An Coimisiún Pleanála

Inspector's Report

ABP-322624-25

Development	Continued use of existing quarry to the permitted depth of minus 5 metres OD (including drilling, blasting, crushing, processing, stockpiling of materials, associated roads and ancillary services; storage areas; permitted concrete manufacturing facility; office; maintenance shed; water management system; weighbridge and wheel wash); and, lateral extension of the existing permitted quarry area over a previously permitted extraction area of c.4.6 ha. area to a final floor level of minus 5 m OD. The total quarry extraction area will be c. 13 Ha. The proposed development is within an overall application area of c. 27.5 hectares and is for a total period of 22 years (comprising an operational period of 20 years followed by 2 years for restoration). An Environmental Impact Assessment Report (EIAR) was submitted with the application.
Location	Barrettspark, Athenry, Co. Galway

Planning Authority	Galway County Council
Planning Authority Reg. Ref.	25/60220
Applicant	Coshla Quarries Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant	Brendan Dowling
Observers	None
Date of Site Inspection	17th July 2025
Inspector	Ian Campbell

1.0 Site Location and Description

1.1. The appeal site is located within a rural area in the townland of Barrettspark, c. 7 km west of Athenry and c. 13 km east of Galway City.

1.2. The appeal site comprises an operational limestone quarry 'Coshla Quarries' with associated concrete manufacturing facility and has operated at the site for c. 20 no. years.

1.3. The appeal site has a stated site area of 27.5 ha and is broadly rectangular in shape. The appeal site is broadly split into two parts. The eastern part of the appeal site includes the extraction area (c. 8.4 ha). This area has been excavated to a depth of -5 metres OD and is surrounded by quarry faces c. 20 metres in height. Mobile plant operates on the floor of the extraction area and the area is also used for the storage of aggerates. A sump is located along the west of the extraction area with water pumped to a higher level where a percolation/settlement area and interceptor are located. Water from this area is then directed to a final percolation area where it percolates to the ground (under a licensed discharge). 2 no. 100kV overhead electricity cables traverse the appeal site from south-west to north-east, separating the eastern and western parts of the appeal site. The western part of the appeal site accommodates a concrete manufacturing facility and a storage area for concrete blocks. To the north is a site office, weighbridge, wheel wash and a maintenance shed.

1.4. Access to the quarry is via a c. 1km long 'L' shaped surfaced road, which connects to the L7109. This road is not indicated within the red or blue line boundary of the site. The L7109 connects with the R339 c. 1 km further north. The M6 motorway is located south of the appeal site. The posted speed limit on the L7109 is 60 kmph.

1.5. There are no surface water features within the appeal site. The closest river, Clare (Galway) River, is c. 2.7km north-west of the site. The closest coastal waterbody is Oranmore Bay, c. 6 km south-west of the appeal site.

1.6. The predominate land-uses in the area are industrial/utility, agriculture and residential. An ESB substation and a battery storage facility are located east/north-east of the appeal site. C & F Tooling is located further east, opposite the entrance to the quarry. An uninhabited property is situated c. 40 metres south of the appeal site. The closest

inhabited residences are stated as being c. 368 metres east. The particulars submitted with the planning application refer to c. 76 dwellings within 1km of the site.

2.0 **Proposed Development**

2.1. The proposed development comprises;

- the continued use of the existing quarry to the permitted depth of- 5 m OD, including drilling, blasting, crushing, processing, stockpiling of materials, associated roads and ancillary services[1].
- continued use of open storage areas; concrete manufacturing facility; office; maintenance shed; water management system (including settlement lagoons); weighbridge; and wheel wash;
- c. 4.6 ha. extension of existing permitted extraction area, to a final floor level of - 5 m OD. The total quarry extraction area will be c. 13 Ha.
- restoration of the site to natural habitat (see Appendix 2.1 of EIAR).

The proposed development is within an overall application area of c. 27.5 hectares. The applicant is seeking a duration of permission of 22 years (comprising an operational period of 20 years followed by 2 years for restoration).

2.2. The background and rationale for the proposed development is set out in the particulars submitted with the planning application/appeal as follows –

- existing operations at the site are currently regulated by conditions imposed under PA. Ref. 09/1958 / PL 07.235821, PA. Ref. 09/230, and PA. Ref. 19/517 / ABP-304769-19.
- the applicant notes that the development permitted under PA. Ref. 20/499 / ABP. Ref. 308549-20 may be commenced prior to any decision in respect of this current application/appeal.
- under PA. Ref. 20/499 / ABP. Ref. 308549-20 a 20 year permission for continued quarrying at the site was granted. The permission was subsequently amended under Section 146A with respect to Condition no. 3 and no. 6 (Ref

[1] Under PA. Ref. 21/859 an Extension of Duration of PA. Ref. 09/1958 / PL. 07. 235821 was granted up to 6th September 2026.

308549M-20). The amendment to Condition no. 3[2] and no. 6[3] was subject to judicial review and the amendment was quashed by the High Court. The High Court Order affected only the Section 146A amendment. Inconsistencies with the permission were identified, specifically in relation the EIAR which had noted that the quarry was operating below the groundwater table, which was subsequently found not to be the case following site investigations, including boreholes and geophysical surveys. To address these matters and to ensure clarity for the operator a new planning application and updated EIAR has been prepared.

The following information in relation to the working of the quarry is provided in the particulars submitted with the application/appeal, including the EIAR:

- the depth of excavation and current quarry floor level has not intercepted the groundwater conduit system. The proposed extraction area will have a floor level no lower than the current floor level of the existing quarry, at - 5 metres OD.
- the eastern lateral extension will form the majority of the proposed extension. The south-western, northern and southern extensions are intended to enable safe workings and quarry design.
- the proposed deepening will bring the eastern portion of the site from c. 20 m to 38 m OD to an elevation of - 5 m OD, i.e. the level of the current quarry floor. In the south-western corner, the proposal will bring the average elevation of 20 m OD to the same - 5 m OD elevation as the quarry floor. There is no subsoil cover in the south-western proposed corner extension.
- blasting is undertaken c. once in a 5 week period, potentially increasing to twice during periods of high demand. Drill rigs on the existing quarry floor will be used to drill the charge holes. The rigs will be equipped with dust suppression equipment and noise and vibration monitoring.

[2] Condition no. 3 stated that the grant of planning permission related to the extraction of **sand and gravel** whereas the quarry concerned the extraction of limestone.

[3] Condition no. 6 stated that no extraction of aggregates shall take place **below** the level of the water table and shall be confined to a minimum of five metres above the winter water table level.

- industry standard slope angles, bench heights, and bench widths will be used.
- aggregate is loaded onto dump trucks and taken to the existing processing plant within the quarry void where it is processed using mobile crushing and screening plant. Processed rock will be stored in the quarry area pending use in the ancillary concrete manufacturing plant on the site, or for sale off site. Aggregates produced on-site are a primary component of the concrete mix.
- extracted rock is turned into aggregate products for sale or as inputs to the concrete manufacturing. All surplus concrete is crushed to make fill products or blocks.
- the duration of quarrying activities will be dictated by market demand. c. 1.5 million m3/3.9 million tonnes of rock is estimated at the quarry. The maximum extraction rate is anticipated to be up to 400,000 tonnes per annum to allow the applicant respond to demand for aggregates.
- soil/subsoil material remains stored within the lateral extension area which will be removed and used internally for site restoration purposes. Additional soils are currently stored in screening berms along the site perimeter, which will also be utilised in the final restoration of the quarry.
- sand (which is stored next to the plant) is imported into the site for use in the concrete production plant. Cement is imported into the site for use in the concrete production plant, this is stored in silos next to the plant.
- the majority of rainfall percolates to ground via the quarry floor. Excess run-off will continue to be directed to a sump on the quarry floor, and then pumped vertically to a concrete settlement pond, draining via an oil interceptor to a large soakaway located on the west of the site for discharge to ground under Discharge Licence (W/469/13).
- surface water runoff from the area of the batching plant and concrete block yard drains to a precast concrete settlement tank, which is located adjacent to the batching plant. The settlement tank is a closed circuit system. During dry periods, the tank is topped up from an existing on site bored well. Water

from the well also serves the site office. Water for the wheel wash, dust suppression and processing plant will be provided from the water management system.

- an existing wastewater treatment plant will continue to be used for the toilets on the site. The loading on the system will remain unchanged as a result of the proposal.
- no new fuel or oil storage systems are proposed. All fuel, oils and admixtures are stored at locations around the manufacturing area of the existing quarry. Fuel is delivered to site by fuel companies and dispersed directly into a mobile double skinned fuel bowser. A small volume of fuel is stored in storage tanks located at the quarry. The tanks are appropriately bunded to contain any potential leakages. No other large volumes of fuel, chemicals or admixtures will be stored at the site.
- drip-trays will be used for fixed or mobile plant such as pumps and generators in order to retain potential oil leaks and spills. The drip tray will have a capacity of 110% of the volume contained within the machine/generator. The fuel bowser, when not in use, is stored on a hard standing area with an associated oil interceptor at the maintenance shed area.
- HGV traffic exiting the quarry will pass through the existing wheel wash.
- in order to track and record the amount of material exiting the quarry, all HGV traffic is directed across the existing weighbridge.
- existing hedgerows, fencing and screening berms will remain in place.
- the quarry will operate as per existing approved operations/hours.
- the proposed development will provide continued employment of up to 12 people directly on-site, in addition there are typically 10 indirect employees such as crushing contractors, HGV drivers, maintenance contractors, etc.

2.3. The planning application was accompanied by the following;

- Planning Report
- Appropriate Assessment Screening Report (AASR)

- Traffic Impact Assessment (TIA) and Traffic and Transport Assessment (TTA) (see Chapter 13 Traffic)
- Road Safety Audit (RSA) (see Chapter 13 Traffic, Appendix E)
- Water Framework Directive Assessment Report
- Environmental Impact Assessment Report (EIAR)
- Peregrine Falcon Management Plan (see Chapter 6/Biodiversity of EIAR)
- Site Specific Flood Risk Assessment (see Appendix 8.9 of EIAR)

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to GRANT Permission on the 28th of April 2025 subject to 14 no. conditions. The following conditions are of note;

C2 – duration of permission is 20 no. years. Restoration of quarry shall be undertaken within a period of 2 no. years following.

C3 – requires environmental mitigation and monitoring measures to be implemented, and that an environmental manager oversee same.

C4 – requires compliance with the recommendations, summary and conclusions set out in the Environmental Impact Assessment Report "Chapter 13, Traffic, which includes the Traffic and Transportation Assessment, Safety Statement and Road Safety mitigation measures.

C5 – requires maintenance of sight distance triangles, and installation of "Stop" sign at the T- junction with the L-7109.

