



An
Bord
Pleanála

Inspector's Report ABP-301177-18

Development	Quarry
Location	Belgard Quarry, Fortunestown, Tallaght, Dublin 24.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	
Applicant(s)	Roadstone
Type of Application	Substitute consent under Section 177E
Planning Authority	South Dublin County Council
Applicant(s)	Roadstone Ltd
Observer(s)	(1) Michael Dunne (2) Belgard Heights Community & Residential Association
Date of Site Inspection	11 th December 2018
Inspector	Colin McBride

1.0 Introduction and context

- 1.1. This application for substitute consent arises from the granting by the Board, of leave to apply for substitute consent, for the quarry at Belgard Quarry, Fortunestown, Tallaght, Dublin 24 (Ref. 06S.LS0025), by order dated 21st December 2017. In granting leave to apply for substitute consent the Board considered that an Environmental Impact Assessment is required (no Nature Impact Assessment required).
- 1.2 A separate application for substitute consent, SU0061 comprising an area of 18.2ha of the extraction area is located immediately west of the substitute consent area subject to this application. The operations within the adjoining substitute consent area have comprised rock extraction only. The application is pending decision.
- 1.3 Finally, there is an application to An Bord Pleanála, under section 37L of the Planning and Development Act, 2000 (as amended) for further development of quarry, continued use and extension by deepening of an area (18.2 ha) of overall quarry site to 5mOD concerning the same area to the west subject to substitute consent application SU0061. This application is also pending decision.

2.0 Site Location and Description

- 2.1. Belgard Quarry is located to the south of the N7 national primary road (Naas Dual Carriageway) between Newlands Cross and Kingswood Interchange. It is approximately 1.7km north-west of Tallaght village. The existing limestone quarry holding is c. 241.3 hectares in area and is located within the townlands of Bedlesshill, Belgard, Brownsbarn, Cheeverstown, Buckandhounds, Kingswood and Whitehall in Fortunestown, Tallaght. The quarry processes fragmented rock resulting from blasting using crushing, screening and washing plant. The quarry produces a wide range of construction aggregates and stone products, concrete products, and road making materials. There is an extensive range of buildings, support structures and accommodation, and infrastructure to facilitate the operation.

- 2.2. The existing extraction area is located in the northern half of the quarry site and comprises an area of approximately 56.3 hectares. Perimeter screening has been provided by utilisation of overburden and topsoil stripped from the extraction area to form berms along the northern, southern and western boundaries. The primary crushing plant is located in the existing permitted quarry extraction area. The secondary and tertiary processing plants are located to the south of the extraction area in the permitted ancillary area. Ancillary manufacturing facilities include concrete manufacturing, blacktop production, concrete block production, a recycling asphalt plant, mortar plant, 'Flomix' plant, dry and wet sand plants, 804 plant, flag plant, precast wall panel plant, paving plant, packing plant, and 'Skako' concrete plant. There is a construction and demolition (C&D) waste recovery facility on the western side of the site and an inert soil and stone waste recovery facility at the northern boundary.
- 2.3. The northern quarry site boundary extends for approximately 1.5km along the N7 national primary road opposite primarily established residential development at Buckandhounds. There are amenity lands to the north west at Corkagh Demesne. The quarry is bounded to the west by the R136 Outer Ring Road and beyond this by a range of commercial properties at Kingswood and the Citywest campus. Baldonnel Aerodrome is west of this development, at a distance of approximately 1.8km from the quarry. It is bounded to the east by agricultural lands, Newlands Golf Club, the corporate headquarters of CRH Plc (Belgard Castle), and Cookstown Road. A covered water reservoir, residential caravan accommodation and a primary school lie beyond the eastern boundary of the applicant's landownership. The quarry is bounded to the south by Katherine Tynan Road opposite primarily residential development at Whitehall and Cookstown. The LUAS Red Line runs along this section of road with stops at Fettercairn and Cheeverstown. The main entrance to the quarry is off Cookstown Road. The entrance at this location provides for access to the R113 Belgard Road, the R136 Outer Ring Road, and the N81 Tallaght By-Pass. There is access / egress to and from the N7 Naas Dual Carriageway directly for HGVs via a dedicated separate entrance on the northern boundary. This includes a dedicated underpass.

- 2.4. The quarry area associated with the application for leave to apply for substitute consent area comprises an area of c.33.6 hectares and is on the northern side of the overall extraction area. The operations within the substitute consent area appear to have comprised rock extraction only.

3.0 Development Description

- 3.1. Substitute consent was sought for this quarry on 09th March 2018. The site comprises of an area of 33.6 hectares. The application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) – dated March 2018 and a by revised rEIAR dated June 2018. The Board determined at the leave to appeal stage that only a remedial Environmental Assessment Report was required (remedial Natura Impact Statement (rNIS) was not required).

4.0 Planning History

QD0026: Application for further Development of Quarry, continued use and extension by deepening of an area (18.2 ha) of overall quarry site to 5mOD Belgard Quarry, Kingswood, Brownsbarn, Cheeverstown and Bedleshill. Pending decision.

LS0025: Permission granted for leave to apply for substitute consent for the area subject to this application.

SU0061: Application for substitute consent comprising 18.2ha on the western side of the extraction area. The operations within the substitute consent area have comprised rock extraction only. Pending decision.

Section 261A Process In accordance with this process (P.A. Ref. SDQU05A/2), South Dublin County Council determined on 13th August, 2012 that the applicant shall apply for Substitute Consent to the Board and that the application be

accompanied by a remedial EIS and remedial NIS. Details of the planning authority's considerations under this process are set out below.

