



An
Bord
Pleanála

Inspector's Report

ABP-319475-24

Development

Extraction and processing of limestone aggregate (quarry extraction area of 1.7 Ha.), to a depth of 83 m OD, for a 7 year period and all ancillary activities. A Natura Impact Statement has been prepared for this application.

Location

Drummin, Peak, Tullaghan and Gortnagoyne Townlands, Bellanagare, Co. Roscommon

Planning Authority

Roscommon County Council

Planning Authority Reg. Ref.

23/187

Applicant

Hubert Maxwell

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant

Eamonn Mitchell

Observers

None

Date of Site Inspection

3rd October 2024

Inspector

Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site is located within a rural area, c. 1.5 km south-east of Bellangare (village), and c. 5 km south-east of Frenchpark, Co. Roscommon.
- 1.2. The appeal site has a stated site area of 4.2 Ha. (1.7 Ha. of which relates to the extraction area), and is located on the northern side of the R369, c. 0.5 km east of the junction with the N5.
- 1.3. The red line boundary of the appeal site includes a strip of land along the northern and southern side of the R369, up to a location close to the junction with the N5, correlating with proposed road widening to facilitate the proposal.
- 1.4. A number of adjoining land parcels are indicated as being within the applicant's ownership/control¹, as depicted by the blue line boundary.
- 1.5. The appeal site appears to be in agricultural use. There is a cattle pen on the appeal site at the boundary with the R369. The predominant land uses in the vicinity are agriculture and forestry. The particulars submitted with the planning application note a history of quarrying on the site and the site is indicated as a 'disused quarry' on OSI 6" mapping.
- 1.6. Access to the appeal site is via a gated entrance along the southern site boundary, onto the R369.
- 1.7. A farm complex is situated to the south-west of the appeal site². 2 no. dwellings are located to the west of the appeal site (south-west of the proposed extraction area). A number of dwellings are situated north-west of the appeal site. The closest dwelling is c. 200 metres from the proposed extraction area.
- 1.8. The highest point on the appeal site is stated in the particulars submitted as being along its western boundary (i.e. 105 metres OD). There is a mound/hillock on the appeal site with a topographical level of c. 98 metres OD. Levels on the appeal site fall from this area to c.84 metres OD along the roadside boundary to the south. There is a rock outcrop on the appeal site which is covered by grass. The particulars

¹ See Drawing 2A 'Land Ownership'.

² PA. Ref. 2460511 and current appeal ABP. Ref. 322230-25 relates.

submitted with the planning application refer to the geology of the area as comprising karstified limestone bedrock at surface, underlain by sandstone till.

- 1.9. A watercourse (Breedoge River) runs along the northern boundary of the appeal site. The northern boundary of the appeal site is c. 30 metres from this watercourse.
- 1.10. The new N5 Ballaghaderreen to Scramoge Road is located c. 600 metres north of the appeal site. Works are on-going on this road project³.

2.0 Proposed Development

2.1. The proposed development comprises;

- The extraction and processing of limestone aggregate (quarry extraction area of 1.7 Ha.), to a depth of 83 m OD from an existing surface elevation of 90-105m O.D, for a 7 year period⁴. (see *Drawing No. 6 – Site Sections*).
- The extraction zone has a circular shape aligned along a N-S axis and involves the total removal of the northern part of the hill. The quarry void will be developed commencing in the northern part of the site (where the land elevation is c. 84 metres OD) and progressing southwards with a final quarry wall height along the southern and western face of c. 20m. The final quarry floor will be c. 150m S-N and 140m W-E.
- Table 1 (see Material Quantities – Planning and Environmental Report) refers to 500,000 tonnes of limestone and 5,000 tonnes of topsoil. The rate of extraction for limestone is stated as being ‘up to 250,000 tonnes per annum’ to allow the applicant the ability to respond to demand from the N5 Ballaghaderreen to Scramoge Road project. Assuming no material is supplied to this project the extraction rate will be 150,000 tonnes per annum (ave).
- The quarry is to be ‘worked dry’ (i.e. above the water table) and no de-watering is required.

³ Notices are erected in the vicinity of the appeal site referring to blasting associated with the construction of the new N5. This road project was permitted under ABP. Ref. 300493-17.

⁴ Reference to a 10 year permission in the EIA Screening Report (page 3) and the AASR (page 11) appears to be a typographical error.

- The proposed process entails the removal of topsoil. Excavation will be by conventional mechanical digger and blasting (c. 10 – 12 blasts per annum, based on an extraction rate of 250,000 tonnes per annum). Crushing and screening will be undertaken in a processing area within the quarry void and material will then be removed off-site.
- Topsoil which is stripped from the site will be stored and used for temporary screening berms and for the restoration of the site, or will be used for vegetative swales. Prior to the stripping of topsoil, silt fencing will be erected along the northern boundary of the site parallel to the adjacent watercourse. In terms of stability, industry standard slope angle and bench widths will be used.
- Fuel storage is described in the particulars submitted with the planning application as follows –
 - all refuelling of plant and machinery will take place over a hardstanding area. The area designated for the refuelling of mobile plant will be an impervious concrete area. A hydrocarbon interceptor will be provided at the hardstand area.
 - refuelling of machinery will be carried out using a mobile tanker on an ‘as needed basis’. No fuel will be stored at the site. Spill kits will be provided at the refuelling area.
- Water management measures are described in the particulars submitted with the planning application as follows –
 - there will be no run-off or release of unattenuated water from the proposed works to the surrounding environment via surface or groundwater features.
 - storm water from exposed surfaces during the quarrying process will be collected in a sump on the quarry floor. The floor sump will be fed with rainwater flowing over the rock by gravity.
 - the sump has been designed to remove 0.015mm particles of bedrock-derived sediment. This is the particle size for silt which is significantly smaller than the size of rock fragments.
 - upon adequate retention time, settled water will leave the settlement area system/sump by a high-level overflow and travel by gravity flow (at

greenfield run-off rates) via a constructed channel to perimeter grassed swales.

- floating bunds in the quarry floor sump will intercept any potential hydrocarbon leaks from vehicles at the site. The grassed swales will have a built-in hydrocarbon interceptor function.
 - release of suspended solids and other potential pollutants will be controlled by interception (e.g. silt traps, silt fencing etc.) and management of site run-off.
 - potable water for the on-site welfare facilities will be brought daily by the site staff, or will be provided from an office 'cooler' or similar system which is brought to site.
 - water required for the wheel wash and dust suppression will be provided from the proposed quarry water management system.
- The aggregate is to be used in the construction of the N5 Ballaghaderreen to Scramoge Road project, although not necessarily exclusively for this project.
 - 2 no. full time employees will be based at the site.
 - A Portaloo is to be erected on the site for staff.
 - Truck movements out of the site will be less than 40 no. per day⁵, or c. 85 movements per day (i.e. in and out) when staff movements are included.
 - Intended hours of operation are stated as 0700 hours – 1900 hours (Monday to Saturday).

The following ancillary development is also proposed;

- New access within the site, connecting proposed extraction area to R369.
- Widening of R369, from a location east of junction of R369/N5 to proposed site entrance, and to location east of proposed site entrance (inc. removal of stone boundary walls and reinstatement of same at locations along R369, including at one location on either side of R369).
- Weighbridge and Site Office (see *Drawing No. 7*).

⁵ Indicated as 38.5 in and 38.5 out per day on average (HGV).

- Wheel wash (see *Drawing No. 8*).
- Mobile crusher and Screening Plant (see *Drawing No. 9*).
- Removal of 350 metres of hedgerow and trees (to be replaced with native trees).
- Silt fences (see Figure 6.1 of NIS for location(s)).
- Stockproof fencing.
- Concrete hardstand for refuelling with hydrocarbon interceptor.
- Quarry sump (to be retained as seasonal pond upon restoration).
- Grassed swales.
- Overburden storage area (c. 2 metres high).
- Landscaping/screening (inc. 1.5 metre high berm south of extraction area).
- Site lighting.
- Restoration of site to natural habitat/agricultural use (see *Drawing No. 5*).
- All ancillary activities.

The applicant is seeking a duration of 7 no. years in respect of the permission (i.e. 5 no. years for the extraction phase, which takes account of a situation where no material is supplied to the N5 Road Project and a 2 further years to facilitate restoration of the site).

2.2. The planning application was accompanied by the following;

- Appropriate Assessment Screening Report & Natura Impact Statement (AASR & NIS).
- Planning & Environmental Report.
- Water Management Design Specification & Hydrogeological Impact Appraisal.
- EIA Screening Report.
- Air Quality Assessment.
- Noise Assessment Report.
- Landscape & Visual Impact Assessment (inc. Photomontages).

- Archaeological Testing Report.
- Argi Report & Fertiliser Report.
- Structural Inspection Report (bridge).
- Stage 1 Road Safety Audit (RSA) (submitted in response to FI request).

3.0 Planning Authority Decision

3.1. Request for Further Information

Prior to the decision of the Planning Authority to GRANT permission for the proposed development, the Planning Authority requested Further Information.

3.1.1. Further Information was requested on the 3rd of July 2023 as follows:

Item 1: - submit cross sections of proposed amendments to carriageway; details of verge reinstatement; and confirm whether land take is required from third parties.

Item 2: submit details of road drainage.

Item 3: demonstrate sightlines at proposed access in accordance with Fig. 12.4, Section 12.24 of Roscommon County Development Plan 2022 – 2028.

Item 4: submit details of proposed haul routes.

Item 5: provide justification as to why public/group water scheme connection is not feasible.

Item 6: submit details of proposed swales. Concerns regarding proximity of same to river expressed.

Item 7: confirm how surface water run-off from proposed access road will be managed.

Item 8: submit map indicating noise and dust monitoring locations.

Item 9: submit details of how dust from the haul route is to be addressed in the absence of a permanent water source serving the site, and in particular the wheel wash.

Item 10: submit details of blast notification procedures.

Item 11: comment on/address the submission from the DoHLGH who note that archaeological test excavations undertaken do not correlate with the application site (in particular the access road, overburden storage area and proposed landscaped area), and the potential for the proposed access road to impact Recorded Monument ROO21-011 (Road – road/trackway).

Item 12: address contradictions contained in the information submitted with the planning application in relation to extraction volumes, i.e. 250,000 tonnes per annum versus 500,000 tonnes per annum, and also the duration of proposal, i.e. 7 years and elsewhere 10 years.

3.1.2. **Further information⁶ submitted on 15th of December 2023:**

Item 1: *Drawing FI 1 – 7* submitted providing details of amendments to carriageway; details of verge reinstatement and land take requirements. All relevant landowner consents submitted.

Item 2: verge removal every 30 metres along the road edge is proposed (see *Drawing FI 1 – 7*).

Item 3: *Drawing FI 4* indicates sightlines in accordance with Roscommon County Development Plan 2022 – 2028 requirements. A Road Safety Audit (RSA) has been completed (see Appendix FI 1). Stage 2 RSA is recommended at detailed design stage.

Item 4: the proposed haul route from the appeal site to the N5 Ballaghadereen-Scramogue Road Project will be via c. 3 km of the R369 in an easterly direction to the intersection with the proposed new alignment, or via 500 metres of the R369 in a westerly direction and then via 3 km of the N5 road in a northerly direction to the intersection with the proposed new alignment.

Item 5: water connection is not a statutory obligation and flexibility in selecting a source is required by the applicant. Bottled water is to be used for staff, waste from toilets is to be collected by a licenced contractor. Rainfall collected in a sump on the quarry

⁶ The Further Information submitted by the applicant was deemed significant and was readvertised in accordance with Art. 35 of the Planning and Development Regulations, 2001, as amended.

floor is to be used for dust suppression, this approach is more sustainable than boring a well.

Item 6: water in the swales will be rainwater which will have been attenuated in a sump on the quarry floor, and not wastewater. Even in the case of wastewater the EPA 2021 guidance requirement is 10 metres which the proposal meets. Details of the design of the swales provided.

Item 7: surface water from the proposed access road will be managed by conventional gentle slope to the road sides and floor of the quarry.

Item 8: *Drawing FI 8* indicates noise and dust monitoring locations.

Item 9: rainwater will be sufficient to provide water for dust suppression/wheel wash facility. Ordinary rainfall will yield 4.3 m³/d collected in the sump on the quarry floor, which is 4,300 litres (ave), and is considered sufficient to serve the wheel wash facility. The sump will also cater for extreme rainfall up to 932 m³ and will be used for dust suppression on the site.

Item 10: residents and businesses within a 500 metre radius of the site will receive direct notifications at least 24 hours before each blast. This will be by various communication channels, including emails, SMS, phone calls, and door-to-door notices when necessary.

Item 11: no archaeological features were found. The inscribed stone was not located. Archaeological monitoring of topsoil stripping is proposed. If archaeological features are found work will be stopped and a report prepared for the relevant authorities.

Item 12: the proposal includes an extraction capacity of up to 250,000 tonnes per annum, primarily to meet the demands for the N5 Ballaghaderreen to Scramoge Road Project. This capacity forms the basis for initial traffic movement calculations, representing a worst-case scenario in terms of traffic volume. In a scenario where the quarry does not contribute to the N5 Road Project, the expected annual output would average 150,000 tonnes. This represents a reduced extraction rate, thereby lowering the expected traffic movements compared to initial estimates. Regarding the duration of the development, with the N5 Road Project contribution the active extraction lifespan of the quarry is estimated at 2 years, based on the higher extraction rate of 250,000 tonnes per annum. Without N5 Road Project contribution, i.e. if the quarry

does not supply materials for the N5 project, the operational lifespan is projected to be c. 5 years, at a reduced extraction rate of 150,000 tonnes per year. Including an additional 2 years for site restoration, the total lifespan extends to 7 years.

