



An
Bord
Pleanála

Inspector's Report

ABP-314660-22

Development	Planning application for small quarry, with necessary facilities, and upgrade of entrance.
Location	Esker More, Mount Lucas, Tullamore, Co. Offaly
Planning Authority	Offaly County Council
Planning Authority Reg. Ref.	22334
Applicants	Figile Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellants	Figile Ltd
Observers	Environmental Action Alliance-Ireland
Date of Site Inspection	27 th June 2023
Inspector	Dolores McCague

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1.0 Site Location and Description

- 1.1.1. The site is located at Esker More, Mount Lucas, Tullamore, Co. Offaly, 8km east of Daingean and 10km south west of Edenderry. Access is from the Regional Road R402, Tullamore to Edenderry.
- 1.1.2. The site is given as 3.2ha.

2.0 Proposed Development

- 2.1.1. The proposed development is described in the notices as a small quarry/borrow pit for the extraction of c.200,000 tonnes of sand and gravel on c. 3.2 ha of lands. The development will include a site office (portacabin), toilet and holding tank, mobile wheelwash, mobile screening and crushing plant, car parking, temporary overburden storage, other ancillaries, and upgrade of existing agricultural entrance onto Regional Road R402 for duration of the works. The site will be restored to agricultural use including importation of inert soil and subject to a waste management facility permit and/or notification under Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. No. 126 of 2011. A number of documents including a Planning and Environmental Report and AA screening accompany the application.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decision, dated 25th August 2022, was to refuse permission, for three reasons:
 - 1 It would contravene CDP Policy REDP-19 and impact on an area of High Amenity and an esker.
 - 2 It would contravene CDP objective BLO-22 and impact on an area of High Amenity.
 - 3 Access onto the restricted R402 would be contrary to CDP policy SMAP-23 and would impact the efficiency and capacity of the adjoining restricted regional road.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The planning report, dated 25th August 2022, recommending permission, includes:

- A Section 47 agreement is on the lands Ref no. 47/14.
- In the County Development Plan the site is defined as an Area of High Amenity; it has a high landscape sensitivity classification.
- Regional road R402 is a restricted regional road, due to its carrying capacity.
- Previous refusal PL2 20/229.
- CDP table 4.17 classifies areas of high amenity, No 11 is 'other eskers'. A section of Figure 4.18 shows this area as included, designated 11.

3.2.3. Other Technical Reports

3.2.4. Environment & Water Services, 18th August 2022 – conditions.

3.2.5. Road Design, 24th August 2022 – conditions, including: contribution; consultation with ESB regarding works in close proximity to overhead power lines. Restrictive policy in relation to Regional Routes is referred to.

3.3. Prescribed Bodies

3.3.1. An Taisce, 25th July 2022 – description 'small' is not justified. Once established it will be used to justify further expansion. While under the 5ha threshold, the cumulative impact requires assessment. A suitability test is required. The site is part of the extensive formation of eskers in Co Offaly which are a significant landscape feature of the country and have been significantly diminished and adversely affected by quarrying.

3.3.2. Department of the Environment, Climate and Communications (DECC), 13th June 2022 – LA should consult directly with their Regional Waste Management Planning Office.

3.3.3. Geological Survey Office, 3rd August 2022 – advising of their datasets, stating how the operator might assist their geological heritage goals; referring to need to consider impact on groundwater abstractions, the quarry is underlain by a locally important

bedrock aquifer; and attaching a letter sent to the applicant regarding County Geological Sites.

3.4. Third Party Observations

3.4.1. Third party observations on the file have been read and noted.

4.0 Planning History

20449 – permission refused for a similar development for two reasons:

1 Contravene of CDP 2014-2020 Policy LAP-02 by seriously harming the geomorphological and ecological qualities of the area outlined in tables 7.11.1 to 7.11.4.

Contravene section 7.2.15 of CDP on restrictive approach to sand and gravel extraction from ‘green field’ sites.

2 Contravene of CDP objective AHAO-01, to protect and preserve primary areas of High Amenity.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Offaly County Development Plan 2021-2027 is the operative plan. Relevant provisions include:

BLP-35 It is Council policy to protect and preserve the county’s Areas of High Amenity namely the Slieve Bloom Mountains, Clonmacnoise Heritage Zone, Durrow High Cross, Abbey and surrounding area, the River Shannon, Lough Boora Discovery Park, Grand Canal, Croghan Hill, Raheenmore Bog, Pallas Lake, Clara Bog, Clara eskers, Eiscir Riada and other eskers.

