



An  
Bord  
Pleanála

## Inspector's Report ABP-308449-20

### Development

Retention of importation of aggregates for manufacture of concrete products, removal of truck wash and water recycling tanks, continuance of operational landscaping, use of imported aggregates in the concrete plant, provision of new truck wash facility and water recycling tanks, provision of noise reduction fencing, and allowance of out of hours operation of the concrete plant on a maximum of 20 occasions per year

### Location

Ballygurteen, Gortnadihy, Clonakilty, County Cork

### Planning Authority

Cork County Council

### Planning Authority Reg. Ref.

20/406

### Applicant(s)

Keohane Readymix Ltd.

### Type of Application

Permission

### Planning Authority Decision

Refuse

<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Keohane Readymix Ltd.
<b>Observer(s)</b>	Nora O'Sullivan Tim O'Sullivan Derry O'Sullivan Con O'Sullivan
<b>Date of Site Inspection</b>	9 <sup>th</sup> March, 2021
<b>Inspector</b>	Kevin Moore

## 1.0 Site Location and Description

1.1. The 2.7 hectare site is located approximately 10km north-west of Clonakilty in County Cork. There is an existing quarry with operations that include processing of sand and gravel, a concrete plant, the manufacture and storage of concrete products, offices, and ancillary facilities which include a garage/ repair workshop and a weighbridge. The offices are served by a septic tank. The entrance to the site is located at the south-western end of the site and accesses a local road just north of its junction with Regional Road R599 (Clonakilty-Dunmanway).

## 2.0 Proposed Development

2.1. The proposed development would comprise:

- (a) Retention and continuance of importation of aggregates for the manufacture of concrete products,
- (b) Retention and removal of the existing concrete truck washout facility and water recycling tanks in the north-eastern area of the site,
- (c) Retention and continuance of operational landscaping and ancillary site works,
- (d) Variation of Condition 12 of Permission Ref. No. W/323/91 to allow for the use of imported aggregates in the existing concrete plant,
- (e) Provision of a new concrete truck washout facility and water recycling tanks at a lower level on the site,
- (f) Provision of noise reduction fencing (up to 5 metres in height) along the south-western boundary,
- (g) Provision of additional screening berm (up to 4 metres in height) on the eastern side of the access road,
- (h) Provision of out of hours operation of the concrete plant on a maximum of 20 occasions each year, and
- (i) Phased restoration and final restoration of the site.

Permission is sought for a period of 11 years, including one year for final restoration.

It is submitted that the proposed importation of aggregates would support a maximum annual concrete production of 60,000 cubic metres, equating to c.144,000 tonnes of material, comprising c. 120,000 tonnes of dry aggregates, 20,000 tonnes of cement, and the balance being water and trace admixtures. The out of hours operation for the concrete plant is being sought to facilitate construction works such as large concrete pours and off-peak infrastructure works. Total HGV traffic is estimated to be 5 to 6 two-way movement average hourly and peak hourly 6 to 7 two-way movement.

- 2.2. Details submitted with the application included a Planning & Environmental Report, a Noise Assessment, an Air Quality Assessment, a Landscape & Visual Appraisal, a Noise & Visual Mitigation Measures and Restoration Scheme, and an Appropriate Assessment Screening Report.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

On 22<sup>nd</sup> September 2020, Cork County Council decided to refuse permission for the proposed development for two reasons relating to injury to residential amenities and injury to the visual amenities of the area.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

The Planner noted development plan provisions, the site's planning history, the enforcement history, third party submissions, and reports received. The proposals in the application to address the Board's previous refusal of permission were also acknowledged. It was submitted that HGV truck movements, based on the application details, would equal 355 movements per week rising to 428.8 for a discrete maximum event. It was considered that the current proposal of concrete production is not materially different over that previously proposed and traffic impact on the local road network and resultant impacts on residential amenities would not materially change. The applicant's estimated HGV/truck movements of 5.3 per hour were disputed and it was stated that this is an extremely busy site. It was

acknowledged that the volume and lifespan of production at the site was limited by the extraction of raw materials within the site in accordance with Condition 12 of Planning Permission W/323/91. The levels of production and associated traffic are considered incomparable to the extent of the operation originally permitted. The Planner agreed with the decision of the Board that a significant intensification of use and extension of operations has occurred at the site. The current proposal was not seen to be materially different from that previously refused in terms of intensity of use and impacts on the local road network and on residential amenities. The scope of the applicant's noise survey was queried, while the proposed noise reduction measures were seen to be excessive and visually incongruous. Noise levels were seen to remain a concern. The applicant's dust survey was also seen to be limited and concerns regarding dust impacts were seen to remain. It was noted that the truck wash would be moved closer to third party dwellings as a result of the proposal. Noting the Area Engineer's request, it was submitted that, even in the absence of details on haul routes, the development is impacting the local road network given the volume of HGV and truck traffic. It was concluded that the first reason in the Board's previous decision under ABP-302058-18 had not been addressed to the satisfaction of the planning authority. A refusal of permission was recommended.

