

Inspector's Report ABP-309192-21

Development	Continued use of clay pit, and works permitted under planning ref. 17/75 and a lateral extension to the clay pit over a period of up to 20 years. The application is accompanied by an Environmental Impact Assessment Report.
	Integrated Pollution Control Licence.
Location	Cormey Clay Pit, Cormey, Kingscourt, Co. Cavan
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	2048
Applicants	Breedon Brick Ltd.
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant	R Lee
Observers	Chadwicks Group
	Glenveagh Homes Ltd
Date of Site Inspection	29 th March 2021
Inspector	Dolores McCague

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1.0 Site Location and Description

- 1.1.1. The site is located at Cormey, Kingscourt, Co Cavan, approx. 2.5km to the north east of Kingscourt, accessed from the north via local road L7560-0. The regional road R179 is approx. 400m from the entrance.
- 1.1.2. The River Lagan (which forms the county boundary with County Monaghan) flows close to the north east of the site. To the north west and west the site is bounded by a minor local road (L75601), and to the south and south east by agricultural fields and wooded areas. Land in the immediate vicinity rises from north to south-east.
- 1.1.3. The site is occupied by a clay pit, from which dark brown clay, (unlike surface clay in the area), is being excavated. Large banks of soil, now vegetated, have been formed around the pit, including along the roadside boundaries, concealing the excavation from view.
- 1.1.4. Under the eastern extraction area, the site is co-incident with the historic, flooded gypsum mine workings, where vertical separation of at least 25m, between the mine below and the open pit extraction, has been maintained.
- 1.1.5. Extraction of mudstones, from the Permo-Triassic age mudstone sequence at Cormey Clay Pit, has been carried on at this location for some time, and was granted permission in 1986, 2001 and 2017. The site is within an area of drumlins underlain by till derived from Lower Palaeozoic and Namurian shales and sandstones.
- 1.1.6. Substantial areas of woodland characterise the landscape in the vicinity. Dún na Rí Forest Park is to the south, within the former Cabra Castle Demesne.
- 1.1.7. The site is given as 14.99ha.

2.0 **Proposed Development**

2.1.1. The proposed development consists of the continued use of the existing clay pit and ancillary works permitted under planning ref. 17/75 and lateral extension of the clay pit over an area of c 4.2 ha to a final depth of 14m OD over a period of up to 20 years, with restoration to biodiverse habitat after use, following completion of extraction, within an overall application area of c. 14.99 ha.

- 2.1.2. The application is accompanied by an Environmental Impact Assessment Report. The application site forms part of EPA Integrated Pollution Control Licence Ref: P0528-01 for Breedon Brick Ltd.
- 2.1.3. The proposed development comprises the extraction of mudstones from the Permo-Triassic aged mudstone sequence. The clay pit is the sole source of raw material for the applicant's brick manufacturing facility at Kingscourt Brickworks, c5km away at Drumgill, Co Meath.
- 2.1.4. The extraction is to be on a phased basis, with restoration on a phased basis where possible. Final restoration will take place on completion of extraction.
- 2.1.5. The till and overburden will be removed via a tracked front end loader and deposited in the existing pit. Mineral will also be removed and transported to a stockpiling area within the pit. No blasting or rock hammering is required.
- 2.1.6. The mineral will be extracted at a rate of up to 50,000 tonnes per annum (1.06m tonnes in total), via a single tracked front end loader or hydraulic excavator which will break down the excavated material and transport it to a stocking pad from where it will be loaded on rigid bodied 20 tonne HGVs for transport to Kingscourt Brickworks, c5km away.
- 2.1.7. The extraction will be in two phases:

Phase 1 extraction westwards from the existing void. To take advantage of existing faces created as part of the permitted workings within the existing pit, the development will see these faces extended westwards with additional benches created in order to provide suitable stability within the site and accord with geotechnical regulations.

Benches will be established with workings extending westwards to create new western and southern faces. The faces will wrap around in order to link with the existing eastern faces.

A ramp will be created along the eastern side of the existing overburden mound in order to facilitate the removal of overburden material from the phase 2 area, for deposit within the existing quarry void.

The depth of workings will be limited to 14mOD matching the current permitted floor level. The sump will progress across the quarry floor in line with extraction, as is

industry standard practice. It's dimensions will depend on the configuration of specific working phases at any one time.

Phase 2 will see the continued removal of the till and overburden, including the eastern part of the overburden mound, required in order to liberate the target mineral in the western part of the site. The overburden will continue to be removed and placed in the existing pit as shown on plans. Extraction will continue to be progressed in a westerly direction, with mineral extracted to a maximum depth of 14mOD.

- 2.1.8. During site investigations a fault line was identified which runs in an approximate north-south direction in the western part of the site. Initial hydrogeological investigations concluded that the groundwater in the strata to the west of the fault line is expected to contribute to the public water supply borehole. In order to avoid potential draw down at the public supply it was decided that workings would not extend beyond the fault line.
- 2.1.9. Restoration proposals will include profiling works to ensure appropriate gradients, slope stability and landscape integration. The restoration scheme allows the quarry void to fill with surface water to a level of 37-38mOD. Water will then be routed via a shallow ditch and the settlement lagoon system and then via an overflow weir to the River Lagan for discharge, as currently.
- 2.1.10. Plant on site will comprise:

Tracked front end loader Hydraulic excavator Diesel driven pumps Diesel engine generators, and

Fuel truck for refuelling plant, to visit site on a contract basis, as currently.

- 2.1.11. It is estimated that the proposed development will facilitate the release of 1.06m tonnes of mineral from within the extension area.
- 2.1.12. Historic mine workings are present below the eastern extent of the existing pit and extend to the north and east of the site. Geotechical assessment by QuarryDesign has concluded that there is no risk of intercepting these mine workings.

- 2.1.13. The Brickworks is the last remaining operational brick manufacturing facility in Ireland.
- 2.1.14. Accompanying the application is the scoping request for EIAR which includes consultation with various parties whose responses are provided with the application documents including:

Department of Culture, Heritage and the Gaeltacht (DCHG) who point out that the constraint area for the recorded monument: CV035-020 Rath, is within the site and an archaeological assessment is required.

- 2.1.15. The application is also accompanied by:
 - Screening for Appropriate Assessment, by Woodrow Sustainable Solutions Limited;
 - An Environmental Impact Assessment report (EIAr), by QuarryPlan Chartered Quallying Consultants;
 - An Ecological Impact Assessment Report, by Woodrow Sustainable Solutions Limited;
 - An Archaeological Impact Assessment Report, by Farrimond MacManus Limited;
 - A Hydrogeological and Hydrological Assessment report by BCL Consultant Hydrogeologists Limited; and
 - Drawings
- 2.1.16. Significant further information and revised plans have been submitted with a letter and a consultant hydrogeologist's report (dated 10th September 2020), (recd. 7th October 2020), which includes:

Piezometer water levels – drawing: figure 1, the groundwater contour plan based upon piezometer data collected on 2nd July 2020, which is representative of summer water levels following a prolonged period of dry weather, as requested; figure 2 and accompanying cross sections provide a clear illustration of the very steep-sided cone of depression at the existing quarry, showing that the radius of influence does not extend to the west of the fault.

3.0 **Planning Authority Decision**

3.1. Decision

- 3.1.1. The planning authority decided to grant permission subject to 14 conditions, including:
 - No. 2 €89,400 development contribution.

No. 3 - 20 year duration.

- No 4 50,000 tonne/pa extraction limit.
- No 5 hours of operation.
- No 6 employment of an archaeologist.

No 7 - a structural assessment of the bridge at the junction of L7560 / R179 prior to commencement.

No 8 - prior to commencement details of traffic signs and road markings to be agreed.

No 9 - prior to commencement details of sightline provision to be agreed at two locations: the junction of L7560 / R179 and the entrance off local road L75601.

No 10 - control of surface water.

No 11 - public roads to be kept clean.

No 12 - 6 wheeled lorries to haul material; and articulated HGV or towed trailers shall not be permitted.

No 13 - the applicant to monitor water levels at the piezometers fortnightly and record the volume of water pumped. These records shall be routinely submitted to Irish Water throughout the construction and operational phases of the proposed development.

No 14 - IW piezometer monitoring.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning reports on the file. The first recommending further information on 8 points, which issued (see 4.3 below), includes:

• EIAR is assessed under the headings of reasonable alternatives, geology, hydrology, air quality and dust, noise and vibration, landscape, waste management, ecology, traffic, cultural heritage, natural resources, socio-economic impacts, and interrelationships between the foregoing, and makes reasoned conclusions on significant effects.

- AA screening concludes that there is no potential for significant effects.
- A development contribution for €39,000 under permission reg ref 17/75 has not been paid and is included in the relevant condition.

3.2.2. Other Technical Reports

Environment Section – 6/4/2020: surface waters will be managed through the existing water management system. The proposed volumes of extraction will mirror the historical output level of the site. Surface water management system on site consists of a sump serving the quarry floor, discharging to an attenuation pond which overflows to a settlement lagoon with discharge via a weir / ditch to the River Lagan/ River Glyde. A wheel wash will service the site. On site fuel storage with appropriate bunding will be in place on site. No blasting or rock hammering. Restoration schedule details that the quarry void will be filled with surface water. Details on quarry drainage including treatment monitoring are provided as well as the discharge point. Mitigation measures are established to prevent dust emissions.

