



An
Coimisiún
Pleanála

Technical Note R319722_TN2

Development	Retention permission to retain previously quarried area and permission for associated works
Address	Crohane, Clonkeen, Killarney, Co. Kerry V93 X2EH
Applicant	Sunville Construction Ltd.
Type of Application	Planning Appeal
Topic	Ecology: adequacy of information provided
Ecologist Inspector	Fiona Patterson, BSc, MSc, MISEP CEnv
Planning Inspector	Suzanne White
Date	17 th December 2025

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1.0 Introduction

1.1. Scope of Specialist Ecology Report to Inspector

1.1.1. Following review of the Environmental Report & AA Screening report received by the Commission, specialist support is requested regarding:

- (a) Whether potential significant effects on the Killarney National Park, Macgullycuddy's Reeks and Caragh River Catchment SAC (000365) arising from quarry activities, potential contaminated surface water runoff and piping of existing watercourse can be screened out. This SAC is c. 160m to south and 240m to west. An existing watercourse has been piped under the quarry and links to the River Loo, which is located within the SAC.
- (b) Whether potential significant effects on the Old Domestic Building, Curraglass SAC (002041) can be screened out. This SAC is located c. 1.8km to southwest. The development site is therefore within the 2.5km core sustenance zone for Lesser Horseshoe Bat. The submitted documentation (including the AA Screening Report) indicates that coniferous forestry was removed to accommodate the quarry extension. Advice is sought as to whether significant effects on LHB can be screened out.
- (c) An EclA has not been submitted. Advice is sought as to whether sufficient information has been submitted to demonstrate that the works carried out and proposed would not have an adverse impact on protected species or habitats of value.

1.1.2. This report to the Planning Inspector and available to the Commission is a written record of my review and examination of the submitted information and will support the Inspectors report in relation to this application.

1.2. Documentation

1.2.1. For the purpose of this specialist report, I have read all the documentation attached to this case relating to ecological matters including inter alia, details of the development, the report in support of Appropriate Assessment, the Environmental Report (ER), the Planning Authority reports, submissions, appeal documents, drawings and site layout plans, and all associated documentation prepared by the Applicant along with any observations received by the Commission.

1.2.2. I note that a Specialist Report (R319722-24_TN1) has been prepared by the Commission Environmental Scientist in relation to a number of environmental matters including potential contaminated surface water runoff & associated downstream impacts, noise, dust and vibration impacts. I have reviewed this specialist report, and it has informed my assessment in relation to the adequacy of the AA Screening report and impacts on the two nearby SACs (000365 and 002041) in the context of these issues.

1.3. Site Location and Description of Proposed Development

1.3.1. The subject site is located in Crohane Wood, in the townland of Crohane, approximately 13km southeast of Killarney in County Kerry. The development site has an area of approximately 2.3ha and lies within an area of coniferous woodland on the southern slopes of Crohane Mountain. The surrounding landscape is dominated by upland areas, commercial coniferous forests and a low-density of residential properties present along the R569 road which lies 150m south of the site.

1.3.2. The proposed development is described in detail in the Inspectors report and not repeated here.

2.0 Assessment

2.1. Killarney National Park, Macgullycuddy's Reeks and Caragh River Catchment SAC (000365) – advice on potential risk of significant effects from the development