3.2. Decision

The Planning Authority issued a Notification of Decision to GRANT Permission on the 20th day of March 2024, subject to 22 no. conditions. The following conditions are of note -

- C2** - permission shall be for 7 no. years, all extraction shall be carried out within 5 years from the final grant of permission, restoration shall be completed within 2 years of the cessation of quarrying.
- C3** - maximum extraction rate shall be 250,000 tonnes per annum for the 5 year extraction period and records of extraction volume to be maintained for inspection.
- C4** - extraction depth shall not exceed 83 metres OD and shall take place above the water table.
- C5** - proposals for staff sanitary facilities and staff water supply shall be agreed prior to commencement of development.
- C6** - restoration plan to be agreed.
- C7** - requires pre-development archaeological testing along route of access road and overburden storage area and submission of archaeological impact report.
- C8** - development to be operated in accordance with Environmental Management System (EMS), which is to be agreed with the Planning Authority.
- C9** - mitigation and monitoring in Planning and Environmental Report, NIS, and appendices documents to be compiled into single schedule and implemented in full.
- C10** - requires noise, vibration and dust monitoring.
- C11** - specifies noise limits.
- C12** - specifies dust emission limits, survey and monitoring.
- C13** - limits blasting to once a week, specifies notification procedure, and monitoring.

C14 - requires monitoring of groundwater levels, surface water flows, noise, ground vibration and dust deposition, and submission of annual environmental audit.

C15 - requires annual submission of aerial imagery of quarry.

C16 - stipulates hours of operation i.e. 0700 – 1900 (M-F) and 0700 – 1400 (Saturday).

C17 - R369 road widening to be the 6.6 metre widening option submitted on the 9th May 2023.

C18 - HGV's to use wheel wash.

C19 - no surface water to be discharged or deposited on public road.

C20 - road signage to be agreed.

C21 - requires development contribution.

3.3. Planning Authority Reports

3.3.1. Planning Reports

3.3.2. The first report of the Planning Officer generally reflects the issues raised in the request for Further Information. The report also notes;

- the Planning Authority are satisfied with the Landscape and Visual Impact Assessment submitted, in particular having regard to the berm construction and proposed landscaping.
- the applicant states that he has 3.7 times the land area required for land spreading, an issue which formed a refusal reason under PA. Ref. 21/717. The Planning Authority are satisfied with the applicant's position in this regard.

Request for Further Information recommended.

3.3.3. The second report of the Planning Officer notes that the applicant's response to the items raised in the request for Further Information have generally been addressed. The report notes;

- the 6.6 metre road widening option should be conditioned as it involves less roadside boundary interruption.
- given the small scale of the proposed quarry, limited duration of the proposal and staffing associated with same, the proposal in respect of water supply is

acceptable. A condition addressing water supply for staff back-up supply of water for human and operation use is required.

3.3.4. The report of the Planning Officer recommends that permission is GRANTED consistent with the Notification of Decision which issued.

3.3.5. Other Technical Reports

Environment Department – **initial** report notes that,

- discharge of water from the quarry will require a discharge licence.
- any activity should not impact the good status of the Owennaforeesha River, which is part of the Breedoge 10 sub catchment.
- confirmation is required in relation to how surface water from the quarry road is to be managed.
- confirmation is required regarding where the interceptor in the refuelling area is to discharge to.
- monitoring locations for noise and dust are unclear.
- confirmation is required in relation to what the 3 no. circles adjacent to the inceptor indicated on *Drawing no. 4* are.
- confirmation is required in relation to extraction rates.

Second report recommends standard conditions.

Roads Section – **initial** report recommends further information in respect of cross sections of road; details of roadside drainage; and sightlines at site entrance. **Second** report recommends standard conditions.

Ballaghadereen Area Engineer – **Initial** report recommends standard conditions. **Second** report recommends standard conditions.

Boyle Municipal District - report recommends standard conditions.

3.4. Prescribed Bodies/Government Departments

An Taisce – submission notes that the proposal should be justified and that previous reasons for refusal on PA. Ref. 21/717 should be overcome.

Department of Heritage, Local Government and Heritage (DoHLGH) – submission notes that archaeological testing of the site does not correlate with the overall site. Conditions recommended, including adherence to mitigation set out in archaeological report and pre-development testing.

3.5. Third Party Observations

The report of the Planning Officer refers to 1 no. observation having been received in relation to the planning application, and 2 no. observations having been received in respect of the Significant Further Information submitted to the Planning Authority. The issues raised in the observations are summarised in the report of the Planning Officer as follows:

- Validity of planning application.
- Some of the application lands are subject to land spreading associated with separate planning permissions.
- Inadequacy of local road network, including local bridge.
- Potential impact on local group water scheme, private wells and river.
- Visual impacts/contravention of development plan policy.
- Impact on residential amenity as a result of noise, dust, vibration and traffic.
- Requirement for proposal queried.
- Archaeological potential of area.
- Potential impacts on wildlife/no mitigation proposed.
- Procedural matters.
- The applicant has not adequately responded to the request for Further Information.
- Adequate sightlines have not been indicated.
- Lack of borehole testing makes concluding on connectivity to European Sites difficult.
- Concerns re. lack of water supply.
- Swales will not remove limestone dust from water.

- No 'flyrock' model submitted in respect of blasting.
- Large quarry operator will operate site.
- Timeframes are unclear.

4.0 Planning History

Appeal Site (valid/recent):

PA. Ref. 21/717 – Permission REFUSED for the extraction and processing of limestone aggregate (quarry extraction area of 4.3 Ha.) to a depth of 83mOD, for a 10 year period and all ancillary activities within an application area of 5 Ha. (a Natura Impact Statement was submitted with the planning application).

Refusal reasons concerned visual impact; surface water/risk of pollution of watercourse; uncertainty around the capacity of the R369 and a local bridge to facilitate traffic associated with the proposal; contravention of condition attached to PA. Ref.21/416, as the subject site has been indicated as receiving slurry; and sightlines.

Lands to south-west:

PA. Ref. 2460511 & ABP-322230-25 – Retention permission sought for 1) change of use of existing straw storage shed to strawbedded shed, 2) revisions to design of straw bedded shed granted under PD/21/188 and 3) office used in conjunction with farm enterprise together with all associated site works (currently on appeal).

5.0 Policy Context

5.1. National Policy

5.1.1. *National Planning Framework*⁷

National Policy Objective 30 - facilitate the development of the rural economy, in a manner consistent with the national climate objective, through supporting a sustainable and economically efficient agricultural and food sector, together with

⁷ NPF First Revision(April 2025).

forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting biodiversity and the natural landscape and built heritage which are vital to rural tourism.

5.2. Section 28 Guidelines

5.2.1. *Quarry and Ancillary Activities, Guidelines for Planning Authorities, DoEHLG, 2004*

These guidelines note the economic importance of quarries and the demand for aggregates arising from the needs of the construction industry with particular reference to house building and infrastructure provision. It is further noted that aggregates can only be worked where they occur and that many pits and quarries tend to be located within 25 km of urban areas where most construction takes place. Chapter 3 identifies the potential environmental issues associated with the development of the extractive industry/quarries and recommends best practice/possible mitigation measures in respect of: Noise and vibration; Dust deposition/Air Quality; Water supplies and groundwater; Natural heritage; Landscape; Traffic impact; Cultural heritage; and Waste management. The Guidelines also recommend Environmental Management Systems (EMS) as a quality assurance system to measure a company's operations against environmental performance indicators. Chapter 4 refers to the assessment of planning applications and Environmental Impact Statements⁸. It provides guidance on the information to accompany an application and the inclusion of possible planning conditions.

5.3. Other Relevant Guidance

Environmental Management Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA, 2006

These guidelines are intended to complement existing national guidance and to be of assistance to operators, regulatory authorities, and the general public (they are also complemented by the 'Environmental Management in the Extractive Industry – Guidelines for Regulators'). The guidelines provide general advice and guidance in relation to environmental issues to practitioners involved in the regulation, planning,

⁸ Now referred to as 'EIAR'.

design, development, operation and restoration of quarry developments and ancillary facilities.

5.4. Development Plan

5.4.1. The Roscommon County Development Plan 2022-2028 is the relevant development plan. The appeal site is not subject to any specific land-use zoning under the Roscommon County Development Plan 2022-2028.

5.4.2 The provisions of the Roscommon County Development Plan 2022 - 2028 relevant to this assessment are as follows:

Volume 1

Chapter 6: Economic Development

Policy Objective ED 6.17

Facilitate the extraction of minerals and aggregates and associated processing where such activities do not have a significant negative impact on the environment, landscape, public health, archaeology or residential amenities of neighbouring settlements and where such operations are in compliance with all national regulations and guidelines applicable to quarrying and mining activities.

Policy Objective ED 6.18

Ensure that the development of aggregate resources (stone and sand/gravel deposits) is carried out in a manner which minimises effects on the environment, including the Natura 2000 network and its sustaining habitats (including water dependent habitats and species), amenities, infrastructure and the community, and can demonstrate environmental enhancement through habitat management plans/ecological restoration.

Policy Objective ED 6.19

Support adequate supplies of aggregate resources to meet the future growth needs of the county and the wider region where there is a proven need for a certain mineral/aggregate and to exercise appropriate control, while addressing key environmental, traffic and social impacts.

Policy Objective ED 6.20

Require appropriate restoration of quarried lands and encourage the reuse of worked out quarries for ecological and geological benefit and / or for recreational, educational and agricultural purposes.

Chapter 10: Natural Heritage

Policy Objective NH 10.20

Protect waterbodies and watercourses from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. To this effect, consideration should be given to Inland Fisheries Ireland's guidance document Planning for Watercourses in the Urban Environment (2020).

Policy Objective NH 10.25

Minimise visual impacts on areas categorised within the County Roscommon Landscape Character Assessment including "moderate value", "high value", "very high value" and with special emphasis on areas classified as "exceptional value" and where deemed necessary, require the use of Visual Impact Assessment where proposed development may have significant effect on such designated areas.

Chapter 12: Development Management Standards

Paragraph 12.21 (Extractive Industries) - It is recognised that the location of such industries is dictated by the availability of the resource and hence each application will be determined on its own merits.

Associated Documents of Roscommon County Development Plan 2022 - 2028

Landscape Character Assessment - the appeal site appears to be located in Landscape Character Area (LCA 20) Breedogue Bogland Basin, which is described as having a 'moderate' landscape value. Under the heading 'forces of change' the LCA notes that the principle forces of change in this LCA include afforestation of bogland and encroachment of rural housing into bogland fringes.

Section 3.4 'Extractive Industry' of the Landscape Character Assessment, an accompanying document to the Roscommon County Development Plan 2022 – 2028,

notes that *'the visual impact of quarries upon the landscape can be significant and mitigation measures must be sufficiently robust to ensure that the activity does not irreparably damage the attributes of any particular Landscape Character Area'*.

5.4.3. A Recorded Monument (RO021-010 - *Standing Stone*) is located to the immediate west of the proposed access road (outside the red line boundary of the site). Further north, and west of the proposed extraction area is a second Recorded Monument, (RO015-052 – *Inscribed Stone*), which is also located outside the red line boundary of the site.

5.5. Natural Heritage Designations

- Ballangare Bog SPA (Site Code: 004105) – c. 3 km north-west.
- Ballangare Bog SAC (Site Code: 000592) – c. 3 km north-west.
- Ballangare Bog pNHA (Site Code: 000592) – c. 3 km north-west.
- Cloonshanville Bog SAC (Site Code: 000614) – c. 3.9 km north.
- Cloonshanville Bog pNHA (Site Code: 000614) – c. 3.9 km north.
- Ardagh Bog pNHA (Site Code: 001222) – c. 4.7 km north.
- Bella Bridge Bog NHA (Site Code: 000591) – c. 6.4 km north.
- Lough Gara SPA (Site Code: 004048) – c. 10 km north-west.
- Lough Gara pNHA (Site Code: 000587) – c. 10 km north-west.

5.6. EIA Screening

See Form 1 and 3 (attached). Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, and Section 172(1)(a) of the Planning and Development Act 2000, as amended, identify classes of development with specified thresholds for which EIA is required.

The following classes of development in the Planning and Development Regulations 2001, as amended, are of relevance to the proposal:

1 Agriculture, Silviculture and Aquaculture (a) Projects for the restructuring of rural land holdings, undertaken as part of a wider proposed development, and

not as an agricultural activity that must comply with the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares.

2 Extractive Industry - (b) Extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares.

The proposed development comprises the extraction of limestone with an extraction area of 1.7 Ha. The proposal also entails the removal (and reinstatement) of 350 metres of hedgerow and trees. The proposed development is sub-threshold in terms of mandatory EIA requirements arising from Class 2(b), Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, in respect of Class 1 (a) and 2 (b) (see above). As such, the criteria in Schedule 7 of the Planning and Development Regulations 2001, as amended, are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment and should be the subject of EIA.