Municipal District Engineer - recommending further information and conditions. The FI request items 6-8 refer.

Waste Management Section 26/3/2020: conditions: no waste shall be imported into the site for the purposed of recovery and/or disposal save under and in accordance with and in compliance with such applicable statutory requirements under planning and waste legislation; waste that arises within the site shall be removed by appropriately permitted waste collection contractors only.

3.3. Prescribed Bodies

3.3.1. EPA – an IPC licence, register no. P0528-01 was issued on 04/03/2002 for the manufacture of ceramic products by firing in particular: roofing tiles, bricks, refractory bricks, tiles, stoneware and porcelain, with a production capacity exceeding 75 tonnes per day, or with a kiln capacity exceeding 4m³ and a setting density per kiln exceeding 300kg/m³.

As part of its consideration of any licence review application that may be received which addresses the changes proposed, the Agency shall ensure that before the revised licence is granted, the licence application will be made subject to an EIA and consultation on the licence application and EIAR will be carried out, etc.

3.3.2. IFI – the River Lagan (aka River Glyde) flows along the north eastern boundary of the site and is the receiving water for the surface water discharge from the site. The river is valuable from a fisheries perspective as it contains salmonid spawning and nursery habitat along this stretch of the river and supports stocks of salmon, trout, European eel and lamprey among other species.

The WFD ecological status of the waterbody at this location, Glyde_030 is good.

The Mullantra River flows close to the western boundary of the site and is the receiving water for the surface water discharge from the site. The river contains valuable fisheries habitat and supports stocks of brown trout, and lamprey among other species.

The WFD ecological status of the waterbody at this location, Glyde_010 is good.

Salmon, and lamprey species are Annex II species in the Habitats Directive.

Potential impact of developments of this nature on fisheries habitat include discharges of silt laden waters and fuels and oils. IFI refer to their guidance document and its availability. It is important that all necessary mitigation measures are in place on site to prevent poor quality discharges to the nearby watercourses and to protect the existing aquatic habitat.

IW – the development has the potential to impact an IW drinking water source. The development is in close proximity to the Mullantra and Descart boreholes which supply the Kingscourt Public Water Supply Scheme (PWS). The development poses a risk to this important water supply scheme and the applicant does not adequately

demonstrate that there will be no impact on the PWS (public water supply). It is a requirement of the Water Framework Directive that waters used for the abstraction of drinking water are protected so as to avoid deterioration in quality. Further information is required:

1 Appropriate cross sections and water table maps to present flow directions, water levels and the radius of influence.

2 Water level data in the piezometers appears to have started in October 2019, however that data is not presented. This would be representative of winter water levels and it would be important to know what the water levels reduce to over prolonged dry weather periods. Data for October 2019 onwards and data on the piezometers water level over a prolonged dry weather period to be provided.

3 Current water levels in the public supply borehole, abstraction rate or conditions and the impacts of the development on the boreholes, taking into account: current water levels, updates in abstraction rate, conditions to determine and predict impacts of the development.

4 Provide evidence supporting the validity of inferences made based on the source protection zone report (SPZ).

5 Selected points from the application and the SPZ in relation to Mullantra BH01 require clarification:

• Whilst the pit is in the same rock unit as the Mullantra BH (BH01) it is reported that the pit is in a lower portion of the unit comprising lower productivity / lower transmissibility bedrock. This is supported by lithological descriptions and hydraulic tests and the reported pumping rate from the quarry floor.

• According to the SPZ report, groundwater is assumed not to flow across the Clay Pit Fault from the east. Groundwater on the western side of the fault flows toward the fault and then discharges north along the fault.

• The groundwater flow feeding the supply borehole is mainly flowing west to east. Thus, the pit lies downgradient and on the other side of the Clay Pit Fault.

• The reported water levels in the piezometers suggest that the groundwater flow is generally south to north.

• Though the eastern boundary delineated by Conroy (public water scheme report was several times what was required it was extended to the Clay Pit Fault to allow for capture of flow along the Clay Pit boundary.

• Hydraulic conductivity reported by BCL (applicant's report) 0.0017m/d is several orders of magnitude lower than that reported by Conroy, not on this file) for the PWS well (0.38m/day), based on transmissivity of T=23m²/day.

The applicant is required to provide the drawings and technical specifications as outlined above as evidence to this further information request.

3.3.3. Items 1-5 of the request which issued refer.

3.4. Further Information

3.4.1. A further information request issued on 8 points:

1 The drawings and technical specifications provided in relation to the source protection zone SPZ boundary does not provide IW with sufficient data (e.g. appropriate maps, cross sections and water level data). The applicant is requested to provide appropriate cross sections and water table maps to present flow directions, water levels and the radius of influence.

2 Water level data in the piezometers appears to have started in October 2019, however that data is not presented. This data would be representative of winter water levels and it would be important to know what the water levels reduce over prolonged dry weather periods. The applicant is requested to provide the piezometer water level data for October 2019 onwards and data on the piezometer water level over a prolonged dry weather period.

3 Current water levels in the public supply borehole do not appear to have been investigated or abstraction rate or conditions included that might have been useful in determining and predicting impacts. The applicant is to provide an outcome of the assessment of the impacts of the development on the boreholes, taking into consideration: current water levels in the public supply borehole; and updates in abstraction rate, conditions to determine and predict impacts of the development.

4 Considerable weight is given to the groundwater source protection report, in particular to the eastern boundary. The inferences may be valid but the application

does not seem to test the validity. The applicant must provide evidence supporting the validity of inferences made based on source protection-zone report.

5 Selected points from the application and the source protection zone SPZ in relation to Mullantra BH01 require clarification per item 5 of the IW report.

6 Cross sections do not show the existing carriageway level along the L7560. At 9 points, identified in the request, the existing carriageway is to be shown relative to the permanent pond level.

7 In the landscape restoration phase it is proposed to increase the water table level in the clay pit to form a permanent pond. The applicant is requested to outline what assurances can be given to ensure the long-term stability of the existing ground/embankment overburden on site and the adjoining road. Address how water in the permanent pond would be prevented from percolating/saturating the existing ground/ embankment overburden on site and the adjoining public road.

8 Proposals re. maintenance of the existing surface water drain within the landholding along the west and north west hedge line, along the L7560 Cormey road: where this drain discharges to outside the site boundary, any road crossing associated with this drain, structural integrity and capacity. Existing surface water from the public road via roadside inlets should not be impeded from discharging into this existing surface water drain along the west and north west boundary.

3.5. A response to the further information request was received 7th October 2020.

3.6. Further reports

3.7. Planning Reports

- 3.7.1. The second planning report recommending permission, notes satisfaction with responses.
- 3.7.2. Municipal District Engineer the entrance to this development exits onto the junction of local roads L-7560 & L-75601, and is situated in an 80km/h speed limit. Conditions are recommended, 8 no. – reflected in the decision, in particular conditions 7-12.
- 3.7.3. A/Senior Executive Scientist all mitigation measures specified in the application documents, including the specific sections of the EIAR and associated specialist reports, should be included as conditions of planning.

This facility is linked to an operation which holds an IED licence. The EPA may impose environmental conditions which the operators of this facility are required to adhere to. The application documents make reference to the surface water monitoring site at this quarry being referenced in the EPA licence as W1-1 in Schedule 2(i). The A/Senior Executive Scientist liaised with the EPA inspector for the site and she outlined that the licence relates solely to the Drumgill site and not the quarry site at Cormey. Based on this Cavan County Council must impose environmental conditions. Until such a time as the IED licence is amended to reflect the operations from the clay pit facility the environmental conditions outlined in the Scientist's report and those associated with previous developments at this site must be enforced and adhered to by the applicant. The EPA and IFI should be notified. If submissions received include measures to protect the environment, these should be included.

The applicant is required to apply to the Environment Section of Cavan County Council for a Section 4 discharge licence in accordance with the Local Government (Water Pollution Acts 1977 & 1990. This Section 4 Discharge Licence can be revoked if the IED licence issued by the EPA is amended to include conditions relating to the operation of the Clay pit facility at Cormey and associated discharges from same.

Uncontaminated surface water run-off within the development shall be collected and disposed of to the surface water drainage system in accordance with the plans and proposals submitted.

The applicant shall provide and maintain a suitable sampling location on the surface water drainage system prior to discharge to waters and ensure that direct access to the sampling location is available at all reasonable times to personnel authorised by Cavan County Council. This sampling location must be agreed with the Local Authority prior to commencement of the development.

The sampling chamber prior to discharge to waters on the surface water drainage system shall be maintained and monitored by the applicant. A visual examination of the surface water discharge shall be carried out weekly. A log of such inspections shall be maintained.

In the event that any analyses or observations made on the quality or appearance of the surface water should indicate that contamination has taken place the applicant shall:

Carry out an immediate investigation to identify and isolate the source of the contamination.

Put in place measures to prevent further contamination and to minimise the effects of any contamination to the environment.

Notify Cavan County Council within 24 hours of the applicant becoming aware that contamination has occurred.

Prior to the commencement of this development the applicant must submit proposals for a noise, vibration, air and dust monitoring plan for approval by the local authority.