- 2.1.1. I note that this SAC is c. 160m to south and 240m to west. An existing watercourse (Mountain stream) has been piped under the quarry and links to the River Loo, which is located within the SAC.
- 2.1.2. The applicant AA Screening report (Dixon Brosnan, dated December 2023) ruled out water quality impacts on this SAC due to lack of a hydrological pathway. Section 8.3 of the AA screening report notes that *“the Mountain Stream (see Figure 2) is piped under the active extraction site and flows south to the River Loo (a 1st order tributary of the River Flesk), which is located within the Killarney National Park, Macgillycuddy Reeks and Caragh River Catchment SAC. There is no hydrological connection between the extraction site and this stream. A review of water quality data for the River Loo downstream of the site indicates that the status of this river for both the 2nd (2013-2018) and 3rd (2016-2021) water framework directive, is ‘Good’ and ‘Not at Risk’. No pressures from abstraction have been identified within this sub-basin. This indicates that the activities at the development site have not had an impact on local water quality. Given the surface water design measures for the extraction site no impact on the conservation objectives of the Killarney National Park, Macgillycuddy’s Reeks and Caragh River Catchment SAC would have/will occur from surface water runoff”*. The applicant AA Screening report concluded that significant impacts on European sites could be screened out and that a Stage 2 AA was not required.
- 2.1.3. Section 8.3 of the applicant Environmental Report (ER) (OES, February 2024) discusses water quality in the surrounding area. It states that *“The Loo is currently classified having Good Status and is not identified as being “At Risk” (WFD 3rd Cycle to 2027). The River Loo is a stream and is a tributary of the Flesk River. The River Loo is situated within the Flesk (Kerry) Subcatchment, and all rivers within this Subcatchment are not At Risk. Additionally, there are no pressures on the River Loo”*. Section 8.3 of the ER states that the details of EPA monitoring and most recently publicly available biological water quality results are presented in Table 8.3.4, indicating a high-quality status of the River. Table 8.3.4 of the ER is replicated below.

Table 8.3.4 EPA River Loo Biological Quality Monitoring Results

Station Code	Location	Q Value	Year
RS22L040300	Loo Bridge (u/s site)	4	1992
RS22L040100	Agnanus Bridge (d/s site)	4	2002

- 2.1.4. Section 3.2.1 of the internal planning authority memo dated 6th March 2024 (from Kerry County Council (KCC) ecologist to planner) notes that the only realistic potential pathway for impact on this SAC (000365) relates to water quality and notes that the River Loo, which forms part of the SAC, is located downstream of the development concerned. Section 3.2.1 of the memo references a site visit that was undertaken by KCC in November 2022 which indicated that there were no surface water discharges from the development other than the clean water from the piped stream through the quarry. Section 3.2.1 of the memo concluded that water quality in the area has not been significantly affected by quarrying activities and that it is considered that there are no other realistic potential pathways for significant effect/impact on this SAC.
- 2.1.5. The KCC memo dated 7th March 2024 (from KCC ecologist to planner) notes that indirect impacts on this SAC are a theoretical possibility but are not considered to be likely having regard to the existing surface water management measures in place.
- 2.1.6. I have reviewed the latest EPA water quality data for the River Loo. Results are presented below.

2.1.7. LOO-Agnanus Br (L0040100) is located upstream of the quarry development near Rossacroonaloo Wood. The latest data (2022) indicates a Q value of 4. LOO – Second Br (L040300) is located downstream of the quarry development. Whilst a Q-value of 4 was recorded, the latest monitoring data is over 30 years old (1990), therefore it does not accurately represent the current baseline. Loo Br (L0040400) is located further downstream of the quarry development just before the Loo River joins the Flesk river. The latest data (2022) indicates a Q value of 3-4. I note the water quality at Loo Br has reduced to “*moderate*” compared to the previous “*Good*” result (Q4 in 2019).

LOO

22L04

Date Surveyed (last survey year only): 22/08/22

Biological Quality Rating (Q Values)

Station Code	1990	1991	1998	1999	2004	2009	2011	2013	2019	2022
RS22L040100		4	4	4	4	4	4	4	4	4
RS22L040300	4									
RS22L040400	4	4	4	3-4	4	4	4	4	4	3-4

Most Recent Assessment:

The macroinvertebrate survey of the River Loo indicated on-going satisfactory ecological conditions at the upper most station at Agnanus Bridge (0100), which maintained Good Ecological Quality. However, the lower station at Loo Bridge (0400) was unsatisfactory, having declined from Good to Moderate ecological quality.