The applicant has submitted an Environmental Impact Assessment Screening Report (EIASR) with the application addressing issues which are included for in Schedule 7A of the Planning and Development Regulations 2001, as amended. I have carried out an EIA screening determination of the project (see Form 3 appended this report). I have had regard to the information provided in the applicant's EIASR and other related assessments and reports included in the case file. I concur with the nature and scale of the impacts identified by the applicant and note the range of mitigation measures proposed. I am satisfied that the submitted EIASR identifies and describes adequately the effects of the proposed development on the environment. I have concluded that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report (EIAR) is not therefore required. This conclusion is based on:

- a) The nature and scale of the project, which is below the thresholds in respect of Class 1 (a) and 2(b), Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended.

- b) Relevant policies and objectives in the Roscommon County Development Plan 2022 - 2028, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).
- c) The pattern of existing and permitted development in the area.
- d) The planning history at the site, and within the area.
- e) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations, 2001, as amended, and the absence of any potential impacts on such locations.
- f) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage, and Local Government (2003).
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended.
- h) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.
- i) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the Natura Impact Statement.

I consider that any issues arising from the proximity/connectivity to European Sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment).

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal against the decision of Roscommon County Council to grant permission. The grounds for appeal may be summarised under the following headings;

Re. Conditions, Assessment and Validation of PA. Ref. 23/187

- Mitigation measures are insufficient. Only a desktop study and one-day walk-over were undertaken. No survey of mammals, birds or bats were undertaken. Evidence of otter is noted.
- The requirement for written agreement between the Planning Authority and the applicant goes beyond technical issues, specifically the provision of on-site sanitary facilities, which could have environmental effects. There is also no mechanism to address a dispute in respect of same.
- Positive net biodiversity is not possible.
- The applicant did not comply with the Further Information request of the Planning Authority regarding the width of the road. The road width of 6.6 metres is inadequate for traffic to pass and does not facilitate pedestrians and cyclists. The extent of the proposed road widening is also not sufficient as it does not extend beyond the site entrance to the east, or fully to the N5.
- The development contribution required by Roscommon County Council is minimal.
- In the context of PA. Ref. 21/717, the applicant has not overcome the previous reasons for refusal (comments on refusal reasons 1 -5 are provided below) –
 - 1 - the proposal still comprises the removal of a hill which is a prominent feature in the landscape and the proposal remains obtrusive and unjustified.
 - 2 - the same drawings of the swales previously proposed have been submitted. No distance is indicated between the watercourse and the swales. Dust could enter the swales. The report of the Planning Authority states that a condition requiring details of the swales to be agreed should be attached however no such condition was attached.
 - 3 - the bridge on the R369 is inadequate in width and alignment to accommodate the proposal. No inspection of the foundations of the bridge was carried out.
 - 4 - permitting the proposal would contravene a condition attached to an existing permission in relation to slurry spreading in the lands. The applicant has submitted a self-authored declaration in relation to nutrient management, which is subject to a disclaimer.

5 – sightlines to the west have not been adequately demonstrated. No 'on the ground' measurements have been taken.

- In relation to the validation of the planning application, the application was submitted on the 9th of May 2023 but the fee was paid on the 11th of May 2023.

Re. Slurry Spreading Associated with Subject Site

- The applicant does not have full legal interest in some of the land associated with the nutrient management plan submitted.
- The subject site is associated with a number of separate planning applications in relation to the spreading of slurry (i.e. PA. Ref's. 21/188, 21/416, 05/1636, 07/124 and 06/2153), and conditions concerning the spreading of slurry.
- Exclusion zones for slurry spreading have not been taken into account by the applicant in the context of remaining available land for slurry spreading.

Re. Road Network

- Concerns regarding traffic generation arising from the proposal, in particular the impact from same on the local road network, and nearby school.
- No survey of the road through Ballinagare has been provided.
- Traffic from the proposal could damage a bridge in Ballinagare, which is a Protected Structure (RPS. Ref. 01500402).
- The proposed widening of the road is ad-hoc and creates a pinch point, resulting in traffic safety issues. The widening of the R369 appears to impinge on site boundaries of residential properties, and no consent in respect of this has been provided, i.e. no Section 47 agreement in place.
- The Planning Authority should have required the 7 metre road width option over the 6.6 metre option so as to better facilitate vehicle passing, pedestrians and cyclists. The 6.6 metre widening option will not facilitate the required sightlines.
- The Road Safety Audit does not include the entire haul route.
- The Road Safety Audit refers to a different applicant.
- The bridge report does not address the concerns of the Planning Authority with reference to its width and alignment, and is not adequate as it does not examine

the foundation of the structure. The survey of the bridge is not sufficiently comprehensive.

- Potential for debris to affect the road surface of the R369.
- Sightlines are not achievable. Land Registry maps for lands within the sightline triangle have not been provided. Legally binding agreements in respect of the movement of boundaries to facilitate sightlines have not been provided.
- The L-56425 may be used as a short cut to the construction site of the N5 project, as it is the most direct route from the proposed quarry.
- Visibility is limited for traffic turning right onto the L-56425 from the R369 from the Elphin direction. With the closure of the L-5601 at Mantua due to the construction of the N5 the L-56425 will be the only access to the R369.
- The widening of the R369 will result in the loss of trees, hedgerows and stone walls, this is not referred to in the EIA report.
- The stone wall along both side of the R369 is in poor condition resulting in a danger to traffic as a result of the decision to opt for the 6.6 metre wide road width over the 7 metre option.

Re. Water Quality

- The proposal could affect the Zone of Contribution of Peake Mantua Group Water, and also private wells in the area.
- A direct pathway exists from the Breedogue River of the Owennaforeesha, and Cloonshanville SAC.
- Under the current proposal the site boundary is closer to the tributary of the Owennaforeesha compared to PA. Ref. 21/717, which was refused. The proposal could potentially cause pollution of the watercourse, and the proposal would materially contravene Chapter 7, 10 and Section 7.8 of the Roscommon County Development Plan 2022 – 2028, and the Water Framework Directive.

Re. Flooding

- The provision of swales in proximity to the Breedogue River, which is part of an Arterial Drainage Scheme, could interfere with the management of drainage channels under the Arterial Drainage Scheme.

- When indicative fluvial mapping layers are applied the area to the north of the quarry is indicated as being susceptible to flooding. Mitigation measures have not been provided.
- The proposal will cause downstream pollution of the Owennaforeesha, and Cloonshanville SAC.

Re. Landscape and Visual Impact

- The site occupies a prominent hilltop location and the proposed quarry and access would be visible in the wider area.
- The proposal would impact the visual amenity of the area and the images submitted with the application have been taken from obscure locations.
- The commercial forest east of the site has been felled, exposing the quarry site.

Re. Health & Well Being

- The proposal would create dust, noise, vibration and increase traffic which would affect the health of the local population. Impacts from the N5 project are already affecting people in the locality.
- Existing quarries adequately supply the N5 road project.
- The proposal would contravene objectives in Chapter 8 of the Roscommon County Development Plan 2022 – 2028; the Climate Action Plan 2023 and EU Directive 2011/92/EU.

Re. Archaeology

- Recorded Monuments in the area could be damaged by traffic using the haul road (i.e. Standing Stone R0021-010 and R0021-011).
- The proposed site access could obscure views of the standing stone, and also impact on the importance of archaeology in the area.
- No mitigation measures are proposed to address potential impacts on Recorded Monuments.

Re. Biodiversity

- The proposal will adversely affect biodiversity on the site and in the area/adequate evaluation of same has not been considered. Mitigation has not been proposed to address impacts on biodiversity.
- The proposal falls short of the requirements of the Habitats Directive and Chapter 10 of the Roscommon County Development Plan 2022 – 2028.
- An otter survey should have been undertaken as otter scat was found within the Breedoge River.
- The desktop survey and walkover is not sufficient. Most mammals are nocturnal.
- The possibility of otter being connected to Cloonshanville SAC has not been addressed.

Re. EIA

- The site walkover took place on the same day as PA. Ref. 21/717 even though both sites/developments differed.
- Distances from the site boundary to the Breedoge River is stated as 30 metres in both reports however the site boundaries in each application differ.

Other Issues

- Discrepancies noted in respect of viewpoint location and sightline drawing.
- Potential for cumulative loss of biodiversity from N5 road project and felling of commercial forest to the east.
- An application to the Department of Agriculture, Food and the Marine should be made in the context of agricultural screening for EIA.
- The operating times for the quarry exceed that set out in the Quarry Guidelines.
- Distance to lands in the nutrient management plan entail trips of 30 and 40 km.

The following documents are appended to the appeal;

- photographs of the R369; felled forestry in the area; and overburden deposit area for the N5 road project.

- extracts from the NIS associated with the current application and that submitted with PA. Ref. 21/717.
- extract from the Visual Impact Assessment.
- copy of cover letter submitted with current application.
- Roscommon County Council validation checklist and receipt of payment for lodgement of planning application.
- Notification of Decision to Refuse Permission for PA. Ref. 21/717.
- Planner's Report associated with current planning application.
- Conservation Objective Supporting Document – Raised Bog Habitat for Cloonshanville Bog SAC.
- extracts from Floodinfo.ie.
- schedules of conditions and map extracts from PA. Ref's 21/416, 21/188, 05/1636, 06/2153, 07/124.

6.2. Applicant Response

The applicant has submitted a response in respect of the third party appeal submission which notes;

- the Visual Impact Assessment includes mitigation measures including landscaping and the use of natural buffers. The proposal has carefully considered the site layout and elevation profiles to reduce the impact of the proposal.
- mitigation measures have been proposed to address the potential for impacts on water, including the implementation of best practice measures such as sediment control and storm water management systems.
- a water management design and hydrogeological impact appraisal has been submitted and ensures that the proposal will not compromise local water or the wider environment.
- the proposal will not affect slurry spreading. PA. Ref. 05/1636 does not include the subject site for slurry spreading.

- measures are proposed to address traffic impact, including, road widening to accommodate increased traffic flows/road safety; alterations to the proposed access including kerb rail; surfaced access; approach signage; wheel wash etc. The bridge to the east was assessed in line with industry norms and the applicant is satisfied that the bridge is robust enough to handle traffic associated with the proposal.

6.3. **Planning Authority Response**

None received.

6.4. **Observations**

None received.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the appeal, and the applicant's response to same, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Principle of Development
- Impact on Residential Amenity
- Impact on Landscape and Visual Amenity
- Traffic & Access
- Impact on Water
- Flooding
- Appropriate Assessment
- Issues Arising

7.2. **Principle of Development**

7.2.1. The proposed development comprises the stripping of topsoil, the extraction of limestone, the processing and screening of same using mobile plant and the restoration of the quarry to agricultural land. The appeal site is not subject to any specific land-use zoning under the Roscommon County Development Plan 2022-2028. Policy Objective ED 6.17 of the Roscommon County Development Plan 2022-2028 seeks to facilitate the extraction of minerals and aggregates and associated processing where such activities do not give rise to significant negative impacts, while Policy Objective ED 6.19 seeks to support adequate supplies of aggregate resources to meet the future growth needs of the county and the wider region subject to addressing potential impacts. I note that the Quarry Guidelines, 2004 also acknowledge the economic importance of quarries and the demand for aggregates arising from the needs of the construction industry, and that aggregates can only be worked where they occur. Having regard to the provisions of development plan policies ED 6.17 and ED 6.19 and the provisions of the Quarry Guidelines, 2004, I am satisfied that the principle of the proposed development is acceptable at this location. Potential impacts on amenity and the environment are addressed further below.

7.3. Impact on Residential Amenity

7.3.1. Concerns are raised by the appellant in relation to the impact of the proposed development on the amenity of residences in the area arising from the operation of the proposed quarry, primarily as a result of noise and dust. I note that Policy Objective ED 6.17 of the Roscommon County Development Plan 2022 – 2028 seeks to facilitate the extraction of minerals and aggregates and associated processing where such activities do not have a significant negative impact on the residential amenities of neighbouring settlements. The greatest concentration of dwellings is to the north and north-west of the appeal site, along the L-5642. The closest dwelling is c. 200 metres from the extraction area. Given the nature of the proposed development and proximity to dwellings in the area there is therefore potential for impacts on the amenity of dwellings in the vicinity, arising from noise, dust and also from vibration associated with blasting.

7.3.2. Noise - the applicant has submitted a Noise Assessment Report (referred to as Appendix D in the particulars submitted with the planning application) which addresses

noise in the context of the construction, operation and restoration phases of the proposed development. The use of machinery, excavation, blasting and crushing are identified as the principle sources of noise arising from the proposed development. Noise predictions are set out in the report and a range of best practice noise management measures are proposed for each phase.

7.3.3. The applicant carried out an environmental noise survey to establish the ambient noise level in the area. 13 no. noise monitoring locations⁹ within 500 metres of the site were included in the survey and include those which are representative of residences in the area. A school c. 1 km from the site was also considered. The noise assessment methodology used was based on *BS5228: Part 1 (2009) + A1:2014 "Code of Practice for Noise and Vibration Control on Construction and Open Sites"*. A reduction of -15dB(A) has been adopted for full noise screening by the proposed quarry walls. No reduction has been adopted for soils stripping activities. On the basis of the EPA (2006) Guidance on Quarries and Ancillary Activities and DoEHLG (2004) Guidelines for Planning Authorities noise limit, applied to the nearest noise-sensitive receptors, an absolute limit of 55dB LAeq,1hr during the daytime (07:00 to 18:00 hours) have been adopted for the normal daytime operations. The limit of 70dB LAeq, 1hr for periods of up to eight weeks in any working year at the noise-sensitive receptors have been adopted for the temporary site set up activities of temporary works with long term environmental benefits. The assessment assumed that all of the noise sources are active for 100% of the time thereby representing a worst-case scenario. Mitigation measures are set out in the report, including the use of physical barriers; prohibition of vehicles idling; the regular maintenance of machinery; use of exhaust silencers and acoustic hoods; minimising drop heights during loading; speed restrictions within the site; restriction of noise generating activity to less sensitive times and limiting hours of operation; and monitoring of noise.