Section 261 Registration The site was registered by South Dublin County Council (P.A. Ref. SDQU05A/2).

File Ref. No. SD12A/0156

Permission was granted in October 2012 for a recycled asphalt plant (RAP) addition to the existing asphalt plant and an open covered storage shed.

File Ref. No. SD12A/0137

Permission was granted in October 2012 for the importation and reuse of excess naturally occurring earthworks material generated by construction projects to complete construction and landscaping of an existing partially completed screening berm (c.3.6 ha). This is located at the northern boundary of the site.

File Ref. No. SD08A/0731

Permission was granted in 2009 for the installation of an ESB 38kV overhead line switching compound (c. 0.24ha).

File Ref. No. SD07A/1047

Permission was granted in 2008 for a new site access onto the outer ring road and related new internal roadway, office, canteen, toilet facilities, security, wheelwash, weighbridges, oil interceptor, septic tank and associated percolation area, car parking and signage (c. 4.0ha). A section 42 application to extend the period of this permission was made to the planning authority and the duration of permission was extended by a further five years.

File Ref. No. SD06A/0915

Permission was granted in 2007 for an asphalt plant and ancillary facility (c. 1.124ha). This plant has not been constructed.

File Ref. No. SD02A/0167

Permission was granted in 2002 for the development of a facility for recovery of pre-sorted construction & demolition waste (c. 3.2ha). The C & D facility is located on the western side of the site.

File Ref. YA.1889

Permission was granted in 1984 for boundary walls.

File Ref. No. G.1350

Permission was granted in 1974 for direction signs at the entrances to the quarry.

File Ref. No. C.1488/Order No. P/6/5/16175

Permission was granted in 1972 for the erection of buildings and the utilization of land for quarrying purposes for an area of 50 acres.

5.0 Policy Context

5.1. Development Plan

The relevant development plan is South County Dublin County Development Plan 2016-2022.

The site is zoned Objective RU with the objective “To protect and improve rural amenity and to provide for the development of agriculture.”

The use classes permitted within the zone include “Concrete / Asphalt Plant in or adjacent to a Quarry” and “Industry – Extractive”.

Policy for the Extractive industry is set out under Section 4.7.0

It is the policy of the Council to support the sustainable extraction of aggregate resources at suitable locations within the County subject to appropriate environmental safeguards.

ET10 Objective 1:

To facilitate mineral extraction in suitable locations subject to the protection of amenity and environmental quality.

ET10 Objective 2:

To limit the operation of the extractive industry and ancillary uses at environmentally sensitive locations and within areas designated with Zoning Objective ‘HA – DM’, ‘HA-LV’ and ‘HA-DV’ where extraction would result in significant adverse effects and/or prejudice the protection of the County’s natural and built heritage.

ET10 Objective 3:

To ensure the satisfactory reinstatement and/or re-use of disused quarries and extraction facilities, where active use has ceased.

5.2 Quarries & Ancillary Activities: Guidelines for Planning Authorities

These Guidelines, issued by the Department of Environment, Heritage and Local Government in April 2004, are of relevance. They provide guidance to planning authorities on planning applications and development plan policy as well as section 261 of the 2000 Act. The importance of quarries is emphasised and the continued need for aggregates is highlighted. The potential for environmental impacts needs to be considered. The Guidelines recommend that in formulating development plan aims and strategy, in an area containing significant aggregate resources; the plan should acknowledge their economic value, which may be of national or regional importance. Since aggregates can only be worked where they occur, priority should be given to identifying the location of major deposits, and to including a commitment to safeguard valuable unworked deposits for future extraction. The Guidelines go on to address the assessment of applications and Environmental Impact Statements [now EIARs], and the formulation of planning conditions – including issues related to noise and vibration, dust, water supplies and groundwater, traffic, archaeology, water, environmental monitoring, waste management, contributions, extraction limits, and the documentation which should be included in an application.

5.3 National Planning Framework (Project Ireland 2040) and National Development Plan 2018-2027

These joint documents set out a vision for the future development of the country and, in particular, to support the sustainable development of rural areas by encouraging growth. National Policy Objective 23 seeks to facilitate the development of the rural economy through supporting, amongst other sectors, a sustainable and economically efficient extractive industry sector, whilst at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.

6.0 Observers

6.1. There are two observations from the following...

Michael Dunne, 380 The Grove, Belgard Heights, Tallaght, Dublin 24.

- The observer notes the high level of dust means windows at the rear of the observer's house cannot be opened.
- It is noted that the increased blasting will add to the dust level and such cause vibration through the house which is unsatisfactory.

Belgard Heights Community & Residential Association

- The observers raise concerns regarding the environmental impact of this application if granted in terms of blast noise, vibration and dust.
- It is noted that the area in question is large in area and deep and that in the long term there will be more frequent and louder blasting and increased dust and noise levels.
- The observer calls on the Board in making their decision to ensure account is taken of all relevant guidelines and that blast noise, vibration and dust will not exceed the current level of environmental impact and restrict it to lower levels. There are concerns that blasting will become more frequent than once week as is currently the case,

- In the event of a grant of the application the observers request a condition requiring efficient and effective monitoring by the relevant authorities.

7.0 Report of South Dublin County Council

7.1. The application was referred to South Dublin County Council for comment, however no response was received.

8.0 Prescribed bodies

8.1. The application was referred by An Bord Pleanála to a number of Prescribed Bodies for comment, on or before 25th June 2018-

Transport Infrastructure Ireland

Health Service Executive

Irish Aviation Authority

Failte Ireland

An Chomhairle Ealaíon

An Taisce

Department of Culture, Heritage and the Gaeltacht

The Heritage Council

Inland Fisheries Ireland

Department of Defence

Department of Communications, Climate Action and Environment

8.1.1. There was a response received from the Irish Aviation Authority.

- No observations on this application.