C6 – stipulates that the quarry operate at its current output with reference to HGV movements, i.e. 137 two way trips per day, and that no extraction works shall take place (on foot of this permission) prior to the implementation of the safety assessment recommendations to the R339, L7109 Junction as contained within Traffic and Transportation Assessment.

C7 – requires payment of special contribution (S. 48 (2)) towards road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry.

C10 – stipulates noise emission limits.

C11 – stipulates hours of operation.

C12 – stipulates dust emission limits, and requires dust monitoring plan to be agreed with Planning Authority.

C14 – requires payment of bond in respect of roads.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The report of the Planning Officer notes that the principle of the proposed land use is acceptable at this location, and generally notes the acceptability of the proposal.

3.2.3. Other Technical Reports

Roads Section – report recommends a number of specific conditions. These conditions have been incorporated into the Notification to Grant Permission (see Condition no.'s 4, 5 and 6. The report also recommends a condition requiring the payment of a Special Development Contribution towards road improvement works at the junction of the L7109 and R339, and on the L7109 at the entrance to the quarry (see Condition no. 7).

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

The report of the Planning Officer refers to observations having been received in relation to the planning application. The issues raised in the observations are summarised in the report of the Planning Officer as follows:

- Water table level disputed.

- Inadequacies in EIAR.
- Flooding.
- Traffic impact/traffic safety concerns.
- Impact on private well/water supplies.
- Unauthorised production of agri-lime on site.

4.0 Planning History

Appeal Site:

PA. Ref. 06/4125 – Permission GRANTED for 13 ha quarry.

Condition no. 1 stipulated that the permission was for 5 no. years.

PA. Ref. 09/230 / ABP. Ref. PL.07. 233579 – Retention permission GRANTED for concrete batching plant and temporary access haul road to the N6.

Condition no. 1 stipulated that the permission shall expire on the 25th day of June, 2012.

PA. Ref. 09/610 – Retention permission GRANTED for maintenance shed.

PA. Ref. 09/1143 / PL. 07. 234608 - Retention permission GRANTED for an asphalt batching plant and a temporary access haul road from the site at Cashla, Barrettspark, to the adjacent N6 construction site.

Condition no. 1 stated that the permission shall expire upon completion of the N6 road project.

PA. Ref. 09/1958 / PL. 07. 235821 - Permission GRANTED to continue quarrying activities and operate a concrete batching plant and a bitumen batching plant within the quarry site.

Condition no. 2 stipulated that the permission was for 10 no. years.

PA. Ref. 12/991 / PL. 07. 241241 – Permission REFUSED for temporary asphalt batching plant and ancillary activities.

Refusal reasons related to traffic and risk of environmental pollution.

PA. Ref. 19/517 / PL. 07. 304769 - Retention permission GRANTED for concrete batching plant, which is an extension to an existing concrete batching plant permitted under PL. Ref. No: 09/230.

Condition no. 2 and 3 links the permission back to the duration and conditions of PA. Ref. 09/1958 / PL. 07. 235821 (the permission shall expire on the 10th of March 2021).

PA. Ref. 20/499 / ABP. Ref. 308549-20 – Permission GRANTED for 20 years to continue operating the existing quarry, for 6.7 ha. extension to quarry, and all associated uses and activities.

PA. Ref. 21/859 – Extension of Duration GRANTED in respect of PA. Ref. 09/1958 / PL. 07. 235821 up to 6th September 2026.

Adjacent Area:

PA. Ref. 18/1883 / ABP. Ref. 304922 -19 – Permission GRANTED for 100 MW battery storage facility.

PA. Ref. 19/325 / **ABP. Ref. 305165-19** (appeal withdrawn) – Permission GRANTED to refill an existing disused quarry with inert material.

PA. Ref. 23/355 – Permission GRANTED to upgrade the existing 220k overhead line.

5.0 Policy Context

5.1. National Policy

5.1.1. *National Planning Framework*[4]

National Policy Objective 30 - facilitate the development of the rural economy, in a manner consistent with the national climate objective, through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting biodiversity and the natural landscape and built heritage which are vital to rural tourism.

[4] NPF First Revision(April 2025).

5.1.2. Climate Action Plan 2025

The plan, the third update to Ireland's Climate Action Plan 2019 under the Climate Action and Low Carbon Development (Amendment) Act 2021, identifies that a key target for the industry sector is to reduce emissions associated with the use of concrete, and engagement with research on innovation in the formulation and production of cement and concrete products.

5.2. Regional Policy

5.2.1. Regional Spatial and Economic Strategy (Northern and Western Regional Assembly) 2020 – 2032

The RSES notes the requirement in the region to accommodate housing for between 160,000 and 180,000 additional people (see Section 7.6).

5.3. Section 28 Guidelines

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

These guidelines note the economic importance of quarries and the demand for aggregates arising from the needs of the construction industry with particular reference to house building and infrastructure provision. It is further noted that aggregates can only be worked where they occur and that many pits and quarries tend to be located within 25 km of urban areas where most construction takes place. Chapter 3 identifies the potential environmental issues associated with the development of the extractive industry/quarries and recommends best practice/possible mitigation measures in respect of: Noise and vibration; Dust deposition/air quality; Water supplies and groundwater; Natural heritage; Landscape; Traffic impact; Cultural heritage; and Waste management. The Guidelines also recommend Environmental Management Systems (EMS) as a quality assurance system to measure a company's operations against environmental performance indicators. Chapter 4 refers to the assessment of planning applications and Environmental Impact Statements[5]. It provides guidance on the information to accompany an application and the inclusion of possible planning conditions.

[5] Now referred to as 'EIAR'.

5.3.2. *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018*

These guidelines coincide with the making of the European Union (Planning & Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) and the coming into operation of the Regulations on 1st September 2018 in order to transpose the Directive into Irish law. The Guidelines replace Guidelines for Planning Authorities and An Bord Pleanála on carrying out environmental impact assessment issued by the DoECLG in 2013. The purpose of the guidelines is to give practical guidance on procedural issues and the EIA process arising from the requirements of Directive 2014/52/EU.

5.4. Other Relevant Guidance

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

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

5.5. Development Plan

5.5.1. The Galway County Development Plan 2022-2028 is the relevant development plan. The appeal site is not subject to any specific land-use zoning under the Galway County Development Plan 2022-2028. The appeal site is located within a Strategic Economic Corridor.

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

- Policy Objective RD 1 – Rural Enterprise Potential, Chapter 4, Vol 1 (seeks to facilitate rural economy, including extractive industries)
- Policy Objective MEQ 1 – Aggregate Resources, Chapter 4, Vol 1 (seeks to ensure adequate supplies of aggregate)
- Policy Objective MEQ 2 – Protection of the Environment, Chapter 4, Vol 1 (require quarries to comply with Habitats Directive; Quarry Guidelines etc.; diligence in proximity to quarry sites for new development; consideration of issues inc. groundwater and archaeology; and to have regard to landscape, roads, amenity)
- Policy Objective MEQ 4 – Landscape Plans, Chapter 4, Vol 1 (requires proposals for quarries to be subject to landscaping requirements)
- DM Standard 18 – Extractive Development, Chapter 15, Vol 1, (considerations for extractive development - S.261 of Planning and Development Act, 2000, quarry guidelines, EPA guidelines for extractive sector, guideline for heritage, biodiversity etc.: landownership: extent of deposits: extraction methods: details for production processes: mitigation measures: access: rehabilitation of site: environmental impact: proximity to adjoins developments: landscaping: heritage and biodiversity: and site security).
- DM Standard 28 Sight Distances Required for Access onto National, Regional, Local and Private Roads, Chapter 15, Vol 1 (requires sightlines of 90 metres for roads with design speed of 60 kmph).

5.5.3. In terms of Landscape Character Type, the appeal site is located within the Central Galway Complex Landscape (see Map 1, Appendix 4 'Landscape Character Assessment' of CDP). Regarding landscape sensitivity, the appeal site is noted as having a 'low' landscape sensitivity (see Map 6, Appendix 4 of CDP). The appeal site is not affected by any protected views and is not on a scenic route (see Map 08 and 09, Appendix 4).

5.6. Natural Heritage Designations

- Galway Bay Complex SAC (Site Code: 000268) – c. 4km south-west.
- Lough Corrib SAC (Site Code: 000297) – c. 4 km north-west).

- Rahasane Turlough SAC (Site Code: 002352) – c. 12.5 km north-east.
- Monivea Bog SAC (Site Code: 002352) – c. 12.5 km north-east.
- Lough Fingall Complex SAC (Site Code: 000606) – c. 12 km south.
- Castletaylor Complex SAC (Site Code: 000242) – c. 12.5 km south.
- Kilternan Turlough SAC (Site Code 001285) – c. 14 km south.
- Ardrahan Grassland SAC (Site Code 002244) – c. 14 km south.
- Rahasane Turlough SPA (Site Code: 004089) – c. 10 km south-east.
- Inner Galway Bay SPA (Site Code: 004031) – c. 6 km south-west.
- Cregganna Marsh SPA (Site Code: 004142) – c. 6.5 km south-west.
- Lough Corrib SPA (Site Code 004042) – c. 11 km north-west.
- Galway Bay Complex pNHA (Site Code 000268) – c. 4 km south-west.
- Kiltullagh Turlough pNHA (Site Code: 000287) – 5.4 km west.
- Lough Corrib pNHA (Site Code 000297) – c. 11 km north-west.
- Monivea Bog pNHA (Site Code 000311) – c. 12.6 km north-east.
- Tiaquin Bog pNHA (Site Code 001709) – c. 14.8 km north-east.

5.7. EIA Screening

5.7.1. Schedule 5, Part 1, (19), requires EIA for quarries and open cast mining where the surface of the site exceeds 25 hectares. The overall site has a stated area of 27.5 ha.

5.7.2. Schedule 5, Part 1, (22) requires EIA for any change or extensions of projects listed in this Annex where such a change or extension in itself meets the thresholds, if set out in this Annex.

5.7.3. Schedule 5, Part 2, Class 2(b), requires EIA for the extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares. The proposed development comprises the continued use of an existing limestone quarry (extraction area 8.4 ha) and a 4.6 ha extension to the quarry, thereby resulting in a total extraction area of 13 Ha.

5.7.4. Schedule 5, Part 2, Class 13 (a), requires EIA for any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would (i) result in the development being of a class listed in Part 1 or paragraph 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than 25%, or an amount equal to 50% of the appropriate threshold, whichever is the greater. The proposed development comprises the continued use of an existing limestone quarry (extraction area 8.4 ha) and a 4.6 ha extension to the quarry, thereby resulting in a total extraction area of 13 Ha. The overall site has a stated area of 27.5 ha.