7.3.4. The noise report submitted by the applicant sets out the noise prediction calculations for all phases of the proposed development. I note that the Quarry Guidelines and the EPA's Environmental Management in the Extractive Industry set out a recommended standard of 55dB(A) LAeq (1 h) for daytime noise and 45 dBA LAeq (1 h) for night-

⁹ See Local Receptors' map in Appendix D.

time at the nearest sensitive receptor. Predicted noise levels at noise sensitive receptors are below 55 dB (A) in each case. If permission is contemplated it is recommended that a specific condition be attached to limit noise levels in accordance with the guidelines. Having regard to the foregoing, I am satisfied that subject development will not result in significant adverse impacts on the amenity of sensitive receptors in the vicinity, including dwellings and the school as a consequence of noise.

- 7.3.5. Blasting/Vibration – is addressed in the Planning and Environmental Report submitted by the applicant with the planning application. The section on blasting, which is under the heading of vibration, states that based on an annual extraction rate of 250,000 tonnes pa it is estimated that 10-12 blasts will take place per year. The report notes that vibration levels depend on a number of factors including distance from the blast, the weight of the explosive and the geological nature of the structure between the blast and receiver. The report notes that the EPA recommends that to avoid risk of damage to properties in the vicinity of a quarry, the vibration levels from blasting should not exceed a peak particle velocity of 12 millimetres per second as measured at a receiving location when blasting occurs at a frequency of once per week or less. The EPA also recommends that blasting should not give rise to air overpressure values at the nearest occupied dwelling in excess of 125 dB(Lin) max, peak with a 95% confidence limit, and groundborne vibration levels measured at the nearest occupied dwelling should not exceed the specified limit values. 95% of all air overpressure levels measured at the nearest occupied dwelling shall conform to the specified limit value, and no individual air overpressure value should exceed the limit value by more than 5 dB(Lin). The report notes that monitoring will be carried out at the nearest dwelling and that groundborne vibration levels from blasting will not exceed a peak particle velocity of 12 mm/sec, and air overpressure values at the nearest dwelling will not exceed a maximum limit of 125 dB(Lin) with a 95% confidence limit. Mitigation measures are also proposed to address vibration arising from blasting, including restrictions on the hours within which blasting will be carried out (i.e. 0900 – 1800 hours M-F); neighbour notification; maintenance of optimal blast ratio and maximum instantaneous charge optimisation; and regular review of blast design to ensure future compliance with groundbourne vibration limits. Having regard to the foregoing, I am satisfied that subject development will not result in significant adverse impacts on the

amenity of sensitive receptors in the vicinity, including dwellings and the school as a consequence of vibration from blasting.

- 7.3.6. Dust - the applicant has submitted an Air Quality Assessment Report with the planning application which addresses potential impacts from dust arising from drilling/blasting, extraction of rock, crushing and processing of rock to produce aggregate. Fugitive emissions from the proposal are examined with reference to particulate material (PM₁₀). The report also identifies diesel engines of plant machinery as a source of emissions. The stockpiling of material may also result in the release of fugitive emissions. The report notes that there are currently no Irish statutory standards or European guidelines relating specifically to dust deposition thresholds for inert mineral/aggregate dust. There are a number of methods to measure dust deposition but only the German TA Luft Air Quality Standard relates a specific method (i.e. Bergerhoff) of measuring dust deposition with dust nuisance. The monthly average Dust Deposition Rate limit recommended by the TA Luft Air Quality Standard for sensitive receptors is 350 mg/m/day. Separately¹⁰, in the particulars submitted with the planning application the applicant states that the proposal will comply with this recommended limit. The report notes that ambient concentrations of NO₂, NO_x and SO₂ are low in the area and attributable to agriculture, domestic heating and traffic, and that air quality is classified as being good. A number of sensitive receptors are identified in report in the vicinity of the site, including dwellings and a school. The report notes that c. 25% of winds are from the west, with wind from the south-east occurring c. 15% of the year. Data on rainfall is also set in the report, which notes that 'wet days' occur 56% of the year at the location of the site, and that as such the floor and haul roads will remain saturated for much of the time, controlling dust without the requirement for additional dust suppression measures. The report however notes the potential for dust during summer months. The report sets out mitigation measures to prevent significant dust emission from the proposed quarry. These include the use of dust abatement measures for the drill rig used for the charge holes; maintenance of plant machinery to reduce exhaust emissions; use of dust suppression on the aggregate production plant; installation of a wheel wash which trucks departing the site will use; regular maintenance of site entrance; speed limit along unpaved haul roads and along access road; and retention of higher ground on western part of the

¹⁰ See page 9 of EIA Screening Report submitted by the applicant.

hill to prevent dust to properties to the west. The report concludes that subject to the implementation of the prescribed mitigation measures residual impacts in air quality will be imperceptible, and no significant residual effect from dust or PM₁₀ is predicted. Monitoring at 4 no. locations around the boundary of the site is proposed, with the frequency of monitoring to be agreed. I note that the nearest properties are to the north-west of the site and are therefore upwind of the prevailing wind direction. Significant dust impacts on these properties are therefore unlikely. The nearest properties to the east of the site, i.e. downwind of the prevailing wind direction, are more than 500m away and are therefore unlikely to experience a significant dust impact. I also note that the closest dwellings to the south-west of the site are c. 400 metres from the site. I note that the walls of the quarry will also provide increased dust mitigating effects. Having regard to the above, I am satisfied that the proposed development accords with the requirements of Policy Objective ED 6.17 of the Roscommon County Development Plan 2022 – 2028, and will not result in significant adverse impacts on the amenity of sensitive receptors in the vicinity, including dwellings and the school as a consequence of dust. In the event of a grant of permission I recommend that a condition stipulating that dust from the proposed development, measured at sensitive receptors, does not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge) when measured as deposition of insoluble and insoluble particulate matter at any position on the boundary of the quarry.

7.4. Impact on Landscape and Visual Amenity

- 7.4.1. The appellant raises concerns in relation to the impact of the proposed development on the receiving landscape, and also notes that the site is prominent and that a forest to the east has recently been felled, thereby increasing the prominence of the proposal. The appellant also states that the viewpoints used in the LVIA are taken from obscure locations.
- 7.4.2. The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the planning application. The assessment was carried out in accordance with the methodology prescribed in the Guidelines for Landscape and Visual Impact Assessment, 3rd edition, 2013 (GLVIA) published by the UK Landscape Institute and

the Institute for Environmental Management and Assessment. The methodology consisted of a desktop study; fieldwork to record views from specific viewpoints; an assessment of the significance of the landscape impact of the proposal weighted against the magnitude of landscape impact; an assessment of the significance of visual impact as a function of visual receptor sensitivity weighted against the magnitude of the visual impact; and an identification of mitigation measures to reduce potential landscape and visual impacts.

- 7.4.3. The LVIA assesses the proposed development using the methodology described above in the context of the landscape character of the area; landscape elements; designated sites and Protected Structures, and following an matrix type assessment concludes that the overall impact of the proposed development will not be significant, and that the site is not located within a sensitive landscape area and is capable of absorbing the development. The LVIA notes that the proposed alterations to the landscape will be slightly perceptible within the wider landscape. A number of mitigation measures are proposed to address visual impact, specifically, the use of additional screening/planting within the site and along the eastern side of the access road; the retention of the southern face of the existing hill and berms along the south-eastern corner of the site. Post restoration, the reincorporation of stockpiled material will be recolonised softening the impact of the site.
- 7.4.4. The LVIA examined the impact of the proposed development from 17 no. visual receptors. These receptors are located along the local road network (i.e. R369, N5 and L-5642), and vary from locations in close proximity to the site up to a distance of c. 2 km from the site. I am satisfied that the receptor locations are representative. I acknowledge that the proposed development would likely be intermittently visible from short distance viewpoints VP3, VP4, VP5, VP6, and more prominent from VP7, VP8, VP10, VP14, VP15. I agree with the assessment of impact in the LVIA in respect of the 17 no. receptors, which range from 'slight/imperceptible' to 'moderate'. I also agree with the LVIA in relation to how the proposal will be perceived from the N5 noting the speed at which traffic will be travelling, i.e. 100 kmph along a linear route, and that therefore views of the site will be fleeting. The appellant notes that forestry to the east of the site has been felled recently and that the proposed quarry will be more visible as a result. At the time of my site inspection I noted that an area of trees to east appear

to have been felled recently, however I note that a belt of tall trees remain and continue to provide a degree of screening of the appeal site when viewed from the east (i.e. looking west). Due to the context of the surrounding rural area, the presence of existing trees and vegetation, and the existing road network, I am satisfied that the impacts at these viewpoints would not be significant. The LVIA identifies that the site will be visible for 16 no. dwellings, however I note that, as indicated in the LVIA, the closest of these dwellings is in excess of 200 metres from the site, and therefore I agree that the proposal will not have a significant adverse impact when viewed from these dwellings given the distances concerned. The appeal site is located within an area characterised by open fields with existing native hedgerows and occasional stone walls. In terms of sensitivities, I note that the wider landscape has a moderate value and that there are no protected views or scenic routes on or near the site. In my opinion, the development of the site, whilst entailing the removal of a landform (part of a hill) and vegetation and trees, will be perceived negative initially, however as the proposed landscape measures mature and the site is restored I am satisfied that the impact of the proposal on the landscape will be slight in the long term. I am therefore satisfied that the proposed development accords with Policy Objective NH 10.25 of the Roscommon County Development Plan 2022 – 2028.

7.5. Traffic & Access

- 7.5.1. The appellant raises a number of concerns relating to traffic and access. The appellant contends that traffic generated by the proposed development will adversely affect the local road network and wider area in terms of debris, traffic and potential impacts on Protected Structures; that the proposed increase in the width of part of the R369 is inadequate, results in a pinch point close to the junction with the N5, and does not facilitate vehicles passing, pedestrians and cyclists; that sightlines at the proposed entrance to the quarry are not achievable; that the RSA does not cover the entire haul route, and that a survey of the road through Ballinagare has not been provided. The appellant also notes the potential for the L-56425 to be used as a short cut to be N5 project construction site, as it is the most direct route from the proposed quarry. The issue in respect of the bridge is addressed separately (see paragraph 7.10.1 below).

- 7.5.2. Regarding traffic generation and potential impacts on the local area, I note that truck movements are estimated as being 38.5 no. per day/or 77 (in and out), and that total vehicle movements (i.e. in and out) on the site will be c.85 when staff at the site (i.e. 2 no.) are included. I do not consider that traffic generated by the proposed development will significantly impact the local road network, or give rise to traffic safety issues. In the event of a grant of permission I recommend that a maximum total of 80 no. HGV in/out movements be stipulated, in order to allow for a degree of flexibility. A wheel wash facility and procedures to dampen down the access road will be employed which will significantly reduce the potential for debris to be spread over the local road network. Regarding the potential for impacts on Protected Structures, I do not consider that traffic generated by the proposal would impact Protected Structures.
- 7.5.3. In relation to the proposal to widen parts of the R369, I note that the R369 currently comprises a standard width regional road. There is no footpath or cycle provision along the R369 in the vicinity of the appeal site, as is typical for most roads of this nature outside settlements. As set out in response to Item 4 of the Further Information request, the proposed haul route from the appeal site to the N5 Ballaghaderreen-Scramogue Road Project will use the R369 in both directions. The applicant is proposing to increase the width of the R369 in the vicinity of the appeal site. The majority of this increase is from the proposed entrance to the quarry westwards to a location close to the junction with the N5. Given land ownership/control issues it is not possible for the applicant to provide for the complete widening of the R369 in the vicinity of the appeal site. I note that the 6.6 metre road width option was favoured over the 7 metre road width option by the Planning Authority on the basis that it entailed less land take. I note that the Planning Authority therefore did not consider there to be a requirement for a wider road, or the provision of pedestrian and cycle infrastructure at this location. Should any issues arise in relation to pinch points etc. I note that road marking (yield lines etc.) and signage could be used to address same along the R369. Having regard to the extent of works proposed to the R369, which is considered acceptable to the Roads Section of Roscommon County Council, and to the nature and duration of the proposed development, I am satisfied that the proposal is acceptable in the context of the proposed works to widen parts of the R369 in the vicinity of the appeal site.

