



An
Bord
Pleanála

Inspector's Report

ABP-320209-24

Development	The provision of a defined recycling area, the processing of up to 19,500 tonnes of waste concrete annually, stockpiling of waste concrete and of recycled aggregates for use in construction works.
Location	Deerpark, Kilfeacle, Co. Tipperary.
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2460337
Applicant(s)	Kilsaran Concrete Unlimited Company
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Kate Hogan & Others
Observer(s)	None
Date of Site Inspection	11/03/2025.
Inspector	Caryn Coogan

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1.0 Site Location and Description

- 1.1. Kilsaran quarry is located in the townland of Deerpark, which is 1.5km south-west of Kilfeacle Village, 3km north of Bansha Village and 4km east of Tipperary Town. The subject site is accessed from the existing quarry entrance on the southern side of the N74.
- 1.2. At the existing quarry permitted annual aggregate extraction and processing rate is 250,000 tonnes. There is a readymix plant on site has an annual processing capacity of 50,000m³. The annual output from the block production plant is approximately 1.2 million blocks/ annum.
- 1.3. The proposed development will be located in the north-west of the extraction area of the existing quarry area. The subject site covers 2,416m² and adjoins the concrete block storage yard. In this area the quarry floor is at ca 99mOD and is approximately 20m below the level of the ground to the north and west.
- 1.4. The proposed development site is screened from public view.
- 1.5. The surrounding area is undulating agricultural lands consisting mainly of tillage and pasture.
- 1.6. There are photos from my site inspection included on the appeal file.

2.0 Proposed Development

- 2.1 The proposed development consists of the following elements:
 - The site area is 2,415sq.m. located north west of an existing quarry pit.
 - The provision of a defined recycling area on designated are on the pit floor
 - The processing of up to 19,500 tonnes of inert concrete waste annually using existing mobile crushing and screening plant
 - Stock piling of inert concrete waste before processing
 - Stockpiling of recycled aggregates prior to transport off site for use in construction works.

- The proposal does not require stormwater management systems and will not generate wastewater.
- The inert waste concrete and recycled aggregates do not contain hazardous substances and or non-concrete materials and do not present any significant risk of soil or water pollution.
- There will be no change to the staffing levels and traffic movements to and from the quarry will remain the same.

3.0 **Planning Authority Decision**

3.1. **Decision**

Tipperary County Council granted planning permission for the proposed development by Manager's Order on 25th of June 2024. There were 10 No. conditions attached to the permission. The conditions are standard apart from the following: .

Condition No. 2 This permission shall be for a period of 5 years from the date of this order. All development associated with this permission shall cease unless prior to that date a further permission for continuing of the related activities has been granted by the Planning Authority or by An Bord Pleanála.

Condition No. 3 :The proposed development shall be limited to the intake of 19,500 tonnes of materials annually on this site, this limit shall not be exceeded without a prior grant of planning permission. Details of all materials entering the site shall be kept for records and made available to Tipperary County Council upon request.

Condition No. 4: Noise limits

Condition No. 5: Dust levels

Condition No. 6: Hours of Operation

Condition No. 7: Annual environmental audit

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

- The End-of-Waste Decision EoW N001/2023 still requires that a producer shall register on the EPAs public register prior to production of recycled aggregates and carry out the operation in accordance with their specific criteria. A waste permit will also be required from Tipperary County Council.
- I consider a condition can be attached to limit the duration of the development to 5 no. years to allow review of the development at that time and in line with the lifetime of any waste permit issued by the Council
- The operation hours should be reflective of that required under reg. ref: 15/600238 in the interest of consistency in any grant of permission. Condition No. 10 attached to the 2015 permission.
- The processing area is within an existing in established quarry site is unobtrusively located and presents no design related concerns. There is no extraction of the existing pit floor or changes to ground levels.
- The cover letter details that proposed development will not increase traffic in and out of the site and no increase in staff numbers is anticipated. The trucks are leaving the site (as per the existing operations) and in the event there is surplus concrete waste, it is to be returned the site. It is stated that the traffic generation rate for the proposed development will not result in any material change to current levels of traffic associated with the operation of the quarry.
- It is noteworthy the closest dwelling receptor is c.440m from the application site and 4 within 200m of the quarry boundary. Section 6.6 of the EIA Screening Report states that processing will be carried out using the existing mobile crusher and screener and does not require the provision of additional items of plant and equipment. The inert waste concrete delivered to the site and the recycled aggregates consigned from the site will be transported in the same type of heavy goods vehicles.
- The proposed development does not require the provision of any new plant and equipment and will not result in any additional vehicular movements. This, in conjunction with the separation distance to the nearest off-site sensitive receptors, suggest that the proposed development will not be a source of off-site dust soiling.

- There is no additional machinery or plant, I do not consider there will be a significant increase in noise levels.
- The applicant has submitted the information required under Schedule 7A of the Planning and Development Act 2000, as amended. An EIA Screening report has been prepared by the Planning Authority which concludes that the proposed development is not likely to have significant impacts on the environment and does not require an EIA. Same addresses cumulative impacts.
- It has been determined by the Planning Authority that an AA is not required. See also Appropriate Assessment (AA) screening report attached as Appendix 1 of this planning report.

3.2.2. **Other Technical Reports**

- District Engineer; No objections, a surface water condition.
- Environment Section : here are no issues with the proposed development from an environmental perspective that cannot be controlled via conditions on planning permission and waste facility permit. Only waste activities authorised under a waste facility permit issued by Tipperary County Council under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, can be carried out at this site location outlined in the documents submitted with the Planning Application.
- Roads: No objection.