5.7.5. An EIAR was submitted with the application (see paragraph 7.3 below).

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal by Brendan Dowling against the decision to grant permission. The grounds of appeal may be summarised as follows;

General/main points:

- The EIAR is deficient and does not comply with the EIA Directive. Issues concerning hydrology, hydrogeology and traffic hazard have not been assessed.
- Visibility is constrained at the junction of the R339/L7109.
- An agricultural lime processing plant has been erected within the quarry void without planning permission, the effects of which have not been addressed in the EIAR or NIS.

EIAR Chapter 8 (Water):

- There is a fluctuating water table on the site and the EIAR does not address this.
- The proposal entails quarrying below the water table.
- The EIAR refers to the level of the water table, however the measurement of the water table was taken during summer when it as its lowest level. A

number of contentions in the EIAR are then based on this information, including;

- that groundwater is not encountered until depths of c -10 m OD, and c – 22 m OD elsewhere in the quarry.
- that there is no evidence of groundwater within the areas of the quarry which have been excavated to -5 m OD.
- the current and proposed – 5 m OD extraction level is significantly above groundwater and there is therefore no interaction between the quarry and groundwater.

- By excluding established water table levels relating to the water table at the quarry which conflict with the EIAR submitted, the EIAR does not comply with the EIA Directive.
- This proposal entails extraction to a level below the water table.

Agricultural lime processing plant:

- An agricultural lime plant has been erected within the quarry, the effects of which have not been addressed in the EIAR or NIS (photograph purporting to show agricultural lime plant on site provided).

Previous EIAR's:

- A hydrology report submitted under a previous planning application (PA. Ref. 20/499 / ABP. Ref. 308549-20) stated that the existing and proposed quarry extension would be below the water table, and that dewatering would also be required to keep the quarry floor dry. The hydrology report included a groundwater monitoring chart indicating groundwater at 4 m OD to 17 m OD. In the current application the author of the hydrology report disregards previous water table levels.
- Photograph of quarry submitted (dated February 2024) purporting to show the quarry void submerged to a height corresponding with the fluctuating water table.
- The current application is the same as that proposed under PA. Ref. 20/499 / ABP. Ref. 308549-20 and the applicant is hoping for a different decision,

with reference to a condition attached under PA. Ref. 20/499 / ABP. Ref. 308549-20, i.e. Condition no. 6 which stipulated that extraction shall not occur below the water table, and shall be confined to a minimum of 5 metres above the winter water table. The current application is *res judicata* in this regard.

- The EIAR submitted with PA. Ref. 12/991 / PL. 07. 241241 (which related to an asphalt plant at the site, and which was refused for reasons including groundwater pollution) stated the following in relation to the water table/groundwater;
    - the natural water table is located between 2 - 5 meters of the present quarry rock surfaces.
    - present groundwater levels range between 4.33 meters below ground level (m bgl) to 23.98 m bgl.
    - the lowest ground level is 4.16 mOD (at a surface datum of 28.14, the groundwater level was therefore 23.98 m bgl).
    - the highest groundwater level was 15.45 mOD (at a surface datum of 19.78, the groundwater was therefore 4.33 m bgl).
- In response to a Further Information request under PA. Ref. 09/1958 / PL.07.235821 the following was stated in relation to groundwater on the site;
    - there have been at least 5 floods of approximate level of 19.4m OD in the past 20 years and 9.5m OD flood 30 years ago. The maximum level reached during the November 2009 flood was 20.1m OD.
    - the ground water table is varying between 15.85 OD and 18.85 OD. A flood event would occur when the ground water levels are at their highest.
    - the unaffected local ground water table is at 15.45m OD.
    - the level of 15.45m OD as the ground water table is more acceptable than the earlier suggestions that the ground water table is as low as -62m OD.

- water levels of the settlement lagoon is marked as 18.60m OD.
- summer ground water table is at 15.85m OD. Winter water table is approximately at 18.85m OD.

- The operators of the quarry acknowledged, in correspondence connected with Dowling v An Bord Pleanála [2024] IEHC 249, that the quarry operates below the water table.
- The EIAR has not taken into account the fact that water supply to the appellant's house is from a domestic well c. 800 metres from the quarry.
- The junction between the R339 and L7109 does not have adequate sightlines, does not meet the requirements of DM Standard 28 of the Galway County Development Plan 2022 – 2028, and the proposal would materially contravene the Development Plan. The junction also lacks an adequate turning radii for HGV's and the number of vehicles going through the junction exceeds that set out in DN-GEO-03060 when compared to the AADT (Annual Average Daily Traffic) figures in the EIAR. Appeal submission also includes Site Layout drawing indicating sightlines (May 25) of the junction between the R339 and L7109 (c. 1 km north of appeal site).

6.2. Applicant Response

The applicant has submitted a response in respect of the third party appeal submission.

Re. *Res Judicata*:

- The Board granted permission in 2023 (ABP-308549-20) for a broadly similar development. The Board subsequently used Section 146A to address a "clerical-error" in the wording of Conditions no.' s 3 and 6. The appellant judicially reviewed that clerical error amendment order only. In Dowling v ABP [2024] IEHC 249 Mr. Justice Barrett quashed the section 146A order alone. The substantive permission still stands but now contains drafting anomalies on extraction depth and monitoring anomalies. *Res judicata* only arises where the same cause of action, on the same facts, between the same parties, has already been finally determined by a court of competent jurisdiction. The merits

of permission ABP-308549-20 have never been before the courts, the appellant challenged only the Section 146A clerical order, which the High Court quashed for going beyond a "mechanical" correction. The judgment addressed the Board's clerical-error power, not the development's planning merits.

- Since 2023 the quarry engaged a professional groundwater engineer/ hydrogeologist with significant proven competency and experience in the groundwater environments at limestone quarries and this has resulted in additional boreholes, completion of geophysical surveys and interpretation by Karst experts. In addition, the Flood-Risk Assessment has been updated with information supplied by Consulting Engineers and OPW information for the landscape in the vicinity of the quarry. There are substantial "new facts" that the competent authority has now assessed afresh. Accordingly, there is no possible suggestion of *res judicata* for matters which have not been before the court and which are technically of material difference.

Re. Non-compliance with EIA Directive:

- Chapter 1 of the EIAR lists the qualified and experienced specialists who prepared each topic. Chapter 2 of the EIAR explains how each chapter follows Directive 2011/92/EU (as amended by 2014/52/EU), the Planning & Development Regulations 2001-2023 and the EPA 2022 ‘Guidelines on the Information to be Contained in EIARs’. The appellant cites no alternative guidance and provides no methodological critique. The blanket assertion of "non-compliance" is unsubstantiated and should be dismissed.

Re. Water Table and Flood Risk:

- Whether one labels the control level in a mature karst network a "water-table" or a "conduit elevation" is immaterial: the legally relevant test is impact.
- The updated hydro-geological assessment by Dr Pamela Bartley (Hydro-G), a noted karst specialist, establishes, on the basis of additional boreholes and a 2024 geophysics survey (completed by Dr. Yvonne O'Connell, also a noted karst specialist), that the quarry floor at -5 m OD is > 12 m higher than the nearest mapped conduit horizon. There is direct and irrefutable evidence at the site by virtue of the volumes of water being managed and

discharged from the quarry, under Section 4 Licence. The evidence proves that the site is not operating below the 'water table' because the volumes of water being managed are too small to represent a saturated groundwater system. There is a flow meter on the waters being discharged. Whilst some days there is zero discharge, when there has been no rainfall, the average discharge volume is 132m3/d when calculated over the last five years or 180m3/d when averaged over the last 4 years. All discharges are piped via the sump-settlement-lagoon system and are regulated under Galway County Council Section 4 Licence W/469/13. A site-specific Flood-Risk Assessment (EIAR Appendix 8-9) confirms that even the November 2009 pluvial event could be fully retained on the floor of the quarry without risk to any receptor.

- The Water Chapter of the 2025 EIAR presents significant information for the Board's consideration. The overarching collation of all relevant information was presented in the Section Heading 'Conceptual Understanding of the Site, the Proposed Development and Interactions' of the Water Chapter and associated paragraphs numbered 8.185 to 8.199. The following is noted;
    - the site is mapped as part of a limestone body that is a Regionally Important Karst (conduit). The existing excavation of rock to -5m OD has not intercepted a groundwater flow system and there is no evidence of a groundwater flow system in the excavated open area of rock walls of the void.
    - the groundwater flow system in the conduits is well documented within and outside the site as operating at elevations ranging from c.-10m OD to c.-30m OD. The quarry is therefore operating above the groundwater flow system, and this is the correct terminology for groundwater in conduit karst aquifers: There is no 'Water Table' in this type of hydrogeological setting because karst limestone in the west of Ireland has no contiguous saturated pore space. There is no primary porosity in this type of limestone and the very low measured discharge rates are testament to this. The site has discharged an average of c. 180m/d in the last four years, which is a volume entirely relatable to rainfall runoff.

- the applicant engaged Dr. Pamela Bartley specifically because of contention as to whether a 'Water Table' exists in this landscape. Dr. Bartley is a Karst specialist with a PhD. from Trinity College Dublin in which she specifically assessed groundwater responses in Irish karst limestone environments. Dr. Bartley has categorically asserted, on the basis of being an expert and on the basis of observations and mathematical evidence for the site, that Coshla Quarries is managing rainwater only and therefore is not operated below a 'water table'. The appellant relies on conclusions reached by earlier assessors, but Dr Bartley's updated hydro-geological analysis shows that those earlier determinations were based on a misinterpretation of the underlying data. On the basis of site observations documented by Dr. Bartley, the information of specific note includes, as follows:
    - the quarry floor is dry on most occasions except when it is called on to attenuate extreme rainfall events. When the floor floods with heavy rainfall it requires pumping to create a dry working area as the rain does not percolate through the floor because it is hard limestone.
    - the site's sump and settlement tank are small. The water in the settlement tank is crystal clear, which suggests that the small sump is able to attenuate the waters allowing solids to settle out.
      A big tank is not required because the volumes of water that the site is managing are relatively small.
    - the 2020 EIAR presented historic flow meter readings and the following points are noteworthy;
        - the 2020 EIAR reported that the site manages to keep the floor dry by discharging 146 m3/d. For the size of the excavation, a volume of 146m3/d cannot be groundwater because it is too small a value. In a

karst conduit setting a value of 146m3/d can only be rainfall derived.