Station Details

Station Code	Station Location	WFD Waterbody Code	Eastings	Northing	Local Authority
RS22L040100	LOO - Agnanus Br	IE_SW_22L040400	104531	78866	Kerry County Council
RS22L040300	LOO - Second Br u/s Flesk R confl	IE_SW_22L040400	107395	80325	Kerry County Council
RS22L040400	Loo Br	IE_SW_22L040400	108566	81361	Kerry County Council

- 2.1.c. I refer the Inspector to the Specialist Report (R319722-24_TN1, dated 26th November 2025) prepared by the Commission Environmental Scientist. The Environmental Scientist undertook a site survey of the quarry in November 2025 for the purposes of carrying out a visual inspection of the following features; a watercourse upstream and downstream of the site, the silt traps and settlement ponds, the layout with regard to surface water run-off and the general layout of the site. During the inspection, several photographs were taken, some of which are reproduced in his report (Appendix 1 of R319722-24_TN1). The Environmental Scientist (Sections 1.4.2-1.4.3 of his report) noted the following water quality observations during the site visit:
- 2.1.9. *"I noted the presence of a watercourse which flows from the NW direction before entering a culvert upgradient of the quarry, flowing underneath the quarry floor and emerging on the East side of the quarry before flowing downhill and entering the LOO river approx. 260m SE of the quarry. I noted that where the pipe carrying the watercourse emerged from under the quarry floor, there was evidence of moderate levels of silt present in the watercourse which was not noted on the upstream side. This suggests that some fine particulate matter may be carried by rainwater which flows through the quarry floor and into the pipe which traverses the site".*
- 2.1.10. Section 2.1.2 of the Environmental Scientist report discusses risk to surface waters from rainwater potentially entering the culverted stream beneath the floor of the quarry as follows: *"Rainwater that falls on the floor of the quarry seeps down through the floor and soaks into the existing bedrock and eventually into groundwaters. The documents provided and the observations during the site visit have demonstrated that a watercourse has been diverted and culverted under the floor of the quarry. This watercourse emerges from under the quarry before discharging into a stream on the east side of the development. This culverted watercourse is likely to be acting as a preferential pathway for rainwater which falls on parts of the quarry floor, and it is possible that some fine particulate matter is carried by this rainwater downwards into the pipe which discharges into a surface watercourse as described. No information on the type of pipe (perforated or solid walled) installed under the quarry has been provided. Also, no monitoring of water quality upstream and downstream of the quarry was carried out".*

- 2.1.11. Section 2.1.3 of the Environmental Scientists report discusses the water quality values at upstream and downstream points along the River Loo follows: *“It is noted that a tributary of the river LOO (waterbody LOO_010) has been diverted and culverted under the quarry floor, and the requirements of Article 4 of the Water Framework Directive (to achieve and maintain good status) apply to this waterbody. The most recent macroinvertebrate (Q-Value) sampling of the LOO river undertaken by the EPA in 2022 has shown that the status of the LOO_010 waterbody has dropped from Good to Moderate due to the Q-Value at LOO Bridge (downstream of the quarry) dropping from Q4 to Q3-4. The Q-Value at Aughananus Br. (upstream of the site) remained at Q4, which suggests a potential source of contamination between these 2 sampling points, a stretch of approximately 5km. The EPA Q-Value report does not identify a probable cause for the observed drop in quality”.*
- 2.1.12. Section 2.1.4 of the Environmental Scientists report notes that significant impacts on surface waters cannot be ruled out: *“Discharges of water containing fine particulate matter (suspended solids) can cause significant ecological impacts on macroinvertebrate and fish life in surface waters. While there are no direct discharges from the quarry site into surface waters, the observations during the site visit and the absence of water quality monitoring downstream of the site mean that significant impacts on surface waters from the operation of the quarry cannot be ruled out”.*
- 2.1.13. Having reviewed the documents submitted with the application, the planning authority reports, submissions, appeal documents and the Commissions Environmental Scientist report, I am not satisfied that there is no viable hydrological pathway (from the quarry development) the SAC via the culverted stream. Given the observations of the Environmental Scientist during the site survey in relation to water quality and the lack of water quality monitoring, taking a precautionary principle approach, I consider that significant impacts on the SAC cannot be ruled out and therefore a stage 2 AA is required.