3.3. **Prescribed Bodies**

3.3.1 Transportation Infrastructure Ireland had no observations to make on the proposal.

3.4. **Third Party Observations**

3.4.1 Kate Hogan expressed the following concerns in her submission to the planning application:

- Application inconsistencies- construction & demolition waste – concerns bring waste from other construction sites and health issues.
- Operation should adhere to EPA guidelines and EU Environmental Objective Regulations
- Request to restrict waste concrete from other plants from being acceptable
- Storm water management system
- Contaminants/emissions from the recycled concrete
- End of Waste - querying when a waste licence is required given it is considered waste until a by product is made and the activity would constitute a waste recycling facility under the Waste Management Act 1996. Would therefore require a permit,
- Requirement for Environmental Impact Assessment,
- Traffic and Transport
- Noise & Vibration,
- Damage to local residential properties,
- Dust

4.0 **Planning History**

4.1 **Planning Ref. 04/968**

Planning permission granted for retention of extension to quarry, retention of office block and ancillary works at the entrance including weighbridge and cabin, retention of the truck repair/maintenance building, retention of the first aid/canteen building and retention of readymix plant and machinery.

4.2 **Planning Ref. 15600238**

Planning Permission granted for continued use of previously permitted development under Ref No 04/968 & P03.8382 & the Grant of Substitute Consent Ref SU23.SU0005, including existing quarry, stone extraction & processing, concrete manufacturing facility, & related ancillary buildings & facilities. Permission for extension to existing quarry area by c.8.4h to give an overall extraction footprint of

c.17.1h. The final quarry floor level will be similar to that of the existing quarry, @ c.73mOD. Permission for construction of a new concrete block batching plant & associated production slab measuring 9800m². Permission for replacement of existing septic tank adjacent to weighbridge site office with a proprietary effluent treatment system(new septic tank & modular puraflo). New electricity substation comprising of supply room & switch room.

Increase production output from quarry, from 150,000 tonnes pa to 250,000 tonnes pa and all associated site works within an overall application area of 32.5h, & all for a period of 25 years. The application was the subject of Environmental Impact Assessment.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development plan is the *Tipperary County Development Plan 2022-2028*. The following policies and objectives are relevant to the current proposal.

Chapter 8 Enterprise and Rural Development

8 - 7 Support the extraction of minerals and aggregates, and to have regard to;

a) Quarries and Ancillary Activities, Guidelines for Planning Authorities, (DEHLG 2004), where such activities do not have a significant impact on the environment, landscape or residential amenities of the area.

b) In considering new development, to have regard to potential adverse impacts on sites of geological importance or known high quality aggregate reserves as set out in the County Geological Sites record (and any review thereof) as maintained by the GSI.

c) Where development proposals involve the redevelopment, rehabilitation or reuse of historic mining sites in the county, the Council may seek the preparation of a Master Plan for the entire landholding of the former mine to ensure the appropriate level of co-ordination of the entire landholding and protection of the environment.

Chapter 10 Renewable Energy and Bioeconomy

10 - 4 Ensure the sustainable management of waste and the application of the 'Circular Economy' concept in line with the provisions of the National Waste Management Plan for a Circular Economy and the Waste Management Infrastructure – Guidance for Siting Waste Management Facilities, (Government of Ireland, 2022) in the development and management of new development.

Volume 3 Appendix 6 Development Management Standards

5.10 Quarries and the Extractive Industry

Proposals for new, or the expansion of existing quarries or extractive development shall have regard to the following:

- a) Section 261 and Section 261A of the Planning Act.
- b) The Quarries and Ancillary Activities Guidelines (DEHLG, 2004).
- c) The Guidelines for Environmental Management in the Extractive Industry (EPA, 2006).
- d) Where extractive developments may impact on archaeological or architectural heritage, regard shall be had to the Architectural Conservation Guidelines (DEHLG, 2004) and the Archaeological Code of Practice 2002 in the assessment of planning applications and the requirements of this Plan.
- e) Where extractive development may significantly affect the environment or a European site or sites, regard shall be had to EIA guidelines and Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities (DEHLG, 2009) and the requirements of this Plan.
- f) Reference should also be made to the Geological Heritage Guidelines for the Extractive Industry (GSI, 2008).
- g) The visual impact of the development, a detailed landscape and visual assessment shall be submitted.
- h) A scheme of rehabilitation and after care for the site upon abandonment / exhaustion of resource shall be submitted. Details to be submitted should include a report with plans and section drawings, detailing the following:

- Anticipated finished landform and surface/landscape treatments (both of each phase and the whole excavation),
- Quality and condition of topsoil and overburden,
- Rehabilitation works proposed,
- Type and location of any vegetation proposed,
- Proposed method of funding and delivery of restoration/reinstatement works etc.

A bond will be required to ensure the adequate restoration of the site. This bond shall be index linked.

5.1.2 National Level Policies, Protocols and Guidelines

- The Quarries and Ancillary Activities, Guidelines for Planning Authorities, (DEHLG, 2004)
- National Waste Management Plan for a Circular Economy 2020-2025
- EPA 'Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects' (2021)
- National End-of-Waste Decision EoW-N001/2023 of 12th September 2023 establishing criteria determining when recycled aggregate ceases to be waste under Regulation 28 of the European Union (Waste Directive) Regulations 2011 – 2020
- Explanatory Note on National End-Of-Waste decision for Recycle/Aggregates. Decision reference no: EOW-N001/2023 Version: 1.0 - 17th October 2023

5.2. Natural Heritage Designations

5.2.1 European sites

Lower River Suir SAC (Site Code 002137) Distance 5.5km due East

Galtee Mountains SAC (Site Code 000646) 8.3km due south

Moanour Mountain SAC (Site Code 002257) 8.3km due SW

Philipton Marsh SAC (Site Code 001847) 10.8km due NW

5.2.2 Proposed Natural Heritage Areas

Bansha Woods PNHA, 5km south

5.3. EIA Screening

The requirement to carry out an EIA derives from EU Directive 85/337/EEC (as amended by Directives 97/11/EC 2003/35/EC, 2009/31/EC, 2011/92/EU and 2014/52/EU) on the assessment of the effects of certain public and private projects on the environment (EIA Directive). The primary objective of the EIA Directive is to ensure that projects that are likely to have 'significant effects' on the environment are subject to an assessment of their likely impacts.

The proposed project is listed in Annex II of the Directive –Class 11 (b) Installations for the disposal of waste (projects not included in Annex I); but is of a type where the need for EIA is based on a threshold.

The threshold as specified in Class 11 (b) of Part 2 of Schedule 5 of the Planning and Development Regulations is - Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.