- When Hydro-G considered the Flow Meter reading on a June 2024 site visit, relative to 2018, the discharge value is 87.9 m3/d, on average. This is because rainfall must be the main cause of the discharge and in the summer there is no discharge at all. This is normal and concurs with the experience at all limestone quarries.
- The quarry is not operating below the water table for the following reasons –
    - there is no evidence of any conduits or contiguous groundwater transmission zones in any of the exposed walls of the quarry void. The applicant does not propose to go any deeper than the current floor level and therefore all walls of the existing void provide all relevant evidence that there is no groundwater ingress to the site. If there is no groundwater then there is no potential for a 'water table'. There is one small area of one wall in which there is evidence of recent shallow rainwater ingress at a short depth below natural ground level and this is entirely common in the epikarst zone of the subsoil bedrock interface.
    - a site's sump and its pump never lie. The sump is so small, and the pump is small. If the site were operating below the "water table" , then there would be significantly larger infrastructure required to keep the floor workable.
    - the site's meteorologically based water balance, using values presented in Chapter 7 of the 2020 EIAR, suggests;
        - that the site runoff volumes could amount to an average value of 183 m3/d.

- that the site's "groundwater recharge" component could be 333 m3/d.
- the combined value for runoff and groundwater recharge arisings would be 515 m3/d If groundwater was a component. Groundwater is not a component because the site discharges only 142 m3/d under the Section 4 Discharge Licence.

- The 2020's EIAR Chapter 7, Page 7-13 Para 5, (HES, 2020), states:

  "Based on the groundwater level monitoring, the quarry is operating below the groundwater table (refer to the current bench levels on Figure 7.6). More specifically it is operating below the potentiometric groundwater level of the fractures below the quarry. However, due to the competent, low permeability nature of the limestone in which the quarry is operating, there are no significant groundwater inflows from the underlying fracture network through the base or sides of the quarry." Hydro-G's confident and factual conclusion is that it is entirely incorrect to assign a water table concept to a karst conduit groundwater system and a limestone quarry that presents dry walls. The quarry is not operating below the 'groundwater table' and this fact is supported by extensive site investigations for the 2025 EIAR in addition to data available in 2020.

- Based on the dry void, small discharge volumes, small sump and small scale of infrastructure at the sump, the quarry is not operating below the groundwater table. It is true that the quarry's bench floors are below the potentiometric groundwater level in the site's perimeter boreholes but that is because the water levels in the bored holes represent the water pressure in the groundwater conduit fractures at significant depth below the quarry floor. The groundwater conduit flow system is documented in BH Logs, and as summarised in Table 7-2(a) of the Land, Soils and Geology Chapter of the 2025 EIAR. The elevation of the groundwater flow system's conduits ranged from minus 29m OD to minus 79m OD: it was those four perimeter BHs that were used by the assessors in the previous EIAR. The

potentiometric (pressure head) will of course be high when the water strike is so far below the site's minus 5m OD current and future proposed floor level. This is why the previous assessors stated: "more specifically, it is below the potentiometric head....." As detailed in Section 7.79 of the 2025 EIAR: "on the periphery of the overall site, the first shallow groundwater inflows at locations BH1 to BHS occurred at elevations of -13.98, -10.98, -29.43, -8.89 and -21.85 m OD respectively. However, each BH had to progress deeper to obtain any real groundwater strike and in no case were significant karst conduit water flows encountered". The lowest floor's elevation at the site is - 5m OD. Due to the competent, low permeability, nature of the limestone in which the quarry is operating there are no groundwater inflows through the base or sides of the quarry. Therefore, the quarry is operating above the groundwater conduit flow system. The concept of 'water table' does not apply to karst conduit limestone bedrock. There is no water table in the actual bedrock. There is a water LEVEL (pressure head or potentiometric groundwater level) in the bored holes because they target a deep conduit system that uses the bored hole as a pressure release mechanism, pushing water from the conduits up towards the atmosphere. There is no groundwater in the quarry excavation. This hydrogeological understanding of the site is borne out by the operational evidence at the site because of the following:

- There is a very small floor sump that is serviced by a small pump.
- The quarry can keep itself dry by pumping an average of 142 m3/d (EIAR, 2020), or <100 m3/d (2018 - 2024 average) or <200m3/d for the last 4 year's average, under a justified and demonstrably compliant Section 4 Discharge Licence (All three averages are rainfall-driven variations).
- The volumes of water pumped correlate most closely with met station values for rainfall created site surface water runoff.
    - If the site were indeed "operating below the water table" then the floor would be permanently flooded because the site's discharge licence (W/469/13) permits a maximum volumetric Emission Limit Values (ELV) of only 360

m3/d to groundwater via a percolation lagoon. A volume of 360m3/d does not present an allocation for a groundwater component to the discharge.

- The Site's Long Term Monitoring Data are detailed in a specific heading of the 2025 Water Chapter: paragraphs numbered 8.178 to 8.180. In relation to 'Discharge Volumes' specifically, paragraph 8.180 of this application's EIAR stated, as follows:
    - Discharge varies throughout the year according to rainfall. Values of zero (0m3/d) are observed for some days in dry months.
    - The 2020 EIAR used data from January 2019 to January 2020 to determine the 146 m3/d average value. As previously outlined in the Desk Study, for the size of the excavation the volume of 146m3/d is entirely relatable to rainfall runoff. The sump and pump and settlement infrastructure at the site confirms this.
    - In June 2024, the water meter reading relative to the reported 2019 reading suggested a long-term average value of 87.9 m3/d. This is because there are days with no discharge.
    - Flow Meter readings, as tabulated in Appendix 8.11, demonstrate that the site's discharge volumes range from 1 to 286 m3/d. The average discharge over the last five years is calculated to be 132 m3/d.
    - Again, it is reiterated that for a 27.5 ha quarry, the volumes discharged are entirely relatable to rainfall runoff.
    - The discharge volume values are compliant with the Conditions of the Section 4 Licence.
- The walls of this quarry are dry in the context of 'water table'. There are very small zones of epikarst subsoil - bedrock interface waters ingressing but they have been quantified, by virtue of the measured and reported discharge volumes, and they are rainfall related.

Re. Flooding:

- The 2009 ponding pre-dated current lagoon controls, and how a 1-in-100-year depth-duration storm would remain entirely onsite.

Re. Domestic well:

- The appellant has not provided any evidence of impact on the draw down/declining yield or water deterioration at the well over the quarry's two decade history.
- Routine readings in the four perimeter monitor wells show no downward trend since quarrying began. The current proposal does not propose to deepen the excavation below the existing and permitted -5 m OD floor, it only proposes to widen relatively small lateral portions.
- The EIAR demonstrates that groundwater, flooding and private-well protection have been fully assessed by suitably qualified experts of national repute; measured and modelled impacts have been shown to be negligible.
- The EPA Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent ≤10) (2021) stipulates separation distances between domestic wells and on-site domestic wastewater treatment systems (DWWTS) i.e. 25m. This distance has been specified by the EPA because of the relatively small usage by a domestic residence, and the amount of rainfall falling and replenishing the groundwater system. The Zone of Contribution to a domestic well is not more than 25m radius from the well. The quarry is significantly remote from the appellant's well, at c. 800 m.

Re. Traffic safety/Capacity:

- DM Standard 28 is not relevant as no new entrance is proposed.
- The drawing submitted by the appellant is not a traffic engineering drawing, is based on OS mapping and shows historic boundary lines rather than carriage edges, and misrepresents junction geometry.
- The TTA submitted by the applicant indicates an imperceptible impact on link and junction capacity. The RSA recommends vegetation trimming.
- In the 2023 permission, the Board granted permission for identical HGV flows through the same junction, with only standard traffic conditions.

- The appellant has not provided any counter modelling or new data and his assertion is without merit.

Re. Agricultural Lime Plant:

- A mobile crusher/screen assembly was installed as a short-term pilot project to test stone suitability for ground limestone. The trial involved running a small quantity of stone through this mobile assembly and evaluating the results (just hours of actual operation of the processing assembly). The assembly was then de-commissioned and dismantled. No agricultural lime product was sold from the site. All plant was enclosed within a temporary surround and was not a permanent structure. The temporary and brief use of this assembly was not material in planning terms and also met the requirements of planning legislation for exempted development i.e. Planning & Development Regulations 2001, as amended, Schedule 2 Part 1 Class 16 and/or Class 21(a)(iii), and/or the Planning & Development Act 2000, as amended, Section 4(1)(h).
- In relation to the contribution to potential environmental cumulative impact, the temporary unit was subsumed in ElAR 2025, Chapter 3 under the description of mobile crushing/screening plant operating within the quarry void, and the environmental effects of same were fully assessed within the generic mobile-plant envelope. All fuel handling was within the quarry void, under the same spill-kit / interceptor regime described in the EIAR. No environmental risk arose. The appellant's concern relates to a temporary, now-absent installation that generated no measurable discharge and falls under existing pollution-control infrastructure.

6.3. Planning Authority Response

A submission was received from the Planning Authority stating that pre-planning consultation was not undertaken in respect of the proposed development.

6.4. Observations

None received.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the appeal, and the applicant's response to same, the submission from the Planning Authority, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal can be considered under the following headings:

- Traffic Impact
- EIA
- Appropriate Assessment
- Issues Arising

The matters raised in the grounds of appeal are addressed under the relevant section of the EIAR.

7.2. **Traffic Impact**

7.2.1. The appeal raised concerns in relation to traffic safety, in particular, visibility at the junction of the R339/L7109 and the adequacy of the turning radii for HGV's at this junction, and the contention that the number of vehicles going through this junction exceeds that which can safely be accommodated as set out in DN-GEO-03060, when compared to the AADT (Annual Average Daily Traffic) figures in the EIAR.

7.2.2. The applicant submitted a response to the appeal. The applicant states that DM Standard 28 is not relevant as no new entrance is proposed; that the drawing submitted by the appellant is not a traffic engineering drawing and misrepresents junction geometry; that the TTA submitted by the applicant indicates an imperceptible impact on link and junction capacity; and that the Board have granted permission for identical HGV flows through the same junction, with only standard traffic conditions.

7.2.3. In relation to visibility at the junction of the R339/L7109, I note that this junction is c. 1 km north of the appeal site. Maintaining visibility at this junction the responsibility of the Local Authority. The RSA submitted by the applicant makes a number of recommendations in respect of this junction however responsibility for this junction and

the local road network lies with the Local Authority, in their role as roads authority. The Notification of Decision to Grant Permission issued by the Planning Authority includes a condition (Condition no. 7) requiring the payment of a special contribution towards road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry. These works will address safety issue raised in the applicant's RSA. I note that the Planning Authority raised no concerned in relation to the geometry of the junction of the R339/L7109 in the context of accommodating HGV traffic.

7.2.4. Regarding traffic generation, the applicant has submitted a TTA which concludes that the proposed development will have an imperceptible impact on traffic flows on the existing road network due to the low volumes of traffic generated from it. Regarding traffic impact, and more specifically road and junction capacity and sightlines, the TTA notes the following;

- capacity analysis carried out on the L7109 determined that all roads will continue to operate within capacity for each of the assessment years: 2025, 2030, and 2040.
- junction capacity analysis indicates that all junctions will operate within capacity for each of the assessment years: 2025, 2030, and 2040.
- visibility at the site entrance to the left (north) is sufficient for a design speed of 80kph on the L7109. To the right (south), visibility is restricted by horizontal alignment, which limits visibility to approximately 120m. However, as of the 7th of February 2025, the default speed limit on rural roads in Ireland has reduced from 80kph to 60kph, as set out in the Road Traffic Act 2024 and as such the corresponding sightline requirement of 90m is met.