- 7.5.4. The appellant notes that sightlines are not achievable at the proposed entrance to the quarry, and that the extent of the applicant's land ownership will also impact on his ability to facilitate same. *Drawing FI 4* indicates achievable sightlines at the site entrance. The drawing indicates sightlines of 160 metres in both directions from a location 3 metres set back from the road edge. Based on the drawing submitted the proposal accords with the requirements of the Roscommon County Development Plan 2022 – 2028 (see Figure 12.4). I note that the areas required to provide sightlines (i.e. the visibility triangle) are located within the blue line boundary of the appeal site, being indicated on *Drawing no. 2A: Land Ownership* as being in the ownership of James Feely. I note that a letter of consent from James Feely accompanies the planning application. I am therefore satisfied that the required sightlines can be achieved and that the required third party consent exists to facilitate the provision of same.
- 7.5.5. In respect of the scope of the RSA submitted by the applicant, I note that RSA's are intended to identify road safety issues/problems within the site, and where necessary to propose solutions/alterations to the layout/design of the proposal. It would, in my view, be unreasonable and impractical to require the applicant to include the entire haul route which spans several kilometres in the RSA.
- 7.5.6. Regarding the appellant's contention that a survey of the road through Ballinagare should have been provided, I note that the proposed haul route which will pass through Ballinagare travels along the N5 for c. 3 km and passes through the village. Noting the nature of the route along a national road, and the number of truck journeys involved, I am satisfied that a survey of this route is not required.
- 7.5.7. The appellant also notes the potential for the L-56425 to be used as a short cut to the N5 project construction site. I note that this route would entail travelling along a narrow local road which would be impractical for trucks. Additionally, I note that the applicant has set out the intended haul route as part of the planning application (i.e. in response to the Further Information request) and that it does not include reference to this route.

7.6. Impact on Water

7.6.1. The appellant raises concerns in relation to the impact of the proposed development on ground water, and specifically the potential to impact Peake Mantua Group Water Scheme and on private wells in the vicinity. Concerns are also raised in respect of the potential for the proposal to cause pollution of the adjacent river.

7.6.2. Pollution of groundwater and surface water could arise from the site set-up, operation and also the restoration phase of the quarry. The release of sediment into ground and surface water and also hydrocarbons from plant/machinery and trucks, and from any refuelling on the site could adversely impact the aquatic environment. The applicant has submitted a water management design specification and hydrogeological impact appraisal with the planning application. This appraisal is comprehensive and addresses the potential impacts from the proposal on Peake Mantua Group Water Scheme and on ground and surface water in the vicinity. The water management design specification and hydrogeological impact appraisal notes the following;

- The site is located within a karst aquifer setting, however there is no karst features under the site.
- Groundwater classification is indicated as 'Extreme Vulnerability'.
- The final level of the quarry will be above the elevation of the surface water network. The proposal will not result in a drawdown in the underlying groundwater body.
- The status of the river catchment in which the site is located (i.e. Breedoge_SC_010 is 'good', and its risk status is 'not at risk'. The upgradient river (i.e. Owennaforeesha) has a 'moderate' status and its risk status is 'review'. The river systems contribute to Lough Gara which has a 'moderate' status and is 'at risk'. The Carrick on Shannon GWB, which the site is underlain by, has 'good' status and 'under review' risk status. Quarrying is not identified as a pressure in the relevant river or groundwater systems.

- The site is within the 6 km² Zone of Contribution (ZOC) for the Peak Mantua GWS. The extraction area accounts for 0.3% of this ZOC area, which is minute given that the ZOC incorporates a factor of safety. Tracer studies undertaken completed by GSI do not suggest pathways under the site.
- The proposed grassed perimeter swales¹¹ will mimic pre-development (as water would not normally leave the site from one point) and will attenuate water. The swales are not designed to accept silt. Particle interception, settlement and retention will be via the sump on the quarry floor, which will act as a settlement lagoon, prior to sending water (pumped at greenfield run-off rate) to the swales. The sump will accommodate extreme rainfall events¹². Additional hydrocarbon interception will be achieved by a floating barley bale in hessian sacks and bunds on the sump floor.
- The groundwater body (GWB) beneath the site is separate to Bellanagare Bog SAC. The proposed development is a very small part of the hydrological and hydrogeological systems. In particular the appraisal notes that the Breedoge river system is linked to Cloonshanville Bog SAC, however the extraction area as a proportion of the groundwater catchment relevant to Cloonshanville Bog SAC is 0.016%, and is therefore insignificant in light of annual variation in water and recharge, in other words the catchment of Cloonshanville Bog SAC is so great that the proposal has no potential to impact the hydrology of the SAC.
- Although the site is close to the Breedoge river system which connects to Cloonshanville Bog SAC no direct discharge to surface water is proposed.
- Mitigation measures are not required/proposed.
- It is proposed to install groundwater monitoring to north, south and west of the site to target 3 metres below the base elevation of the excavation, sampling quarterly for hydrocarbons, and also to monitor the settlement system and swales monthly for evidence of hydrocarbons.

¹¹ Drainage calculation included in report.

¹² Calculations provided in report.

- The appraisal concludes that the proposal will not deleteriously affect Peak Mantua GWS or any components of the surface water or groundwater systems, and notes that there is no potential for impact on any components of the hydrological or hydrogeological systems, and no potential for any impact on nearby European Sites.

7.6.3. Water Framework Directive - the purpose of the Water Framework Directive (WFD) is to protect and enhance all waters as well as water dependent wildlife and habitats, with the aim to achieve 'good' water quality status for all waters subject to the WFD and to mitigate against the risk of a decline in the water body quality status. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive, which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

7.6.4. The reason for this conclusion is as follows:

- The nature and extent of the proposed development, entailing excavation above the water table.
- Evidence presented in the application which indicates no karst features under the site.
- Noting that quarrying is not identified as a pressure in the relevant river or groundwater systems.
- The size of the site relative to the ZOC of the Peak Mantua GWS, i.e. 0.3% of this ZOC area, and the results of tracer studies which do not suggest pathways under the site.

- The separation of groundwater body (GWB) beneath the site from Bellanagare Bog SAC, the proportion of the groundwater catchment relevant to Cloonshanville Bog SAC, at 0.016%, and the absence of direct discharge to the Breedoge river system which connects to Cloonshanville Bog SAC.
- The design of the water management system at the site, specifically the use of swales to attenuate water, a sump to intercept silt and accommodate extreme rainfall events, and the provision of hydrocarbon interception by a floating barley bale and bunds on the sump floor.
- The findings of the water management design specification and hydrogeological impact appraisal submitted by the applicant.

7.6.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment. (See Appendix 4 for WFD Screening Matrix).

7.7. Flooding

7.7.1. The appellant raised concerns in respect of flooding, specifically, that the provision of swales in proximity to the Breedoge River could interfere with the management of drainage channels under the Arterial Drainage Scheme; that lands to the north of the site are indicated as being susceptible to fluvial flooding; and that mitigation measures have not been provided.

7.7.2. I have reviewed the appeal site and surrounding area on floodinfo.ie and I note that the lands to the north of the appeal site are within an area identified on the National Indicative Fluvial Mapping (NIFM) River Flood Extents as being susceptible to flooding. The mapping on floodinfo.ie is indicative, and the data shows the modelled extent of land that might be flooded by rivers (fluvial flooding) during a theoretical or 'design' flood event with an estimated probability of occurrence, rather than information for actual floods that have occurred in the past. I note that the appeal site

is not within the area which is indicated on floodinfo.ie as being subject to fluvial flooding. The particulars submitted with the planning application refer there being no historical record of flooding the site, based on floodinfo.ie. From reviewing the information on floodinfo.ie I note that this is accurate. I consider the proposed development to be acceptable from a flood risk perspective.

7.8. Stage 1 - Appropriate Assessment Screening

- 7.8.1. In accordance with Section 177U of the Planning and Development Act, 2000, as amended, and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on Cloonshanville Bog SAC (Site Code: 000614) in view of the conservation objectives of a number of qualifying features of this site. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act, 2000] of the proposed development is required (see Appendix 2 of this report).

7.9. Stage 2 – Appropriate Assessment

- 7.9.1. Following screening for the need for Appropriate Assessment it was determined that the proposed development could result in significant effects on Cloonshanville Bog SAC (Site Code: 000614) in view of the conservation objectives of this site, and Appropriate Assessment was deemed to be required. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and evaluated for effectiveness. Possible in-combination effects are also considered. A full description of the proposed development is set out on pages 11-13 of the AASR/NIS submitted by the applicant and the potential impacts from the proposed development are set out on page 56 of the AASR/NIS.
- 7.9.2. Following an examination, analysis and evaluation of the NIS, as set out within Appendix 3 of this report, and all associated material submitted, I consider that in light of the mitigation measures proposed, that adverse effects on the integrity of Cloonshanville Bog SAC (Site Code: 000614) can be excluded in view of the

conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- Detailed assessment of extraction/operational and restoration phase impacts.
- Effectiveness of mitigation measures proposed.
- Application of planning conditions to ensure application of these measures.

7.10. Issues Arising

7.10.1. Bridge – the appellant raises concerns in relation to the potential for traffic associated with the proposed quarry to impact an existing stone bridge to the east of the appeal site. I note that refusal reason no. 2 of PA. Ref. 21/717 included reference to the potential impact on this bridge from traffic using the haul route. In response to the appeal, the applicant notes that the bridge can cater for traffic associated with the proposal. The applicant has undertaken a structural study/assessment of the existing single span bridge in the context of its ability to withstand traffic associated with the quarry. The study, referred to as ‘Appendix H,’ in the particulars submitted with the planning application was carried out by a consulting engineer to industry standards¹³ and concludes that the bridge is in good condition, having been repaired recently, and that minor joint filling in the barrel may be required and the embankment north of the bridge should be graded back as there is evidence of slippage. The appellant contends that assessment carried out of the bridge is not sufficiently comprehensive as it did not examine the foundations of the structure and that the bridge is inadequate in width and alignment to accommodate the proposal. I note that the assessment of the bridge was considered acceptable to the Planning Authority and having reviewed the report submitted, which is carried out by an qualified engineer, I am satisfied with the conclusions set out in same, and in particular I note that the condition of the bridge is described as good. I do not consider that the alignment, width or condition of the bridge would represent a constraint to the proposal, nor do I consider that any evidence has been provided to support a contention that traffic associated with the proposal quarry would result in significant damage to the bridge. Additionally, I note that the use of

¹³ The Assessment of Road Bridges and Structures AM-STR-06002, Transport Infrastructure Ireland, (June 2014).

bridges by vehicles is governed by the Road Traffic (Construction and Use of Vehicles) Regulations, 2003.

7.10.2. Slurry – the appellant notes that the subject site was indicated under a number of extant permissions for the land spreading. I note that this issue was included as a refusal reason under of PA. Ref. 21/717¹⁴. The applicant addresses this issue in the particulars submitted with the planning application stating that he has 3.7 times the area of land required to cater for slurry (the volume of slurry is set out in an Agri and Fertilizer Report referred to as ‘Appendix G,’ in the particulars submitted with the planning application). I note that the Planning Authority were satisfied with this response. In the applicant’s response to the appeal, the applicant states that the proposed development will not impact on slurry spreading capacity. In my opinion there is nothing to preclude the granting of permission for the proposed development in the context outlined above. However, depending on the circumstances of a planning application/permission where the appeal site was identified for land spreading, amendments may be required to this/these permissions in order to address the fact that these lands, if developed as a quarry, would no longer be available for land spreading, as set out in the particulars submitted with a particular planning application.

7.10.3. Archaeology/Heritage Impacts – the appellant raises concerns in relation to the potential impact of the proposed development on archaeology within the appeal site and in the area, on Protected Structures in a nearby village, and also on Recorded Monuments which the appellant states could be damaged by traffic using the haul road. The appellant also notes that no mitigation measures are proposed to address same. I note that the Planning Authority requested the applicant to address specific issues regarding archaeology, in response to a submission from the DoHLGH, specifically the extent of archaeological test excavations undertaken, and the potential for the proposed access road to impact Recorded Monument ROO21-011 (Road – road/trackway). In response, the applicant stated that no archaeological features were found during the archaeological survey of the site, that archaeological monitoring of topsoil stripping is proposed, and should archaeological features be found, work will be stopped and a report prepared for the relevant authorities. Condition no. 7 of the

¹⁴ See refusal reason no. 4 which states ‘to permit this development on lands which have been identified for slurry spreading as part of PD/21/416, would contravene materially a condition attached to an existing permission and would therefore be contrary to the proper planning and sustainable development of the area.’

Planning Authorities Notification to Grant Permission requires pre-development archaeological testing along the route of the access road and overburden storage area and also the submission of an archaeological impact report. I am satisfied that, in the event of a grant of permission, any potential issues in respect of archaeology within the appeal site can be adequately addressed by planning condition, which provides for archaeological monitoring of topsoil stripping. In my opinion, significant impacts on Recorded Monuments or Protected Structures in the wider area unlikely noting the scale of the proposal, the volume of traffic associated with the proposal, and duration of same.