The Senior Executive Planner agreed with the Planner's recommendation.

The Senior Planner concurred with the reports of the Planner and Senior Executive Planner.

### 3.2.2. Other Technical Reports

The Area Engineer noted the importation of aggregates to the site is having an impact on the road network in the area and in particular on road junctions around Ballingurteen village. It was submitted that it was unclear as to what the main haulage route to the site was from the source of imported aggregates. It was considered that attenuation of surface waters and settling of suspended solids needed to be achieved by means of an appropriately sized surface water attenuation and suspended sediment settling pond. Issues for the Environmental Officer were identified. It was recommended that details of the haulage route to the site from gravel pits relating to the imported aggregates be requested.

The Environment Report noted the noise and air quality assessments undertaken by the applicant. It was recommended that further information was sought in relation to the percolation area for dealing with water discharge from the existing buffer tank.

The Ecologist noted that the Environment Officer was seeking further information in relation to the design of the percolation area for the buffer tank and considered appropriate assessment screening could not be completed until these details are submitted.

### **3.3. Prescribed Bodies**

Inland Fisheries Ireland requested planning conditions ensuring no discharge of trade effluent other than in accordance with a discharge licence and ensuring no surface water abstraction is permitted. It was also requested that a condition be attached with any grant of permission to the effect there would be no interference with, bridging, draining or culverting of the adjacent stream or any watercourse.

### **3.4. Third Party Observations**

Third party submissions were received from Derry O'Sullivan, Tim O'Sullivan, Con O'Sullivan, and Nora O'Sullivan. The observations address the principal planning issues raised.

## **4.0 Planning History**

### P.A. 91/323

Permission was granted for gravel extraction, a concrete plant and ancillary activities.

### P.A. Ref. 01/5878

Permission was granted for a garage/repair workshop, offices and the retention of entrance.

Permission was refused by the Board for the use of imported aggregates for the manufacture of readymix and concrete products, the construction of a truck washout facility, the continuation of processing of imported aggregates, and landscaping.

## 5.0 Policy Context

### 5.1. Cork County Development Plan

#### Mineral Extraction

The Plan states:

*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. (Section 6.12.7)*

*Applications for new quarries and extensions to existing developments will be rigorously assessed to establish and minimise any potential negative impacts. (Section 6.12.8)*

#### Green Infrastructure

Objectives include:

##### **GI 6-1: Landscape**

- a)** Protect the visual and scenic amenities of County Cork's built and natural environment.
- b)** Landscape issues will be an important factor in all land use proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.
- c)** Ensure that new development meets high standards of siting and design.
- d)** Protect skylines and ridgelines from development.
- e)** Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

## 5.2. EIA Screening

Schedule 5 of the Planning and Development Regulations, 2001 (as amended), sets out Annex I and Annex II projects which mandatorily require an EIS. Parts 1 & 2 of Schedule 5 outline classes of development that require EIS corresponding to Annex I and Annex II. The proposed development, relating to importation of aggregates, provision of a truck wash facility, landscaping, etc. and not including the extraction of sand, gravel, etc., is not a development type listed under Part 1 or 2 of Schedule 5.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of the appeal may be synthesised as follows:

#### Reason No. 1

##### *Existing Plant*

- There has been no intensification of concrete production at the site from that permitted. The level of concrete production is comparable to that originally permitted.

##### *Out of Hours Operation*

- The appellant will remove the proposal for out of hours operation of the concrete plant from the proposal and will accept a condition confirming this.

##### *Noise*

- It is reasonable and appropriate to adopt the recommended approach of applying noise limits at the nearest sensitive receptors as recommended in the EPA(2002) guidelines. A detailed noise assessment was carried out and covered all receptors within 500m of the site. The potential impact of site activities is indicated to be “negligible” at all receptors and are well below the recommended EPA noise emission limit values and would not affect any European sites.