BLO-09 It is an objective of the Council to consider, in consultation with the National Parks and Wildlife Service, Westmeath County Council, the Geological Survey of Ireland and others, the potential designation of the north Offaly esker landscape as a UNESCO Geopark, to promote the unique geological heritage of the area.

Areas of High Amenity

BLO-20 It is an objective of the Council to ensure that new development, whether individually or cumulatively, does not impinge in any significant way on the character, integrity and distinctiveness of or the scenic value of the Areas of High Amenity listed in Table 4.18. New development in Areas of High Amenity shall not be permitted if it;

- Causes unacceptable visual harm;
- Introduces incongruous landscape elements; and
- Causes the disturbance or loss of (i) landscape elements that contribute to local distinctiveness; (ii) historic elements that contribute significantly to landscape character and quality such as field or road patterns; (iii) vegetation which is a characteristic of that landscape type and (iv) the visual condition of landscape elements.

BLO-24 It is an objective of the Council to have regard to the Landscape Sensitivity Areas in Tables 4.19 – 4.21 in the consideration of planning applications.

BLP-32 It is Council policy to protect and preserve the county's Areas of High Amenity namely the Slieve Bloom Mountains, Clonmacnoise Heritage Zone, Durrow High Cross, Abbey and surrounding area, the River Shannon, Lough Boora Discovery Park, Grand Canal, Croghan Hill, Raheenmore Bog, Pallas Lake, Clara Bog, Clara eskers, Eiscir Riada and other eskers.

The Esker Landscape and its characteristics is set out in the in some detail in the plan. Its conservation value is highlighted. The Offaly Esker Study, published in 2006, is referred to. The Council considers that there is some scope for considering whether the eskers of Offaly and adjacent counties (principally Westmeath) could meet the criteria for a Geopark application with the United Nations Educational, Scientific and Cultural Organization (UNESCO). The importance of increasing cycling and pedestrian access to esker sites is recognised, which has the potential to increase public awareness and appreciation of these sites.

8.6.2 – this refers to protecting Regional routes, especially those which carry higher volumes of traffic, from development, in the interests of preserving the traffic capacity.

SMAP 23 - It is Council policy to strictly control development, outside of identified settlements, which could generate significant additional traffic, thereby potentially compromising the capacity and efficiency of the national roads/restricted regional roads and associated interchanges and possibly lead to the premature and unacceptable reduction in the level of service available to road users. This policy will also apply to national roads which may be downgraded during the lifetime of this Plan but which will still comprise high quality regionally important links.

Restricted regional routes, listed in table 8.4, include the R402.

REDP-16 It is Council policy to ensure those extractions (quarries / sand and gravel pits) which would result in a reduction of the visual amenity of Areas of High Amenity, eskers, esker landscapes, protected views or damage to designated sites, habitat types or species shall not be permitted.

BHP-37 and BHP-38 address Council policy to ensure protection of archaeological sites and control of development in relation to such sites.

5.2. Sites and Monuments

- 5.2.1. An adjoining feature classified as an enclosure is identified on the national monuments mapping ref OF00994.

5.3. Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. No. 126 of 2011

(Article 27 is referred to in the notices describing the proposed development.)

By-products

27. (1) A substance or object, resulting from a production process, the primary aim of which is not the production of that item, may be regarded as not being waste but as being a by-product only if the following conditions are met:

- (a) further use of the substance or object is certain;
 - (b) the substance or object can be used directly without any further processing other than normal industrial practice;
 - (c) the substance or object is produced as an integral part of a production process;
- and

(d) further use is lawful in that the substance or object fulfils all relevant product, environmental and health protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts

(2)(a) Where an economic operator makes a decision in accordance with paragraph (1) that a substance or object is to be regarded as a by-product, he or she shall notify the Agency of the decision and the grounds for the decision

(b) Where, there is no notice given to the Agency under subparagraph (a) in respect of a substance or object and the substance or object, as the case may be, is discarded or otherwise dealt with as if it were waste, the substance or object, as the case may be, shall be presumed to be waste until the contrary is proved

(3) The Agency—

(a) may determine, in consultation with the relevant local authority and the economic operator concerned, whether a substance or object notified to it as a by-product in accordance with paragraph (2)(a) should be considered as waste, and

(b) shall notify the local authority and the economic operator concerned in circumstances where a determination is made that a substance or object should be considered as waste and not as a by-product.