Prior to the commencement of this development the applicant must clarify that the operation of the proposed development will adhere to all IFI requirements.

Prior to the commencement of this development the applicant must demonstrate the location of the wheel wash and also details on the drainage and associated discharge from same must be provided for approval by the local authority.

No hydrocarbons shall enter surface waters and appropriate infrastructure shall be maintained in order to prevent any such discharges occurring. Any storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal to 1.5 times the capacity of the largest tank. The developer shall take precautions to ensure that oils and fuels used in the operations are stored in a secure place. All waste oil shall be removed from the site and disposed of to the satisfaction of the planning authority.

3.8. Prescribed Bodies

- 3.8.1. IFI no further comments.
- 3.8.2. IW no objection in principal. Cognisance to be had regarding potential construction and operational impacts in respect of the public drinking water source and that appropriate conditions be attached.

Condition – piezometer to be monitored at fortnightly intervals and record the volume of water pumped. These records shall be routinely submitted to Irish Water throughout the construction and operational phases of the proposed development, (per condition no. 13 attached to the decision).

Other conditions – re. if connection to IW network is proposed; re. any proposal to build over or divert IW services; and re. development to be in compliance with IW codes and standards.

3.9. Third Party Observations

3.9.1. Third Party Observations on the file have been read and noted.

4.0 Planning History

86/15947 planning permission granted for completion of the development of a new clay pit.

00/1655 application for retention of existing works with extension of area for clay extraction over 1.98ha. Permission granted for extraction to a maximum depth of 14mAOD with an output rate of 50,000 tonnes pa.

17/75 application for planning permission for completion of the extraction of the clay pit previously permitted; granted (details supplied).

Pre-planning – advice was given on EIAR scoping and AA.

Other history:

EPA - licenses Saint Gobain Construction Products (Ire) Ltd P05199-03 – 1km NNE, Kingspan Ltd P0065-01 – 1.5km SSW; Mr Leslie Rowntree P0866-01 – 1.75km NNW

The subject development is included in IED licence P0528-01 which includes limits for the discharge of surface water:

Suspended Solids 35mg/l

Mineral oil 1mg/l.

Extracts are attached as appendix 3 to this report.

5.0 Policy Context

5.1. **Development Plan**

- 5.1.1. Cavan County Development Plan 2014-2020 is the operative plan.
- 5.1.2. Relevant provisions of the plan and policy context are set out in the planner's report and the planning report submitted with the application.
- 5.1.3. Section 6.5 of the plan refers to extractive industry and includes:

while mineral extraction/quarrying is an important wealth and job creating industry this plan seeks to ensure that high amenity landscapes are protected and environmental disturbance is minimised.

5.2. Natural Heritage Designations

5.2.1. The nearest Natura site is Stabannan-Branganstown SPA (Site Code 004091) located in excess of 20 km, straight line distance, to the south east.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A third party appeal against the decision to grant permission has been submitted by R Lee. The grounds includes:
 - The application falls far short of the standards required of a comprehensive application for an intrusive industry within a sensitive environmental location.
 - The site is located in a very sensitive hydrological setting. The Lagan/Glyde along the north eastern boundary and the Mullantra close to the western boundary link to Dundalk Bay SPA, Dundalk Bay SAC and Strabane-Branganstown SPA.
 - The applicant describes regular dewatering of the existing clay void to receiving watercourses, apparently without any relevant discharge licence. This is a licensable activity.

- The proposal represents significant potential for negative impact on waterbodies and European sites.
- The planning authority have failed to eliminate reasonable scientific doubt.
- Re. sink hole events in the general area, the continued operations could destabilise local ground and cause sink hole and have disastrous consequences downstream. GSI data shows that this general area has experienced intensive underground mining operations. The precautionary principle should be applied.
- Conditions:
 - 3 twenty year permission. Permission for any new or extended extractive type industry should range from 5 to 10 years.
 - 10(b) not enforceable, imprecise and of dubious relevance.
 - No biodiversity protection / enhancement or environmental quality conditions.

6.2. Applicant Response

Quarry Plan, Chartered Quarrying Consultants, have responded to the grounds of appeal on behalf of the applicant. The response includes:

- That the application falls far short of the standards required the planning application and EIAR provide detailed assessment. The EPA, IFI, Irish Water, Meath Co Council, Monaghan Co Council, Cavan Co Council's Environment Section, Highways Engineer, and Waste Management Section, were consulted in the preparation of the planner's report. None raised any issue with the adequacy of the application / contents.
- It is not an intrusive industry within a sensitive environmental location, but continuation of use of an existing pit which benefits from a number of previous planning permissions. The proposed extension covers an area of c4.2ha directly adjacent to the existing pit. The extension has previously been used for overburden storage in association with the working of the pit and

comprises lands already disturbed. It is not in a sensitive area in terms of nature, landscape or cultural heritage.

- Hydrology and hydrogeological aspects of the EIAR were prepared by a competent expert and further comments are attached, as appendix 1 to the response. The existing discharges are regulated by the EPA licence ref. P0528-01. Relevant sections of the EIAR are referred to. Water quality monitoring at licensed discharge point W1-1 has been ongoing since 2001. There have been no issues with suspended solids or Mineral oil at the site. The licence is referred to in the application form and public notices.
- That the proposal will significantly increase discharge volumes a detailed hydrometric monitoring programme at the site including 6 piezometres (groundwater level monitoring boreholes), a rainfall gauging station and a flow meter on the dewatering pump, allowed for water balance calculations to be undertaken to prove that the water being pumped off site is derived from incident rainfall collecting in the clay void, with negligible contribution from groundwater. It has been demonstrated that there will be no significant increase in volumes of water to be discharged from the site. The proposed and predicted discharge rates will not exceed the design capacity of the settlement system, which will be maintained in its current configuration throughout the life of the development. Condition 14 is cited. The applicant accepts the condition.
- Effects on European sites EcLA and AA screening report were prepared by a competent expert. Dundalk Bay SPA/ SAC is c38km downstream and Strabane-Branganstown SPA 29km downstream. The AA screening report describes how there is no natural outflow for the site, the water being collected within a sump on the pit floor, being pumped to an attenuation pond, from where if flows by gravity to the watercourse. There is no potential to impact on water quality at the European site. The nature of the application site, in requiring effluent to be pumped to an attenuation pond prior to discharge, means that such an event is not feasible.
- Failure to eliminate scientific doubt the AA screening approach is an accepted one and was undertaken by competent experts; considering

information contained and the conclusions reached, it has been undertaken on the basis of best scientific knowledge. The appellant's claims are without foundation.

- Geology sink holes in the wider area an expert report is attached as appendix 3 to the response. The design parameters for the proposed development have been supported by a host of geotechnical information and site investigation data for the clay pit and surrounding area. Former mining works in the wider area have been given due consideration. Mine abandonment plans have been consulted and are reproduced, with the proposed development overlaid, in appendix 3 to the response. The proposed direction and depth of workings avoid the previous mining works. The cross section drawings submitted with the application show workings significantly above the mine workings.
- The risk of sinkholes forming through dissolution of the gypsum or crown holes forming through mine collapse is considered negligible. The depth to, and the dip of, the gypsum beds has been proven during numerous site investigations, and there is a sufficient capping thickness of mudstone being retained above the gypsum to prevent such voids migrating to the surface. The depth of the gypsum horizon increases westwards in the direction of the extension and would be even less prone to such failures than the existing quarry. The quarry has already reached its maximum depth and no sinkholes have appeared during its operational history.
- Condition 3 20 year duration the source of 5-10 years principle is unclear. Section 41 of the Planning and Development Act is cited. The 20 year time limit has been calculated using the estimated reserve (1.06MT) and the extraction rate (50,000 tonnes pa). This equates to just over 20 years.
- Condition 10(b) is considered a standard condition.
- No soakaway is proposed. This is an eventuality envisaged in the wording of the condition. Because the site benefits from an authorisation to discharge under the IPC licence, the parameters for testing and ensuring enforceable compliance could reasonably be considered to be those as specified in the licence.

- No mitigation is necessary for the protection of European sites.
- A letter from BCL Hydro letter is attached, as appendix 1, and includes:
 - Water can be discharged at a maximum rate of 0.01m³/s (10l/s) without compromising the efficacy of the settlement pond. The proposed and final (predicted) discharge rates will not exceed the design capacity of the settlement pond, therefore the existing lagoon system should be maintained in its current configuration throughout the life of the development.
 - Total rainfall occurring on site during the design storm (6 hour duration and 1 in 100 year return period) is 55.6mm, given the catchment area of the pit c12 hectares, this equates to some 6,675m³ input of rainfall. The quarry floor is relatively flat. The water would spread across a large part of the floor without exceeding 1m depth. Although there would be local deepening at the sump. The quarry floor level will be 14m aOD, some 25m below the lowest point on the brim of the quarry void. There is no risk of overtopping during the design storm event.
- A letter from 'Woodrow' is attached, as appendix 2, and includes:
 - There is no potential for significant effect on Dundalk Bay SPA/SAC.
 - There is no potential for significant effect on Stabannan-Branganstown
 SPA
 - There is no potential for significant in-combination effects.
- A letter from 'QuarryDesign Ltd' is attached, as appendix 3, and includes:
 - Health and Welfare at Work Regulations Regulation 2 and 55 (including schedule 3), cited.
 - Survey by drone in August 2018. Their plan, which they have redrawn and presented, including the Mine Abandonment Plan, 191111/01, is part of the application.
 - Site investigations 1947, 1950, 1995, 2000, and 2019.