8.1.2. There was a response received from Transport Infrastructure Ireland.

- The submission notes the planning history on site including the requirement under ref no. SD16A/0293 and SD16A/0410 of the permanent closure of the direct access onto the N7.
- The Board is requested to have regard to the provisions of the Spatial Planning and National Road Guidelines for Planning Authorities (2012). Reference is made to Section 2.5 regarding avoidance of the creation of any additional access points from new development or generation of increased traffic from existing accesses to national roads. It is noted that the development access the N7 outside of the 60kph speed limit.

8.1.3. Further response received from Transport Infrastructure Ireland.

- The TII request that the Board have regard to the original submission made by the TII and reiterate the view the Board take account of official policy in relation the national road network.

8.2 Response of the applicant

8.2.1 The response of SLR Consulting Ireland, agent on behalf of the applicant, received by An Bord Pleanála on 20th August 2018, can be summarised in bullet point format as follows-

- It is noted that the application is for substitute consent for development carried out between 1990 to 2000. It is noted that the development did not result in the creation of any additional access points to the N7 national road with pre-existing and permitted accesses in place at the time of the development under consideration and the development did not result in the generation of increased traffic from existing accesses to the N7.

9.0 Assessment

9.1 Temporary cessation of necessary

It is open to the Board to consider issuing a temporary cessation notice under section 177J of the Planning and Development Act, 2000 (as amended). Having regard to the information presented in the application, the rEIAR, and to what was observed at the times of inspection at the quarry and its environs, it is my opinion that no aspect of the development is clearly giving rise to a very significant current adverse effect on the environment or to adverse effects on the integrity of an European site. I do not, therefore, consider that a temporary cessation notice is warranted in this instance.

9.2 Under the provisions of Section 177K(2) of the Planning and Development Act 2000 as amended, it is stated that where an application is made to the Board for substitute consent in accordance with the relevant provisions of the Act, and any regulations made thereunder, the Board when making a decision in relation to the application should consider the proper planning and sustainable development of the area and have regard to matters that include the following:

- The provisions of the development plan or any local area plan for the area;
- The provisions of any special amenity area order relating to the area (The Board will note that there is no special amenity area order relating to the site in question);
- The remedial environmental impact statement, or remedial Natura impact statement, or both of those statements, as the case may be, submitted with the application;
- The significant effects on the environment, or on a European site, which have occurred, are occurring, or could reasonably be expected to occur because the development concerned was carried out;
- The report and the opinion of the planning authority under Section 177(I);
- Any submissions or observations made in accordance with regulations made under section 177N;

- Conditions that may be imposed in relation to the grant of permission under Section 34(4); and
- The matters referred to it in section 143 of the Act.

9.3 Having regard to the above, I consider that the following issues are particularly relevant and pertinent to the determination of the application for substitute consent:

Development Plan Policy

Environmental Impact Assessment

10.0 **Development Plan policy**

10.1 Development plan policy indicates that the overall quarry development at this location as being strategically acceptable, clearly in the context of the zoning provisions for the lands. I further acknowledge the provisions, policies and objectives of the current Plan as they relate to the extractive industry. Sections 4.7.0 contain relevant considerations and policy in respect of the extractive industry in general. The functioning of the quarry is considered acceptable in principle in the context of these provisions.

10.2 In conclusion, it is apparent that quarrying of the substitute consent lands, and the use in principle, would not appear to have been in significant conflict with the Plan provisions, or indeed previous Plan provisions. Furthermore, restoration proposals for this site would appear to not conflict with any provisions of the current Plan that would relate to the protection of the landscape character of this area or the ecological value and the potential for the provision of a mix of suitable alternative uses.

11.0 Environmental Impact Assessment

11.1 General Comment

11.1.1 Section 177F(1) of the Planning and Development Act, 2000 (as amended), sets out what is required within an rEIAR, as- “a statement of significant effects, if any, on the environment which have occurred or which are occurring or which can reasonably be expected to occur because the development the subject of the application for substitute consent was carried out. Details of any appropriate remedial measures undertaken or proposed to be undertaken by the applicant to remedy any significant adverse effects on the environment and the period within which any proposed remedial measures shall be carried out”. Finally, any information which may be prescribed under section 177N.

11.1.2 The rEIAR which accompanies this application has been prepared for the area subject to substitute consent at this quarry. The applicant was requested to submit a revised rEIAR to deal with the issue of ‘Land’ as it was deemed the original rEIAR submitted failed to address this issue as required by EIA Directive 2014/52. The revised rEIAR was submitted on the 15th June 2018. The revised rEIAR included a non-technical summary. The issue of alternatives considered does not arise in relation to applications for substitute consent. The document submitted has regard to the advice given on what should be contained within an Environmental Impact Assessment Report (EIAR) – based on the requirements of the amending European Union Directive 2014/52/EU.

11.1.3 The rEIAR is set out in grouped format – addressing the issues of- Population and Human Health; Biodiversity; Land, Soils and Geology; Surface Water and Groundwater; Climate; Air Quality; Noise and Vibration; Landscape and Visual; Cultural Heritage; Material Assets; Traffic and Transportation; The Interaction of the Foregoing.