The appellant contends that the number of vehicles going through the junction of the L7109 and R339 exceeds that which can safely be accommodated as set out in DN-GEO-03060, when compared to the AADT (Annual Average Daily Traffic) figures in the EIAR. I note that the appellant's assertion in this regard does not appear to be based on survey data, whereas the TTA submitted by the applicant is supported by survey data. In my opinion a refusal of permission on the basis of traffic impact at this junction is not warranted. Regarding sightlines, having regard to the speed limit on the

L7109 I am satisfied that sightlines at the quarry entrance onto the L7109 are adequate. I note that under PA. Ref. 20/499 / ABP. Ref. 308549-20 the Board accepted the sightlines at the entrance to the quarry.

7.2.5. In relation to traffic generation, adopting a worst case scenario, the TTA notes that the quarry will generate 137 loads per day, in addition to 22 trips generated from staff, and a further 6 miscellaneous trips. I note that under PA. Ref. 20/499 / ABP. Ref. 308549-20 the Board accepted a similar proposal with the same trip generation. Having regard to the similarities between the development permitted under this permission and that proposed under the current application/appeal, and to the information submitted by the applicant I similarly consider that the proposal would not result in any significant adverse effects on the local road network arising from traffic generation. Should permission be granted a condition limiting HGV traffic to 137 (two way trips) should be attached.

7.2.6. A Road Safety Assessment (RSA) has been undertaken and is included within the TTA submitted by the applicant. I note that the issues identified fall under the remit of the Local Authority, for example road marking, cutting back of vegetation and repair of pavement surface. Condition 7 (addressed below) of the decision of the Planning Authority requires the payment of a special contribution towards road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry. These works will address the safety issue raised in the applicant's RSA. I note that a special contribution towards these works was also a condition of the Board under ABP – 308549-20. The special contribution was not subject to first party appeal.

7.2.7. In summation, based on the information submitted with the planning application/appeal I am satisfied that the proposed development can be accommodated without resulting in a traffic hazard and without adverse effects on the local road network.

7.3. Environmental Impact Assessment

7.3.1. Statutory Provisions

7.3.2. Schedule 5, Part 1, (19), requires EIA for quarries and open cast mining where the surface of the site exceeds 25 hectares.

7.3.3. Schedule 5, Part 1, (22) requires EIA for any change or extensions of projects listed in this Annex where such a change or extension in itself meets the thresholds, if set out in this Annex.

7.3.4. Schedule 5, Part 2, Class 2(b), requires EIA for the extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares.

7.3.5. Schedule 5, Part 2, Class 13 (a), requires EIA for any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would (i) result in the development being of a class listed in Part 1 or paragraph 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than 25%, or an amount equal to 50% of the appropriate threshold, whichever is the greater.

7.3.6. The proposed development comprises the continued use of an existing limestone quarry (extraction area 8.4 ha) and a 4.6 ha proposed extension to the quarry, thereby resulting in a total extraction area of 13 Ha. The overall site has a stated area of 27.5 ha. An EIA has been submitted.

7.3.7. **EIA Structure**

This section of the report comprises the environmental impact assessment of the proposed development in accordance with Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU).

Section 171 of the Planning and Development Act, 2000 (as amended) defines EIA as:

> a. consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Commission, the reasoned conclusions of the Commission

and the integration of the reasoned conclusion into the decision of the Commission, and

b. includes an examination, analysis and evaluation, by the Commission, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters and the interaction of these factors, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.

Article 94 of the Planning and Development Regulations, 2001 (as amended) and associated Schedule 6 set out requirements on the contents of an EIAR.

This EIA section of the report is, therefore, divided into two sections. The first section assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The second section provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:

- population and human health,
- biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- land, soil, water, air and climate,
- material assets, cultural heritage and the landscape,
- the interaction between the above factors, and
- the vulnerability of the proposed development to risks of major accidents and/or disasters.

The assessment provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Commission's decision, should they agree with the recommendation made.

7.4. Issues Raised in Respect of EIA

The following issues pertaining to EIA have been raised in the appeal submission;

- The EIAR is deficient and does not comply with the EIA Directive. Issues concerning hydrology, hydrogeology and traffic hazard have not been assessed.
- There is a fluctuating water table on the site which the EIAR does not address. The proposal entails quarrying below the water table. The EIAR refers to the level of the water table, however the measurement of the water table was taken during summer when it as its lowest level.
- The EIAR has not taken into account the fact that water supply to the appellant's house is from a domestic well c. 800 metres from the quarry.
- The number of vehicles going through the junction (between the R339 and L7109) exceeds that set out in DN-GEO-03060 when compared to the AADT (Annual Average Daily Traffic) figures in the EIAR.
- An agricultural lime processing plant has been erected within the quarry void without planning permission, the effects of which have not been addressed in the EIAR.

7.5. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is assessed below.

Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b).	The proposed development is comprehensively described in Chapter 3 of the EIAR and depicted in the associated drawings. Information is included on the site, design, size and features of the development. The EIAR also describes the operation and restoration of the development. I am satisfied that adequate detail has been provided to enable decision making. It is noted that the proposal does not involve demolition works.

A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).	An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the environmental parameters set out in the Regulations. I am satisfied that the assessment of significant effects is comprehensive and robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b).	The EIAR includes designed in mitigation measures and measures to address potential adverse effects. These are included in each of the technical chapters of the EIAR. Mitigation measures comprises standard good practices and site-specific measures and are capable of offsetting significant adverse effects identified in the EIAR. Arrangements for monitoring (where proposed) are also included in each of the technical chapters of the EIAR.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b))	Chapter 4 of the EIAR considers alternatives in respect of alternative locations, designs / layout and do nothing. It provides the main reasons for selecting the proposed option. I consider, therefore, that the description of alternatives is reasonable, in the context of the proposed development, and satisfactory. In examining alternatives the applicant has taken into account the potential impacts on the environment.
Section 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2)	
A description of the baseline environment and likely evolution in the absence of the development	A detailed description of the baseline environment is included in each of the technical chapters of the EIAR. I am satisfied that the description of the baseline for each topic is

	sufficient to enable the assessment of likely effects and to enable decision making.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved.	The methodology/forecasting methods are set out in the different chapters. I am satisfied that the forecasting methods are adequate. The EIAR notes that no difficulties were encountered in compiling information. I am satisfied that there are no significant deficiencies that prevent decision making.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.	Likely significant effects of the development on the environment, arising from its vulnerability to risks of major accidents and/or disasters are addressed in each chapter of the EIAR. There is limited potential for significant natural disasters to occur at the site. Ireland is a geologically stable country with a mild temperate climate. Flood risk is addressed in Appendix 8.9 of the EIAR. The risk of fire at the site is considered to be low, and the potential for fire to result in significant environmental effects is limited. Having regard to the location of the appeal site, its scale and nature of the operations I am satisfied that there is no significant risk of major accidents and / or disasters.
A summary of the information in non-technical language.	A non-technical summary of the EIAR is provided by the applicant and satisfactorily describes the likely environmental effects of the development.
Sources used for the description and the assessments used in the report.	Sources used for the description and assessment of environmental effects are included in each technical chapter of the EIAR.

A list of the experts who contributed to the preparation of the report.	Experts and relevant qualifications are provided in each Chapter of the EIAR on the experts who prepared the technical assessment.

7.6. Consultations

7.6.1. The application has been submitted in accordance with the requirements of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) in respect of public notices. There were no submissions received from statutory bodies. Details of the non-statutory consultations entered into by the applicant as part of the preparation of the application and EIAR prior to the lodgement of the application are set out in Table 2.2 of the EIAR.

7.6.2. I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development advance of decision making.

Compliance

7.6.3. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with article 94 of the Planning and Development Regulations, 2001.

7.7. Assessment of Likely Significant Effects

7.7.1. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the following headings, as set out Section 171A of the Planning and Development Act 2000, as amended:

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.

7.7.2. In accordance with section 171A of the Act, which defines EIA, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interaction of these. Each topic section is therefore structured around the following headings:

- Issues raised in the appeal.
- Examination, analysis and evaluation of the EIAR.
- The Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

7.8. Population and Human Health

Issues Raised

No issues have been raised in the appeal in respect of population and human health.

Examination of the EIAR

7.8.1. Context - Chapter 5 of the EIAR addresses Population and Human Health, with regard to potential impacts on population and socio-economic status. Other environmental issues with the potential to impact on population and human health, such as air and climate, noise and vibration, landscape and visual impacts, water, and traffic are addressed separately in the relevant chapters of the EIAR and the relevant sections of this report. The chapter uses CSO data in relation to Census 2011, Census 2016 and Census 2022.

7.8.2. Baseline - Chapter 5 (Sections 5.20 to 5.46 inc.) describes the baseline as regards population and human health. The site is located c.13km east of Galway City centre and approximately 7km west of Athenry town centre and accommodates an existing operational quarry. Land uses in the vicinity comprise agriculture, industrial and residential. Residences within the general area typically consist of one-off rural houses. The nearest properties to the site comprise one dwelling (uninhabited) situated to the south of the site boundary and three dwellings to the east of the site. There are c. 76 dwellings within 1km of the quarry. The closest settlement to the site is the village of Oranmore, which is situated approximately 5km south-west of the site.

The most recent census indicates an overall increase in population of 8.4% in the population within the Aughrim ED. This increase is below both the county figure (10.81% increase) and the national figures (12.22% increase). Population density in Aughrim is almost half of the national average (73), however the adjoining ED's (Athenry and Oranmore) are significantly above the national average (227 and 211 respectively). The nearest national school to the site is Scoil Naomh Mhuire, which is located approximately 1.4km south-east of the site, south of the M6 motorway. The nearest post-primary schools are located in Oranmore and Athenry. The majority of individuals in Aughrim are employed in either professional occupations or commerce and manufacturing. Based on 2022 census information, fewer people in the study area report very bad health relative to the state figures, while the percentage that reported very good health is typically greater than the state figure. The percentage of the population aged 65 and over within the study area is typically below the national figure.

7.8.3. Likely significant effects of the development as identified in the EIAR are summarised in the table below. I note that the assessments carried out did not identify any significant limitations.