6.3. Planning Authority Response

- 6.3.1. The planning authority have responded to the grounds of appeal, under the headings hydrology, geotechnical and local authority conditions.
 - The water outflow would be controlled and licenced.
 - There is a hydrological connection to Dundalk Bay SAC, Strabannan-Branganstown SPA, and Dundalk Bay SPA. The limited water flow and distance to the European Sites results in their being no potential for a significant effect on those sites. While there are pressures on the River Lagan system catchment, none are attributable to the proposed development. There is no potential for significant in-combination effect.
 - The grounds refers to unstable geotechnical conditions. A stability analysis
 has been carried out by the applicant. Those calculations have informed the
 design and parameters of the proposed development. The development was
 subject to rigorous hydrological assessment, strengthened on foot of the
 further information request and response. This demonstrates the
 precautionary principle adopted by the PA.
 - The wording of condition no 3 is not erroneous, but reflects the operational period envisaged by the applicant and is consistent with the S28 Guidelines 'Quarries and Ancillary Activities'. Re. surface water discharge & environmental emissions, the status of the site as an EPA licenced facility must be taken into account, also S34(2)(c) of the P&D Act 2000 as amended. Biodiversity mitigation measures are set out in Chapter 11 of the EIAR and do not require additional conditions.

6.4. **Observations**

- 6.4.1. Chadwicks Group have submitted an observation, endorsing the need for the proposed development.
- 6.4.2. Glenveagh Homes Ltd have submitted an observation, endorsing the need for the proposed development.

6.5. Board Correspondence

6.5.1. The Board wrote to the EPA inviting comments in relation to this appeal. The EPA responded stating that an IPC licence, register no. P0528-01 was issued on 04/03/2002 to Kingscourt Bricks Ltd, Drumgill, Kingscourt, Cavan for the manufacture of ceramic products by firing in particular roofing tiles, bricks, refractory bricks, tiles, stoneware and porcelain, with a production capacity exceeding 75 tonnes per day, or with a kiln capacity exceeding 4m³ and a setting density per kiln exceeding 300kg/m³.

The licence may need to be reviewed or amended to accommodate the changes proposed in the planning application.

They note that the planning application was accompanied by an EIAR. As part of its consideration of any licence review application that may be received which addresses the changes proposed, the Agency shall ensure that before the revised licence is granted, the licence application will be made subject to an EIA and consultation on the licence application and EIAR will be carried out, etc.

7.0 Assessment

7.1.1. The issues which arise in relation to this appeal are: appropriate assessment, environmental impact assessment and other issues, and the following assessment is dealt with under those headings.

7.2. Appropriate Assessment

- 7.2.1. A screening for appropriate assessment report was submitted with the application.An ecological impact assessment report was also provided by the applicant.
- 7.2.2. It is noted that there is potential for impact on international designated sites from silt and or hydrocarbon deposition entering receiving local waters which are hydrologically connected to the designated sites with the potential effect being water quality deterioration which could impact on qualifying interests.
- 7.2.3. The sites with hydrological connectivity are:

Site name and	Qualifying	Approx.	Connectivity
code	interests	distance	
Dundalk Bay SAC	Estuaries	C27km east	Hydrological connectivity via
(000455)	Mudflats and sandflats not covered by seawater at low tide Perennial vegetation of stony banks	direct distance C38km downstream	the River Lagan. Direct connectivity is to attenuation and settlement ponds only, and then by formalised weir-ditch system.
	Atlantic salt meadows Mediterranean salt meadows		Attenuation pond holds 1,980m ² of water and this needs to be pumped from the quarry floor.
Stabannan-	Greylag Goose	C20km east	Hydrological connectivity via
Branganstown SPA		direct distance	the River Lagan.
(004091)		C29km downstream	Direct connectivity is to attenuation and settlement ponds only, and then by formalised weir-ditch system. Attenuation pond holds 1,980m ² of water and this needs to be pumped from the quarry floor.
Dundalk Bay SPA	Great Crested Grebe	C27km east	Hydrological connectivity via
004026)	Light-bellied Brent Goose Shelduck Teal Mallard Pintail Common Scoter Red-breasted Merganser Oystercatcher	C38km downstream	Direct connectivity is to attenuation and settlement ponds only, and then by formalised weir-ditch system. Attenuation pond holds 1,980m ² of water and this needs to be pumped from the quarry floor.

Ringed Plover	
Golden Plover	
Grey Plover]	
Lapwing	
Knot	
Dunlin	
Black-tailed Godwit	
Bar-tailed Godwit	
Curlew	
Redshank	
Black-headed Gull	
Common Gull	
Herring Gull	
Wetland and Waterbirds	

Potential cumulative impacts have been considered. The primary risk is the potential additive / incremental impacts of water quality degradation. While there are pressures associated with the River Lagan catchment there are none to which this project would add a significant in-combination effect. Furthermore, this proposal will be managed using established water management processes which are currently employed at Cormey clay pit.

The proposal poses negligible likelihood of impacts upon any designated sites given that water is pumped from the quarry floor and goes through two settlement ponds, and having regard to the volume released into the River Lagan (Glyde) and the distance between the proposal and the designated sites.

There is no natural outflow from the site. Water is collected within a sump on the quarry floor, pumped from there to an attenuation pond that holds 1,980m² of water, from where it flows by gravity via a settlement pond into the wider watercourse environment. The Dundalk Bay SAC & SPA are c 38km downstream. Stabannan-Branganstown SPA is c29km downstream. The combination of reliance on pumping for outflow and therefore limited flow from the site and the distance, means that there

is no potential for significant effect. Not included in the screening matrix are existing practices designed in the quarry to protect water quality in local aquatic receptors.

7.2.4. Table 2 presents a list of projects with which the proposed development could have in-combination effects, arising from water pollution.

It is noted that the Glyde (Lagan) water management unit action plan outlines that the main pressures and risks on this unit are:

- Nutrient sources predominantly agriculture and WWTOs as well as unsewered and urban areas.
- Point pressures WWTP with risk associated with over abstraction and impact on outflowing stream. Re. WWTPs Kingscourt did not have sufficient future capacity, Kingscourt WWTP has since then been opened (in November 2019).
- Agriculture
- On-site systems 223 septic tanks at risk due to their location and hydrogeological conditions.
- Other morphology, abstractions, land drainage/dredging, construction activities, diffuse rural pressures other than agricultural.

Re. quarries and 1 mine – 'none at risk' is stated.

- 7.2.5. The screening report concludes that Stage 2 AA is not required.
- 7.3. Assessment
- 7.3.1. I accept that the only designated European sites with potential for impact are Dundalk Bay SAC (site code 000455), Dundalk Bay SPA (site code 004026) and Stabannan-Branganstown SPA (site code 004091), which have distant hydrological connectivity to the subject site.
- 7.3.2. No discharge of foul wastewater is proposed. Quarry operatives will use the facilities at their base less than 5km away.
- 7.3.3. Surface water falling on the quarry will drain to the lowest point where it will be pumped to the existing ponds, where the existing attenuation provided for the established quarry will continue to facilitate settlement.

- 7.3.4. Stabannan-Branganstown SPA is designated for Greylag Goose. Any disturbance to birds will not occur due to distance. Since they feed on agricultural fields no pathway for effects from water quality occur.
- 7.3.5. Dundalk Bay SAC/SAC is an intertidal zone in receipt of significant quantities of silt on which the system depends. The proposed development is unlikely to impact on the protected site. None of the special interested species will be impacted by the proposed development.
- 7.3.6. Having regard to the limited water flow and distance to the European Sites, there is no potential for a significant effect on downstream European sites. I am satisfied that, taking account of the recognised pressures on the River Lagan system catchment, there is no potential for any significant in-combination effect.
 - 7.4. Screening Conclusion

It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site Nos. 000455, 004026, 004091, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

7.5. Environmental Impact Assessment

- 7.5.1. The proposed development requires environmental impact assessment being:
 'extraction of stone, gravel, sand or clay, where the extraction would be greater than 5 hectares'¹. The existing pit comprises an area of c10.5 ha. The planning application area, comprising the existing pit and the westerly extension, comprises some 15ha.
- 7.5.2. An EIAR was submitted with the application. It is presented in two volumes, volume1 is the non-technical summary, and volume 2 the main report.
- 7.5.3. volume 2 contains 17 chapters:

chapter I – introduction,

¹ Planning and Development Regulations, Schedule 5, Part 2, class 2 (b)

chapter 2 - scope of the environmental impact assessment,

- chapter 3 planning policy framework,
- chapter 4 project summary and objectives,
- chapter 5 geological assessment,
- chapter 6 water environment,
- chapter 7 air quality & dust,
- chapter 8 noise & vibration,
- chapter 9 landscape,
- chapter 10 waste management,
- chapter 11 ecology,
- chapter 12 traffic impacts,
- chapter 13 cultural heritage,
- chapter 14 natural resources,
- chapter 15 socio economic impacts,
- chapter 16 interactions between impacts on different factors, and
- chapter 17 references.
- 7.5.4. The application is also accompanied by an Appropriate Assessment Screening report, an ecological impact assessment report, an archaeological impact assessment report and by various other documents, in addition to which further documents were provided to the planning authority in response to their further information request.
- 7.5.5. Article 3(1) of the EIA Directive, requires that the EIAR identifies, describes and assesses in an appropriate manner, the direct and indirect significant effects of the project on the following factors: (a) population and human health; (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC; (c) land, soil, water, air and climate; (d) material assets, cultural heritage and the landscape; and the interaction between the factors referred to in points (a) to (d).
- 7.5.6. The requirements of Article 3(2) to include the expected effects deriving from the vulnerability of the project to risks of major accidents and/or disasters that are

relevant to the project concerned, relates to 'establishments' and therefore does not arise in this case.