11.2 Population and Human Health

11.2.1 Chapter 3 of the rEIAR deals with these associated issues. The area subject to substitute consent was worked between the years 1990-2000. It is noted that currently the quarry operations at this location employs 200 people and that the figure currently was broadly the same when the area subject to this application was worked. There will have been no impact on population. Issues relating to human health, such as noise, vibration, air quality and water quality, are addressed in the appropriate sections of the rEIAR. The activities associated with the substitute consent area would evidently have supported employment throughout its active working. It is acknowledged that the quarry is, and was, sited in a predominantly urban area, with a wide range of residential, amenity, guest accommodation, educational, health and community uses prevailing in the vicinity. The site has remained accessible by a significant road network and a range of public transportation services.

11.2.2 It is apparent that there were potential negative impacts from previous development within the substitute consent area that would have related to noise, vibration, dust, traffic and visual impact. These will be considered further in this assessment. I note the nature of the operations that are, and that have previously been, employed and the range of mitigation measures employed to minimise impacts on the wider community. I further note that there are no specific instances of adverse impact on the wider community known to have arisen from the development of the substitute consent area itself.

11.3 Biodiversity

11.3.1 Chapter 4 of the rEIAR deals with this issue. No specific baseline data for habitats or species is available for this period. The assessment has been undertaken using maps and aerial photographs data prior to the relevant period to determine the likely habitats that existed. The area is 33.6 hectares out of a total landholding of 241.3 hectares and comprises the existing quarry void and some areas of land stripped of soils and overburden on the eastern edge of the void area.

11.3.2 The area subject to substitute consent is not subject to any statutory or non-statutory nature conservation designations. Within a 5km radius of the site area there are six designated sites.

Grand Canal pNHA (2.3km).

Lugmore Glen pNHA (3.3km).

Dodder Valley pNHA (3.8km).

Slade of Saggart and Crooksling Glen pNHA (4.6km).

Glenasmole Valley SAC (4.9km).

Glenasmole Valley pNHA (4.9km).

11.3.3 Prior to development (based on aerial photography) the site consisted of arable crops and improved grassland. Impacts arising from the development are subject to substitute consent are listed as follows.

- Habitat loss, damage and fragmentation.
- Disturbance from human activity, noise and vibration.
- Changes to groundwater levels.
- Changes in hydrological regimes.
- Changes in water quality.

In terms of assessment of effects it is noted that the development has resulted in habitat loss of moderate impact (loss of trees) and dust impact on grassland habitat.

Mitigation measures include tree planting that has taken place and it is noted that dust level have been within the emission limit values set down under EPA guidelines.

11.3.4 It is note that there is permitted and established quarrying activity at this location on the landholding associated with the site in this case. It is noted that the development in association with the other quarrying activity permitted at this location or other projects in the wider area is not likely to have had or is having any cumulative impacts in terms of biodiversity. It is noted that no specific remedial ecological

mitigation measures are deemed necessary to mitigate or offset the effects in regards to ecological features.

11.3.5 The quarrying within the substitute consent area resulted in almost the complete loss, damage and disturbance to the agricultural habitats in that area. However, it must be recognised that in the context of the prevailing environment and the lack of any known conservation value of the said lands, it is reasonable to conclude that the quarrying works culminated in the loss of habitats of likely local value, common to the wider area. I acknowledge that a Biodiversity Action Plan is proposed to be prepared for the quarry and I note the provisions of the restoration plan for the overall quarry, inclusive of the substitute consent lands. I do not consider that remedial measures are required in relation to ecology.

11.4 Land, Soil and Geology

11.4.1 Chapter 5 of the rEIAR deals with these joint issues. This section includes a description of the site, regional geology, local geology and bedrock geology. It is noted that prior to extraction the site was agricultural tillage land. It is noted that the site has been identified as a County Geological Site by the GSI and that any restoration plan should allow preservation of the features of geological interest (Lower Carboniferous sequence) for educational purposes.

11.4.2 Direct impacts include removal of soil and subsoil, excavation of underlying bedrock. It is noted that the activities on site have not and will not have an indirect impact on geological aspects of the environment outside of the site. It is considered that the cumulative impacts of the development on site and the other quarrying activity associated with the landholding is not significant in terms of soil and geology.

11.4.3 Existing mitigation measures are noted including used of soil and subsoil for landscaping/berms, storage of soil material at a safe angle of repose, re-vegetation of screening berms and re-handling of soil minimised. It is noted a comprehensive restoration plan has been submitted and includes regard to the GSI request to

preserve features of geological interest (Lower Carboniferous sequence) for educational purposes. Based on the impact assessment and existing mitigation, no remedial measures are required.

11.5 Surface Water and Groundwater

11.5.1 Chapter 6 of the rEIAR deal with these associated issues. I note that it is submitted that extraction has taken place within the substitute consent area to a floor level of 34mOD, thus quarrying has occurred below the naturally occurring water table. The rEIAR states that there has been very little groundwater inflow and that this is due to the low permeability of the limestones and the low recharge rate. Rainfall within the quarry extraction area is seen as the most significant influx water to the substitute consent area. It is acknowledged that the lower quarry floors outside the substitute consent area drain and keep the substitute consent area dry.

11.5.2 I note the water management system that is in place in the quarry that has included, and includes, the area the subject of this application. Collected water was, and is, used in the ancillary manufacturing processes and for dust suppression. Excess treated water abstracted from the site, including the substitute consent area, was, and is, discharged under licence via a settlement lagoon to the Kingswood Stream, which is located to the west of the site. The Kingswood Stream runs in a northwest direction 300m from the western site boundary. It is a tributary of the Camac River which it joins 800m to the west of the quarry. The Camac River drains to the River Liffey 12km downstream at Heuston. It is noted from the rEIAR that there is no loss in flow along the stream section closest to the quarry and it is implied, therefore, that the substitute consent area is unlikely to have impacted / be impacting on flows in the Kingswood Stream.