The proposed annual inert waste processing capacity is 19,500 tonnes, which is below the 25,000 tonne annual threshold and therefore an EIA is not mandatory.

Where the scale of a project is below the applicable threshold i.e. sub-threshold, then the likelihood of it having significant effects on the environment, both negative and beneficial, need to be considered in the context of the criteria specified in Annex III of the EIA Directive, as transposed by Schedule 7 of the Planning and Development Regulations,

The likelihood of the proposed sub-threshold project having significant impacts on the environment is addressed in Forms 1,2, and 3 in the Appendix of this Report.

6.0 The Appeal

6.1. Grounds of Appeal

The applicants are attempting to create extra revenue stream by establishing an entirely new business of a concrete and demolition recycling facility which already includes concrete manufacturing, block making and lime production. Its all about increasing the bottom line for Kilsaran, and it does not result in a single job. It does not take into account the health and safety of neighbouring residents, who are also stakeholders in the locality. The planning application is steeped in green pr, a deceptive attempt at green-washing their concrete and demolition recycling application, in order to persuade people their goals are environmentally friendly.

The following is a summary of the grounds of the third-party appeal:

6.1.1 Application Latter Inconsistencies.

- There are concerns regarding increased noise pollution, increased dust pollution and decline in air quality as well as concerns regarding groundwater threshold values being breached, and increased traffic on local roads. The applicants state they want to recycle waste concrete generated at other Kilsaran concrete production plants and from construction and demolition sites. The applicants state in their application documentation 'while it is their intention to minimise the risk of unsuitable materials being collected, the risk cannot be eliminated'. This is at odds with other statements in the planning application. The manager has stated it is not their intention to receive waste from construction and demolition sites, and the wording in the planning application misrepresent their intentions. If this is the case the permission must clearly state that it is not allowed to accept and recycle waste form construction and demolition sites.
- All waste emanating from the recycling of construction and demolition waste shall conform with the EPA List of Waste: 1701 01 concrete and will not contain or be contaminated with, or by, any dangerous substances as described in the Commission Decision 200/532/EC and that not intermixed non-concrete waste will be accepted at the source.

- The Soil and Groundwater threshold values established by the EU Objectives (Groundwater) Regulations (S.I. No. 9 of 2010) will not be breached.
- The HSE South should appraise the application.
- All EMS should be carried out by suitability qualified independent agencies.

6.1.2 **Catchment Area**

- The application states it will accept waste from their catchment area which is a vague term. The applicant works on a nationwide basis. It should be conditioned as part of the planning permission there should be no waste concrete from other Kilsaran sites brought to the facility.
- As a condition for waste generated on other Kilsaran sites the terms 'Quarry's catchment area' requires precise definition otherwise Kilsaran Kilfeacle quarry would be in a position to accept waste generated from over 30 Kilsaran sites as well as construction and demolition sites nationwide.

6.1.3 **Stormwater Management System**

- The water table might be compromised by the proposal. If the groundwater is compromised, the same water is used on all the local farms adjoining the quarry, which could result in contaminants entering the food chain. Who will carry out leachate testing for contaminants and at what intervals.
- Compliance of Condition 3 of 15600238 is questioned and if the final floor level of the quarry has dropped below 73m AOD .

6.1.4 **End of Waste**

- The application letter states there is NO waste licence required. According to the permission granted, the planning authority states a waste permit is to be issued. The volume of the material to be processed falls below EPA threshold for a Waste Licence.
- The concern is self-regulation and monitoring of the waste, and they are unhappy the planning authority has granted a waste licence for the site.
- The proposal would constitute a Waste Recycling Facility under the Waste Management Act 1996. This requires a Waste Facility Licence. The

development could generate waste contaminates. There should have been a waste management plan with the planning application.

6.1.5 **Environmental Impact Assessment**

- An EIA should have been submitted with the planning application to ensure the correct mitigation measures are implemented on site.
- Any additional processing should be put in place to allow of the applicajt all mitigation measures and to adequately ensure compliance with the latest permission.
- An Taisce has launched two cases against quarries in Ireland to ensure our environment is being protected.

6.1.6 **Traffic and Transport**

- The application states that ready mix is been transported on 6.5 cubic metres bottle trucks. Yet during a meeting with manager of Kilsaran quarry they admitted the trucks hold 8 cubic metres and 11 cubic metres. The application needs to be amended to reflect this.
- The traffic volumes on the N74 were examined and it was concluded the proposed development would have a very minor impact on the on traffic volumes on the N74.
- There should be a review of traffic from the quarry travelling 250m on the N74 and turning right 250m on the N74 onto the L4306 when traveling to or from customers south-east and south-west. There should be a review of the TII report submitted as part of the planning application to determine whether the L4306 is included, and if not a a complete Traffic Impact Assessment should be carried out on the L4306. Did the original planning have restrictions on the use of this road. As per condition No. 1 of P3.83832 . The L4306 is too substandard to accommodate the traffic from the quarry, and the high volume of traffic. The roads are also becoming structurally damaged, and stone walls and boundaries. The application states there will be no additional traffic associated with the proposed development. Who will monitor this aspect of the proposal. Previous empty trucks returning to the quarry will not be full of waste, which will impact on the roads.

6.1.7 **Noise and Vibration**

- The morning at the quarry starts at 5.00am and 6am on regular mornings. The neighbouring residents are awoken by beepers and engine noise. What assurances can be given outside of Kilsaran self-regulation, regarding acceptable levels of noise and vibration from the proposed recycling activity.
- Condition No. 4 of Planning Ref. 2460337 outlines the noise levels to be complied with under the permission. There is little or no protection afforded to the residents by the words, as the conditions are self regulated by Kilsaran, who will produce timely documentation all falling within the required parameters and rarely of looked at again.
- Similarly, the hours of operation as specified under Condition No. 6 of Planning Ref. 2460337 are not complied with.