- 7.5.7. In accordance with Article 5 and Annex IV, the EIAR provides a description of the project comprising information on the site, design, size and other relevant features of the project. It also provides a description of the likely significant effects of the project on the environment and a description of the features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible offset, likely significant adverse effects on the environment.
- 7.5.8. Alternatives studied are addressed in chapter 2: a number of reasonable alternative locations for the proposed development have been considered in the EIAR; the geological constraints, the presence of the existing pit with a proven clay resource; and the proximity of the reliant Kingscourt Brickworks; mean that the proposed lateral extension of Cormey Clay Pit provides the best practical environmental option.
- 7.5.9. I am satisfied that the details comply with the requirements of the legislation, insofar as a description of the reasonable alternatives studied by the developer, together with an indication of the main reasons for selecting the chosen option have been provided.
- 7.5.10. The EIAR includes a non-technical summary of the information referred to in Article 5 (a) to (d).
- 7.5.11. No specific difficulties are stated to have been encountered in compiling the required information. The participation of the public has been effective and the application has been made accessible to the public with adequate timelines afforded for submissions.
- 7.5.12. I am satisfied that the information provided is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the project on the environment, taking into account current knowledge and methods of assessment. Overall, I am satisfied that the information contained in the EIAR complies with the provisions of Article 3, 5 and Annex (IV) of EU Directive 2014/52/EU amending Directive 2011/92/EU.
 - 7.6. Direct and indirect significant effects
 - 7.6.1. I have carried out an examination of the EIAR and other relevant information

presented by the applicant in this case, together with the submissions received during the course of the application and appeal.

- 7.6.2. I have considered the direct and indirect significant effects of the development against the factors set out under Article 3(1) of the EIA Directive 2014/52/EU, which include:
 - a. population and human health;
 - b. biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
 - c. land, soil, water, air and climate;
 - d. material assets, cultural heritage and the landscape; and
 - e. the interaction between the factors referred to in points (a) to (d);

and my assessment is set out hereunder under those headings.

7.7. **Population and Human Health**

7.7.1. Population and human health impacts are dealt with mainly in chapter 9, where it is stated that consideration was given to avoidance of impacts and risks to human health wherever possible during the design of the proposed scheme, for the duration of the operation phases. The work involved in the operation phases will be carried out in accordance to the highest performance standards and in line with health and safety requirements, in order to mitigate against any accidents occurring on site.

Population and human health impacts are referred to indirectly in other chapters including chapter 7 – air quality & dust, chapter 8 - noise & vibration, chapter 9 – landscape, and chapter 15 – socio economic impacts.

Under the heading 'socio-economic' it is noted that the brickworks and mineral extraction operation employs over 35 full time staff and provides indirect employment for 15 contractors. It is noted that the brickworks is the only one remaining in this country and that the subject clay pit is its only source of clay.

Noise and vibration are dealt with in chapter 8 of the EIAR. The development is an extension of an established operation. The recommended guideline limits, from Environmental Management,

Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), are: Daytime: 08:00-20:00 h LAeq (1 h) = 55 dBA, and Night-time: 20:00-08:00 h LAeq (1 h) = 45 dBA. Existing levels were surveyed.

A daytime survey was carried out 22nd October 2019, to provide a baseline survey at receptors. Details recorded for the nearest receptors are given in table 8.3. Levels of ~44 dB LA₉₀, ~38 dB LA₉₀, and ~38 dB LA₉₀, were recorded. The data, and subjective notes, indicate that the existing noise levels are influenced by excavation noise (not specifically judged to have been at a very loud level) and traffic on the R179. The limit of 55dB(A) Leq was not exceeded.

A survey was carried out at the excavation activities for accurate sound power level from these sources.

Predicted noise levels are in line with noise levels which are currently being experienced with the existing excavation in operation.

The noise levels due to dozer activities during restoration works may periodically result in a noise level that exceeds the more stringent noise limit of 55dB(A) L_{Aeq,1hour}. It is accepted that all quarry operators will have some noisier short-term activities that cannot meet the limits set for normal operations such as overburden removal, bund construction, restoration works, etc. The restoration activities at the end of the quarry lifespan will bring a longer-term environmental benefit; an increased temporary daytime noise level of up to 70dB(A) L_{Aeq}, for up to 8 weeks a year is acceptable.

Predicted noise levels for each phase are given in table 8.4. The level of 55dB(A) Leq over a continuous one hour period between 0800 hours and 1730 hours Monday to Friday inclusive, when measured at any noise sensitive receptor, will not be exceeded. Re. the guideline level limit of 45dB(A) at any other time, the operations at this site are to take place during daytime only. Annual noise surveys will be carried out.

Vibration – the proposed development will not involve vibration impacts.

Dust – is referred to under a separate heading later in this report. No impact on residential properties is likely.

7.8. Assessment

- 7.8.1. The continuation of the quarry will benefit the local economy and provide a valuable source of material for the building industry. The development has been designed with the safety of personnel in mind. Noise will not impact unduly on the amenities of properties in the vicinity.
- 7.8.2. I am satisfied that there will be no significant adverse impact on population or human health and that, overall, impacts are likely to be beneficial.

7.9. **Biodiversity**

7.9.1. Biodiversity impacts are dealt with mainly in chapter 11 – ecology. They are also addressed in the document ecological impact assessment (EcLA).

Habitats and Species within the site

- 7.9.2. A walkover survey and further dedicated surveys in relation to vegetation, mammals (badger) and bats were carried out. A list of surveys carried out is given in Table 1 of the EcLA.
- 7.9.3. Habitats present within the application site are given in Figure 11.1, they comprise: neutral grassland largely on old quarried spoil, an active quarry, ponds, small stands of broadleaved woodland, wet grassland, treelines, hedgerows and scattered scrub and trees; within a wider setting of agriculturally improved grassland and coniferous and broadleaved plantations.
- 7.9.4. 'Less herb rich neutral grassland' occurs within the proposed extension area. This GS1 habitat was of particular note in the proposed extension area where it has better developed over time and is herb abundant. An orchid abundant area (not rich as it supports only common spotted orchid) occurs within the north of the proposed extension area in a mixture of neutral and wet grassland and broadleaved woodland (WD1).
- 7.9.5. The Ecological Impact Assessment report lists the bird species recorded within / adjacent to the site, in table 7. The site's potential for birds is mainly passerine species, and also foraging raptors.

- 7.9.6. Five bat species have been recorded within the 10km grid, and all were recorded within the development footprint: Brown long-eared bat, Daubenton's bat, Noctule², Common Pipistrelle and Soprano Pipistrelle. The Ecological Impact Assessment lists the bats recorded as Brown long-eared bat, Myotis Species, Leisler's bat, Common Pipistrelle and Soprano Pipistrelle.
- 7.9.7. The site is highly favourable for bats. On a scale of 0-58 with 0 being least favourable and 58 the most favourable, the site has an index of 39.67. Trees and buildings with potential bat roost features (PRFs) are listed in table 8 of the Ecological Impact Assessment. Of the 49 listings 10 have moderate PRF status. Static bat detector surveys were carried out and the results are given in tables 9-14. In one case a confirmed soprano pipistrelle roost was found in a standing dead tree.
- 7.9.8. A badger sett was identified within the site and trail cameras deployed to record activity. Appendix C to the Ecological Impact Assessment outlines the findings. It was understood that the badger sett was not a main badger sett due to its limited use. A badger survey was undertaken in the wider area to confirm the status of the badger sett within the site and to understand the impact of the loss of this sett. The main sett was located 0.4km to the south west of the subject site. The connection between the two setts was identified as a trail with a number of snuffle holes. It was deduced that the badger sett within the application site is an outlier sett used on occasion.
- 7.9.9. Assessment of impacts:
 - Permanent habitat removal
 - Dust deposition/effects on air quality
 - Noise and vibration, and
 - Hydrological impacts siltation, deterioration of water quality, increased runoff.
- 7.9.10. Potential impacts on habitats: FL8 other artificial lakes and ponds; GS1 Dry calcareous and neutral grassland; GS1 variant damp neutral grassland; GS4 wet grassland; WD1 (mixed) broadleaved woodlandWD5 Scattered trees and parkland;

² The reference to Noctule appears to be a typographical error as 'noctule' is not one of the 9 listed bat species in Ireland and the more detailed Ecological Impact Assessment report lists Leisler's Bat, which is one of Ireland's 9 listed species.

WL1 Hedgerows; WL2 Treelines, and Orchid abundant area, are set out. Most are significant at a local level and appropriate mitigation measures are provided.