- 7.10.4. Initial Application Process/Observations - concerns are raised in the appeal submission in relation to Roscommon County Council's validation of the planning application. In my opinion this issue is outside of the scope of this appeal. The above assessment represents my *de novo* consideration of all planning issues material to the proposed development.
- 7.10.5. Duration of Permission – the development description contained in the public notices refers to the extraction limestone over a 7 no. year period and to the restoration of the land to agricultural use. This duration is based on a 5 year extraction phase followed by a 2 year restoration phase. The applicant indicated that a duration of 5 no. years is required if the extraction rate is yielding up to 150,000 tonnes per annum, and if the N5 road project is the recipient of material from the proposed quarry the extraction rate would be 250,000 tonnes per annum, which would mean the quarry would be spent in 2 no. years. In order to provide for flexibility the applicant has requested that the extraction rate of 150,000 tonnes per annum is used to form the basis of the proposal. In my view this approach is acceptable. I consider a duration of 7 no. years appropriate noting the nature and extent of the proposed development, i.e. 5 no. years for the extraction phase of the proposal and 2 no. years to allow for the restoration of the site.
- 7.10.6. Adequacy of ecological surveys – the appellant raises concerns in respect of adequacy of the ecological walkover of the site, the absence of a mammal survey, and notes that given the presence of otter in the river that an otter survey should have been carried out. I note that an ecological walkover survey of the site was carried out on the 26th of October 2021. The habitats identified on the site were noted as being typical of

a rural area. The survey of the site was undertaken by a qualified ecologist and, aside from the appellant's assertion that nocturnal mammals would not have been identified during a day time survey, and that the same survey informed the previous application on the site, the site boundaries of which differed, the appellant does not identify any specific shortcomings in terms of survey methodology. The ecologist notes that with the exception of Irish Hare no evidence of terrestrial mammals were identified, and that the site does not support suitable habitat for large burrowing mammals due to the thin nature of the soil and areas of outcropping rock within the site. I am satisfied that the survey carried out was adequate to identify habitats on the site. I note that the boundary of the site is not significantly different compared to the previous application and that the period between both applications were not significant, therefore the findings of the previous survey would not in my view render the survey deficient. The site survey identified otter scat on rock in Breedoge River and noted that otter may use the Breedoge River, however, the ecologist noted that no signs of breeding or resting sites were identified during site walkover. In my opinion the observations of the ecologist in respect of the absence of signs of breeding or resting sites negates the requirement for further investigations. In summation, I am satisfied that the ecological survey is adequate, and that no further surveys are required.

7.10.7. Conditions of Planning Authority - the Notification of Decision to Grant Permission issued by Roscommon County Council includes a number of specific planning conditions, specifically -

C2 - permission shall be for 7 no. years, all extraction shall be carried out within 5 years from the final grant of permission, restoration shall be completed within 2 years of the cessation of quarrying.

I recommend that this condition is included should the Board grant permission for the proposed development.

C3 - maximum extraction rate shall be 250,000 tonnes per annum for the 5 year extraction period and records of extraction volume to be maintained for inspection.

The Quarry Guidelines (see Section 4.7 (L)) recommends against the inclusion of planning condition stipulating extraction limits annually, save for cases where they are

deemed necessary to regulate environmental impacts, e.g. where traffic movements, blasting etc. have been linked to annual extraction rates and the acceptability of the development has been decided on this basis. Traffic movements and blast frequency, as detailed in the application, are based on extraction rates. On this basis I consider that a condition stipulating the annual extraction rates at the site to be appropriate. I recommend that this condition is included should the Board grant permission for the proposed development.

C4 - extraction depth shall not exceed 83 metres OD and shall take place above the water table.

I recommend that this condition is included should the Board grant permission for the proposed development.

C5 - proposals for staff sanitary facilities and staff water supply shall be agreed prior to commencement of development.

The proposal quarry will employ 2 no. full time staff. A portable toilet is proposed to be used on the site. Potable water for the onsite welfare facilities will be brought daily by the site staff or will be provided from an office 'cooler' or similar system. Given the scale of the proposed operation and number of staff I do not recommend that this condition is included should the Board grant permission for the proposed development.

C6 - restoration plan to be agreed.

I recommend that this condition is included should the Board grant permission for the proposed development.

C7 - requires pre-development archaeological testing along route of access road and overburden storage area and submission of archaeological impact report.

I recommend that this condition is included should the Board grant permission for the proposed development.

C8 - development to be operated in accordance with Environmental Management System, which is to be agreed with the Planning Authority.

I recommend that this condition is included should the Board grant permission for the proposed development.

C9 – mitigation and monitoring in Planning and Environmental Report, NIS, and appendices documents to be compiled into single schedule and implemented in full.

The number of mitigation measures proposed is not significant. I do not recommend that this condition is included should the Board grant permission for the proposed development. I however recommend that a condition requiring the implementation of mitigation measures contained in the NIS is included should the Board grant permission for the proposed development.

C10 – requires noise, vibration and dust monitoring.

I recommend that this condition is included should the Board grant permission for the proposed development.

C11 – specifies noise limits.

I recommend that this condition is included should the Board grant permission for the proposed development.

C12 - specifies dust emission limits, survey and monitoring.

I recommend that this condition is included should the Board grant permission for the proposed development.

C13 - limits blasting to once a week, specifies notification procedure, and monitoring.

I recommend that a condition stipulating that blasting is limited to a maximum of 12 no. blasts per annum is included should the Board grant permission for the proposed development.

C14 - requires monitoring of groundwater levels, surface water flows, noise, ground vibration and dust deposition, and submission of annual environmental audit.

I recommend that a suitably worded monitoring condition is included should the Board grant permission for the proposed development. Condition no.'s 10 and 14 of the PA's Notification of Grant of Permission overlap.

C15 - requires annual submission of aerial imagery of quarry.

I recommend that this condition is included should the Board grant permission for the proposed development.

C16 – stipulates hours of operation i.e. 0700 – 1900 (M-F) and 0700 – 1400 (Saturday).

I recommend that this condition, is amended, should the Board grant permission for the proposed development. I consider acceptable hours of operation to be 0700 – 1800 M-F and 0700 – 1400 hrs Saturday, as suggested in the Quarry Guidelines (see Section 4.7).

C17 – R369 road widening to be the 6.6 metre widening option submitted on the 9th May 2023.

I recommend that this condition is included should the Board grant permission for the proposed development. I recommend that a degree of flexibility is however provided in respect of the road width, subject to agreement with the Planning Authority.

C18 - HGV's to use wheel wash.

I recommend that this condition is included should the Board grant permission for the proposed development.

C19 - no surface water to be discharged or deposited on public road.

I recommend that this condition is included should the Board grant permission for the proposed development.

C20 – road signage to be agreed.

I recommend that this condition is included should the Board grant permission for the proposed development.

C21 - requires development contribution.

I recommend that this condition is included should the Board grant permission for the proposed development.

8.0 Recommendation

- 8.1. I recommend that planning permission for the proposed development should be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to:

- (a) National planning and related policy, including:
 - Project Ireland 2040 - National Planning Framework which provides that aggregates and minerals extraction will continue to be enabled where this is compatible with the protection of the environment in terms of air and water quality, natural and cultural heritage, the quality of life of residents in the vicinity, and provides for appropriate site rehabilitation,
 - The 'Quarry and Ancillary Activities, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2004,
 - Environmental Management Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA, 2006,
- (b) Local planning policy, including:
 - the provisions of the Roscommon County Development Plan 2022 - 2028,
- (c) the following matters:
 - the pattern of development in the area, including the previous history of quarrying at the site,
 - the location and nature of the site,
 - the Environmental Impact Assessment Screening Report, and all other information received in connection with the application and the appeal,
 - the Appropriate Assessment Screening Report and Natura Impact Statement.
 - the proposals submitted to widen the R369,
 - the contents of the appeal and the response to the appeal,
 - the nature and scale of the development proposed, including the phased extraction, and restoration of the site.

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Development Plan policies, would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would not be likely to have a significant detrimental effect on ecology or protected species, or significant effects on the environment.

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 received by the Planning Authority on the 15th of December 2023. 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.	a) This grant of planning permission relates only to the area outlined on the drawings submitted on the 9th day of May 2023 and on the 15th of December 2023. b) All extraction and processing of aggregate on site shall cease 5 years from the date of the grant of permission. c) Restoration of the site shall be completed within 7 years of the date of grant of permission unless, prior to the end of that period, planning permission is granted for the continuance of use. All plant and machinery shall cease operation and shall be removed from site within 7 years of the date of this grant of planning permission. d) The developer shall submit annually, for the lifetime of the permission, a map and aerial photograph of the progression of the development of the quarry and of the quarry perimeter, surveyed against established perimeter beacons, the form and location of which shall

	be agreed in writing with the Planning Authority prior to commencement of quarrying works. Reason: In the interests of orderly development and to ensure the appropriate restoration of the site.
3.	The mitigation measures contained in the Natura Impact Statement (NIS) submitted to the Planning Authority on the 9th day of May 2023 shall be implemented and shall be supervised by a suitably qualified ecologist. Reason: To protect the integrity of European Sites.
4.	(a) All mitigation measures set out in in the Archaeological Testing Report submitted by the applicant (Martin Fitzpatrick Consultant Archaeologist, April 2021) shall be implemented in full. (b) The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing along the route of the new access road (including areas of landscape planting along its route) and within the overburden storage area. Following this, and in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works, the applicant shall submit an archaeological impact assessment report to the Planning Authority for its written agreement. (c) The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required. (d) Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the Department of Heritage, Local Government and Heritage (DoHLGH) shall be complied with by the developer. (e) No site preparation and/or excavation shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the Planning Authority.

	(f) The Planning Authority and the DoHLGH shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. (g) All resulting and associated archaeological costs shall be borne by the developer. Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.
5.	a) The total volume of extracted material from the site shall not exceed 250,000 tonnes per annum. b) All topsoil shall be stripped and stored separately from overburden and shall remain on site unless otherwise agreed with the Planning Authority. c) No extraction of aggregates shall take place below the level of the water table. Extraction depth shall not exceed 83 metres OD, as indicated on <i>Drawing no. 6</i> submitted to the Planning Authority on the 9th day of May 2023. d) There shall be no dewatering of groundwater at the site. Reason: In the interest of clarity, to ensure the overall development is carried out on a phased basis, and to protect groundwater in the area.
6.	(a) Blasting operations shall occur a maximum of 12 times per annum, and not more than once per week. (b) Blasting operations shall take place only between 1000 hours and 1700 hours, Monday to Friday, and shall not take place on Saturdays, Sundays or public holidays. (c) Vibration levels from blasting shall not exceed a peak particle velocity of 12 millimetres/second, when measured in any three mutually orthogonal directions at any sensitive location. Blasting shall not give rise to air overpressure values at sensitive locations which are in

	excess of 125 dB (Lin)max peak with a 95% confidence limit. No individual air overpressure value shall exceed the limit value by more than 5 dB (Lin). (d) A monitoring programme, carried out at the developer's expense, which shall include reviews to be undertaken at annual intervals, shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of any quarrying works on the site. This programme shall be undertaken by a suitably qualified person acceptable to the Planning Authority. The results of the reviews shall be submitted to the Planning Authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the Planning Authority following this annual review. (e) Prior to the firing of any blast, the developer shall give notice of same to the occupiers of all dwellings within 500 metres of the site. An audible alarm for a minimum period of one minute shall be sounded. This alarm shall be of sufficient power to be heard at all such dwellings. Reason: In the interest of public safety and residential amenity.
7.	All perimeter berms shall be constructed within 3 months of commencement of extraction. Reason: In the interest of visual amenity.
8.	a) Restoration shall be carried out in accordance with a restoration plan, which shall include existing and proposed finished ground levels, landscaping proposals and a timescale for implementation. This plan shall be prepared by the developer, and shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development, or, in default of agreement, shall be referred to An Bord Pleanála for determination. This plan shall include proposals for re-use of the quarry and measures to ensure public safety

	therein. The developer shall commence implementation of the agreed site restoration plan within the area of the site within one month of cessation of extraction in this area b) Upon completion of restoration the applicant shall submit to the Planning Authority for their written agreement a digital topographical survey of the final restored contours. c) This grant of permission does not authorise the importation of materials for the restoration of the site. Reason: To ensure the satisfactory restoration of the site, in the interest of visual amenity, and in the interest of clarity.
9.	a) The total number of Heavy Goods Vehicle (HVG) traffic movements serving the site each day shall not exceed 80 no. (i.e. 40 no. in/40 no. out). b) A traffic counter shall be installed at the quarry and records from the counter shall be made available to the public to view. Records of traffic movement shall be maintained on site. Prior to commencement of development, the counter shall be installed and details in relation to the traffic counter and viewing shall be submitted for the written agreement of the Planning Authority. c) All HGVs departing the quarry shall do so via a wheel-wash. d) All loads of dry fine materials shall be sprayed with water or covered prior to exiting the quarry. e) During dry weather conditions, all roads within the site shall be sprayed with water at least three times a day. f) Details of road signage, warning the public of the site entrance, shall be submitted to and agreed in writing with the Planning Authority prior to

	commencement of development. Reason: To limit the volume of Heavy Goods Vehicle (HGV) traffic to and from the site and in the interests of traffic safety.
10.	a) Before extraction commences, surface water drainage arrangements and settlement facilities shall be constructed as illustrated on drawings submitted on the 9th day of May 2023. b) Surface water shall not be discharged directly to any watercourse. c) Prior to commencement of any topsoil stripping, silt fencing shall be erected around the northern perimeter of the site, parallel to the Breedoge River, as indicated in Figure 6.1 of the NIS. d) Surface water shall not be discharged directly to a public road. e) The settlement pond/sump shall be cleaned out at monthly intervals. Details of the proposed use, handling, and destination of the removed silt shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Reason: In the interest of surface water drainage, to reduce the risk of water pollution, and to ensure the efficient operation of the settlement pond/sump.
11.	During the operational phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed - An LArT value of 55 dB(A) during 0700 to 1800 hours. The T value shall be one hour. An LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes. All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

