shall submit a summary report of all monitoring carried out in the previous year under the terms of this permission. This report shall evaluate the environmental performance of the development in the light of the results achieved in the previous year. All monthly and annual reports shall be certified accurate and representative by the Plant Manager or other senior officer designated by him.

Reason: To protect the amenities of the area.

31. A noise monitoring programme shall be implemented by the developer to monitor the impact of noise emissions arising from the proposed development. The scope and methodology of this programme shall be submitted to and agreed in writing with the planning authority prior to the commencement of operations on site. Monitoring points shall be located so as to ensure that monitoring is reflective of the noise emanating from the proposed development. The results of the survey shall be submitted to the planning authority within 1 month of completion of the survey. The developer shall carry out any amendments to the programme or additional noise mitigation measures as may be required by the planning authority following a review of each or all noise survey results.

Reason: To safeguard the amenities of the areas.

32. As per "scenario 1" as outlined in the EIS, the frequency of blasting shall not be more than 1 blast per fortnight.

Reason: In the interests of protecting the amenities of the area and preventing environmental pollution.

33. Blasting shall only be carried out between 0900 and 1800 hours, Monday to Friday inclusive. Blasting shall not be undertaken on Weekends or Public or Bank holidays.

Reason: To safeguard the amenities of the area.

34. Each blast shall be monitored and shall be carried out in a manner as to ensure compliance with the following requirements:-

a) Ground vibration shall not exceed 12 millimetres per second peak particle velocity (when measured in any one of three mutually orthogonal planes) for any blast when measured at the nearest vibration sensitive locations. If blasting occurs more than once per week ground vibration shall not exceed 8 millimetres per second peak particle velocity (when measured in any one of three mutually orthogonal planes) for any blast when measured at the nearest vibration sensitive locations

b) Air overpressure from any blast shall not exceed 125db (linear) max peak, with a 95% confidence limit when measured at the nearest noise sensitive locations. No individual air overpressure value shall exceed the limit value by more than 5 dB (Lin).

Reason: In order to safeguard the amenities of the area.

35. In advance of blasting operations, the developer shall inform all dwellings within 500 metres of the quarry that blasting will take place and for whatever period of time it is likely to continue.

Reason: In order to safeguard the amenities of the area

36. Full details of the developer's provision for blast monitoring and procedures in relation to public notice of blasting operations warning systems shall be made available to the Planning Authority on request whether requested in writing or by a member of the planning authority at the site.

Reason: To safeguard the amenities of the area

37. The buffer zone on the north western boundary of the site shall be increased to 20m. Before any development commences a revised extraction plan shall be submitted for agreement of the Planning Authority making provision for same.

Reason: To safeguard the amenities of the area.

38. The applicant shall complete all works in the vicinity of the gas transmission pipeline in full accordance with the "2011 Code of Practice on Safety Advice for Working in the Vicinity of Natural Gas Pipelines", published by Gas Networks Ireland.

Reason: In the interest of protecting the nearby gas transmission pipe.

39. Operational hours for quarrying operations and associated activities including transportation of vehicles on site, shall be restricted to between
07:00 hours and 18:00 hours Mondays to Fridays and between
07:00 hours and 14:00 hours on Saturdays.
No operations shall take place on site on Sundays and Public Holidays. (Blasting times are dealt with under condition no. 32 above.)

Reason: In the interesting of protecting amenity.

40. Before development commences, the applicant shall lodge with the Planning Authority a bond of an insurance company, a cash deposit, or other security to secure the satisfactory restoration of the site in accordance with condition no. 15. The amount of the bond or security shall be agreed with the Planning Authority.

Reason: To ensure satisfactory restoration of the site.

G. Ryan
Planning Inspector
29th April 2016