(4) Nothing in this Regulation shall relieve an economic operator from his or her responsibilities under the Act of 1992 or the Act of 1996

(5) The Agency shall establish and maintain a register of by-products to record substances or objects notified to it as by-products under paragraph (2)(a).

(6) Where the Agency makes a determination in accordance with paragraph (3) that a substance or object should be considered as waste and not as a by-product, the determination shall be final.

5.4. Natural Heritage Designations

- 5.4.1. Raheenmore Bog SAC, site code 000582, 12km straight line distance to the north west, is the nearest Natura site.

5.5. EIA Screening

- 5.5.1. The information supplied with the application is insufficient, in particular in relation to the material intended for importation, to enable screening for environmental impact assessment to be carried out. The shortfall in information is a reason to refuse permission.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. J Shiels Planning & Environmental Ltd, have made the appeal on behalf of the first party, with a separate document on Traffic, by Tony J McNulty BE FIEI attached. The grounds include:

- Need – the need arises in part from the requirement for aggregate by the planned development of numerous large wind farms in eastern County Offaly and northwestern Kildare, despite the limited number of sand and gravel quarries in the area. The location would reduce the transport costs etc; as well as the severe impact of heavy HGV traffic on a vulnerable local road network, much of which consists of bog roads.
- Re. Reason no 1
 - They refer the Board to REDP-19 in full; and section 5.3.1.3.
 - The small segment of remnant esker at Esker More has been substantially modified by the realigned R408 at this location cutting into the esker along its northern flank. The old county road now forms an overgrown lane running through the centre of the proposed development. There is also evidence of historic borrow pit workings. The remnant esker has largely been reclaimed for agricultural use. It does not currently present a scenic amenity.
 - These arguments are developed in more detail, including that its minimal elevation above the surrounding landscape (max 10m) does not render it a significant skyline feature. They attach an extract from the planning

register, stating that there is a concentration of development along the esker and the R408.

- Given its context, the heavily degraded cut-away bog and two large windfarms, make its high amenity designation seem unreasonable.
- A landscaping and restoration scheme is proposed.
- The working scheme is designed to reduce, as far as possible, the overall impact. The mature hedgerow along the R408 will be retained. New planting, will be carried out, on a screening berm to be installed along the more exposed eastern boundary with the R408.
- The esker has no geological or geomorphological interest. They attach correspondence from the GSI. It is not designated a County Geological Site or a pNHA. The operator is willing to allow access to quarry faces by appropriate scientists during quarrying, and where deemed appropriate and in consultation with IGH, to cooperate in the preservation and promotion of representative sections of residual quarry faces.
- The quarry will operate dry. It is 65m from the Philipstown River, with no conduits to the river. It is unlikely to impact on a European site.
- Potential impacts on bats and birds will be avoided by cutting of vegetation outside the bird nesting season. Mature trees will be felled, early September to early November. The proposed development will have a slight, positive, long-term effect on biodiversity.
- The recorded monument RMP. It may be the remains of a 19th century borrow pit. There is no trace visible at ground level. Nevertheless the site is being preserved, with a fenced buffer. It will not be directly impacted and there will be no long term impact on the setting. Topsoil stripping should be monitored by a qualified archaeologist.
- Reason No 2.
 - The esker is de facto not an area of high amenity. The character, integrity, distinctiveness and scenic value of this nominal Area of High Amenity

have all been so significantly degraded as to render the esker on site indistinguishable from improved agricultural lands.

- Reason No 3.
 - STAP-16, section 8.6.2, SMAP-23 and SMAP-26 are quoted. The intensification of traffic will be for a limited period and the policy appears to apply only to permanent developments.
 - The Traffic Impact Assessment has an updated traffic count, 8th September 2022. The road operates at a level of service of at least Mid D and the development will reduce capacity by only 1.9% for a period of approx. 4 years, a minor impact.
 - The restrictive policies in CDPs 2014-2020 and 2021-2027 are contrasted with the location of planning applications granted along the R402.
 - Two soil recover facilities (SRFs) are referred to, with direct access to the R408; details are given.