	Reason: To protect the residential amenities of property in the vicinity.
12.	During temporary site set up works, such as the construction of perimeter berms and stripping of soil, the noise level measured at noise sensitive locations in the vicinity shall not exceed a limit of 70dB(A) LAeq 1 hour up to a maximum period of 8 weeks in any year. Details of the noise monitoring locations and methodology for recording noise levels and demonstrating compliance with the above limit values shall be agreed in writing with the Planning Authority prior to the commencement of development. Reason: In order to protect the residential amenities of property in the vicinity.
13.	The total dust emissions arising from on-site operations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge) when measured as deposition of insoluble and insoluble particulate matter at any position on the boundary of the quarry. Reason: To control dust emissions arising from the development and in the interest of the amenity of the area.
14.	a) The developer shall monitor and record groundwater, surface water flow, noise, ground vibration, and dust deposition levels at monitoring and recording stations, the location of which shall be agreed in writing with the Planning Authority prior to commencement of development. Monitoring results shall be submitted to the Planning Authority on an monthly basis for groundwater, surface water flow, noise, ground vibration and dust deposition. b) On an annual basis, for the lifetime of the facility (within two months of each year end), the developer shall submit to the Planning Authority five copies of an environmental audit. Independent environmental auditors approved of in writing by the Planning Authority shall carry out this audit. This audit shall be carried out at the expense of the developer and shall

	be made available for public inspection at the offices of the Planning Authority and at such other locations as may be agreed in writing with the Planning Authority. This report shall contain: (i) A written record derived from the on-site traffic counts of the quantity of material leaving the site. This quantity shall be specified in vehicle movements and tonnage. (ii) An annual topographical survey carried out by an independent qualified surveyor approved in writing by the Planning Authority. This survey shall show all areas excavated (and restored where applicable). On the basis of this, a full materials balance shall be provided to the Planning Authority. (iii) A record of groundwater levels measured at monthly intervals. (iv) A written record of all complaints, including actions taken in response to each complaint. c) All incidents where levels of noise or dust exceed specified levels shall be notified to the Planning Authority within two working days. Incidents of surface or groundwater pollution or incidents that may result in groundwater pollution, shall be notified to the Planning Authority without delay. d) Following submission of the audit or of such reports, or where such incidents occur, the developer shall comply with any requirements that the Planning Authority may impose in writing in order to bring the development in compliance with the conditions of this permission. Reason: In the interest of protecting residential amenities and ensuring a sustainable use of non-renewable resources.
15.	The development shall be operated and managed in accordance with an Environmental Management System (EMS), which shall be submitted by the developer to, and agreed in writing with, the Planning Authority, prior

	to commencement of development. This shall include proposals for the following: a) proposals for the suppression of on-site noise, b) proposals for the on-going monitoring of sound emissions at noise sensitive locations in the vicinity, c) proposals for the suppression and monitoring of dust at prior agreed locations and on the access road, d) all fuels and lubrication shall be stored in fully bunded storage areas and proposals to deal with accidental spillage shall be submitted to the Planning Authority, e) details of safety measures for the land above the quarry, to include warning signs and stock-proof fencing, f) management of all landscaping, with particular reference to enhancing the ecological value of the woodland/grassland in buffer areas, g) monitoring of ground and surface water quality, levels and discharges, h) details of site manager, contact numbers (including out-of-hours) and public information signs at the entrance to the site. Reason: In order to safeguard local amenities.
16.	Scrap metal and other waste material shall be removed to an appropriately licensed facility at least annually from the site in accordance with the written requirements of the Planning Authority. Such materials shall be deemed to include scrapped vehicles, worn out conveyor belts/chains, batteries, tyres and worn out conveyor/roller shafts. Reason: To protect the amenities of the area.
17.	Prior to commencement of development, the applicant shall agree details of the widening of the R369 with the Planning Authority. Unless otherwise agree with the Planning Authority, the road widening option shall be the 6.6 metre widening option, submitted to the Planning Authority on the 9th May 2023. The widening of this road shall be completed prior to any extraction of material from the site and shall be carried out at the developer's expense.

	Reason: In the interest of traffic safety.
18.	On-site operations are hereby permitted to be carried out between the hours of 0700 and 1800, Monday to Friday inclusive, and 0700 and 1400, Saturday. No activity shall take place outside these hours or on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority. Reason: To protect the amenities of properties in the vicinity of the site.
19.	Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the Planning Authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination. Reason: To ensure the satisfactory restoration of the site in the interest of visual amenity.
20.	The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, 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. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of

	such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. 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
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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.

Ian Campbell
Planning Inspector

13th August 2025

Appendix 1 - Form 1- EIA Pre-Screening

An Bord Pleanála	ABP-319475-24		
Case Reference			
Proposed Development Summary	Extraction and processing of limestone aggregate (quarry extraction area of 1.7 Ha.), to a depth of 83 m OD, for a 7 year period and all ancillary activities		
Development Address	Drummin, Peak, Tullaghan and Gortnagoyne Townlands, Bellanagare, Co. Roscommon		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	X	
	No		
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?			
No (If Yes - EIA is mandatory. No Screening required. EIAR to be requested).	Class - N/A		
No, it is not a Class specified in Part 1. Proceed to Q3			
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?			
Yes The proposed development is of a Class but is sub-threshold.	1 Agriculture, Silviculture and Aquaculture (a) Projects for the restructuring of rural land holdings, undertaken as part of a wider proposed development, and not as an agricultural activity that must comply with the		

	European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares. 2 Extractive Industry - (b) Extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes	Schedule 7A submitted - Screening Determination required (Complete Form 3)

Inspector: _____ Date: _____

Form 3 - EIA Screening Determination

A. CASE DETAILS			
An Bord Pleanála Case Reference	ABP - 319475-24		
Development Summary	Extraction and processing of limestone aggregate (quarry extraction area of 1.7 Ha.), to a depth of 83 m OD, for a 7 year period and all ancillary activities		
	Yes / No / N/A	Comment (if relevant)	
1. Was a Screening Determination carried out by the PA?	Yes	The Planning Authority undertook a preliminary examination of the proposed development and noted that having regard to the nature, size and location of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development and that the preparation of an EIAR is not required.	
2. Has Schedule 7A information been submitted?	Yes		
3. Has an AA screening report or NIS been submitted?	Yes	AA Screening report and NIS	
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No		
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	SEA undertaken as part of Development Plan.	
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and	Is this likely to result in significant

		Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures – Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	effects on the environment ? Yes/ No/ Uncertain
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This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith

1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)

1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The site comprises agricultural lands, with a history of quarry use. The adjoining lands are used for agriculture and forestry. In the context of existing environment in the area the project is not significantly different in character or scale to its existing surrounding or environment.	No.
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The proposal will involve the extraction of limestone over an area of 1.7 Ha. to a depth of 83 m OD. Physical changes to the existing site will occur during	No.

		the operation/extraction phase, i.e. the removal of part of a hill, the southern face of the quarry is to be retained. The site will then be restored to agricultural use. In the context of the wider locality the change to the landscape is not considered significant.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	The proposal will require use of land, and the removal of limestone underneath the site. The extraction area is relatively limited, at 1.7 ha (500,000 tonnes). Limestone is found throughout the region. The proposal does not entail significant use of natural resources.	No.
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No	Plant/machinery used will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for the activity on the site. Blasting will be limited to c. 10-12 blasts per annum. Any impacts would be local and temporary in nature and the	No.

		implementation of standard practice measures would satisfactorily mitigate potential impacts.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	Plant and machinery may give rise to potentially harmful materials, such as fuels and oil leak. Noise and dust emissions during extraction phase are likely. Any impacts would be local and temporary in nature and the implementation of standard practice measures would satisfactorily mitigate potential impacts. Monitoring of emissions is also proposed.	No.
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No	A risk of contamination is typical at all such sites operation. No discharge of pollutants to ground or surface waters. The Water Management Design Specification and Hydrogeological Impact Appraisal contains measures to address accidental spillages, including hydrocarbon interception on the quarry floor and hydrocarbon	No.

		interceptor on refueling area. Dust suppression will be used on the site.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	Some noise and vibration impacts during extraction/operation phase. Duration of extraction is 5 years, hours controllable, localised impact. Blasting will be limited to 10-12 times per annum. Mitigation measures proposed to mitigate effects from noise.	No.
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Some dust during extraction phase. Duration of extraction is 5 years, hours controllable, localised impact. Mitigation measures proposed to mitigate effects from dust and water pollution.	No.
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No risk of major accidents given nature of project.	No.
1.10 Will the project affect the social environment (population, employment)	No	Will result in localised increase in employment during extraction phase.	No.
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	N5 Ballaghaderreen to Scramoge Road project currently under construction, part of which is in vicinity/c. 0.6 km	No.

		north of site. This project was subject to EIA.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: • European site (SAC/ SPA/ pSAC/ pSPA) • NHA/ pNHA • Designated Nature Reserve • Designated refuge for flora or fauna • Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	No	Closest European sites are c. 3 and 4 km from the site (i.e. Ballangare Bog SAC and SPA and Cloonshnaville Bog SAC). Following an Appropriate Assessment, it has been ascertained that the proposed development would not adversely affect the integrity of these, or any other European Site, in view of the Conservation Objectives of these sites. Recorded archaeological monuments adjacent to site. Test excavations carried out. No evidence of archaeological features identified. Archaeological monitoring proposed.	No.
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No	Site survey prepared for AASR and NIS found no evidence of terrestrial mammals on the site. Otter scat found on rock in Breedoge River but no signs of breeding or resting sites identified during site walkover. Site	No.

		does not provide suitable foraging and roosting habitat for SCI birds associated with Bellanagare SPA or any other SPA.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	Recorded archaeological monuments adjacent to site. Test excavations carried out/no evidence of archaeological remains found. Archaeological monitoring proposed.	No.
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	No such resources on or close to site.	No.
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	The northern site boundary is c. 30 metres from the Breedoge River. No discharge of surface water is proposed to this river. Particle interception, settlement and retention will be via the 1 no. sump on the quarry floor, which will act as a settlement lagoon, prior to sending water (pumped at greenfield run-off rate) to swales. The sump will accommodate extreme rainfall events. Additional hydrocarbon interception will be achieved by a	No.

		floating barley bale in hessian sacks and bunds on the sump floor.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No evidence of these risks. In terms of stability, industry standard slope angle and bench widths will be used.	No.
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	Traffic generation associated with the proposal is not significant, i.e. 85 vehicular movements per day. HGV traffic will use a dedicated haul route.	No.
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	Site is c. 1 km to school. Nature of development such that would not negatively affect this use. Mitigation measures proposed to address dust and noise.	No.
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No.	N5 Ballaghaderreen to Scramoge Road project currently under construction, part of which is in vicinity/c. 0.6 km north of site. Nature of development such that cumulative effects would not arise.	No.
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No.		No.
3.3 Are there any other relevant considerations?	No.		No.
C. CONCLUSION			
No real likelihood of significant effects on the environment.	X	EIAR Not Required	
Real likelihood of significant effects on the environment.		EIAR Required	

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

1. the criteria set out in Schedule 7, in particular
 - (a) the limited nature and scale of the proposed development, which is below the threshold in respect of Class 1 (a) 'Agriculture, silviculture and Aquaculture' and also Class 2 (b) 'Extractive Industry', as set out in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. In relation to Class 1 (a) the proposal entails the removal of 350 metre of trees and hedge which is significantly below the 4km threshold, and in respect of Class 2 (b) the extraction area is 1.7 Ha. which is significantly less than the 5 Ha threshold.
 - (b) the absence of any significant environmental sensitivity in the vicinity.
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended).
2. the results of other relevant assessments of the effects on the environment submitted by the applicants (i.e. Appropriate Assessment Screening Report and NIS, and the Water Management Design Specification and Hydrogeological Impact Appraisal).
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is **not** required.

Appendix 2 - Appropriate Assessment Screening Determination

Screening for Appropriate Assessment

Test for likely significant effects

Step 1: Description of the project and local site characteristics

Case file: ABP-319475-24

Brief description of project	Extraction and processing of limestone aggregate (quarry extraction area of 1.7 Ha.), to a depth of 83 m OD, for a 7 year period and all ancillary activities. Detail set out in section 2.0 of the Inspector's report. See also pages 11-13 of the Appropriate Assessment Screening Report/Natura Impact Statement (AASR/NIS) submitted by the applicant for details of proposed development.
Brief description of development site characteristics and potential impact mechanisms	A detailed description of the development site is provided in Section 1.0 of the Inspector's report and detailed specifications of the proposal are provided in the AASR, the NIS and other planning documents provided by the applicant. The particulars submitted with the planning application refer to the geology of the area as comprising karstified limestone bedrock at surface underlain

	by sandstone till. Groundwater classification is indicated as 'Extreme Vulnerability', with Rock Close to Surface. A watercourse (Breedoge River) runs along the northern boundary of the appeal site. The site is located in proximity to a number of European Sites. Impact mechanisms include the release of polluted run-off (inc. silt, hydrocarbons etc.) to the adjacent Breedoge River, and ground water during the site set-up stage and the extraction/operational phase of the proposed development.	
Screening report	Yes (prepared by Delichon Ecology)	
Natura Impact Statement	Yes (prepared by Delichon Ecology)	
Relevant submissions	<u>Appellant</u> – submission raises numerous issues with regard to impacts on designated sites/the applicant's NIS, including that; - Mitigation measures are insufficient. - Only a desktop study and one-day walk-over were undertaken. - A direct pathway exists from the Breedoge River to Cloonshanville SAC/potential for pollution to occur. - The proposal falls short of the requirements of the Habitats Directive.	