6.1.8 **Damage to Local Resident's Properties**

- The blasting has caused large cracks to the walls of their houses. Blasting is happening more often than usual. House valuations in the area are badly affected by the quarry. Additional activities located close to adjoining dwellings and due to the absence of proof blasting is not causing irreversible damage to local residential properties. It is incumbent on An Bord Pleanala to stop this application and to allow a review of the blasting process.

6.1.9 **Nuisance Dust**

- Condition No. 5 of planning reference 2460337 relates to dust emissions control. The issue of dust is a huge concern for residents in the area. The dust monitoring needs to take account of wind travel, complaints raised and additional points to ensure a more accurate assessment, and this should be done before additional crushing is granted on the site.
- There are several addition dust mitigation measures that could be put in pace at the quarry before any further development is granted permission there. They farms adjoining the quarry experience lime dust and this affects the production of grazed grass in the cows diet. In addition, the residents cars and houses are been covered in lime dust. This has become more severe since 2025 onwards.

- An Bord Pleanála should observe the dust emulating and spreading from the quarry as the residents are not satisfied further crushing will not create more dust and be harmful to their public health and environment.

6.1.10 **Noxious Weeds**

- The quarry is causing the spread of noxious weeds , ragwort, spear thistle and field thistle onto their farms which can cause ill health and death to their livestock. Where is the environmental plan of the applicant to prevent the spread of noxious weeds?

6.1.11 **Intensification of Commercial Activity**

- There are no jobs been created under the proposed development. The proposal embodies a new activity ie. Waste recycling which is separate from the existing business of rock quarrying. The quarry operators state the recycling waste concrete will result in offset savings by not having to quarry additional rock it is queried how to offset with be monitored and by whom.

6.1.12 **Additional Development**

- There was a long embankment constructed by the applicant under 15/60/028 which now has soil sleeping from it and encroaching onto neighbouring lands. There could be a landslide and the embankment is blocking their views and is an eyesore.

6.1.13 **General Observations**

- What is the timeframe for the permission for the development?
- What happens when normal quarry activities become depleted and cease?
- Is there a possibility the Waste Permit could continue indefinitely?
- There should be records of all material leaving the quarry, full details of the previous year noise, dust and air quality monitoring, and any written record of complaints
- Condition No. 7 of Planning Ref 2460337 requests and annual environmental audit. It is meaningless if it is carried out by the applicant/ operator. All environmental measurements should be carried out by independent agencies.

7.0 Assessment

7.1. From my reading of the file, inspection of the site and the assessment of the relevant policy provisions, I consider the key issues relevant to this appeal are as follows:

- The principle of the proposed development
- Traffic implications
- Environmental issues

7.2 *The Principle of Proposed Development*

7.2.1 According to the EIA Screening report, the reason for the proposed development is to process inert waste concrete to produce recycled aggregates that meet with the End of Waste Criteria. End-of-waste marks the point at which a material transitions from a waste to a secondary product. *Regulation 28(1) of the European Commission (Waste Directive) Regulations 2011-2020 (the Regulations)*, requires that in order for a recycled/recovered material to cease to be classified as a waste, it must meet criteria set out in an end-of-waste decision. The EPA published a national decision on end-of-waste setting out criteria for recycled aggregates in decision EoW-N001/2023.

7.2.2 The proposed development will consist of provision of a defined recycling area (**2,416m²**) on the quarry floor, with the aim to process up to 19,500 tonnes of inert waste concrete annually using existing mobile crushing and screening plant at the quarry. The inert waste concrete arising at the Kilsaran quarry comprises surplus readymix returned from construction sites and off-specification concrete blocks from the block production plant. In the absence of recycling outlets for recycled concrete aggregates, these materials have been stored on site in the quarry. It is proposed to accept inert waste concrete from other Kilsaran readymix and concrete block batching plants for recycling at the subject site. It is also proposed to accept inert concrete waste from large construction and demolition sites in the subject site's catchment area.

- 7.2.3 The proposed development is to be located within an existing quarry where there are extensive concrete products, aggregates and agri lime. During my site visit I noted the subject site is positioned on an extracted quarry floor adjacent to the block storage area. To the front of the subject site is a loading and parking area for trucks and loaders.
- 7.2.4 The End of Waste must meet criteria set out in the EPA's National Decision. The Decision is not a consent. The Decision is a statement of fact that recycled aggregate if produced in accordance with the criteria of the Decision, will cease to be waste and will be classified as a product or a secondary product. The Decision does not provide for authorisation for a waste recovery operation involving the acceptance and processing of construction and demolition waste. Therefore planning permission is required and will specify the measures to control the environmental impacts associated with the process, which is outlined below.
- 7.2.5 The quarry has been established for a number of decades at Kilfeacle. Planning permission was granted under planning reference 15/600238 to increase production output from 150,000 to 250,000 tonnes per annum. The permission in 2015 was subject to Environmental Impact Assessment,. Planning permission was granted for 25 years, and increased the extraction area by 8.4ha to an extraction footprint of 17.1ha. In addition, a concrete batching plant was permitted under the permission and an associated production slab measuring 9800sq.m. The proposed recycling and processing of the inert waste is to be carried out within the permitted area of the quarry (0.24ha) and to the northeast of the concrete batching plant.
- 7.2.6 The principle of the proposal is in line with Tipperary County Development Plan 2022-2028 policies (8-7 as outlined above). The primary source of the inert material will be from the operations at Kilfeacle site itself and other Kilsaran batching plants in the region. Most of the Kilsaran plants are located within the Greater Dublin region. Waste from large scale construction sites within the quarry's catchment will also provide products for recycling. The machinery to be used in the process is located within the existing quarry. There will be no additional machinery purchased to operate the recycling process nor will there be any additional staff employed. The facility will not exceed a turnover of 19,5000 tonnes per annum.

7.2.7 In my opinion, the proposed development is a natural landuse to be carried out within the existing permitted quarry. It represents a positive process of recycling and re-using waste generated at the quarry and the associated construction industry. There will be no visual impacts associated with the proposed development because it is located within a cut out section of the quarry on an existing pit floor. I am satisfied the proposed development is acceptable in principle at this location and complies with current development plan policies.