2.2. Old Domestic Building, Curraglass SAC (002041) – advice on whether significant effects on LHB can be screened out

- 2.2.1. Lesser Horseshoe Bat is a qualifying interest species for Old Domestic Building, Curraglass SAC (002041). This SAC is located c. 1.8km to southwest of the quarry

development. The development site is therefore within the 2.5km core sustenance zone for Lesser Horseshoe Bat. The submitted documentation (including the AA Screening Report) indicates that coniferous forestry was removed to accommodate the quarry extension.

- 2.2.2. The conservation objective for this SAC is to *restore* the favourable conservation condition of Lesser Horseshoe Bat. This includes no significant decline in the extent of potential foraging habitat within 2.5km of the qualifying roost and no significant loss in linear features within 2.5km of the qualifying roost. The site-specific conservation objectives document¹ notes that *Lesser Horseshoe Bats normally forage in woodlands/scrub within 2.5km of their roosts (Schofield, 2008)*". It also states that *this species follows commuting routes from its roost to its foraging grounds. Lesser horseshoe bats will not cross open ground. Consequently, linear features such as hedgerows, treelines and stone walls provide vital connectivity for this species within 2.5km around each roost (Schofield, 2008).*"
- 2.2.3. The applicant AA Screening report (Dixon Brosnan, dated December 2023) examines potential impacts on Lesser Horseshoe Bat. Section 7.3 of the AA Screening report noted that Lesser Horseshoe Bat was not recorded during the site survey and concluded that the site is of limited value for all bat species. Section 8.1 of the AA Screening report notes that *"the optimal foraging habitats for this species are deciduous woodlands, riparian vegetation and mature hedgerows within a few kilometres of a roost. In the absence of woodland, areas of scrub close to roosts are important and should be retained. Conifer plantations are used for commuting and some foraging, where there are deciduous trees associated with the plantation, but are less suitable than mixed and deciduous stands.*
- 2.2.4. Section 8.1 of the AA Screening report also notes that *Lesser Horseshoe Bat could potentially commute along the coniferous plantation on the boundary of the site. However, the extraction site is surrounded by coniferous plantation and although sub-optimal in terms of foraging habitat, this has and will remain as a potential commuting area/linear feature within the landscape*". Section 8.1 of the AA Screening report concludes that significant impacts on European sites arising from

¹ <https://www.npws.ie/protected-sites/sac/002041>

habitat loss or fragmentation impacts can be screened out. I consider that this reasoning is acceptable and discuss it further in more detail below.