	- The possibility of otter connected to Cloonshanville SAC has not been addressed.	
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Step 2. Identification of relevant European sites using the Source-pathway-receptor model

11 no. European sites were identified in the AASR as being located within a potential zone of influence of the proposed development. The following European Sites were discounted on the basis of a lack/weakness of connectivity, more specifically being located in a different groundwater body/different groundwater flow direction, having no hydrological link via surface water, and distance and the effects of dilution - Bellanagare Bog SAC; Bellanagare Bog SPA; Mullygollan Turlough SAC; Callow Bog SAC; Tullaghanrock Bog SAC; Lough Gara SPA; Drumalough Bog SAC; Cloonchambers Bog SAC; Annaghmore Lough (Roscommon) SAC; and Corliskea/Trien/Cloonfelloiv Bog SAC. I have only included those sites with possible ecological connection or pathway in this screening determination.

European Site (code)	Qualifying interests (summary) Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological connections	Consider further in screening Y/N
Cloonshanville Bog SAC (Site	- Active raised bogs [7110]	c. 3.4 km north-east of appeal site,	Hydrological pathway via the Breedoge River,	Y

Code: 000614)	- Degraded raised bogs still capable of natural regeneration [7120] - Depressions on peat substrates of the Rhynchosporion [7150] - Bog woodland [91D0]	5.2 km downstream from appeal site	which is c. 30 metres north of the site. The site is within a separate groundwater body to water dependent terrestrial ecosystem habitats associated with Cloonshanville Bog SAC.	
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An ecological walkover survey of the site was carried out on the 26th of October 2021. Habitats on the site are described at pages 37 and 38 of the AASR/NIS. With the exception of Irish Hare no signs or evidence of terrestrial mammals were identified. The site does not support suitable habitat for large burrowing mammals due to the thin nature of the soil and areas of outcropping rock within the site. The Breedoge River provides suitable habitat for semi-aquatic mammals, including otter (*Lutra lutra*). Otter scat was identified on a section of the Breedoge River, however no signs of otter breeding or resting sites were identified. Invasive plant species were not identified during the site walkover survey.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development could result in indirect effects on the above SAC.

Sources of impact and likely significant effects are detailed in the Table below.

Screening matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
Cloonshanville Bog SAC (Site Code: 000614)	Indirect pathway to SAC. Water pollution arising from overland run-off from site set-up, quarrying works, in particular, topsoil stripping, blasting and quarrying (e.g. silt, hydrocarbons, etc.). No drawdown of underlying groundwater	Subsequent impacts on water quality sensitive habitats.

	body will occur as extraction is above the water table. Given the size of the site relative to the hydrological and hydrogeological systems, impacts on groundwater recharge will be negligible.	
	Likelihood of significant effects from proposed development (alone): Yes	
	Impacts	Effects

Step 4 Conclude if the proposed development could result in likely significant effects on a European Site

Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the following European Site;

- Cloonshanville Bog SAC (Site Code: 000614)

I concur with the applicant's findings that such impacts could be significant in terms of the stated conservation objectives of the SAC when considered on their own in relation to pollution related pressures on qualifying interest habitats.

The closest SPA to the appeal site is Ballanagare Bog SPA, which is c. 3 km north-west. The AASR/NIS notes that the appeal site does not provide suitable foraging and roosting habitat Greenland White-fronted Goose, the SCI for which the SPA has been designated. I do not consider that there is a potential likelihood of significant effects on the bird species associated with Ballanagare Bog SPA in the context of ex-situ effects. Lough Gara SPA is c. 10 km north of the appeal site. The appeal site would similarly not provide a suitable habitat for the 2 no. SCI for which the SPA is designated, and ex-situ effects can also therefore be discounted.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on Cloonshanville Bog SAC (Site Code 000614) in view of the conservation objectives this site.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development **is required**.

Appendix 3 - Appropriate Assessment – AA Determination

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination at Appendix 2 of the Inspector's report (above), the following is an Appropriate Assessment of the implications of the proposed development in view of the relevant conservation objectives of Cloonshanville Bog SAC (Site Code 000614) based on the scientific information provided by the applicant.

The information relied upon includes the following:

- Appropriate Assessment Screening Report, prepared Delichon Ecology
- Natura Impact Statement, prepared Delichon Ecology
- Planning & Environmental Report
- Water Management Design Specification & Hydrogeological Impact Appraisal
- EIA Screening Report
- Air Quality Assessment

- Noise Assessment Report
- Drawings

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

Appellant – appeal submission notes;

- Mitigation measures are insufficient.
- Only a desktop study and one-day walk-over were undertaken.
- A direct pathway exists from the Breedoge River to Cloonshanville SAC/potential for pollution to occur.
- The proposal falls short of the requirements of the Habitats Directive.
- The possibility of otter being connected to Cloonshanville SAC has not been addressed.

Cloonshanville Bog SAC (Site Code 000614)

Summary of Key issues that could give rise to adverse effects (from screening stage):

(i) Water quality degradation (site set-up, extraction/operation)

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)	

			AASR/NIS Page 71 – 72 (see summary below)	
- Active raised bogs [7110]	To restore the favourable conservation condition of Active raised bogs in Cloonshanville Bog SAC.	Release of sediment laden waters, wastes, or other pollutants during site set-up, excavation/ operational phase of the proposed development impacting surface water quality (Breedoge River), resulting in water quality degradation and/or alteration of habitat quality would undermine conservation objectives.	- Best practice design. - All refuelling to take place within site compound. - Use of bunds when storing fuel, lubricants etc. - Immediate cleaning/appropriate disposal of fuel and lubricant spills. - Removal of waste oil/lubricant from site for disposal. - Where fill material is required it will be reused from within site. - Installation of silt fence prior to topsoil stripping along northern site boundary parallel with Breedoge River. - Stockpiling of material on flat ground to south of site, at least 100 metres from Breedoge River. Use of silt fencing where risk arises of wash out.	

-			- Works to be carried out to Inland Fisheries Ireland Biosecurity Protocol for Field Survey Work (2021). - Minimisation of suspended solids through interception (e.g. silt fences, silt traps etc.). - Training for staff/toolbox talks. - Cleaning of tracked vehicles and equipment to prevent potential spread of invasive species. - Collection of storm water in a sump, designed to remove 0.015mm particles of bedrock-derived sediment, located on the quarry floor. Settled water will flow (at greenfield run-off rates) via a constructed channel to perimeter grassed swales. Floating bunds in the quarry floor sump will intercept any potential hydrocarbons leaks from vehicular movement at the site.	
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			Grassed swales also have built-in hydrocarbon interceptor functionality.	
- Degraded raised bogs still capable of natural regeneration [7120]	The long-term aim for Degraded raised bogs still capable of natural regeneration is that its peat-forming capability is re-established; therefore, the conservation objective for this habitat is inherently linked to that of Active raised bogs (7110) and a separate conservation objective has not been set in Cloonshanville Bog SAC.	As above	As above	
- Depressions on peat substrates of the	Depressions on peat substrates of the Rhynchosporion is an	As above	As above	

Rhynchosporion [7150]	integral part of good quality Active raised bogs (7110) and thus a separate conservation objective has not been set for the habitat in Cloonshanville Bog SAC.			
- Bog woodland [91D0]	To maintain the favourable conservation condition of Bog woodland in Cloonshanville Bog SAC.	As above	As above	
The above table is based on the documentation and information provided on the file, and publicly available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000614.pdf (version dated 21st day of January 2016) and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.				

Assessment of issues that could give rise to adverse effects view of conservation objectives

(i) Water quality degradation

Deterioration of water quality and substrates in the designated site, resulting in adverse impacts to qualifying interests that the SAC has been designated for.

The conservation objectives for Degraded raised bogs still capable of natural regeneration [7120] and Depressions on peat substrates of the Rhynchosporion [7150] are inherently linked/an integral part of Active raised bogs [7110]. Potential impacts on groundwater changes/recharge could prevent or delay the attainment of restoration of this habitat i.e. Active raised bogs. In this regard, the proposed quarry is to be 'dry-worked' and there will be no drawdown of the underlying groundwater body with extraction confined to above the water table. Additionally, as noted in the hydrogeological report, given the size of the site relative to the hydrological and hydrogeological systems, impacts on groundwater recharge will be negligible.

Mitigation measures and conditions

- Standard and Best Practice Construction Procedures and specific mitigation measures set-out at pages 71– 72 of AASR/NIS.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to the qualifying interests of the SAC by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented.

In-combination effects I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development was considered in-combination with other plans and projects in the area that could result in cumulative impacts on designated sites. No other plans and projects could combine to generate significant effects when mitigation measures are considered. I am satisfied that the applicant has demonstrated that no significant residual effects will remain post the application of mitigation measures.	
Findings and conclusions The applicant determined that, following the implementation of mitigation measures, the operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European Site. Based on the information provided, I am satisfied that adverse effects arising from the proposed development can be excluded for Cloonshanville Bog SAC (Site Code: 000614). No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other pollutants. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted. The appellant raises the possibility of otter in the Breedoge River being connected to Cloonshanville SAC. I note that otter is not a QI of Cloonshanville SAC. Reasonable scientific doubt I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.	

Site Integrity The proposed development will not affect the attainment Conservation objectives of Cloonshanville Bog SAC (Site Code 000614). Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.	
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Appendix 4 - Water Framework Directive (WFD) Screening Matrix

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-319475-24	Townland, address	Drummin, Peak, Tullaghan and Gortnagoyne Townlands, Bellanagare, Co. Roscommon
Description of project		The proposed development comprises the extraction and processing of limestone aggregate (quarry extraction area of 1.7 Ha.), to a depth of 83 m OD, for a 7 year period and all ancillary activities. See Para. 2.0 of Inspector's report for more detail.	
Brief site description, relevant to WFD Screening		The particulars submitted with the planning application refer to the geology of the area as comprising karstified limestone bedrock at surface underlain by sandstone till. Groundwater classification is indicated as 'Extreme Vulnerability'. The site is within the Zone of Contribution (ZOC) for the Peak Mantua GWS. The extraction area accounts for 0.3% of this ZOC area. A watercourse (Breedoge River) runs along the northern boundary of the appeal site.	

Proposed surface water details	The northern site boundary is c. 30 metres from the Breedoge River. No discharge of surface water is proposed to this river. Particle interception, settlement and retention will be via the 1 no. sump on the quarry floor, which will act as a settlement lagoon, prior to sending water (pumped at greenfield run-off rate) to swales. The sump will accommodate extreme rainfall events. Additional hydrocarbon interception will be achieved by a floating barley bale in hessian sacks and bunds on the sump floor. A silt fence will be erected along the river to the north of the site.
Proposed water supply source & available capacity	N/A.
Proposed wastewater treatment system & available capacity, other issues	N/A.
Others?	N/A.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River	c. 0.03 km	Breedoge_010 IE_SH_26B090300	Good	Not At Risk	N/A	Run-off to surface and ground water
	c. 1 km	Owennaforeesha IE_SH_26O040100	Moderate	At Risk	Agriculture Hydromorphological pressure Urban run-off	Run-off to surface and ground water

					Domestic waste water treatment systems	
Transitional	N/A	N/A	N/A	N/A	N/A	N/A
Coastal	N/A	N/A	N/A	N/A	N/A	N/A
Groundwater	0	Carrick on Shannon IE_SH_G_048	Good	Not At Risk	N/A	Infiltration to groundwater
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						
OPERATIONAL PHASE						

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measures	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	River	Breedoge_010 IE_SH_26B090300 IE_SH_27C030300	Breedoge River c. 30 metres north of site.	Siltation, hydrocarbon spillages.	Standard best practice.	No.	Screened out.
		Owennaforee sha IE_SH_26O040100	c. 1 km east of site (upstream/upgradient from site)	Siltation, hydrocarbon spillages.	Standard best practice.	No.	Screened out.

2.	Transitional	N/A	N/A	N/A	N/A	N/A	N/A
3.	Coastal	N/A	N/A	N/A	N/A	N/A	N/A
4.	Groundwater	Carrick on Shannon IE_SH_G_04 8	Pathway exists.	Siltation, Hydrocarbon spillages.	Standard best practice.	No.	Screened out.
RESTORATION PHASE							
1.	River	Breedoge_010 IE_SH_26B090300 IE_SH_27C030300	Breedoge River c. 30 metres north of site.	Siltation, hydrocarbon spillages.	Standard best practice.	No.	Screened out.
		Owennaforee sha IE_SH_26O040100	c. 1 km east of site (upstream/upgradient from site)	Siltation, hydrocarbon spillages.	Standard best practice.	No.	Screened out.

2.	Transitional	N/A	N/A	N/A	N/A	N/A	N/A
3.	Coastal	N/A	N/A	N/A	N/A	N/A	N/A
4.	Groundwater	Carrick on Shannon IE_SH_G_04 8	Pathway exists.	Siltation, hydrocarbon spillages.	Standard best practice.	No.	Screened out.
DECOMMISSIONING PHASE							
1.	N/A	N/A	N/A	N/A	N/A	N/A	N/A