- Additional noise mitigation measures are proposed to be incorporated - noise reduction fencing, an additional screening berm at the entrance, construction of a new concrete washout area at a lower level.
- The Planner's conclusion relating to noise is contrary to the Environment Section's advice.
- There is no monitoring or assessment to support third party concerns on noise. Third party submissions in support of the proposal are attached.
- The appellant will accept conditions imposing noise limits at the nearest sensitive receptors and requiring a quarterly noise monitoring programme.

#### *Air Quality*

- Dust monitoring has been undertaken at the site and an updated dust deposition monitoring report is attached. The recorded dust deposition levels are well below the EPA recommended dust emission limit value.
- The applicant's assessment confirms the proposal will comply with recommended limit values and would not have any effects on European sites. Residential amenities will not be seriously injured by reason of dust.
- The Environment Section raised no concern relating to dust. The Planner's conclusion relating to dust is contrary to the Environment Section's advice. Concerns are addressed through ongoing monitoring.
- There is no monitoring or assessment to support third party concerns on dust. Third party submissions in support of the proposal are attached.
- The appellant will accept conditions imposing dust deposition limits at the site boundary and requiring a monthly dust deposition monitoring programme.

#### *Traffic*

- Based on the appellant's calculations, the traffic generated by aggregate importation would be approximately 2 HGV trips per hour, with concrete deliveries being approximately 3 loads per hour and 4 for discrete maximums. It is also estimated that less than 3 cement tanker loads per day for cement delivery would result, rising to a maximum peak demand of 4 for a discrete period. It is, therefore, estimated that the average HGV truck movements per

hour would be 5.3, rising to 6.4 for a discrete event. This is not excessive, will not affect road capacity, and will not impact on the safety of other road users. The increase in traffic generation with the aggregate importation is not significant in terms of intensification of traffic on the road network and on the two haulage routes used.

- The proposed replacement of the rigid axle fleet with 5 and 6 axle trucks will result in a reduction on concrete delivery trips in the order of 15%.
- Planning permission was granted by the planning authority for sand and gravel quarries at Kilronan and Shannonvale in the knowledge the aggregates would be transported to and used in the manufacture of concrete products at Ballygurteen concrete plant.
- No details have been presented by the planning authority to substantiate the statements by the Area Engineer and Planner that traffic from the development is impacting on the local road network.
- Details of the haulage routes used are provided in the appeal and are well-established and there have been no accidents associated with company vehicles on these routes.
- Third party submissions supporting the development refute any contention the development will have any significant environmental effects in terms of traffic.
- The appellant will accept conditions limiting concrete production to 60,000 cu. metres per year, restricting importation of aggregates to existing haulage routes, and providing a financial contribution to support road maintenance.

## Reason No. 2

- The applicant's Landscape and Visual Appraisal concluded the effects would be at a low level.
- The proposal provides for a phased and final restoration of the overall site.
- The Planner's conclusions were formed without taking account of the Landscape and Visual Appraisal.

- The proposal would not materially contravene Objective GI 6-1 of the County Development Plan, it would not injure visual and scenic amenities, and will not injure skylines or ridgelines or result in removal of trees or hedgerows.

The appeal submission also referred to water management provisions relating to the surface water drainage system, the concrete washout area, the percolation area, Inland Fisheries Ireland requirements, planning authority requirements, and planning conditions. Reference was also made to the site restoration proposals, to EIA, and to appropriate assessment. Details in response to the planning authority's ecology report relating to the percolation area to address appropriate assessment screening are included in the appeal submission.

## **6.2. Planning Authority Response**

The planning authority's submission in response to the appeal was submitted to the Board outside of the statutory period allowing for a response.

## **6.3. Observations**

- 6.3.1. The observation from Nora O'Sullivan stated that a refusal of permission would not lead to the business closing as the company had manufacturing facilities outside Ballingurteen and in Enniskeneane, noted the requirements to cease plant operations under planning permission granted in 1991, and contended the applicant has been operating the plant out of hours in the past contrary to planning permission. The unauthorised nature of the concrete washout facility was referenced and its relocation was not seen to reduce noise for residents. Noise from the plant, hammering, HGV movements, and dust are of concern and the letters of support on these issues with the appeal are queried. The observer also raised concerns relating to public notice, unsightly noise barriers, heavy volumes of traffic, increased staffing levels indicating intensification, historical breaches of planning, ignoring the Board's previous decision, and failure to address the Board's reasons for refusal.
- 6.3.2. The observation from Tim O'Sullivan queried the letters of support with the appeal and permission to import aggregates from Kilronan and Shannonvale gravel pits.