6.1.2. Traffic is addressed in section 'C' of the report prepared by Tony J McNulty BE FIEI, chartered engineer. His report includes:

- The R408 Regional Road is the main access from Tullamore to Edenderry and onwards to the M4 motorway. To the west is Mount Lucas, a branch Regional Road R 400 leads from the R402 northwards to the M6 at Rochfortbridge and southwards to Portarlington. The local road L1003 leads to Clonbulloge and Rathangan.
- The access is within an 80km/hr speed limit area. The access sight distance requirements – y distance 150m and x distance 2.4m. The junction with the R402 has full access visibility. The junction with the regional road will be at right angles, the gradient of the access will be 1% upwards.
- The traffic count was carried out on Thursday the 8th September 2022.

AADT 2022 – 4535 vehicles or 5517 pcu's with an average of 7.2% HGV content. The peak hour flow was 425 vehicles or 516 pcu's. Traffic flow on the L1003 yielded a 2022 AADT of 1302 with an average <1% HGV. The peak hour was 122 vehicles or 147 pcu's.

TII automatic counters flows information is given with explanation regarding COVID impact. The 2026 traffic is expected to increase to 6009 per annum (2.16% pa) and by 2030 traffic is expected to increase to 6141.

Traffic projections for the development are based on 50 week year, 1980 tonnes /198 truck movements per week, max 36 per day to export material, and, in addition, 560 tonnes/56 movements max 10 per day to import; with, in addition, 6 trips for employees. Comprising:

36% of traffic entering empty.

35% leaving laden 6 x 4 rigid trucks max 20 tonnes.

9.5% of inward trucks with soil recovery material 6 x 4 rigid trucks max 20 tonnes.

Import traffic 9.5% of total, leaving the development empty.

Employee cars and service vehicles.

Estimates in tabular form are given for a 2 year export life and a 4 year life.

Giving 146 PCUs per day (2 year life) and 92 PCUs per day (4 year life); max 24 PCUs peak hour; equally divided between Edenderry direction and Daingean direction. It will represent a 1.52% increase in peak traffic, and a 3.26% increase in AADT traffic.

- The R402 in 2022 operates at 64.5% capacity.
- The proposed development will increase traffic movements on the R402 by 2.2%, to 65.8% capacity.
- The R402 is an aligned single carriageway with verges, with full sight distance. There is a solid white centre line along the road in this area with forward non-passing sight distance throughout.
- The quality of the pavement is in good condition at present.
- Following mitigation there will be no significant effects on roads and traffic.
- The maximum exportation period will be 2 years or at a lesser level 4 years. The exportation will be 200,000 tonnes over 2 years or 50,000 tonnes over 4 years. importation of soils for restoration will be 25,000 tonnes per annum for 4 years.

Restoration works will be completed within one year of cessation of extraction activities.

- The proposals for the site entrance, shown on drawing 02/PL/20/01, followed consultation with the Edenderry Area Office. It shows details of proposals to protect the existing public road at the entrance area, strengthening the road fabric and tying into the existing hard shoulder at the entrance. The specification will comply with TII Specification for Road Works Series 900, latest edition.
- A temporary wheel wash will be installed. If a spillage occurs, the applicant will ensure its removal in a safe and timely manner.
- Traffic direction signs, warning signs and speed limit signs are to be established throughout the site. Traffic warning signs for the R402 will be agreed with the Roads Section of Offaly County Council.
- On site parking will be provided.
- Hard stand areas within the borrow pit will be maintained as rest up areas for trucks.
- Hedge lines and verges will be regularly maintained by the developer to achieve sufficient visibility at the site entrance, ie 150m in both directions, 2.4m back from the edge of the carriageway.
- The R402 is of high quality and is capable of catering for the proposal.

6.2. Planning Authority Response

- 6.2.1. The planning authority have responded to the appeal stating that the restriction on regional roads is not limited to permanent developments; referring to DMS 112: the presumption against quarrying of eskers; and noting that the section 261A process involved assessment of 153 quarries.