7.3 Traffic Implications

7.3.1 The proposed development will be accessed off the National Route N74. The planning authority referred the case to *Transportation Infrastructure Ireland*, who had no observations to make regarding the case. In relation to the sightlines available from the junction of the quarry site onto the N74, I am satisfied that the existing arrangement provides for adequate sight distance.

7.3.2 Presently, aggregates and blocks are transported off site in trucks with a payload 22 tonnes. In addition, ready-mix concrete is transported off the site in 8.5cubic metre trucks. The trucks return empty or with leftover concrete. Under the current proposal, the waste will be collected by Kilsaran on the return leg of the journeys. A Traffic and Transport Assessment completed as part of planning application 15/600238, which included increasing production output from the quarry from 150,000 tonnes/year to 250,000 tonnes/year, resulting in an additional 21 commercial trips daily of vehicles transporting aggregates, blocks and readymix. This was a 0.4-0.7 % increase in the volumes on the N74, east and west of the site entrance respectively, resulting in a very minor impact on traffic volumes on the N74. The traffic generation rate for the proposed development will not result in any material change to current levels of traffic associated with the operation of the quarry.

7.3.3 I note the appellant's concerns regarding quarry traffic on the L4306. However, the N74 travels eastwards to Golden, then onto Cashel where there is a direct link to the M8. The only justification for travelling on the L4306 would be for local traffic heading towards Bansha to connect onto the N24. This would have been examined under the parent permission for the quarry, Ref. 15/600238. There is no increase in traffic or dedicated traffic generated by the proposed development. Therefore, the

issue regarding compliance with planning conditions associated with previous permissions and use of certain specified routes, is not relevant to this current proposal. The appellants would need to take this issue up with the planning authority. The proposed development will not generate any additional or trips particular to the processing of the waste.

7.4 Environmental Issues

- 7.4.1 Environmental Issues are covered under Appendix 1 of this report, i.e. Environmental Impact Assessment Screening. The proposed development falls below the threshold for Environmental Impact Assessment and the EPA Waste Licence. The application was accompanied by an Environmental Impact Screening Assessment Report, which concluded that EIA was not required.
- 7.4.2 The inert material inputs will be from set readymix concrete and off-specification concrete blocks arising onsite and from other Kilsaran concrete batching plants and in addition to, sourced segregated concrete rubble from large scale construction and demolition sites. Waste concrete containing reinforcement steel bars or other non-concrete materials will not be accepted at the facility. Waste concrete will not be accepted from small-scale developments, for example one off housing, or from waste management facilities operating under Waste Permits and EPA licences.
- 7.4.3 The proposed development came on foot of planning permissions for large scale developments must be accompanied by a Resource & Waste Management Plan, prepared in accordance with the EPA's 'Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects' (2021). The purpose of the RWMP is to ensure the management of construction and demolition waste be assessed at the detailed design stage of the development, for their potential to be recycled into aggregates that meet End of Waste Status. Where there is such potential, appropriate handling and storage measures must be in place to minimise the risk of cross contamination with non-recyclable materials. The inert waste is segregated on the various construction sites. All deliveries of waste concrete arriving at Kilfeacle quarry will be weighed at the weighbridge and visually inspected by suitably qualified staff before being tipped in the waste recovery area. While the purpose of the inspection of the waste concrete at the development sites is to minimise the risk of unsuitable materials being collected, the risk cannot be

eliminated. If unsuitable materials are present, e.g. metals, wood and plastic these will be removed and placed in designated skips. I recommend a condition be attached that all waste arising is accompanied by a waste certificate detailing the origin of the waste, the weight, and composition of the waste.

7.4.4 The third-party appeal raises issues regarding compliance with Planning Ref. 1560038, a copy of this planning history file is included on the appeal file. I note the third party is concerned about the water table being compromised. However, the appeal submission does not outline how the water table could be compromised by the proposal. The proposed development involves no extraction, the subject site is located on the pit floor., and there is no water extraction involved in the recycling process.

- I note the noise condition (Condition No. 4) imposes the same noise level thresholds as the parent permission, Planning Ref. 1560038,. I consider this to be reasonable.
- Condition No. 5 relates to dust. The measurements are equivalent to Condition No. 14 on Planning Ref. 1560038. The current condition imposed by the planning authority is all encompassing, requiring a monitoring programme prior to the commencement of the crushing, including monitoring locations.
- Condition No. 6 includes the hours of operation which are reduced on a Saturday to 1400 hours from 18.00hours associated with the permitted quarry. The working hours are reasonable. I noted during my inspection which happen to occur after 18.00hours on the day, that the quarry was closed and operations had ceased at the quarry, I was fortunate to gain access to it at that time.
- There are no blasting or vibrations associated with the proposed development. The appellants concerns regarding blasting at the existing quarry should be investigated under the relevant planning permission.
- There will be no construction works associated with the proposed development or stripping of overburden. Therefore there will be spreading of noxious weeds arising from the proposed development.
- . A waste permit will also be required from Tipperary County Council.

7.4.5 The appellant submits there are anomalies in the planning application submission documents in respect of the materials been brought to facility for recycling.

- According to EIAR Screening report, ‘ *The inert waste concrete arising at the Kilsaran quarry comprises surplus readymix returned from construction sites and off-specification concrete blocks from the block production plant. Until now, in the absence of recycling outlets for recycled concrete aggregates, these materials have been stored on site. Aggregates produced in the quarry are sent to other Kilsaran concrete batching plants for use in production. It is proposed to accept inert waste concrete from these plants for recycling at Deerpark. It is also proposed to accept inert concrete waste from construction and demolition sites in the Deerpark quarry’s catchment area.*’
- The application cover letter states ‘ *The primary source of the waste concrete will be the on-site block and readymix production plants. Waste concrete generated at other Kilsaran concrete production plants and from construction and demolition sites in the quarry’s catchment will also be accepted for recycling.*’
- The Appropriate Assessment Screening report states ‘ *In addition to the inert waste concrete generated at the quarry it is proposed to accept and process waste concrete from other Kilsaran concrete production plants and segregated inert waste concrete from large scale development sites.*’

I consider the applicant has clearly stated that the proposed development will cater for inert waste concrete brought back to the site that exceeded what had been ordered, and from construction sites. In addition, I do not consider the information submitted on the planning file to be conflicting. The description of the materials to be brought to the facility are described almost identical in all of the documentation on the planning file.