Reference was made to the unauthorised development of the washdown yard and its impact on his home, to enforcement and quarry operations at night time and early morning. The capacity of the concrete production facility and its policing, noise due to the siting of the plant, lack of dust control, flooding arising from wash water, and the inadequacy of noise reduction fencing were also raised as concerns. It was submitted that there had been no change since the making of the Board's previous decision. The observation included enforcement letters and other correspondence to and from Cork County Council, to An Garda Síochána, the Office of the Ombudsman, An Bord Pleanála, and the Department of the Environment, Community and Local Government. The Board is asked to refuse the development.

6.3.3. The observation from Derry O'Sullivan raised concerns relating to land ownership and queried third party submissions in support of the appeal and the planning authority's approach in dealing with enforcement. Reference is made to traffic, noise, poor screening of the site and the adverse visual impact of proposed fencing, and drainage and runoff. The site's planning history and requirements under planning conditions are noted. The observation included enforcement letters and other correspondence to and from Cork County Council, the Office of the Ombudsman, and An Bord Pleanála. The Board is asked to refuse the development.

6.3.4. The observation from Con O'Sullivan submitted the application is very similar to that previously refused by the Board and noted Planning Permission W/323/91 was given for the use of raw materials sourced only in the quarry in the making of readymix. The Board was asked not to permit importation of material to make concrete as the plant and quarry had run its course. It was further submitted that the readymix plant should be moved to one of the quarry operator's other sites in Enniskeane or Ballygurteen and reduce the transport of raw materials being delivered on the road network. The third party letters of support with the appeal were queried. The Board is asked to uphold the planning authority's decision.

## 7.0 Assessment

### 7.1. Introduction

- 7.1.1. I consider that the principal planning issues requiring consideration are the impact of the proposed screening, the retention of aggregates, and appropriate assessment.

### 7.2. Impact of Proposed Screening

- 7.2.1. It is my submission to the Board that the proposed noise reduction fencing and the proposed screening berm would have negligible adverse visual impact. The existing quarry is located in a valley where there is substantial hedgerow bounding fields in the immediate vicinity. The screening fence would be set within the context of established hedgerow boundaries, set back away from the public road and would clearly be understood in the context of an established quarry with its associated complex of buildings and significantly higher plant set behind the screen. The proposed berm would be confined in area and would be close to the entrance but set back from it. Its form and character would not be out of place with the established quarry operation, whose notably higher plant would remain visible from the public road network in the vicinity. These elements of the proposal would not have any substantial adverse visual impact in this context.
- 7.2.2. I note once again that the quarry operation is located within a valley and that the main noise generating activities such as the readymix plant, the concrete washout area, turning areas for HGVs, etc. would be substantially set back from the proposed screen fencing and berm. It is my submission to the Board that, having regard to the siting of the quarry operation and the location of the perimeter screening proposals, the effects of reducing noise from the principal noise-generating activities by the proposed screening would likely be very limited, whether a fence would be five metres or ten metres in height. Thus, I would call into question the functionality of the proposed screening.

### 7.3. Retention of Importation of Aggregates

7.3.1. I first note the Board's previous decision under ABP-302050-18. This decision related to the retention of the use of imported aggregates for the manufacture of readymix concrete and concrete products, the construction of a truck washout facility, and associated landscaping and site works, and permission for the continuation of processing of imported aggregates. The Board refused permission because it was considered the retention of the importation of raw material from outside the site, together with the truck wash-out area on an elevated part of the site, would result in a significant intensification of the use and increased traffic generation associated with the use, and an undue extension of the life of the development on the site, which would seriously injure the residential amenities of the area by reason of increased noise, dust and traffic volumes. I note that the appellant proposes to relocate the truck wash-out area to a lower part of the site to address the concern associated with this ancillary element that causes adverse impact. However, it is evident that the appellant seeks to retain the proposal to import aggregates in order that this quarry operation, whose natural quarry resource appears to have been exhausted at this site, may continue to operate.

7.3.2. The original permission for this quarry, Planning Permission 91/323, allowing for gravel extraction, a concrete plant and ancillary activities, was subject to 32 conditions. The following conditions are noted:

Condition 11 – All plant and equipment to be removed from the site within three months of the cessation of gravel extraction.