Table 1: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s). Upon closure of the quarry there would be a reduction in emissions and a corresponding reduction in potential effects on human receptors. Should the quarry cease operations there would be a loss in employment, reduction in local revenue to the local economy, and a reduction in the volume of construction material available to the local construction sector.
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	The proposal entails the continuation of quarrying and an extension into lands within the existing quarry and as such there will be no discernible impact on land-use and property. The area has a long

	association with quarrying and the quarry is screened from residential properties. Effects on air, traffic and noise and vibration is examined in other chapters and it has been concluded that there will be no significant adverse impacts during the operation phase in respect of same. The quarry will continue to provide employment for 12 no. people, in addition to providing indirect employment to contractors etc. The number of employees will not be altered by the proposed development however employment will be sustained. Adherence to HSA guidance should limit potential unplanned events in terms of instability and the effects from same are deemed to be imperceptible in the EIAR.
Restoration	Restoration of the quarry, which entails allowing the site to vegetate and the void to fill with water, will offer biodiversity net gain. Regarding tourism and recreation, post restoration the site will remain in private ownership and will not be open to the public. Short-term employment will be created in the after care of the quarry post restoration. In terms of health and safety, post restoration the site will be enclosed by a fence, limiting access.
Cumulative	No effects anticipated. A list of permitted developments in the area is provided but impacts arising from these developments in combination with the proposed development would be unlikely. Potential cumulative effects in terms of traffic, should construction phases overlap, is addressed in Chapter 13 (Traffic) which concludes that significant impacts are unlikely.

Mitigation

7.8.4. Potential impacts to human health and relevant mitigation measures are addressed elsewhere in the EIAR (i.e. Chapter 7 'Land, Soils, Geology'; Chapter 8 'Water'; Chapter 9 'Climate'; Chapter 10 'Air Quality'; Chapter 11 'Noise'; Chapter 12 'Landscape'; Chapter 13 'Traffic' and Chapter 15 'Material Assets'). Monitoring measures are also detailed in Chapters 6, 7, 8, 10 and 14. Additional mitigation

measures for radon, silica dust and unplanned events are set out at paragraph 5.96. Monitoring in relation to air, water and noise are set in respective chapters of the EIAR and no specific monitoring is required in relation to population and human health.

Residual Impacts

Following implementation of mitigation measures no residual Impacts are identified.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 5 of the EIAR and all of the associated documentation on file in respect of Population and Human Health. I have inspected the appeal site and the surrounding area. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on Population and Human Health, as a consequence of the development have been identified.

The proposed development will generate/continue to provide direct employment for 12 no. people and will provide indirect employment in the local community. The duration of the proposal would be 22 no. years. The impact to the local economy during the operational and restoration phase is considered to be neutral. The potential for significant effects on human health from noise, air quality (dust) and water quality during the operational and restoration phases are addressed in the relevant chapters of the EIAR. I have assessed these relevant chapters (see below) and am satisfied that effects can be avoided, managed and mitigated by measures that form part of the proposed scheme. Serious risks to human health and safety within the quarry are not envisaged as the quarrying activity would be managed in accordance with all applicable legislation and guidelines.

Conclusion

Having regard to the examination of environmental information in respect of Population and Human Health, in particular the EIAR and supplementary information provided by the applicant, I consider that the overall impact on Population and Human Health would be neutral/imperceptible due to the location of the proposed development in a rural area, remote from population centres and the proposed mitigation measures. Therefore, I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on Population and Human Health.

7.9. Biodiversity

Issues Raised

7.9.1. No specific issues are raised in respect biodiversity in the appeal.

Examination of the EIAR

7.9.2. Context - Chapter 6 of the EIAR addresses biodiversity. The chapter has been written as an Ecological Impact Assessment (EcIA). The chapter outlines the baseline ecological environment, provides a prediction of the likely effects, details mitigation measures and describes any residual ecological effects. Based on the nature of the proposal and the local landscape the maximum extent of any potential zone of influence is taken as 2 km. The assessment of effects on biodiversity had regard to legal requirements and European, national and industry best practice guidelines. The assessment methodology included: -

- Desk Based Studies.
- Field Based Studies.

The timing of field work was considered optimal and was carried out by a qualified ecologist. The value of ecological features was determined (see Table 6.3 for applicable criteria).

7.9.3. Baseline – There are no European sites within 2 km of the site. The application site comprises an active quarry which supports a range of sub-habitat types created through quarrying operations and its associated infrastructure. The habitat types (and extent of same) recorded within the application site based on the classification as defined by Fossitt (2000) are presented in Table 6.5 of the EIAR and include Spoil and bare ground (ED2); Recolonising bare ground (ED3); Active quarries and mines (ED4); Buildings and artificial surfaces (BL3); Dry meadow and grassy verges (GS2); and Scrub (WS1). An evaluation of each habitat type is provided in Table 6.6 in the EIAR. Figure 6.1 (Habitat Plan) of the EIAR shows the location and extent of the habitats recorded at the application site and important habitats and other features identified immediately adjacent the application site. A summary description and ecological evaluation of each habitat and other key features is provided in Table 6.6 of the EIAR. The habits within the appeal site are deemed to be of limited botanical value, common and widespread/typical, low conservation significance, and anthropogenic. The area

surrounding the application site comprises predominantly GA1 Improved agricultural grassland of low ecological and biodiversity value. No significant areas of high ecological and biodiversity value have been identified within the immediate surrounding area. Details of protected, rare and notable species records within a 2km radius of the application site (encompassing grid square M42J) were obtained during the desk-based study and during the Habitat Survey, where general observations and searches were made for the presence, or potential presence of protected, rare and/or notable species for flora and fauna. Table 6.7 of the EIAR provides a summary of species of importance and an evaluation of the site for these species. No invasive species are noted as being present on the site. The site lies within an area which has a low index of suitability for all bat species and the site does not provide suitable bat roosting opportunities. The site is of localised value to small mammals and invertebrates and is not critical in maintaining the local population of any particular species. The habitats present on the site provide opportunities for bird species that use quarry sites. The site is unlikely to be important/critical to any particular bird species. Peregrine falcon are breeding at the quarry as a result of the habitat created through quarry operations. The EcIA only carries ecological features deemed to be important/sufficiently widespread to detailed assessment, i.e. bird assemblage (nesting).

7.9.4. Likely significant effects of the development are summarised in Table 2 below. I note that the assessments carried out did not identify any significant limitations.

Table 2: Summary of Potential Effects

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	Not examined in EIAR. In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s). Upon closure of the quarry the quarry/site would undergo restoration resulting in the creation of new habitats and opportunities for biodiversity.

Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	The extension of the quarry has potential to result in the loss of the ledge used for nesting purposes by Peregrine falcon at this site. The proposed continuation and extension of the quarry and continuance of use of the concrete manufacturing facility will not result in any significant loss of breeding habitat for any other species of birds based on the habitats currently present on site and with the surrounding area having sufficient carrying capacity to accommodate any displaced birds. The continuation and extension of the existing quarry and continuance of use of the concrete manufacturing facility will not increase overall levels of disturbance, with only the direction of disturbance changing as the quarry is extended. Species recorded as present in the application area are already likely to be habituated to noise. The proposed development has no implications for any statutory designated nature conservation sites.
Restoration	Restoration of the site is likely to have positive and beneficial effects on wildlife at a lower/local level.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.9.5. Table 6.10 of the EIAR sets out a number of mitigation measures to address potential biodiversity impacts, specifically on Peregrine falcon and birds. These include designing the proposed quarry extension so as to avoid the removal of a nesting ledge for Peregrine falcon on the southern quarry face and the implementation of the Peregrine falcon Management Plan (revised as part of this planning application – see Appendix 6C); and in the event that vegetation removal is required within bird nesting

season, the inspection of the area for nesting birds by an ecologist/ornithologist and use of exclusion zones where nesting areas are found. No specific ecological monitoring is deemed necessary. However, in accordance with the Peregrine Falcon Management Plan breeding surveys will be conducted in years 1, 2, 3, 5, and 10 of the development.

Residual Impacts

7.9.6. With the recommended mitigation measures, the proposed development will not result in any residual impacts.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.9.7. I have examined, analysed and evaluated the information provided in Chapter 6 and all the associated documents on file in respect of Biodiversity. I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides a suitably comprehensive range of mitigation and monitoring measures (see Table 6.10) to reduce any potential impacts.

7.9.8. *Habitat:* The habitats within the appeal site are deemed to be of limited botanical value, common and widespread/typical, low conservation significance, and anthropogenic. The area surrounding the application site comprises predominantly GA1 Improved agricultural grassland of low ecological and biodiversity value. Having regard to the present condition of the site, with no special concentrations of flora or fauna, I am satisfied that the impact of the proposed development on habitats would not be significant.

7.9.9. *Mammals:* Given the nature and characteristics of the appeal site I am satisfied that the impact on terrestrial mammals would not be significant.

7.9.10. *Bats:* The suitability of the site for bats is deemed to be ‘low’. The site does not provide features suitable bat roosting opportunities. I am satisfied that the impact on bats would not be significant.

7.9.11. *Birds:* The continuation and extension of the existing quarry and continuance of use of the concrete manufacturing facility is not anticipated to increase the overall levels

of disturbance at this site with only the direction of disturbance changing as the quarry is extended. Species recorded as present in the application area are already likely to be habituated to noise, other human disturbance and vibration from the existing quarry. No likely significant effects on Peregrine falcon or the overall population status of any other bird species at and within the local surrounding area from the proposed continuation of extension of quarrying operations are predicted, and as such I am satisfied that the impact on birds would not be significant.

7.9.12. *Amphibians, Reptiles and Invertebrates:* The value of this site for such species is likely to be low. I am satisfied that the impact on amphibians, reptiles and invertebrates would not be significant.

Conclusion

7.9.13. Having regard to the examination of environmental information in respect of Biodiversity, in particular the EIAR, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the species potentially impacted by the proposed project and provides a suitably comprehensive range of mitigation measures (see Table 6.10) to reduce any potential impacts to non-significant levels. Having reviewed the planning history in the vicinity I am satisfied that there is no potential for cumulative effects given the nature of permitted/planned construction activity in the vicinity of the site. Therefore, I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on the Biodiversity of the site or the area.

7.10. Land, Soil, Water, Air and Climate

7.10.1. The format of my assessment follows the headings as set out in the Planning and Development Act, 2000, (as amended). Having regard to the information provided in the applicant's EIAR the following Sub-headings are used:

- Land, Soils and Geology
- Water
- Air and Climate
- Noise and Vibration

7.11. Land, Soils and Geology

Issues Raised

7.11.1. No specific issues are raised in the appeal regarding the impact of the proposed development on Soils and Geology.

Examination of the EIAR

7.11.2. Context - Chapter 7 addresses the impact on Land, Soils and Geology and considers any direct or indirect effects on these resources arising from the proposed development. The chapter outlines the baseline land, soils and geological environment, methodology used, sources of information and the assessment criteria. A Geophysical Investigation is appended to Chapter 7 (see Appendix 7.4). Table 7.2 provides a summary of borehole logs carried out during site investigations.