- 2.2.5. Section 8.2 of the AA Screening report screens out potential impacts from noise and disturbance (including artificial lighting) on Old Domestic Building, Curraglass SAC (002041) due to the distance (1.8km) from the roost and as works will be active only during daytime hours. I consider that this reasoning is acceptable.
- 2.2.6. I note that the removal of 3.98ha of forestry from the development lands was permitted by the Department of Agriculture, Food and the Marine in July 2021 by way of clear-felling license REF: TFL00443419 <https://flv.apps.services.agriculture.gov.ie/>. Tree felling undertaken is therefore considered to be a separate project and beyond the scope of the development concerned but must be taken into consideration as part of in-combination effects assessment for AA.
- 2.2.7. I note that the forestry that was removed was a commercial conifer plantation and that this type of forestry does not provide roosting habitat for Lesser Horseshoe bat. Therefore, I consider that the development is unlikely to have affected the availability, number, or condition of roosting sites, nor would it have adversely impacted the qualifying roost site nor the number of bats utilising the roost site. The development site is located within the 2.5km core sustenance zone (foraging grounds) for Lesser Horseshoe bat population. However, a conifer plantation is considered to be a sub-optimal habitat for Lesser Horseshoe Bat and given the small area that was clear felled (3.98ha), I do not consider that the loss of this area of habitat within a 2.5km area would have had a significant effect on the Lesser Horseshoe Bat in terms of loss of commuting/foraging habitat. Furthermore, there is an extensive network of landscape features (including hedgerows, stone walls, woodland edges and treelines) within 2.5km of the qualifying roost. Therefore I consider that the development is unlikely to have had a significant impact on linear features within 2.5km of the qualifying roost.
- 2.2.8. I note that there is other clear felling (private and Coillte), thinning & replanting activities regularly proposed (past and live applications) in the surrounding area all of which are subject to assessment by the Department of Agriculture, Food and the Marine. <https://flv.apps.services.agriculture.gov.ie/>. This demonstrates that the

surrounding environment is dynamic in terms of tree cover. Felling activities, when considered in isolation, have the potential to result in the loss of potential foraging habitat, loss of linear landscape features (e.g. woodland edge) and severance of landscape connectivity. However, in the case of the surrounding current licence applications, felling generally only constitutes one short-term phase of the rotational forestry cycle and replanting also takes place as part of this cycle. Consequently, any short-term effects occurring between the felling and forestry reestablishment phase would not result in an adverse impact on the SAC lesser horseshoe bat. Therefore, I consider that there no adverse effects on potential foraging habitat from the quarry development in-combination with other projects effects.

2.3. An EclA has not been submitted. Advice is sought as to whether sufficient information has been submitted to demonstrate that the works carried out and proposed would not have an adverse impact on protected species or habitats of value

- 2.3.1. An AA Screening report and Environmental report was submitted by the Applicant. These were informed by the site surveys which were carried out by a qualified ecologist in May 2023 to identify the habitats, flora and fauna present at the site (Section 4.3 of AA Screening report). The surveys focused on qualifying interests (QIs) and Special Conservation Interests (SCI's) of European sites and third schedule invasive species to occur within the proposed site. A desktop review (Section 4.7 of AA Screening report) was also undertaken as part of the assessment. I consider that this targeted approach is acceptable given the nature of the development and given location of the Killarney National Park, Macgullycuddy's Reeks and Caragh River Catchment SAC (000365) downstream of the development and the Old Domestic Building, Curraglass SAC (002041) less than 2km away. Quarrying activities have been undertaken at the site for over 60 years (prior to 1963) therefore I consider that any mobile species present in the immediate area will have habituated to a certain extent to the ongoing quarrying activities in terms of noise, disturbance etc. Given the nature of the existing development, I consider sufficient information has generally been submitted to inform the AA Screening in terms QIs and SCIs. The applicant documentation demonstrates that adverse impacts on protected species and habitats arising from noise, disturbance, dust,

artificial lighting and habitat fragmentation/loss will not arise. However, as noted above in section 2.1, there is uncertainty regarding potential silt contamination entering the culverted stream beneath the quarry floor which may consequently impact on water quality downstream. Water quality monitoring was not included in the applicant documentation. Impacts on water quality could potentially impact some of the aquatic QI species and habitats designated for Killarney National Park, Macgullycuddy's Reeks and Caragh River Catchment SAC (000365) downstream of the development. Therefore, in relation to water quality and the lack of water quality monitoring, taking a precautionary principle approach, I consider that significant impacts on the Killarney National Park, Macgullycuddy's Reeks and Caragh River Catchment SAC (000365) SAC cannot be ruled out and therefore a stage 2 AA is required.

Signed:



Fiona Patterson, BSc, MSc, MISEP CEnv

Senior Ecologist Inspector

22nd December 2025