11.5.3 I acknowledge that water from the substitute consent area has been, and is being, discharged to the Kingswood Stream under licence from the Council. This discharged water is sampled on a monthly basis. The monitoring results provided in the rEIAR inform the reader that the concentrations of water quality parameters have been less than the licence limits in all but two isolated instances since 2008. Based on the information provided and the lack of evidence to suggest there were

previous adverse impacts on surface waters, it is reasonable to conclude that the surface water discharge from the substitute consent area is not likely to have impacted on surface waters in the vicinity. Finally, I note that mitigation measures, in the form of good practice measures, were put in place and continue to be in place and that a water monitoring programme continues.

11.5.4 I acknowledge that the quarry is not located within any identified GSI or EPA groundwater supply source protection zones and that there is no recorded groundwater wells in the immediate vicinity on the EPA 2009 Abstractions register nor is there evidence of any springs in the vicinity. The incidence of impacts on groundwater receptors beyond the substitute consent area must be cognisant of this context. I further note that the applicant's considerations on the impact on the water environment include review of groundwater monitoring boreholes installed in 2008, where quality testing has been carried out. The monitored groundwater levels suggest that the zone of influence of the quarry does not extend far from the edge of the quarry. Based on the information provided in the application, there is no conflicting evidence to contradict the applicant's conclusion that no significant groundwater dewatering has taken place because of the low permeability of the limestones, the low recharge rate and the limited catchment area up-gradient of the quarry. I acknowledge that there is no known hydraulic connection or interaction between the substitute consent area and designated areas of conservation value. This issue will be addressed further in the review of the rNIS also.

Finally, the following is noted:

- The original soil/subsoil cover on the substitute consent area was thin to absent. Groundwater beneath the area is naturally extremely vulnerable to pollution. The removal of the soil/subsoil at the substitute consent area has not likely significantly increased groundwater vulnerability beneath the substitute consent area.
- No records have been produced of spillages or leakages in the past and no evidence has come to light of any hydrocarbon-impacted groundwaters. The rEIAR submits that no fuels were, or are, stored within the substitute consent area.

- A number of existing mitigation measures have been in place and continue to be in place within the authorised quarry and substitute consent area. These are acknowledged as being good practice measures.
- It is further noted that a programme of water monitoring has been, and is being, undertaken by Roadstone Ltd. at the quarry.

Based upon these observations and findings, I consider that it is reasonable to conclude that the previous quarrying activities within the substitute consent area the subject of this application were unlikely to have resulted in significant impacts on surface waters and/or groundwater. I finally acknowledge the restoration measures proposed, allowing the quarry void to fill with water to levels similar to groundwater levels north of the quarry.

11.6 Climate

11.6.1 Chapter 7 of the rEIAR deal with climate. The rEIAR set out the legislative frame/policy context in regards to climate including the National Climate Change Adaption Framework, which was not in place at the time of works in the substitute consent area. It is considered that the development the subject of the substitute consent application was not of sufficient scale to have had any direct or indirect impacts on local climatic conditions.

11.7 Air Quality

11.7.1 Chapter 8 of rEIAR deal with these associated issues. No environmental monitoring information is available for the period of 1990-2000. Environmental monitoring has been carried out at Belgard Quarry post 2000. This section relates to the impact of dust emissions. This section notes the EPA guidelines, 'the Environmental Management Guidelines for Environmental Management in the Extractive Industry (2006). It is noted that the recommended emission level value for extractive industry is a TA Luft dust deposition limit value of 350 mg/m²/day measured at the site boundaries. It is noted that this standard was applied under condition no. 7(a) under Section 261 quarry ref no. SDQU05A/2.

11.7.2 This section includes description of the receiving environment. Baseline information was established from the records between January 2008 to June 2017 and the 6 dust monitoring locations located on the overall landholding. The results of monitoring at the various locations indicate that the dust deposition level at the Belgard Quarry are well below the TA Luft dust deposition limit value of 350 mg/m²/day measured at the site boundaries.

11.7.3 The nearest sensitive receptors area identified and included ecological receptors (Grand Canal pNHA, 2.3km from the site and the Dodder Valley pNHA, 3.2km from the site) and human receptors including all dwellings, community and commercial developments within 500m of the site (36 receptors). There is a description of the sources of dust including blasting operations, processing plant, traffic on internal haul routes and stripping and overburden storage. This section includes an assessment of the sensitivity of all receptors within 250m and a risk evaluation. The risk evaluation for all receptors is 'insignificant' apart from one which is determined as being 'acceptable'. In relation ecological receptors the distance between the site and such is noted and the fact that operations at Belgard Quarry have been within recommended dust deposition limits with the conclusion that the operation at the quarry including works on the substitute consent site have had no significant impact. It is noted in relation to the human receptors within 250m that activities on the site have not had a significant impact and such assessment does take into account mitigation measures including perimeter screening and dust suppression measures.

11.7.4 It is noted a number of mitigation measures are in place at Belgard Quarry including dust suppression measures concerning extraction and processing, maintenance of vegetation, screening planting, internal traffic management, wheel wash at the entrance and a road sweeper in operation. In terms of residual impacts it is considered that operations subject to substitute consent and permitted at this location have not had and will not have a significant impact in regards to air quality.

11.7.5 In relation to cumulative impact it is noted that there are no other significant sources of emission to air within close proximity and therefore no potential for significant

cumulative impact. Based on the assessment provided, no remedial measures are required. It is considered that the monitoring programme put in place suggests that the quarry has operated, and continues to be operated, within the recommended dust deposition emission limit values set out in the best practice guidelines for the sector.