7.11.3. Baseline - The appeal site spans an area of 27.5 ha and is broadly rectangular in shape. The actively quarried area is in the eastern half of the site where the working quarry floor is at an elevation of - 5 m OD. The proposed extension area has current ground elevations of 20 to 32 m OD. There are no geological sites in proximity to the appeal site. Groundwater vulnerability at the appeal site is 'High' to the west of the site and 'Extreme – rock at or near the surface or karst' in the extraction area to the east. The aquifer classification in the area is classified as a 'Regionally Important Aquifer – Karstified (conduit)'. The site has been excavated to - 5m OD. Bedrock is readily visible. The walls of the quarry are solid masses of limestone with no conduits and no water entry evidence, apart from extreme rainfall responses in the epikarst zone in the north-eastern corner of the void. There is no evidence of a water table in the bedrock, which is as expected because the concept of a 'water table' is not valid in karst conduit limestone bedrock. Regarding the proposed lateral extension area, there is similarly no evidence of karst conduit groundwater movement.

7.11.4. Table 7.2 provides a summary of borehole logs carried out during site investigations in 2007, 2020 and 2024 (26 no. in total). The boreholes drilled in 2007 returned solid dry limestone in the elevation profile from ground level to - 5 m OD and evidence of broken zones at elevations ranging from – 10 m OD to – 79 m OD. On the periphery of the overall site, the first shallow groundwater inflows occurred at elevations of -

13.98, -10.98, -29.43, -8.89 and -21.85 mOD respectively, however, each borehole had to progress deeper to obtain any real groundwater strike and in no case were significant karst conduit water flows encountered. Boreholes (18 no.) drilled to an elevation of – 5 m OD in 2020 at the location of the lateral extension to the east of the current void returned dry dust, suggestive of competent hard bedrock, with no voids and no conduits. 3 no. borehole drilled in 2024 to elevations of – 27 m OD at the location of the lateral extension to the east of the current void returned no water strikes/groundwater flow system. Based on the borehole drilling on the site to date there is no evidence to support a contiguous groundwater flow system at the site. Geophysical assessment carried out on the site in 2024 suggest no ground water in the bedrock, no groundwater flow systems and a competent limestone to the elevation of the proposed final excavation elevation of - 5mOD and to at least -10m OD at one location and far deeper at most locations below the site. As part of the geophysical assessment Electrical Resistivity Tomography (ERT) and Ground Penetrating Radar (GPR) was carried out on the site, the results of which are reported in the assessment as not being suggestive of groundwater within the bedrock. Permeability testing was also carried out as part of the geophysical assessment, the results of which are stated as being evidence that there are no groundwater transmission conduits in the depth range from ground level of 21 to 25m OD at the locations tested on the quarry to the bore depth elevation of - 26m OD.

7.11.5. In relation to soils and subsoils, Teagasc soil classification show that soils at the site, where present, are generally deep and well-drained, with a basic chemical signature. Smaller pockets of shallower soils are mapped in and around the site, mainly dry mineral soils which consist primarily of shallow brown earths. Where present, quaternary deposits are mapped as till derived from limestone, a free-draining sandy till and is generally thin where present. Mapping shows bedrock is exposed at surface within the application site and in small pockets in the surrounding area.

7.11.6. In relation to bedrock geology, the site is underlain by a bedrock that is mapped and named as the Burren Formation, which is primarily composed of pale grey skeletal limestone. The underlying bedrock geology is mapped by the GSI as Dinantian Pure Bedded Limestone.

7.11.7. In terms of structural geology, historical drilling on the site indicates that the lithology profile of the site can be described as an upper 5 m weathered bedrock layer underlain by competent limestone bedrock to a depth of at least - 10 m OD. There are no landslides mapped on or near the site, nor is the site mapped as having landslide susceptibility.

7.11.8. Likely significant effects of the development are summarised in Table 3 below. I note that the assessments carried out did not identify any significant limitations.

Table 3: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Should the proposed works not be carried out the aggregate resource would remain unused in situ and the local supply of aggregates would be restricted. The site would be restored to beneficial after-use. There would possibly be a requirement to develop a more remote greenfield site with implications for traffic and fossil fuel usage.
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	The proposed development will result in a permanent loss of a geological resource. The proposal will not result in a change in land use, given the location of the proposal within an existing quarry site. There will also be risk of contamination of the underlying bedrock from oil or fuel leaks from machines and vehicles on the site. There is a risk of instability from the creation of quarry faces and storage of stockpiles.
Restoration	The restoration of the quarry will provide a safer environment than is currently the case.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.11.9. Mitigation and monitoring measures are outlined in Section Table 7.5. Mitigation measures include a detailed working scheme with standard criteria for slope faces, site boundaries etc. and the use of bunds for refuelling. Monitoring measures comprise bi-annual geotechnical assessment. The quarry is currently subject to monitoring in terms of water, dust, noise and blasting.

Residual Impacts

7.11.10. No significant residual impacts are anticipated.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.11.11. I have examined, analysed and evaluated the information provided in Chapter 7 and all the associated documents on file in respect of Land, Soils and Geology. I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides suitably comprehensive range of mitigation and monitoring measures in Table 7.5 to reduce any potential impacts.

7.11.12. The proposed development entails the continued use of the existing quarry to the permitted depth of minus 5 mOD and a lateral extension also to a depth of - 5 m OD, it is not proposed to deepen excavation at the site. The potential impact of the proposed development on the land and soils/geology is primarily the extraction of limestone rock, increasing the vulnerability of bedrock to contamination from oil or fuel leaks from machinery and vehicles on the site. The creation of steep exposed quarry faces would be mitigated by adequate benching, etc. Possible scenarios which may create a serious pollution or accident risk would include the loss of bulk fuel or oils during re-fuelling machinery during quarrying or the collapse of large unsupported soil stockpiles and/or the failure of steep quarry faces. The potential volume of fuel loss would be relatively small and the duration of the impact would be temporary to short term. The collapse of soil from a stockpile or exposed excavation face could pose a human health risk for operators working on the site however it is considered that this scenario would be very unlikely once stockpile heights and their location are

appropriately managed. Regarding the loss of a geological resource, the impact of the extraction of the proposed footprint of limestone bedrock is small relative to the volume of this type of this rock in the region. Large areas of County Clare and Galway are underlain by this type of Limestone and large tracts of the Burren are protected for this type of limestone. Therefore, it will remain insitu in other parts of the region. The proposal will provide aggregate for the construction sector. I concur with the EIAR that the proposed development would not have a significant negative impact on land, soil and geology.

Conclusion

7.11.13. Having regard to the examination of environmental information in respect of Land, Soil and Geology, in particular the EIAR and supplementary information provided by the applicant, I am satisfied that the main significant direct and indirect effects arise during the operational phase of the development and that these effects can be mitigated by the measures set out in Table 7.5, which for the most part comprise the application standard good practices. There is no potential for cumulative effects given the nature of permitted/planned construction activity in the vicinity of the site. Therefore, I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on Soils and Geology of the site.

7.12. Water

Issues Raised

7.12.1. The appeal raises concerns in relation to water, specifically that the proposal entails quarrying below the water table, and that this was accepted as being the case in a hydrology report submitted under a previous planning application (i.e. PA. Ref. 20/499 / ABP. Ref. 308549-20), and subsequent legal proceedings (i.e. Dowling v An Bord Pleanála [2024] IEHC 249); that there is a fluctuating water table on the site; that the measurement of the water table was taken during summer when it as its lowest level; and that the proposal could affect the appellant's well at his property.

Examination of the EIAR

7.12.2. Context - Chapter 8 addresses the impact on Water (Hydrology and Hydrogeology) and considers any direct or indirect effects on this resource arising from the proposed development. In this chapter the existing baseline conditions and character of the

hydrological and hydrogeological characteristics of the site and local catchment are presented and the anticipated potential impacts from the proposed development are identified and discussed. Mitigation measures are proposed, residual impacts are assessed, and any relevant monitoring options are considered. The methodology and scope of the assessment involved the completion of a desk study and site walkovers and the installation of boreholes.

7.12.3. Baseline – surface water features are absent from the area, with the nearest feature comprising the Clare (Galway) River, approximately 2.7km north-west of the site. There are no major springs or groundwater ingress points within the site. The walls of limestone around the perimeter of the void show a solid competent mass of dry limestone with the exception of the north-east corner of the void. There is shallow interflow water up high in the epikarst broken rock zone in the north-east corner wall of the void. This is not representative of groundwater but rather caused by recent rainfall. There is no water ingress in any other location of any of the walls of the void. Groundwater generally flows from north-east to south-west in the direction of the coast at Oranmore. The existing excavation of rock to – 5 m OD has not intercepted a groundwater flow system. The quarry is therefore operating above the groundwater flow system (which is the correct terminology for groundwater in conduit karst aquifers as there is no 'water table' in this type of hydrogeological setting because karst limestone in the west of Ireland has no contiguous saturated pore space.) Groundwater flow in such aquifers occurs primarily through conduits rather than a uniform water table. To date, no evidence of groundwater flow or significant karst conduits has been encountered in the workings completed to achieve the current floor level of – 5 m OD or in the 18 Site Investigation BHs reported in the 2020 EIAR for the proposed lateral expansion area, and only rainfall is required to be managed within the quarry. Rainwater falls on the landscape surrounding the excavated void and enters the site by gravitational fall to, and across, the exiting quarry floor. Rainwater runoff flows over the bedrock by gravity to a floor sump on the western wall of the existing quarry void. From the floor sump, attenuated water is pumped to a settlement lagoon adjacent to the concrete batching plant. From the settlement lagoon, water overflows by underground pipe to a discharge zone that is in the western portion of the site. There is a flow meter on the discharge leaving the settlement lagoon. The discharge zone is the licensed area (Section 4 Discharge Licence) for discharge to

groundwater by infiltration. Surface water runoff from the area of the batching plant and concrete block yard drains back to the floor for collection in its sump. Class 1 hydrocarbon interceptors are in place where the potential exists for hydrocarbon pollution, e.g. at refuelling points and at the site's garage. There is a final hydrocarbon interceptor beside the site's settlement tank on the pipeline to the licenced discharge infiltration area. A water supply borehole serves the site's offices, concrete batching plant and provides supplementary water for dust when there is not enough rainfall sent from the floor to the site's settlement lagoon. There is a wastewater treatment system on the site. The quarry has no connection to Drinking Water Protection Areas (i.e. Clarinbridge, Brockagh Lisduff or Carheenlea). The area is mapped to have numerous karst features such as turloughs (seasonal lakes), enclosed depressions and caves. There is a GSI mapped cave to the immediate east, north-west and to the south-east of the site. No conduit Karst has been encountered in the operational excavation of bedrock to the – 5 m OD in the previously sanctioned permission. The site is underlain by the Clarinbridge Groundwater Body (GWB) [IE_WE_G_0008], representing 0.07% of the GWB.