7.9.11. Potential impacts on species are outlined in section 11.6.4. Potential impacts on protected species:

Birds - loss of nesting and foraging habitats.

Bats:

4 bat species and 1 bat at genus level were recorded within the development site. One soprano pipistrelle roost was confirmed within the development footprint.

49 feature trees and buildings were identified as having potential roost features (PRFs) 10 moderate 39 low status.

Permanent loss of 15 trees with PRFs one a known soprano pipistrelle roost, 4 high PRFs and 10 moderate PRFs.

The impact is significant at a local level and a derogation licence required.

Impact foraging and commuting habitats for the bat assemblage:

The loss of a pair of treelines (which provide for commuting) and loss of variant neutral grassland (which provide for foraging) are significant impacts at a local level, for soprano, common pipistrelle and Leisler's bat.

The impact of dust – with suppression of foliage, will impact on prey species and is locally significant. Appropriate restoration and dust mitigation measures are provided.

The impact on other mammals are locally significant. Appropriate restoration and dust mitigation measures are provided.

The impact on amphibians – the permanent loss of 3 small ponds, permanent loss of habitats which are highly suitable for foraging and shelter opportunities, loss of improved agricultural grassland, variant neutral grassland, and a short section of WL2 treeline and WS1 scrub and indirect impact from dust. In terms of significance – although widespread, newts are in decline. Of the waterbody types surveyed in in a national survey in 2013, quarry ponds were identified as the second most common waterbody type used by smooth newts in the island of Ireland, next to garden ponds. The two ponds with excellent suitability will be retained. The three ponds to be lost

range from good to below average suitability. The impact is locally significant. Appropriate restoration and dust mitigation measures are provided.

Potential cumulative impacts – water quality. There are pressures on the river but none to which the proposed development would add a significant in-combination effect.

Mitigation is proposed:

By avoidance:

Dust supressing, no vehicles and machinery will be driven/stored on grassland habitats; and maintaining a 50m distance from retained trees.

Removal of trees outside breeding bird season or under the supervision of an ecologist. Derogation licence from NPWS re. any further works to the tree with the bat roost.

By compensation:

Loss of 5 ponds, quarry restoration includes a 4ha lough which will support emergent (marginal) vegetation and wet woodland, providing a new larger seed bank for wetland species.

Much of the GS1 neutral grassland will be permanently lost. Where possible / accessible prior to extraction the top 150mm of soils should be stripped and stored for restoration. Once extractive operations have been complete, all surfaces should be deep tine crossripped, with stored soils spread and, finally, all disturbed areas seeded with approved nurse crop species rich natural grassmix. Likely to produce similar habitat given time.

Re. Loss of treelines supporting semi-mature trees - the quarry restoration includes several stands of dry and wet woodland which occupy a much greater area.

Re. Loss of nesting and foraging habitats for birds - the proposed restoration includes a 4ha lake, stands of dry and wet woodland and neutral grassland.

Re. Loss of four trees with moderate PRF including a roost - replacement roosting opportunities are proposed: four suitable bat boxes erected on sheltered semimature trees within the development footprint at different heights, facing different directions, before the treelines are felled.

Annual monitoring of the scheduled Rhododenfron species and the amber listed IAS cotoneaster – there is only one currently within the EIA footprint, (having currently

some benefit and limited impact). Should any new plant, other than the one shrub currently present be identified, the shrubs should be removed by suitably experienced persons.

No significant residual impacts are envisaged.

Appendix B sets out dust mitigation measures which will be as currently employed.

- 7.10. Habitats and Species outside the site
- 7.10.1. In addition to the designated sites which are dealt with under the heading appropriate assessment, in the previous section, other potential habitats and species outside the site which need to be considered, include Ballyhoe Lough pNHA 5.7km downstream, a Reaghstown Marsh pNHA 11.8km downstream, and the River Lagan / Glyde adjoining, which is a salmonid river supporting salmonid spawning and nursery habitat, along this stretch of the river, and which has stocks of salmon, trout, European eel and lamprey.

In relation to the potential to impact on these habitats and species, it is stated that impacts will be fully avoided by the continuation of the current water management measures at the site which will form part of the proposal. Receiving waters and downstream ecology are not considered to have the potential to be adversely affected by the proposal. The nature of the application site, in requiring effluent to be pumped to an attenuation pond prior to discharge, means that such an event is not feasible.

- 7.10.2. Proposed mitigation measures and effects on important ecological features are set out in tabular form in table 18.
- 7.10.3. Potential impacts, potential effects, proposed mitigation and residual effects are set out in tabular form in table 19.
- 7.10.4. It is concluded that impacts of significance at a local level are possible in the absence of mitigation, which can be negated subsequent to implementation of mitigation.
- 7.10.5. I am satisfied by the evidence presented and I am satisfied that there will be no significant impact on biodiversity.

7.11. Land, Soil, Water, Air and Climate

Land

- 7.11.1. References to land in the EIAR are with reference to other factors, e.g. geology, habitat etc. The land area is relatively small, the site being c 15ha.
- 7.11.2. Chapter 5 of the EIAR, the geological assessment, outlines the geological and geotechnical setting. Cormey pit has been mapped by the Geological Survey of Ireland as working Permo-Triassic age mudstones and siltstones of the Siltstones Member of the Kingscourt Sandstone Formation and the underlying Upper Mudstone Member of the Kingscourt Gypsum Formation. Historically the Upper Gypsum Member of the Kingscourt Gypsum Formation was mined to the east of Cormey Pit. These strata were intruded by Tertiary Age basalt dykes and sills and overlain by Quaternary Age superficial deposits of till/ boulder clay.
- 7.11.3. The development has been designed so that no original ground (overburden and mudstones/siltstones) is removed within 20m of the fault that acts as a groundwater divide between the pit and the Source Protection Area to the west, to mitigate against the potential impacts on groundwater supply. Although the overlying western overburden storage tip/screening bund will be removed within this 20m easement.
- 7.11.4. The scale of development will result in the site continuing to have a limited impact at a local level on the geological environment. Impacts of the development will have an insignificant impact on the Permo-Triassic Age deposits as a whole.
- 7.11.5. The grounds of appeal refers to sink hole events in the general area, that the continued operations could destabilise local ground cause sink holes and have disastrous consequences downstream; that GSI data shows that this general area has experienced intensive underground mining operations; and that the precautionary principle should be applied.
- 7.11.6. The applicant response is that they have been supplied with previous geological and geotechnical reports and with the 1975 Gypsum Mine Abandonment Plan. 14 historical boreholes were drilled between 1947 and 2000, an additional 7 were drilled in 2019 and have been used to inform the design. The design parameters for the proposed development have been supported by a host of geotechnical information and site investigation data for the clay pit and surrounding area. Former mining

works in the wider area have been given due consideration. Mine abandonment plans have been consulted and are reproduced, with the proposed development overlaid, in appendix 3 to the response. The proposed direction and depth of workings avoid the previous mining works. The cross section drawings submitted with the application show workings significantly above the mine workings. The depth to, and the dip of, the gypsum beds has been proven during numerous site investigations, and there is a sufficient capping thickness of mudstone being retained above the gypsum to prevent such voids migrating to the surface. The depth of the gypsum horizon increases westwards in the direction of the extension and the extension would be even less prone to such failures than the existing quarry. The quarry has already reached its maximum depth and no sinkholes have appeared during its operational history. The risk of sinkholes forming through dissolution of the gypsum or crown holes forming through mine collapse is considered negligible.

- 7.11.7. An expert report is attached as appendix 3 to the response.
- 7.11.8. I accept the evidence that the design and base level proposed will ensure that there is no risk of sink holes and I am satisfied that there will be no significant impact on land.

<u>Soil</u>

- 7.11.9. The site is within an area of drumlins underlain by till. There has been a considerable depositing of overburden in tips to the south west and south east of the clay pit. The existing overburden mound to the west will be removed in order to facilitate the removal of material from the phase 2 area, and deposited in the existing pit. The top 150mm will be removed carefully, where possible / accessible prior to extraction, and stored for restoration as neutral grassland.
- 7.11.10. I am satisfied with the proposal and that there will be no significant impact on soil.

<u>Water</u>

7.11.11. Water is dealt with in Chapter 6 of the EIAR. It is also the subject of significant further information and the submission of a Hydrological and Hydrogeological Assessment.