6.3. Observations

- 6.3.1. Environmental Action Alliance-Ireland, have submitted an observation on the appeal. It includes:

- The appeal is invalid as it was not submitted within the requisite time.

- The application is contrary to European law.
- Natural soil and stone should be considered a waste.
- AA screening should have been submitted with the application
- EIA screening should be carried out.

7.0 Assessment

7.1.1. I consider that the main issues which arise in relation to this appeal are screening for appropriate assessment, principle of development, the nature of the uses proposed, traffic and road capacity, and other issues and the following assessment is dealt with under those headings.

7.2. Appropriate Assessment

7.2.1. The observation questions the legality of the application, in the absence of an accompanying NIS. Given the location, remote from any Natura site, and the description of the proposed development, comprising the extraction of c.200,000 tonnes of sand and gravel importation of inert material, the proposal would be unlikely to have a significant effect individually or in combination with other plans or projects on a European site. However in the absence of information regarding the material to be imported, it is not possible to carry out screening for Appropriate Assessment. This is a reason to refuse permission.

7.3. Principle of Development

7.3.1. The site is clearly identified in the County Development Plan 2021-2027, Table 4.18 and the corresponding map: Figure 4.18 Areas of High Amenity in County Offaly as item 11 'other eskers' to which restrictive and protective policies and objectives apply.

BLP-35 - is Council policy to protect and preserve the county's Areas of High Amenity.

BLO-22 - is an objective of the Council to ensure that new development, whether individually or cumulatively, does not impinge in any significant way on the character,

integrity and distinctiveness of or the scenic value of the Areas of High Amenity listed in Table 4.18.

REDP-16 – is Council policy to ensure extractions (quarries / sand and gravel pits) which would result in a reduction of the visual amenity of Areas of High Amenity, eskers, esker landscapes, protected views or damage to designated sites, habitat types or species shall not be permitted.

The proposed development, would materially contravene the foregoing policies and objective, and should be refused for those reasons.

7.3.2. The Council's intention to develop the eskers of Offaly and adjacent counties for their outstanding geomorphological heritage as a Geopark, availing of sustainable tourism opportunities, is stated in the County Development Plan; and the Council recognises the importance of increasing cycling and pedestrian access to esker sites, with the potential to increase public awareness and appreciation of these sites.

7.3.3. The Offaly Esker Study, carried out on behalf of the Council, published in 2006, shows that there are twenty esker systems in Offaly containing 208 segments. Each esker system comprises a landform or series of landforms (esker segments) having a single process history, in a specific zone; covering in total over 4,000 acres in Offaly. The Study also confirmed the importance of including policies in the Offaly Development Plan to restrict exploitation on eskers and suggested a further focus on pit restoration.

7.3.4. The proposed development would obstruct the achievement of these aims of increasing awareness of the heritage value of eskers, the development of sustainable tourism opportunities around these outstanding geomorphological features, and the achievement of the long term objective of securing Geopark status; and should be refused for these reasons.

7.4. The Nature of the Uses Proposed

7.4.1. The proposed development is described as a small quarry/borrow pit for the extraction of c.200,000 tonnes of sand and gravel on c. 3.2 ha of lands and restoration to agricultural use, including importation of inert soil, subject to a waste management facility permit and/or notification under Article 27 of the European Communities (Waste Directive) Regulations 2011, S.I. No. 126 Of 2011.

- 7.4.2. The reference to Article 27 of the 2011 Waste Regulations appears to refer to the intention to put a proposal to the EPA that a substance has a beneficial use and is not waste.
- 7.4.3. It is not sufficient to refer to the above Article as a description of the proposed development. No details are provided of the material intended for importation and no convincing argument is made that such material would not be regarded as waste. Sources of material are not given. No assessment of this aspect of the proposal can be made in the absence of full information on the nature of the proposed importation. The absence of sufficient information is a reason to refuse permission.