11.8 Noise and Vibration

11.8.1 Chapter 9 of rEIAR deal with these associated issues. No environmental monitoring information is available for the period of 1990-2000. Environmental monitoring has been carried out at Belgard Quarry post 2000. This section relates to the impact of dust emissions. This section notes the EPA guidelines, 'the Environmental Management Guidelines for Environmental Management in the Extractive Industry (2006). It is noted that the recommended emission level values for extractive industry is 55dB LAeq, 1hr and 45dB LAeq, 1hr for day time and night time with more stricter limits in locations with lower background noise. For vibration the recommended standard is a peak particle velocity equal to 12 mm/s measured in any of the three mutually orthogonal directions at the receiving location (for vibration with frequency of less than 40 Hz) and blasting should not give rise to air overpressure values at the nearest occupied dwelling in excess of 125 dB(Lin) maximum peak with a 95% confidence limit. Reference is also made to relevant British Standards and Guidelines for Noise Impact Assessment (IEMA).

11.8.2 The section refers to condition no.s 5(a) and (b) of the Section 261 conditions imposed on SDQU05A/2 relating to noise limits (55dB LAeq, 1hr and 45dB LAeq, 1hr for day time and night time). The section also refers to condition no.s 7(a) and (b) of the Section 261 conditions imposed on SDQU05A/2 relation to vibration (for vibration with frequency of less than 40 Hz) and blasting should not give rise to air overpressure values at the nearest occupied dwelling in excess of 125 dB(Lin) maximum peak with a 95% confidence limit).

11.8.3 It is noted that noise surveys have been carried out at Belgard Quarry at seven noise monitoring locations throughout the quarry (outside the substitute consent site).

Historical noise monitoring data between 2007 and 2017 is provided. The results of this noise monitoring confirm that noise emissions from the overall site have complied with the emission limit values set down under condition no.s 5(a) and (b) (Section 261 conditions imposed on SDQU05A/2). It is also noted that ground vibration and air overpressure has been measured at Belgard Quarry at 3 fixed locations (outside the substitute consent site). Historical blast monitoring results between 2008 and 2017 are also provided. It is noted that in these results there is only one occasion that air overpressure at one of the monitoring location was recorded as marginally exceeding the limit value in condition 6(b) (Section 261 conditions imposed on SDQU05A/2) of 130dB(Lin) with it noted such could be related to weather conditions. The results of this blast monitoring indicate that blast operations from the overall site have complied with the emission limit values set down under condition no.s 7(a) and (b) (Section 261 conditions imposed on SDQU05A/2).

11.8.4 Overall, it may be concluded that, based upon the information contained within the application and in light of no specific details provided to the contrary that works within the substitute consent area caused no significant noise and vibration impacts and that no significant adverse impact arose for sensitive receptors from the operations within the substitute consent area in relation to noise and vibration. In conclusion, I note the range of mitigation measures that have been employed, the monitoring programme in place, and the intended provisions into the future to ensure compliance with threshold values. There are no specific remedial measures required in relation to noise and vibration within the substitute consent area.

11.9 Landscape and Visual

11.9.1 Chapter 10 of rEIAR deals with these associated issues. The assessment on landscape and visual impact was undertaken using maps and aerial photography from the relevant period. Having regard to the continued expansion of the quarry – both – and in the absence of any restoration or remediation of any part of the quarry, it is likely that the visual impact of the quarry, is at its greatest today – when the quarry has expanded to its fullest extent. Therefore, by considering the impact on the

landscape and visual amenity today, it is possible to consider the greatest impact the quarry has had, at any time since the period 1990-2000 that the substitute consent area was developed.

11.9.2 There are nine panoramic views included within the rEIAR (labelled A to I). Each shows the impact of the quarry on the landscape from both the local road network, and also from roads slightly further afield – including Scenic Routes 5 and 9. I would consider that Scenic Route 9 is too remote from the quarry to have been impacted in any way by historical operations.

11.9.3 The Landscape Character Assessment of South County Dublin identifies the landscape character of the area as “Urban Lowlands Landscape Character Area” (LCA). The area is characterised by an urban landscape, bounded by roads to the north west and south, adjoined by a business park to the west and residential areas to the south, south east and north. There are three proposed Natural Heritage Areas within 3.5km of the site. In terms of views and prospects there are protected views to the south west at Verschoyles Hill and Tallaght Hill as well as the Dublin Mountain Way walking route located to the south east of the site. Viwepoints H and I are located close to such (Verschoyles Hill and Tallaght Hill). Thus, the landscape character context of the development is well understood. I further note that the land is in an area that is zoned to allow for the quarry use. The substitute consent area was not, and is not, in an area of high landscape sensitivity and is compatible with the form of development in the vicinity.

11.9.4 The application details provided have demonstrated that the land area associated with the substitute consent area is well screened from the public realm. I accept that the site is screened in views from locations to the north, east and southeast, due to topography and tree planting along site boundaries. It must also be accepted that the site is further screened in views from locations within the low lying residential areas and business/industrial parks located between the N7 and N81 (inclusive of Tallaght, Jobstown, Fortunestown, City West Business Park, Saggart and Rathcoole), due to the density of development within these areas. It is acknowledged that the provision

of screening berms has contributed substantially also and typical views within the wider environs towards the substitute consent area do not result in the associated land area being a development that is significantly visually intrusive. Evidently, the screening berms themselves are visible but are not in themselves a significant intrusion. Any views that remain of the substitute consent area are notably distant views, where due to such distance the impact could not be construed as significant in a panoramic context. Furthermore, it must be acknowledged that this area formed part of a significantly large area adjacent to quarried land in overall terms and this context in which the development is set must be understood in visual impact terms.