- 7.11.12. The Mullantra Borehole for Kingscourt Water Supply Scheme is 290m to NW of the site. Other wells in vicinity are Nelson's Well 40m from the northwest boundary and Gilmore's Well spring well 110m from the northern corner of the site.
- 7.11.13. During site investigations a fault line was identified which runs in an approximate north-south direction in the western part of the site. Initial hydrogeological investigations concluded that the groundwater in the strata to the west of the fault line is expected to contribute to the public water supply borehole. In order to avoid potential draw down at the public supply it was decided that workings would not extend beyond the fault line.
- 7.11.14. The development has been designed so that no original ground (overburden and mudstones/siltstones) is removed within 20m of the fault that acts as a groundwater divide between the pit and the Source Protection Area to the west, to mitigate against the potential impacts on groundwater supply, although the overlying western overburden storage tip/screening bund will be removed within this 20m easement.
- 7.11.15. The fault is indicated on GSI mapping. The hydrogeological investigations indicate that it acts as a water divide and that quarrying through the fault would have an impact on the source protection area for the public water supply located to the west.
- 7.11.16. Irish Water requested further information, which was supplied in the course of the application; and have requested that a condition be attached, that the piezometer be monitored at fortnightly intervals and the volume of water pumped recorded; these records are to be routinely submitted to Irish Water throughout the construction and operational phases of the proposed development. Condition no. 13 attached to the decision refers.
- 7.11.17. It is stated that the pit dewatering is 35-40m³/day and that local abstractions could not experience any reduction in yield. In the unlikely event of a borehole being impacted as a result of quarry activities (ie. a private source), mitigation put forward is to pump at a lower rate but for longer or to lower the pump depth.
- 7.11.18. A number of mitigation measures are proposed in order to minimise the risk of pollutants entering groundwater as a result of hydrocarbon leakage on site.
- 7.11.19. Restoration proposals will include profiling works to ensure appropriate gradients, slope stability and landscape integration. The restoration scheme allows the quarry

void to fill with surface water to a level of 37-38mOD. Water will then be routed via a shallow ditch and the settlement lagoon system and via an overflow weir to the River Lagan for discharge, as currently.

- 7.11.20. Stability calculations have been carried out for the dewatered conditions during excavation and for the final landform at the cessation of workings with a recovered water level of approximately 37.5mAOD.
- 7.11.21. The EIAR concludes that no significant effect on the water environment are likely.
- 7.11.22. Regarding the imposition of a condition by the Board on water emissions, the quarry is part of the development to which the IPPC licence P0528-01 applies. The licence details can be viewed on the EPA's website and extracts are attached as appendix 3 to this report. It would therefore be inappropriate for the Board to attach any conditions regarding any emissions to a permission. In this regard the report of the A/Senior Executive Scientist, referred to earlier in this report is noted. It is further noted that the conditions recommended in that report were not attached to the planning authority's decision.
- 7.11.23. Irish Water, who are responsible for the public water supply from the Mullantra spring have requested further conditions to protect the source protection area.
- 7.11.24. Subject to compliance with the mitigation proposed, and to the further mitigation provided by conditions, I am satisfied that there will be no significant impact on water.

<u>Air</u>

- 7.11.25. Air is dealt with in Chapters 7 air quality & dust. An Air Quality and Dust Impact Assessment has been prepared and is included in chapter 7. A dust deposition monitoring survey was carried out in Oct – Nov 2019. There was no exceedance of the 350mg/m²/day limit, the deposition recorded at the locations shown in figure 7.1, given in table 7.1 are 131, 153 and 159 (mg/m²/day) and therefore well below this limit.
- 7.11.26. The nearest downwind receptor is in excess of 750m away and therefore highly unlikely to experience a dust nuisance impact.
- 7.11.27. A number of dust mitigation measures are currently employed and will continue.

- 7.11.28. Monitoring will continue, and if there is any exceedance of the 350mg/m²/day limit at the perimeter of the site, immediate additional mitigation measures will be incorporated.
- 7.11.29. Climate is not specifically addressed in the EIAR, nor is the process of brick-making. The limited use of machinery in the extraction of the mineral is noted. The distance to the brick-manufacturing facility is less than 5km distance. The EIAR notes the benefit of short haulage distances, resulting in reduced fuel consumption and pollution.
- 7.11.30. It is also noted that the use of secondary aggregates is not considered suitable for brick production. The chemical properties of the clay, related to the mineralogical composition and physical properties, is critical to determining the suitability for the manufacture of brick products. Production of brick products from recycled aggregates would be unable to achieve the required properties.
- 7.11.31. I accept the information presented in relation to land, soil, water, air and climate and I am satisfied that there will be no significant impact arising as a result of the proposed development on these factors.

7.12. Material Assets, Cultural Heritage and the Landscape

Material Assets

- 7.12.1. Material Assets are dealt with in the EIAR in Chapters 13 Material Assets Traffic Impacts.
- 7.12.2. Material is hauled to the brickworks via an identified haul route, a distance of under 5km: 400m of L7560-0 and the remainder of the route comprises the R179 and R165. The existing development has been in use for 20 years. The development would not result in any significant impact on roads and traffic. Mitigation proposed includes: management of surface water; sightline improvements – hedge trimming; the bridge at the L7560/R179 junction to be subject to a principal inspection and structural assessment by a consultant nominated by the LA; provision of road markings and signage; continued use of 6 wheeled HGVs. The District Engineer has recommended conditions in relation to maintenance and protection of public roads. Under a previous heading measures to ensure the protection of the public water supply source were considered.

7.12.3. I am satisfied that subject to the proposed mitigation and additional conditions to be attached to a permission, there will be no significant impact on material assets.

Cultural Heritage

- 7.12.4. Cultural Heritage is dealt with in Chapter 13 of the EIAR and in the Archaeological Impact Assessment Report. There are 57 know archaeological sites in the Sites and Monuments Record (SMR) within a c.3km radius, representing prehistoric to modern periods. Three additional designed landscape features / tree rings are recorded but are likely to be non-antiquities. There are two sites in the immediate vicinity one a tree ring (CV035-021) located c.330m to east-southeast, is not scheduled for inclusion in the next revision of the Record of Monuments and Places (RMP). The other comprises a Ringfort or Rath (CV035-020) approximately 120m to the south. Given the nature and extent of the existing development, it is not currently anticipated that these or any other previously recorded archaeological site or monument will be significantly negatively impacted by the proposed development.
- 7.12.5. The National Inventory of Archaeological Heritage (NIAH) records include two bridges, both known as Cormey Bridge (NIAH 41030406 & 40403511), over the Lagan in the immediate vicinity, north of the site. It is not anticipated that the proposed development will have any significant adverse impact on these structures.
- 7.12.6. Much of the area of the western extension is currently used for stockpiling topsoil / overburden material associated with the existing quarry. It is no possible to assess the impact of existing or proposed works within this portion of the site.
- 7.12.7. The conclusions and recommendations of the Archaeological Impact Assessment Report are that the likely impact on recorded monuments is neutral. The substantial invasive groundworks required have potential to adversely impact previously unrecorded sub-surface archaeological remains which may survive within the site. There remains moderate to high potential for archaeological remains to survive within the site boundaries. Their exact location, nature and extent remains uncertain. Mitigation measures are recommended:

Much of the extension is currently used for stockpiling topsoil / overburden material, to a depth of c3.5m at the north and to approx. 20m at the south. The depth of stockpiled material makes it impractical to excavate trenches prior to the removal of significant quantities of this stockpiled material. It is

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proposed that a phased approach to archaeological mitigation be implemented, with areas undergoing phased evaluation following the removal of stockpiled material to a depth approaching the former topography of the site (i.e. c500-600mm above glacial till). The archaeological evaluation (testtrenching) must be undertaken by a suitably qualified archaeologist under licence from DCHG. The aims of the test-trenching are to identify any archaeological remains which may survive within these areas and to assess the nature, date and extent of such remains in order to provide for an informed archaeological mitigation strategy to be devised in advance of development occurring at the site.

Test trenching should be carried out under the instruction of a qualified archaeologist under licence from DCHG with the exact layout and spacing of trenches to be agreed in advance. Each test trench should be excavated with a back-acting mechanical excavator (digger) fitted with a toothless bucket, excavated to undisturbed natural subsoil / glacial till or to the top of archaeological deposits, whichever is encountered first. Should archaeological remains be identified during archaeological evaluation works, their treatment will need to be discussed and agreed with the relevant authorities in DCHG. Prior to applying for the archaeological licence, the archaeologist should prepare a Method Statement for submission to the Department.

I am satisfied that impacts in relation to cultural heritage would be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of cultural heritage.

Landscape

7.12.8. Landscape is dealt with in the Chapter 9 of the EIAR. The site is located in landscape area 5: Highlands of East Cavan. The development plan also records, as an Area of Special Landscape Interest, two parcels of land at Kingscourt/ Dun a Rí. A zone of theoretical visual influence is established with reference to elevation relative to other lands. Representative viewpoints are presented in photographs accompanied by descriptions. Viewpoint 8 is within the Area of Special Landscape

Interest, Dun a Rí, to the south. Of the 8 viewpoints provided the impact at 5 is predicted to be minor, 1 is negligible, 1 is moderate, (all taken from the public road), and 1 it is not applicable. The impact from viewpoint 8 (Area of Special Landscape Interest) is low magnitude, minor effect. Post restoration the impact at 4 of the viewpoints is predicted to be negligible, at 1 negligible/none and at 2 minor; for 1 it is not applicable.

- 7.12.9. The nature of the terrain means that long range views are limited and the colonized / vegetated overburden mound, along the roadside boundary, screens the proposed development from the north-west, west, south-west and south. Higher ground immediately adjoining to the north-east and east provides screening from these directions. The proposed development will therefore have little likely visual impact.
- 7.12.10. I am satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of material assets, cultural heritage or landscape. I am also satisfied that significant cumulative impacts are not likely to arise.

7.13. Interactions between the Factors and Cumulative Impacts

- 7.13.1. Chapter 16 of the EIAR provides a matrix of the impact interactions.
- 7.13.2. I have considered the interrelationships between factors and whether these may as a whole affect the environment, even though the effects may be acceptable when considered on an individual basis.
- 7.13.3. I consider that no significant negative interactions or significant cumulative impacts arise.