7.4.6 As stated earlier, in 2021 the EPA produced a document, ‘ *Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects*’. Planning conditions for large residential developments include conditions relating to the recycling of inert waste from building sites. Therefore, the recycling of aggregate wastes within an existing quarry appears to me to be an appropriate location for the recycling process to meet with the End of Waste Status. There are no construction works associated with the site, and existing mobile plant within the quarry will be used to carry out the process. The stock piling of the before and after product will be visually comparable to the existing stockpiles of aggregates

in the quarry. Therefore, on balance, I consider the proposed development and facility to be compatible with the quarry and quarry operations on site.

7.4.7 The planning authority granted the planning permission for 5 years only in order to allow for further monitoring arising from the proposal. I would agree with the inclusion of this stipulation. The applicant did not appeal this condition, therefore, Kilsaran Concrete accept the temporary nature of the permission.

7.4.8 It came to my attention during my site inspection, that inert waste is currently been stockpiled at another location within the quarry footprint. I include photographs of same, Plates 8-12, of the stockpiles located in a south-east section of the quarry adjoining a waterbody. In view of this, I consider it to be essential that a condition is included to restrict all stock piling, before and after the process, to within the boundaries of the site.

8.0 AA Screening

8.1. Having reviewed the documents and submissions, I am satisfied that the information on the file which I have referred to in my assessment allows for a complete examination and identification of any potential significant effects of the proposed development, alone, or in combination with other plans and projects on European sites. I have reviewed the applicant's Appropriate Assessment Screening Report prepared by O'Callaghan, Moran and Associates (Environmental Management for Business) in April 2024. The planning authority also carried out Appropriate Assessment Screening on 21/06.2024. I have carried out a full Screening Determination for the development.

8.2 Description of Project:

8.2.1 The proposed development consists of the following elements:

- The site area is 2,415sq.m. located north west of an existing quarry pit.
- The provision of a defined recycling area on designated are on the pit floor
- The processing of up to 19,500 tonnes of inert concrete waste annually using existing mobile crushing and screening plant
- Stock piling of inert concrete waste before processing

- Stockpiling of recycled aggregates prior to transport off site for use in construction works.
- The proposal does not require stormwater management systems and will not generate wastewater.
- The inert waste concrete and recycled aggregates do not contain hazardous substances and or non-concrete materials and do not present any significant risk of soil or water pollution.
- There will be no change to the staffing levels and traffic movements to and from the quarry will remain the same.

I have considered the proposed development and all associated site works, in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

8.3.2 The subject site is located on lands positioned midway between Tipperary town and Golden along the N74. The site is 2,415sqm within an overall permitted quarry extraction area of 17ha in Deerpark, Kilfeacle, Co. Tipperary . The adjoining lands are in agricultural use.

8.4 Submissions and Observations

8.4.1 There were no specific concerns raised about the AA Screening. Tipperary Co. Co. reported no specific concerns about the submitted AA Screening report subject to conditions.

8.4.2 The Department of Housing Local Government and Heritage made no comment on the issue.

8.5 Potential Impact Mechanisms from the Project

8.5.1 The subject lands are not under any wildlife or conservation designation. The following sites are identified within the 15km zone of influence or where there is a source-pathway receptor link,:

- Lower River Suir SAC (Site Code 002137) Distance 5.5km due East
- Galtee Mountains SAC (Site Code 000646) 8.3km due south
- Moanour Mountain SAC (Site Code 002257) 8.3km due SW
- Philipton Marsh SAC (Site Code 001847) 10.8km due NW

8.5.2 The following impacts could occur because of this development:

- Potential for indirect effects through impact to water quality and resource for the construction and operational phases of the development.
- Possible potential for negative impact on water quality during the operational phase of the development.

The following is an examination of each site within the Zone of Influence:

Site and Code	Distance from site	Qualifying features	Source Pathway Receptor
Lower River Suir (Site Code 002137)	5.5km east	Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	The SAC is situated upstream of the proposed development and there is no hydrological link connectively to the SAC. There is no potential for impact. Screened out

		<p>Taxus baccata woods of the British Isles [91J0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Austropotamobius pallipes (White- clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Alosa fallax fallax (Twaite Shad) [1103] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]</p>	
Galtee Mountains SAC (Site Code 000646)	8.6km due east	<p>Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] Blanket bogs (* if active bog) [7130]</p>	<p>There is no hydrological link connectively to the SAC. There is no potential for impact. Screened out</p>

		Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220]	
Moanour Mountain (Site Code 002257)	8.3km southwest	Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030]	There is no hydrological link connectively to the SAC. There is no potential for impact. Screened out
Philipston Marsh SAC (Site Code 001847)	10.8km NW	Transition mires and quaking bogs [7140]	There is no hydrological link connectively to the SAC. There is no potential for impact. Screened out

The following impacts could occur because of this development:

- Potential for indirect effects through impact to water quality and resource for the construction and operational phases of the development.

8.5.3 Given the distance between the development site and the Natura 2000 Sites (more than 5km) there are no viable air and groundwater pathways between the facility and the Natura 2000 Sites. There is no hydrological connection between the quarry and the Lower River Suir SAC, which is 5.5 km due east and the Philipston Marsh which is 10.8 km to the northwest.

8.5.4 The development will involve minor ground disturbance to level the processing and stockpile areas. The proposed development will not result in any new emissions to

surface water, ground or groundwater. The processing equipment will be a source of noise emissions and dust emissions, but the equipment is already in use at the pit. There will be no change to the staffing levels and traffic movements to and from the quarry will remain the same.

8.5.5 Direct Impacts: The proposed development site is not located within or adjoining a Natura 2000 Site and the proposed development will not result in either direct habitat loss, or fragmentation of any SPA or SAC.