10.9.5 In conclusion, it may reasonably be stated that quarrying within the substitute consent area had a relatively minor landscape impact because of the prevailing landscape character associated with this location. Furthermore, the visual impact on the wider community was relatively limited, with measures in place to mitigate significant adverse effects.

11.10 Cultural Heritage

11.10.1 Chapter 11 and Appendix 11 of the rEIAR deal with this issue. The rEIAR list all protected structures within the surrounding area (16) with the distance between the site and such meaning no mitigation is required. It is noted that there are no structures on the NIAH within the substitute consent area and any in the vicinity are far too distant from the site to be impacted. It is noted that there are no structures of cultural heritage significance that would be impacted by other quarrying associated with the landholding the site is part or any other developments in the area.

11.10.2 With regard to archaeology, the substitute consent area is not known to have contained any features of value and there is no evidence that the quarry works within this area impacted on any features previously unknown. There are no recorded monuments located within the substitute consent area. There are recorded monuments located within the overall landholding associated with the site within the vicinity of the substitute consent area (the Record of Monuments and Places

indicates that there are four Recorded Monuments located elsewhere on Roadstone Limited lands within the vicinity of the substitute consent area and it is acknowledged that three were removed during the works). It is apparent that the scale and nature of the quarrying operation has eradicated the context of the archaeological features so designated and that quarrying within the substitute consent area is likely to have contributed to this to some degree.

11.10.3 There are no features of architectural heritage value or other features of cultural heritage value within the substitute consent area or in the immediate vicinity that could result in direct or indirect effects thereon. Overall, in the context of no direct impacts on cultural heritage and the limited degree of indirect impact on features of archaeological heritage within a radically altered and changing environment, it is reasonable to conclude that impacts on cultural heritage arising from the quarrying within the substitute consent area were not significant in the context of the large scale quarry operation.

11.11 Material Assets

11.11.1 I note that the material assets considered in the application were residential/commercial buildings, historical buildings/monuments, amenity areas, transport and infrastructure, and local services. The rEIAR states the potential impacts and existing mitigation measures in relation to each of these were covered by other sections of the document and that, based on the impact assessment and mitigation measures, no remedial measures are required in relation to material assets at Belgard Quarry (including the substitute consent area).

11.11.2 No known adverse impacts arising from the quarry development the subject of this application on residential and commercial properties in the vicinity, on structures of cultural heritage value, amenity and local services and infrastructure have come to light through the application process. Thus, it is considered that it is reasonable to conclude that significant adverse impacts on these features were unlikely to have arisen. Assessment of traffic and transportation is contained in the following section.

11.12 Traffic and Transportation

11.12.1 Chapter 13 of the rEIAR deals with these associated issues. I note that the main access to the quarry is served off Cookstown Road. A secondary quarry access is located to the north of the site on the N7 Naas Road. A permitted new site access is located on the western boundary of the site on the R136 Outer Ring Road but is not yet operational. The revised Traffic and Transport Assessment contained in the rEIAR considers the other activities and extraction areas within the confines of the overall quarry operations in the context of cumulative impact. Detailed records are not available for traffic during the period of operation in the area in question (1990-200). Reference has been made to historical traffic levels from 2005-2012. There was a large variance in the level of operation during this period. The average level of operation across the 8-year period was calculated as generating 105,758 annual one-way HGV trips, therefore 211,516 HGV movements annually. The peak level of operation in 2005 saw the site generating 165,677 one-way HGV trips, therefore 331,354 HGV movements. During the determined average level of operation, based upon the operator's historic records, the site generated 1,318 vehicle movements per day comprising 698 HGVs and 620 light vehicles. When operating at the determined average levels of operation the site generated a maximum of 126 movements during the AM peak comprising 58 LVs and 68 HGVs, a maximum of 177 movements during the peak of the site's daily operation comprising 73 LVs and 104 HGVs, and a maximum of 74 movements during the PM peak comprising 56 LVs and 18 HGVs.

11.12.2 The assessment considered the traffic impact on the road network during the average level of site operation on the N7 Naas Road using 2006 and 2010 traffic figures, and the traffic impact on the Cookstown Road during the average level of site operation using the 2013 recorded traffic flows. The findings include:

- The quarry's HGV traffic generally distributes equally out of each site access/egress with 50% of HGVs using the main Cookstown Road entrance and 50% using the secondary N7 Naas Road entrance.
- During average levels of operation, traffic generation would have made up to 0.6% of the total two-way flow on the M7 during 2006. In terms of HGV impact, the assessment shows that the site would have made up to 2.3% of the recorded daily

two-way HGV traffic on the M7, with a worst-case impact being during the site's operational peak where the generated traffic made up to 5.1% of the two-way traffic flow.

- The site, during average levels of operation, would have made up to 0.6% of the total two-way flow on the M7 during 2010. In terms of HGV impact, the assessment shows that the site would have made up to 3.0% of the recorded daily two-way HGV traffic on the M7, with a worst-case impact being made during the site's operational peak where the generated traffic made up to 6.9% of the two-way traffic flow.
- The site, during average levels of operation, would make up to 7.1% of the total two-way flow on Cookstown Road, to the north of the site access, during 2013. The rEIS submits that, as would be expected for a local road where a major quarry site takes direct access, the site-generated HGV traffic makes up a large amount of the HGV traffic on the network. During average levels of operation, site-generated HGV traffic would make up to 66.7% of the HGV two-way flow on Cookstown Road, to the north of the site access, during 2013.
 - The Cookstown Road entrance has always been the main access for the quarry, and it has / currently operates adequately without any issues in terms of capacity or highway safety. Cookstown Road is subject to a 50km/h speed limit. There are no accident records indicating that there are existing incident patterns at the main site entrance. Sightlines at the main quarry entrance/Cookstown Road junction are regarded as being acceptable.
 - With regard to the N7 quarry entrance, the N7 Naas Road is a national primary road and is designed to carry significant traffic flows including HGVs. The rEIS submits that the quarry traffic is well catered for, with dedicated on/off-slips and adequate sightlines.
 - The applicant concludes that the historical and existing quarry traffic levels have been, and can be, comfortably accommodated on the local and wider highway network. The traffic generated is viewed as having a minimal impact in terms of transportation and highways.