Reason: In the interest of visual amenity.

Condition 12 – The ready-mix plant shall be used for processing material extracted within the site boundaries.

Reason: To safeguard the amenities of the area.

Condition 19 – The site shall be reinstated and landscaped to the Council's satisfaction and in accordance with a comprehensive scheme which shall be submitted to and agreed with the planning authority and shall provide for

- (a) The replacement of waste material and top soil to make land suitable for agriculture or recreational or other purposes and consistent with the surrounding area.
- (b) Agreements for the regrading of all vertical faces, the moulding of surface levels, the renewal of natural surface and subsoil drainage if necessary and the seeding and planting of the site.

Reason: in the interest of visual amenity and of the proper development of the site.

7.3.3. It is my submission to the Board that these conditions attached with the decision to permit the quarry in the first instance represented reasonable requirements in order to ensure the quarry is, and was, developed in a sustainable manner. The logic of restricting the functioning of the quarry to the lifespan of its aggregates constitutes sustainable, orderly development. In the event that the natural resource is exhausted, it is sustainable to cease operations and, if it is desired by the quarry operator to continue operations, to seek to establish quarrying operations elsewhere, with the development of facilities ancillary to the extraction process being developed at the location where the aggregates are being extracted. This is orderly development for several reasons which include:

- realising that there is a requirement for a conclusion to quarry operations where the materials being extracted are now exhausted and lands are returned to an alternative functional land use,
- there is a reasonable expectation of timely closure by the wider public on whom the quarry operations may have had impacts on and by the local authority as regulator of the development,
- the need to minimise the vehicular movements associated with the transportation of materials extracted from a functional quarry in the interest of protecting the public road network, and
- the need to limit the spread of potential adverse impacts on residents affected by way of noise, dust, working hours, traffic generation, etc.

7.3.4. Setting aside the understanding that allowing the importation of aggregates to this site would be directly in conflict with the requirement of the parent permission, one

must seriously question why would it be considered to be sustainable to be spreading the adverse impacts of this overall quarry operation by having an independent readymix plant separate from the other functioning quarries distant from it that are intended to serve it. I understand that the relocation or development of new plant at an existing functioning quarry, such as at Kilronan 8km to the north-west or Shannonvale 10km to the east where aggregates are being extracted, may be a logistical issue for the quarry operator. However, this cannot reasonably be seen to address the proper planning and development of sustainable quarry operations. Clearly, the ancillary functions to the extraction of sand and gravel should follow the quarry.

7.3.5. Having regard to the above, I submit that the Board's previous reasons for refusal under ABP-302050-18 have not been, and cannot reasonably be, addressed when it is proposed to import aggregates to this site to maintain the readymix operations. The implications of importing very significant volumes of aggregates from distant quarries along the public road network to be worked on at this quarry site, which is no longer a viable quarry for the extraction of raw materials, will indeed be significantly intensifying the quarry operations and will be doing so over a wider geographical area affecting a greater number of residential and other properties by the range of operations in the different locations. I note again for the Board that the proposed importation of aggregates would support an annual concrete production of up to 60,000 cubic metres, equating to c.144,000 tonnes of material. This is a substantial operation and this is not sustainable.

7.3.6. Finally, I note my considerations on the location of this quarry within a valley, the small-scale original operation linked to the limited site area, the inability of screening to reasonably address noise in this context, and the considerations of the Area Engineer in relation to impacts on the public road network. I am satisfied to conclude that the proposed development would continue to have adverse impacts for residents in the vicinity and on the public road network serving the delivery of aggregates to this site by way of noise, dust, traffic, etc. I would also be concerned that allowing the importation of aggregates to the readymix plant would significantly extend the lifespan of plant operations at this site and likely would prove difficult to curtail beyond the lifespan proposed in this application.



## 7.4. Appropriate Assessment - Screening

### 7.4.1. *Background*

The applicant has submitted an Appropriate Assessment Screening Report as part of the application. This Stage 1 AA Screening Report was prepared in line with current best practice guidance and provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development. The applicant's AA Screening Report concluded:

*“There are no Natura 2000 sites considered to be within the zone of influence of the project. Natura 2000 sites are considered to be sufficiently distant from the Site, have no hydrological connectivity and/or have no landscape or ecological connectivity with the Site such that significant effects are not likely to occur as a result of the project.*

*No potential impacts on any Natura 2000 sites are predicted as a result of the proposed development. Therefore, there is no potential for cumulative or in-combination effects with other plans and projects and it is not considered likely that the retention and continuance of site operations will have an appreciable effect on any Natura 2000 site. Natura 2000 sites are not likely to be significantly affected and the proposed development is not likely to undermine the consideration objectives of those sites.”*

Having reviewed the documents and submissions (including the appeal submission), I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone or in combination with other plans and projects, on European sites.