Indirect Impacts: The proposed development will not result in any new or additional noise, vibration and dust emissions, will not generate additional traffic movements and there will be no change to the current permitted operational hours. It will not interfere with the groundwater recharge rate and will not generate any process wastewaters. As the proposed development will not result in any material change to the emissions from the permitted development, it is considered it will not be a source of significant effects that could undermine the conservation objectives of the Natura 2000 sites.

Cumulative Effects: The proposed development will not contribute to any cumulative effect on a Natura 2000 Site

8.6 Appropriate Assessment Conclusion:

8.10.1 The proposed processing of inert concrete waste at Kilfeacle quarry, Deerpark , Kilfeacle, Co. Tipperary has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

8.10.2 Having carried out screening for Appropriate Assessment of the project, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the any Natura 2000 site.

8.10.4 This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.

- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Natura 2000 within the Zone of Influence

8.10.4 I have had full consideration of the information, assessment and conclusions contained within the planning application. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 sites. I consider it reasonable to conclude that on the basis of the information submitted in the planning application, and the planning authority's screening report, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of any Natura 2000 sites .

9.0 Recommendation

I recommend the planning authority's decision to grant is upheld by the Board.

10.0 Reasons and Considerations

Having regard to the location of the proposed development within an existing and permitted quarry, the planning history associated with the site, the policies in the current development plan for the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area, would be acceptable in terms of traffic safety and convenience, would not have an adverse impact on the environment and would, otherwise, be in accordance with the proper planning and sustainable development of the area

11.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the additional information and particulars received by the planning authority on the 3rd of May 2024, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. This grant of permission shall be for a period of 5 years from the date of this order. All development associated with this permission shall cease unless prior to that date a further permission for continuing of the related activities has been granted by the Planning Authority or by An Bord Pleanála.

Reason: To allow for further monitoring of the impact arising from the development.

3. This permission is for a maximum of 19,500 tonnes per annum. Each consignment of waste, shall be accompanied by a waste certificate, which shall identify the following:
- Waste origin, source and area in which it was produced/generated
 - Weight of each consignment.
 - Composition and nature of waste.

The developer shall submit to the planning authority, on a tri-monthly basis, records of all waste delivered to the site, in accordance with the aforesaid waste certificate.

Reason: In the interest of development control and to ensure a record is kept of the delivery / acceptance of the waste, in the interest of proper planning and sustainable development of the area

4. All operations and stockpiling of inert waste and recycled aggregates shall be confined to within the site boundaries only. There shall be no stockpiling of materials associated with the process carried out elsewhere within the quarry footprint.

Reason: In the interests of clarity and to ensure compliance with the submitted documentation.

5. The operating hours of the hereby permitted waste transfer facility shall be from 8:00 to 18:30 hours Monday to Friday and 08:30 to 14:00 hours on Saturdays. No operations shall take place outside these times.

Reason: In the interest of protecting adjoining residential amenities.

6. (a) Dust levels at the site boundary shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be submitted to, and agreed in writing with, the planning authority prior to commencement of crushing. Details to be submitted shall include monitoring locations, commencement date and the frequency of monitoring results. Dust suppression measures shall be as per details proposed and the measures shall be in place and operational prior to commencement of crushing.

(b) The Planning Authority shall be notified of any instances where dust levels exceed the above limit together with details of remedial measures that have been taken (shortterm immediate action) along with proposed measures to prevent such exceedance, going forward into the future.

Reason: To control dust emissions arising from the development, in the interest of the amenity of the area.

7. (i) During the operation phase of the development, the developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. In addition, appropriate advance warning signs shall be erected, in accordance with proposals, which shall have the prior written consent of the Planning Authority.

(ii) Vehicles and machinery associated with the operating of the development shall use the wheel washer facilities prior to entering the public road.

Reason: To prevent any traffic hazard or nuisance from such material.

8. 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 the 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 upon 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.

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.

Caryn Coogan
Planning Inspector

10/04/2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	320209-24		
Proposed Development Summary	The provision of a defined recycling area, the processing of up to 19,500 tonnes of waste concrete annually, stockpiling of waste concrete and of recycled aggregates for use in construction works		
Development Address	Deerpark, Kilfeacle, Co. Tipperary.		
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 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 11 (b) of Part 2 of Schedule 5 of the Planning and Development Regulations is - Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required

No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	<p>The proposed project is listed in Annex II of the Directive –Class 11 (b) Installations for the disposal of waste (projects not included in Annex I); but is of a type where the need for EIA is based on a threshold.</p> <p>The threshold as specified in Class 11 (b) of Part 2 of Schedule 5 of the Planning and Development Regulations is - Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.</p> <p>The proposed annual inert waste processing capacity is 19,500 tonnes, which is below the 25,000 tonne annual threshold and therefore an EIA is not mandatory</p>	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No		
Yes	X	Screening Determination required

Inspector: _____ Date: _____

12.0 Form 3 - EIA Screening Determination Form

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP 320209-24	
Development Summary	The provision of a 2416sq.m. defined as a recycling area in the pit floor to process up to 19,500 tonnes of waste concrete annually using a mobile crushing and screening plant with stockpiling of waste concrete prior to processing and stockpiling of recycled aggregates prior to transport off site for use in construction works	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Undertaken and included with the Planner's Report on file, concluding that an EIAR was not required.
2. Has Schedule 7A information been submitted?	Yes	EIA Screening Report with Schedule 7A information accompanied the application.
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report has been submitted with the planning application which considers the Habitats Directive (92/43/EEC)
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?	N/A	The proposed development is under the threshold for an EPA Waste Licence
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	The Tipperary County Development 2022-2028 was the subject of Strategic Environmental Assessment. The previous planning application relating to the quarry, Ref. 15600238, was the subject of Environmental Impact Assessment

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and 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.	Is this likely to result in significant 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 project comprises of a recycling of waste concrete material within a large quarry area, that includes readymix production and a concrete block batching plant. Most the activities on site were permitted under a 2015 planning application for an extension to an existing quarry that included an EIA.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	The site for the processing is within the footprint of an extracted portion of the quarry. It is screened form the surrounding area and will involve on physical changes to the landscape. Due to a combination of the quarry floor level, the screening berms, hedgerows and treelines around the quarry boundary the proposed development site is not visible from any public view points. There is no wastewater associated with the process. The purpose of the proposed development is to process inert waste concrete to produce recycled	No