Overall, it is acknowledged that the information provided on traffic and transportation has not brought to the attention of the Board any significant issues that previously

arose for the public road network in the vicinity arising from previous quarry activities. The network appears to have accommodated HGV and other traffic generated without significant incidents, including significant impact on the carrying capacity of the road network, interference with traffic flows, creation of hazard and direct contribution to accidents. In light of this, it may be reasonable to conclude that the impact, in traffic and transportation terms, of the quarrying activity the subject of this substitute consent application was not likely to have resulted in any significant environmental impact.

11.13 Cumulative Impacts

11.13.1 The rEIAR gave consideration to cumulative impacts in relation to the functioning and operations of the overall quarry at this location. The factors of relevance when considering environmental impact have been addressed. There are no other notable development from the period relevant to this application with which cumulative impacts may or could have resulted and may or could have had a likely significant environmental effect. The environmental impacts resulting from the cumulative impact arising from the development the subject of this application with the overall quarry development are considered not to be significant in light of the above assessment.

11.14 Interaction of the foregoing

11.14.1 The interactions of the various potential impacts and mitigation measures have been covered, where applicable, under the relevant sections within the rEIAR.

11.15 Conclusion

11.15.1 The rEIAR complies with Articles 94 and 111 of the Planning and Development Regulations, 2001 (as amended). The rEIAR broadly contains the information specified in paragraphs 1 and 2 of Schedule 6 of the Regulations. There is an adequate summary of the rEIAR in non-technical language. The rEIAR identified the likely significant direct and indirect effects of the past operation of the quarry and associated plant on the environment, and also indicated any likely continuing impacts. Cumulative impacts with other development in the area were also addressed. I would be satisfied, having regard to the preceding subsections of this

Inspector's Report, that the operation and expansion of this quarry and associated plant, since 1990, would not have had a significant impact on the environment.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- a) the provisions of the Planning and Development Acts, 2000, as amended, and in particular, Part XA,
- b) the provisions of the Planning and Development Regulations, 2001 as amended,
- c) Council Directive 92/43/EEC on the Conservation of natural Habitats and of Wild Flora and Fauna, as amended,
- d) the 'Quarries and Ancillary Activities, Guidelines for Planning Authorities', issued by the Department of the Environment, Heritage and Local Government, in April 2004,
- e) the provisions of the South Dublin County Development Plan 2016 – 2022,
- f) the remedial Environmental Impact Assessment Report submitted with the application for substitute consent, and supporting documentation,
- g) the submissions received from the applicant in response to the Section 132 notice from An Bord Pleanála,
- h) the report and the opinion of the planning authority under section 177I of the Planning and Development Act, 2000, as amended,
- i) the submissions made in accordance with regulations under section 177N of the said Act, (as amended),

- j) the decision of the Board to grant leave to apply for substitute consent under section 177D of the Planning and Development Act, 2000 (as amended), – ref. Ref. 06S.LS0025 , on the 21st day of December 2017,
- k) the nature and scale of the development the subject of this application for substitute consent,
- l) the planning history of the site,
- m) the Wastewater Discharge Licence in place for this quarry,
- n) the mitigation measures which were/are in place and the further remedial measures proposed,
- o) the nature and scale of the development the subject of an associated application for substitute consent, ref. PL06S.SU0061, and
- p) the pattern of development in the area, and the proximity of the quarry to an European site.

Environmental Impact Assessment

The Board considered the nature, scale and location of the subject development, the remedial Environmental Impact Assessment Report, the documentation submitted with the application generally, the planning, registration and quarry review history of the site, the submissions on file, and the report of the Inspector. It is considered that the remedial Environmental Impact Assessment Report identifies and describes adequately the direct and indirect effects on the environment of the development that have taken place. The Board completed an Environmental Impact Assessment in relation to the subject development, by itself and cumulatively with other development in the vicinity (particularly the associated application for substitute consent, ref. PL06S.SU0061), and concluded that the development of the quarry

was not and would not be likely to have significant effects on the environment. In doing so, the Board adopted the report of the Inspector.

Conclusions

Having regard to the decisions made in respect of an Environmental Impact Assessment, the Board is satisfied that the subject development did not and does not seriously injure the amenities of the area or of property in the vicinity, and was and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála with the application on the 09th day of March 2018 and on the 15th June 2018. This grant of substitute consent relates only to works undertaken to date and does not authorise any future development on the subject site.

Reason: In the interest of clarity.

2. A detailed restoration scheme for the site according to the broad principles indicated in the remedial Environmental Impact Statement shall be submitted to the planning authority for written agreement within three months from the date of this order. The restoration scheme shall include a timeframe for implementation, an aftercare programme for a period of not less than five years, and security provisions within and bounding the quarry site.

Reason: In the interest of the visual amenities of the area, to ensure public safety and in the interest of orderly development.

3. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

4. Within three months from the date of this order, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory restoration of the site, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory restoration of the site.

Colin McBride
Planning Inspector

13th December 2018