7.5. Traffic and Road Capacity

- 7.5.1. Reason number 3 refers to CDP policy SMAP-23, the policy to restrict new development on identified priority regional roads, which include the R 420; that access onto the restricted R402 would be contrary to CDP policy SMAP-23 and would impact the efficiency and capacity of the adjoining restricted regional road.
- 7.5.2. In the grounds of appeal, a traffic report details the current level of usage and capacity of the road, states that the proposed development would have limited impact on capacity and that the R402 is of high quality and is capable of catering for the proposal.
- 7.5.3. The proposed development is temporary in nature, with a stated duration of 5 years maximum, that is 4 years for completion of extraction, during which period infilling would take place, and a further year for restoration. I am satisfied that the proposed development would not unduly impact on the capacity of the road, such as to necessitate refusal based on the restrictive policy in relation to new development on the R 420.
- 7.5.4. At the location of the proposed entrance, there is a continuous white line. The Roads Design does not refer to this limitation and recommends conditions for attaching to a grant of permission.

7.6. Other Issues

- 7.6.1. The observation questions the legality of the application and of the appeal.

- 7.6.2. It is stated that the appeal arrived late. The 4 week period commencing on the 25th August 2022 expired on the 21st September, with that date being the last date for acceptance of an appeal.
- 7.6.3. The appeal was delivered by hand on that date and is a valid appeal.
- 7.6.4. The observation questions the legality of the application, in the absence of an EIAr. The observation states that the import material should be considered waste.
- 7.6.5. As previously stated, details of the nature of the intended use for importation of material is not presented in sufficient detail to enable any meaningful assessment of that aspect of the proposed development. It is worth noting that the traffic report, supporting the grounds of appeal, states that the 'soil and stones for restoration is estimated to be up to 25,000 tonnes per annum', which scale is below the mandatory threshold for EIA¹, in the case of waste. The reference to Article 27 indicates that the applicant considers the material not to be waste. No proper assessment of that aspect of the proposed development being possible, it cannot be determined that the proposed development would not require EIA and the preparation of an EIAr. The absence of sufficient information is a reason to refuse permission.
- 7.6.6. The observation states that the application does not comply with the Aarhus Convention because the public are entitled to a screening determination for environmental impact assessment to enable them to refer it to the Board, for review; that the applicant and the Council have made several decisions in which the public concerned were excluded. They consider the Board should not have accepted the appeal.

8.0 Recommendation

- 8.1. In accordance with the foregoing I recommend that the proposed development be refused, for the following reasons and considerations.

¹ Planning and Development Regulations 2001 as amended, Schedule 5 part 2, 11 (b) Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.

9.0 Reasons and Considerations

- 1 It is Council policy as outlined in policy BLP-35 of the current Offaly County Development Plan 2021-2027, to protect and preserve the county's areas of high amenity, including the Eiscir Riada and other eskers. The subject site is identified on map in figure 4.18 of the plan as 'other eskers'. The proposed development would therefore materially contravene policy BLP-32 and be contrary to the proper planning and sustainable development of the area.
- 2 It is Council policy as outlined in policy REDP-19 of the current Offaly County Development Plan 2021-2027 to ensure that extractions (quarries / sand and gravel pits) which would result in a reduction of the visual amenity of Areas of High Amenity, including eskers and esker landscapes should not be permitted. The proposed development would result in a reduction of the visual amenity of this area of high amenity and would therefore materially contravene policy REDP-16 and be contrary to the proper planning and sustainable development of the area.
- 3 It is an objective of the Council as outlined in objective BLO-09 of the current Offaly County Development Plan 2021-2027, to consider, in consultation with the National Parks and Wildlife Service, Westmeath County Council, the Geological Survey of Ireland and others, the potential designation of the north Offaly esker landscape as a UNESCO Geopark, to promote the unique geological heritage of the area. The proposed development would conflict with the achievement of this objective and would accordingly be contrary to the proper planning and sustainable development of the area.
- 4 It is an objective of the Council as outlined in objective BLO-08 of the current Offaly County Development Plan 2021-2027, to, where possible, increase access to esker and geological sites and encourage appreciation of esker and geological heritage. The proposed development would conflict with the achievement of this objective and would accordingly be contrary to the proper planning and sustainable development of the area.

- 5 In the absence sufficient information on the importation of material, an assessment of this aspect of the proposal is not possible, and it cannot be determined that the proposed development would not lead to adverse environmental impacts or impacts on European sites, accordingly the Board is precluded from granting permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Planning Inspector

30 June 2023

Appendices:

Appendix 1 Photographs

Appendix 2 Offaly County Development Plan 2021-2027. extracts