		<p>aggregates that meet the End of Waste Criteria specified in the Environmental Protection Agency (EPA)</p> <p>National Decision on end-of-waste setting out criteria for the manufacture of recycled aggregates from construction and demolition wastes. The inert waste concrete arising at the Kilsaran quarry comprises surplus readymix returned from construction sites and off-specification concrete blocks from the block production plant. Until now, in the absence of recycling outlets for recycled concrete aggregates, these materials have been stored</p> <p>on site. The inert waste concrete from the development sites will be collected by Kilsaran, and stockpiled at the subject site.</p>	
<p>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?</p>	<p>No</p>	<p>The only products to be used are waste products from the concrete industry, a high component of which are generated on the same site.</p> <p>The inert waste concrete and recycled aggregates do not contain hazardous substances and do not present any significant risk of soil or water pollution.</p> <p>There are no construction works associated with the proposed development. The proposal involves the use of an existing section of the cut out quarry pit floor. The only works required will be the levelling of the ground to provide stable conditions for the mobile crushing and screening plant and the stockpile areas, which will take a week to complete.</p>	<p>No</p>
<p>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?</p>	<p>No</p>	<p>The material is inert.</p>	<p>No</p>

<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>No</p>	<p>There are no chemical or substance in the inert material. The process involves breadding down the inert material using mobile crusher and screening plant. There is no use of water or any substances in the breakdown of the material.</p>	<p>No</p>
<p>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?</p>	<p>No</p>	<p>The only processing will be the crushing and screening of the waste concrete using the mobile plant already used in the quarry. The processing will be subject to an independently certified quality management system to ensure that the recycled aggregates comply with the criteria specified in the Environmental Protection EPA's Decision</p>	<p>No</p>
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>The noise and dust monitoring programme implemented by Kilsaran demonstrates that current operations in the quarry are not a cause of off-site nuisance. The proposed development does not require the provision of any new plant and equipment and will not result in any additional vehicular movements. The nearest off-site sensitive receptors (400m), means that the proposed development will not be a source of either off-site dust soiling or noise nuisance. The working hours of the quarry 07:00 hrs to 18:00 hrs Monday to Friday and 08:00 hrs to 14.00 Saturday, and the proposed development will operate within these parameters.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Yes</p>	<p>The quarry is worked dry and dewatering is not required. The proposed recycling area is circa 20m above the water table. There will be no new impermeable areas and so generation of stormwater run-off and no reduction in groundwater recharge rates. The processing will not generate wastewaters and polluting substances with</p>	<p>No</p>

		<p>the potential to impact on groundwater quality will not be handled and stored within the proposed development site boundary.</p> <p>There is the potential for minor leaks of engine oil to occur from the HGVs accessing and leaving the proposed development area, the loading shovels and the mobile crushing and screening plant. However given the likely volumes the impact would not be significant.</p> <p>The proposed development site is positioned in the north-west corner of the quarry adjoining the block batching area and is more than 400m from the nearest sensitive receptors which are to the north. In the construction and operational stages the dust control measures already in place to mitigate adverse off-site impacts from current activities in the quarry.</p> <p>There is no increase in traffic associated with the proposed development.</p>	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	The proposed development does not involve any construction or excavation works. It involves stocking piling of before and after processed inert materials. The machinery used are standard mobile quarrying machines and loaders. There is no risk of major accidents and/or natural disasters at the proposed development site.	No
1.10 Will the project affect the social environment (population, employment)	No	There is no material change to the work force within the existing quarry as a result of the proposed development.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	The proposed development is subsidiary to the main land uses at the sites which is quarrying, readymix concrete and concrete block batching.	No

2. Location of proposed development

<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - 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 	<p>No</p>	<p>The project is not located in, on or adjoining any European site, any designated or proposed NHA or any other listed area of ecologist interest or protection.</p> <p>There are no hydrological or hydrogeological connections between the site and European site.</p> <p>There is no direct air pathway between the site and any European sites given the extension separation distances between same.</p> <p>The issues have been addressed in the Appropriate Assessment Screening.</p> <p>Accordingly, I do not consider the project is likely to result in a significant effect on the environment in terms of ecological designations or biodiversity.</p>	<p>No</p>
<p>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?</p>	<p>N/A</p>	<p>The site is located on the pit of an existing quarry with no rare or protected flora or fauna recorded. There are no habitats or species associated with the site and European sites.</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No</p>	<p>There are no landscape designations or protected scenic views at the site. The site is screened from public view. There are no protected structures or archaeological features <i>associated</i> with the site or in the vicinity of the site.</p>	<p>No</p>
<p>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?</p>	<p>No</p>	<p>There are no such resources on or close to the site.</p>	<p>No</p>

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 site is a quarry pit and the water table will not be encountered . There are no watercourses adjacent to the site.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	There is no evidence identified of these risks.	No
2.7 Are there any key transport routes(eg 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	The main vehicular access to the site is off a national road, N74 between Tipperary town and Cashel. The proposal will not result in an increase in traffic to and from the site. The empty trucks returning to the quarry will carry the aggregate products back to the site for recycling.	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	There are no sensitive community facilities, such as hospitals or schools in proximity to the subject site.	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?	Yes	The subject site is located within a larger permitted quarry, a ready-mix facility and a concrete block batching plant. The overall development was the subject of a number of planning applications, most recently in 2015 which was also the subject of an Environmental Impact Assessment. The location, the process and the conditions recommended by this permission are compatible with the existing planning permission and mitigation measures associated with the overall quarry site, granted planning permission under reference 15600238.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	There are no transboundary affects arising	No
3.3 Are there any other relevant considerations?	No	No	No

C. CONCLUSION

No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required
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Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required
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D. MAIN REASONS AND CONSIDERATIONS

EG - EIAR not Required

Having regard to: -

1. the criteria set out in Schedule 7, in particular
 - (a) the limited nature and scale of the proposed development, in an established quarry
 - (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 applicant
3. the planning history of the site

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.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____