### 7.4.2. *Description of Development*

The applicant provides a detailed description of the project in Section 4 of the AA Screening Report. The proposed development is stated to comprise:

- Retention and continuance of importation of aggregates for the manufacture of concrete products,
- Removal of the existing concrete truck washout facility and water recycling tanks in the north-eastern area of the site,
- Retention and continuance of operational landscaping and ancillary site works,
- Variation of Condition 12 of Permission Ref. No. W/323/91 to allow for the use of imported aggregates in the existing concrete plant,
- Provision of a new concrete truck washout facility and water recycling tanks at a lower level on the site,
- Provision of noise reduction fencing (up to 5 metres in height) along the south-western boundary,
- Provision of additional screening berm (up to 4 metres in height) on the eastern side of the access road,
- Provision of out of hours operation of the concrete plant on a maximum of 20 occasions each year,
- Retention and continuance of operational landscaping and ancillary site works, and
- Phased restoration and final restoration of the site.

Permission is sought for a period of 11 years, including one year for final restoration.

#### 7.4.3. *European Sites*

The following are the European sites within 15km of the site:

<b>Special Areas of Conservation</b>	<b>Distance to Site</b>
Bandon River SAC (002171)	6km to northwest.
Clonakilty Bay SAC (000091)	10km to southeast.
Kilkeran Lake and Castlefreke Dunes SAC (001061)	11km to south.

<b>Special Protection Area</b>	<b>Location</b>
Clonakilty Bay SPA (004081)	10km to southeast.
Galley Head to Duneen Point SPA (004190)	12km to southeast.

#### 7.4.4. *Identification of Likely Effects*

##### ***General Observations***

- The site of the proposed development is not located in or in the vicinity of any European site.
- The site of the proposed development does not have habitat to support any of the Special Conservation Interests of any Special Protection Area within 15km of the site.
- None of the European sites are hydrologically linked to the site of the proposed development.
- The Bunanumera Stream, which adjoins the western boundary of the quarry site, joins the Bandon River at Manch Bridge (c. 5.5km to the north). Bandon River SAC is located 3.6km upstream of Manch Bridge. The quarry site is located upstream of the confluence of the stream with the Bandon River but discharges downstream of the SAC.
- There are no other known pathways between the site of the proposed development and any European site.

#### 7.4.5. *In-combination Effects*

Having regard to the proposed development itself having no direct or indirect effects on the conservation objectives of any European site, it is reasonable to conclude that there would be no potential in-combination effects with any other plans or projects.

#### 7.4.6. *Mitigation Measures*

No measures designed or intended to avoid or reduce any harmful effects of the proposed development on a European site have been relied upon in this screening exercise.

#### 7.4.7. *Screening Determination*

The proposed development has been considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European site, in view of their Conservation Objectives, and Appropriate Assessment is not therefore required.

This determination is based on the following:

- There are no known pathways between the site area associated with the proposed development and any European site, and
- The site for the proposed development does not have habitat to support the Special Conservation Interests of the Special Protection Areas within 15km of the proposed development.

## 8.0 **Recommendation**

- 8.1. I recommend that permission is refused in accordance with the following reason and consideration.

## 9.0 **Reasons and Considerations**

1. Having regard to the location of the site in a rural area, in close proximity to residential properties, and to the terms of the governing permission granted

under planning register reference number W/323/91, which restricted the manufacture of concrete products to the gravel resource emanating from the site and required the restoration of the site upon cessation of gravel extraction, it is considered that the proposed retention of the importation of raw material from outside the site would result in a significant intensification of the use and in increased traffic generation associated with the use, including a high proportion of Heavy Goods Vehicles, and an undue extension of the life of the development on the site, which would seriously injure the residential amenities of the area by reason of increased noise, dust and traffic volumes. The proposed development, would, therefore, be contrary to the proper planning and sustainable development of the area.

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Kevin Moore  
Senior Planning Inspector

24<sup>th</sup> March 2021