7.14. Reasoned Conclusion

- 7.14.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, submissions and reports, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:
 - impact on surface water, which can be mitigated by the management of site drainage.

• impact on roads and traffic, which can be mitigated by the use of 6 wheeled lorries for haulage, the carrying out of a bridge inspection, the provision of road markings and signage and cleaning of the public road, when necessary.

• impact on archaeology, which can be mitigated by test trenching, at the appropriate stage of development, under the supervision of a licensed archaeologist.

• positive significant impacts on the local economy and the building industry nationally, would arise as a result of making the clay available for brick manufacturing.

7.15. Other Issues

7.15.1. Other issues which arise in relation to this appeal, include issues raised by the appellant, related to conditions: that condition 3, the 20 year duration is inappropriate; that condition 10(b), requiring that only clean uncontaminated storm water be discharged to the soakaway system or surface waters is unenforceable; and regarding the lack of a condition in relation to biodiversity protection / enhancement or environmental quality. These issues are dealt with hereunder.

Duration of permission

- 7.15.2. The applicant response is that the appellant's source of the 5-10 years referenced is unclear. Section 41 of the Planning and Development Act is cited. The 20 year time limit has been calculated using the estimated reserve (1.06MT) and the extraction rate (50,000 tonnes pa). This equates to just over 20 years. The Quarries and Ancillary Activities Guidelines for Planning Authorities, April 2004, states in relation to duration that where the expected life of the proposed quarry exceeds 5 years it will normally be appropriate to grant permission for a longer period such as 10 20 years. In deciding the length of the planning permission, planning authorities should have regard to the expected life of the reserves within the site.
- 7.15.3. A period of 5 years (occasionally 10) is normally used as the time limit for implementing a permission. It would not be appropriate for this duration of use.
- 7.15.4. I am satisfied that the 20 year duration, specified in the planning authority's decision, is reasonable.

Condition 10(b)

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- 7.15.5. The applicant response in relation to condition 10(b) is that is a standard condition, although no soakaway is proposed; this is an eventuality envisaged in the wording of the condition; because the site benefits from an authorisation to discharge under the IPC licence, the parameters for testing and ensuring enforceable compliance could reasonably be considered to be those as specified in the licence.
- 7.15.6. In my opinion condition 10 as a whole requires re-consideration. The surface water system is well documented on the file and is the subject of an IED (IPPC) licence. Road drainage was the subject of further information to clarify maintenance of existing arrangements. Compliance with the details submitted is a requirement of condition no. 1. In my opinion condition no. 10 should be omitted.

Biodiversity Protection / Enhancement & Environmental Quality

- 7.15.7. Regarding the lack of a condition in relation to biodiversity protection / enhancement or environmental quality, the applicant response is that no mitigation is necessary for the protection of European sites and they provide further reports in support of the AA screening and EIAr submitted with the application.
- 7.15.8. In my opinion mitigation measures in relation to biodiversity protection / enhancement and environmental quality are included in the proposal as submitted. Condition no 1 requires compliance with the documents submitted, no additional condition is required.

Development Contributions

7.15.9. The applicant has not made any submission in relation to the planning authorities development contribution set out in condition no. 2 of the decision. The planning report refers to the planning history file 17/75 in this regard. The condition is restated hereunder.

8.0 **Recommendation**

8.1.1. In accordance with the foregoing I recommend that permission should be granted, for the following reasons and considerations and in accordance with the following conditions.

9.0 **Reasons and Considerations**

9.1.1. Having regard to the locational requirement that aggregates can only be worked where they occur, the location at an established clay extraction pit, the need to provide clay for the associated brick manufacturing facility, the design of the proposed extraction and the environmental controls in place and proposed, it is considered that the proposed development, subject to the following conditions, would not unduly impact on the archaeological potential of the site, the visual amenities of the area, residential amenities of properties in the vicinity, natural heritage, or adjacent roads, and would accordingly be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The development shall be carried out and completed in accordance with
	the plans and particulars lodged with the application as amended by the
	further plans and particulars submitted on the 7 day of October 2020 and
	by the further plans and particulars received by An Bord Pleanála on the
	17 day of February, 2021, except as may otherwise be required in order to
	comply with the following conditions. Where such conditions require details
	to be agreed with the planning authority, the developer shall agree such
	details in writing with the planning authority prior to commencement of
	development and the development shall be carried out and completed in
	accordance with the agreed particulars.
	Reason: In the interest of clarity.
2.	Quarrying shall cease not later than 20 years from the date of this
	permission. Progressive landscape restoration shall occur at each
	development phase and following decommissioning of the quarry.
	Reason: In the interest of clarity.

3.	The proposed extraction of mineral from the clay pit shall be limited to an
	output of 50,000 tonnes of clay per year.
	Reason: In the interest of clarity.
4.	The hours of operation of the site shall be limited to between the hours of
	0800 to 1930 Mondays to Fridays inclusive, between 0800 to 1400 hours
	on Saturdays and not at all on Sundays and public holidays. Deviation
	from these times will only be allowed in exceptional circumstances where
	prior written approval has been received from the planning authority.
	Descen : In order to cofequere the emerities of property in the visibility
	Reason : In order to safeguard the amenities of property in the vicinity.
5.	The developer shall facilitate the preservation, recording and protection of
	archaeological materials or features that may exist within the site. In this
	regard, the developer shall, following the removal of the existing tip /
	stockpile to a depth approaching the former topography of the site, employ
	a licensed archaeologist to carry out a phased programme of
	archaeological evaluation through test trenching to identify any previously
	unrecorded archaeological remains which may survive in situ and to
	provide an assessment of the likely impact of proposed extension of
	quarrying works on any such remains.
	Reason: In order to conserve the archaeological heritage of the site and to
	secure the preservation and protection of any remains that may exist
	within the site.
6.	Prior to commencement of development the developers shall agree in
	writing with the planning authority a principal inspection and a structural
	assessment for the bridge at the junction of L7560 / R179, by a consultant

	approved by the planning authority. The brief for the nominated consultant shall be agreed with the planning authority in advance of the appointment. Any measures required following the principal inspection shall be designed and undertaken by the developers at their expense, to the satisfaction of the planning authority. Reason : In the interests of traffic safety and the protection of public infrastructure.
7.	Prior to commencement of development the developers shall agree in writing with the planning authority details regarding:
	the provision and maintenance of sightlines of 180m x 4m at the junction of L7560 / R179 in each direction along the regional road.
	the provision and maintenance of sightlines at the quarry entrance.
	Reason: In the interests of traffic safety.
8.	Prior to commencement of development the developers shall agree in
8.	Prior to commencement of development the developers shall agree in writing with the planning authority details of traffic signs and road markings
8.	Prior to commencement of development the developers shall agree in writing with the planning authority details of traffic signs and road markings which shall be provided at the developers expense to the satisfaction of the planning authority.
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8. 9.	Prior to commencement of development the developers shall agree in writing with the planning authority details of traffic signs and road markings which shall be provided at the developers expense to the satisfaction of the planning authority. Reason: In the interests of traffic safety. The proposed development shall not impair existing road drainage or contribute to surface water on the public road. Uncontaminated surface
8.	Prior to commencement of development the developers shall agree in writing with the planning authority details of traffic signs and road markings which shall be provided at the developers expense to the satisfaction of the planning authority. Reason: In the interests of traffic safety. The proposed development shall not impair existing road drainage or contribute to surface water on the public road. Uncontaminated surface water run-off within the development shall be collected and disposed of to
8.	Prior to commencement of development the developers shall agree in writing with the planning authority details of traffic signs and road markings which shall be provided at the developers expense to the satisfaction of the planning authority. Reaso n: In the interests of traffic safety. The proposed development shall not impair existing road drainage or contribute to surface water on the public road. Uncontaminated surface water run-off within the development shall be collected and disposed of to the surface water drainage system in accordance with the plans and proposals submitted.

	Reaso n: In the interests of traffic safety.
10.	Public roads between the clay pit and the factory site shall be kept clean. A
	developer, should a nuisance arise as a result of activity at the clay pit at
	any time.
	Reason: In the interests of traffic safety.
11.	The haulage of material shall be carried out as proposed using 6 wheeled
	lorries; articulated HGV or towed trailers shall not be used.
	Reason: To protect public roads.
12.	The developer shall monitor water levels at the piezometers fortnightly and
	record the volume of water pumped. These records shall be routinely
	submitted to Irish Water throughout the life of the proposed development.
	Reason: In the interests of orderly development.
13.	The developer shall pay to the planning authority a financial contribution of
	€89,400 (eighty nine thousand four hundred euro) in respect of public
	infrastructure and facilities benefiting development in the area of the
	planning authority that is provided or intended to be provided by or on
	behalf of the authority in accordance with the terms of the Development
	Contribution Scheme made under section 48 of the Planning and
	Development Act 2000, as amended. The contribution shall be paid prior
	to commencement of development or in such phased payments as the

planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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

Planning Inspector

28 April 2021

Appendix 1 Photographs

Appendix 2 Cavan County Development Plan 2014-2020 extract.

Appendix 3 Extracts from Reg No 528 EPA IPC licence file