7.12.4. Regarding site investigations, boreholes have been drilled at the quarry. 18 no. boreholes drilled to – 5 m OD to find evidence of groundwater flow and karst conduits failed to yield evidence of same. 5 no. boreholes were drilled to depths of – 10 m OD to – 30 m OD in 2007, with the shallowest groundwater inflows at elevations of -13.98, -10.98, -29.43, -8.89 and -21.85 m OD, and boreholes had to continue to depths of -111, -68, -81, -78 and -74 m OD in order to encounter meaningful groundwater. 3 no. additional boreholes were drilled in 2024 from ground elevations of c. 21 to 25 mOD to depths of c. 50 m bgl and base of hole elevations of c.-27m OD. No water strikes were encountered. No groundwater and no conduits exist in the rock profile at the site until an elevation commencing at elevations of c.-10m OD at some locations and commencing at c.-22m OD at another location. No groundwater has been detected in 26 no. boreholes. In addition, geophysical surveys conclude no evidence of groundwater flow in the depth from ground level to – 5 m OD. Karst expertise for the area and bedrock/aquifer information suggests that the major karst flows could be 30 to 40 m below sea level.

7.12.5. Regarding on-site monitoring at the quarry, hydrological and hydrogeological responses are monitored at the quarry. There is no downward trend in water levels of

the perimeter boreholes and regarding discharge quality, apart for one singe exceedance there is compliance for each of the parameters specified for Quarterly Monitoring for the Emission Limit Values of the Section 4 Discharge Licence, with 100% compliance achieved for the parameters pH, BOD, COD, Nitrates, Petroleum Range Organics, Diesel Range Organics and Total Hydrocarbons. Regarding discharge volumes, the rate of discharge is entirely attributable to rainfall.

7.12.6. In terms of hydrology, the site lies within the Galway Bay South East Catchment (HA29), representing 0.02% of the total catchment area. There is no direct connection to either of the tributaries of the river named the CARROWMONEASH (Oranmore)_010. The nearest coastal water body is Oranmore Bay, which is c.6km south-west of the site.

7.12.7. Regarding Groundwater Vulnerability – the site is mapped by the GSI as 'X' Rock at or near Surface or Karst and as 'E' Extreme. In respect of Aquifer Classification, the site is mapped by the GSI as Rkc - Regionally Important Karst Conduit, and the site represents 0.004% of the total mapped aquifer. There are no third party wells downgradient of the quarry. Based on EPA data there are 5 no, groundwater abstractions for the GWB associated with the quarry, however given the recharge and flow mechanisms and the zone of contribution associated with these abstractions, the EIAR notes that the quarry is not considered to pose a threat of these group water schemes.

7.12.8. In terms of Water Framework Directive,

regarding **groundwater -**

- the site is underlain by Clarinbridge GWB [IE_WE_G_0008], which is stated as Good Status (2016-2021) & 3rd Cycle NOT AT RISK.
- a separate GWB has been mapped to the south of the site, GWDTE-Galway Bay Complex Fens (SAC000268) [IE_WE_G_0087] which is mapped having Good Status (2016-2021) 3rd Cycle NOT AT RISK.

There is only one WFD mapped **River Surface Waterbody** downstream of the quarry in the same catchment (i.e. Galway Bay South East HA29) –

- Carrowmoneash_010 [EU_CD IE_WE_29C050400] which is assigned "Poor" status in the 2016-2021 reporting period for the 3rd Cycle. It's risk of

not achieving the WFD objectives is currently classified as being 'Under Review', however quarrying is not connected to this river's Status or Risk mapping.

The following **Transitional Water Bodies** are noted as being within the same HA29 catchment –

- Oranmore Bay [IE_WE_170_0500], which is mapped as Unassigned Status (2016-2021) and 3rd Cycle NOT AT RISK;
- Renmore Lough [IE_WE_170_0600] which this overlaps with Corrib Estuary [IE_WE_170_0700] Transitional Water Body, mapped as Moderate Status (2016-2021) and 3rd Cycle Under Review. Renmore Lough is Unassigned Status (2016-2021) and mapped as 3rd Cycle Under Review;
- The Ardfry Oyster Pool [IE_WE_170_0300], which is mapped as Moderate Status (2016-2021) and 3rd Cycle Under Review; and,
- Turreen Lough (Rinville West) [IE_WE_170_0400], mapped as Unassigned Status (2016-2021) and 3rd Cycle Under Review.

The following **Coastal Water Bodies** are associated with HA29 –

- Inner Galway Bay North [IE_WE_170_0000], mapped as Good Status (2016-2021) and 3rd Cycle NOT AT RISK; and;
- Inner Galway Bay South [IE_WE_160_0000], which is mapped as HIGH Status (2016-2021) and 3rd Cycle NOT AT RISK.

7.12.9. Further information in relation to WFD mapping, status and risk is addressed at Sections 8.114 – 8.135 of Chapter 8. A WFD Assessment Report has also been submitted with the planning application/appeal. The WFD Assessment notes that there are no Bathing Water Sites, Nutrient Sensitive Areas, Shellfish Areas or Drinking Water Protection Areas connected to the site. The WFD Assessment screens out surface water bodies (i.e. Clare River and Carrowmoneash (Oranmore)_010), Galway Bay Complex Fens, transitional water bodies, costal water bodies and designated sites (i.e. SAC's and SPA's) on the basis of a lack of hydrological connectivity and on the basis of the insignificance of the site in relation to the size of the catchment area/hydrology. Clarinbridge GWB [IE_WE_G_0008] is the only feature which is screened in for the purpose of the WFD Assessment as it underlies the site. Potential

impacts from the proposed development on this groundwater body arise from the release of pollution, e.g. hydrocarbons, to the underlying groundwater body, and also to a lesser extent from sanitary facilities. Mitigation measures are proposed, including good work practices, blasting being undertaken by specialists and the use of bunds. The WFD Assessment also notes that there are no domestic wells in use in proximity to the site, and that in the event that there were, the groundwater strike zone is significantly deeper than the floor elevation of the quarry. Additionally, the WFD Assessment notes that there will be no significant net loss or gain in the GWB system because the volume intercepted and managed at the site represents <0.1% of the regional groundwater volume, which is considered in significant based on WFD Working Group Guidance GW5 (2004b) which assigns a rating of 'No Potential for Impact' for a <1% result. Surface water captured on the site will be discharged under Section 4 Licence, which is subject to monitoring. The WFD Assessment concludes the proposed development;

- will not cause deterioration to any flowing surface water body, transitional water body or coastal waterbody.
- will not impact any mapped or reported Drinking Water Area, Bathing Water, Shellfish Water or any other site.
- will not cause a deterioration in the mapped Good Status of the underlying Clarinbridge GWB.
- will not jeopardise the condition or protections provided to an downgradient designated site, or their future enhancement, and,
- does not present any potential for impediment to the Programme of Measures associated with the River Basin Management Plan 2022 – 2027 or the Water Action Plan (WAP) 2024

7.12.10. In relation to geoheritage, neither the quarry, nor its general area, feature in the Geological Heritage of County Galway.

7.12.11. Flooding - the site is not deemed to be at risk of flooding. A Flood Risk Assessment has been submitted (see Appendix 8.9). Neither the site nor the area are mapped by either OPW or GSI Flood Maps as having future flood risk potential on the basis of either groundwater pluvial, fluvial or groundwater. Whilst there was a history

of flooding in 2009, the OPW have installed a number of measures that have alleviated flood risk and there were no flood experiences in the 2015/2016 events.

7.12.12. Likely significant effects of the development are summarised in Table 4 below. I note that the assessments carried out did not identify any significant limitations.

Table 4: Summary of Potential Effects

Project Phase	***Potential Direct, Indirect and Cumulative Effects***
Do Nothing	In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s). Remaining aggregate would remain in situ. Upon closure of the quarry the quarry/site would undergo restoration. The site would not undergo any changes in terms of groundwater.
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	The main risks arise from pollutants, e.g. fuel losses/hydrocarbons, residue from explosives, suspended solids, etc. entering groundwater from quarrying, and also from the operation of the concrete batching plant. Permanent removal of bedrock. Impacts from unplanned events, such as fire, intense rainfall, etc.
Restoration	Impacts may arise from the mobilisation and migration of suspended solids and pollutants to groundwater during the restoration of the site.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.12.13. Mitigation measures are set out in Table 8.9. They include the use of industry professionals to carry out blasting; implementing good practice to prevent fuel leaks;

use of bunds and spill kits; cleaning of interceptor; monitoring the condition of the sump; halting licenced discharge in event of flood; use of silt fencing during site restoration; disposal of firefighting water to licenced contractor. Routine groundwater monitoring is recommended, in addition to monitoring of licenced discharge and regular inspection of site infrastructure e.g. wheel wash, settlement ponds etc.

Residual Impacts

7.12.14. Residual impacts from the proposed development are not anticipated.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.12.15. I have examined, analysed and evaluated the information provided in Chapter 8 and all the associated documents and submissions on file in respect of Water. I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides suitably comprehensive range of mitigation measures in Table 8.9 to reduce any potential impacts. Monitoring, including the use of information from boreholes is proposed.

Surface Water

7.12.16. The potential occurrence of suspended sediments in rainfall runoff from earthwork activities in the excavation areas will only pose an environmental risk if the site was directly connected to the local watercourse. There are no surface water features on or in the vicinity of the site. The nearest feature, the Clare (Galway) River, is approximately 2.7km north-west of the site. I am satisfied that the proposed development would have no significant impact on surface water.

Groundwater

7.12.17. The potential impact of the proposed development on the hydrological and hydrogeological regime is indicated as ‘slight to moderate’ and ‘long-term’ in nature, primarily arising from pollution risks during excavation works, including from blasting, to groundwater. The excavation of rock during the operational phase will also result in the potential for fuel spills to ground which could percolate to the groundwater and suspended sediment runoff. Based on the information submitted by the applicant, to date, the existing excavation of rock to – 5 m OD has not intercepted a groundwater flow system and the quarry is operating above the groundwater flow system. The

proposal does not entail excavation below the current excavation depth of – 5 m OD. Site investigations have found no groundwater and no conduits in the rock profile at the site until an elevation commencing at elevations of c.-10m OD (at some locations) and commencing at c.-22m OD at another location. No groundwater has been detected in 26 no. boreholes. In addition, geophysical surveys, supported by Electrical Resistivity Tomography (ERT) and Ground Penetrating Radar (GPR), conclude no evidence of groundwater flow in the depth from ground level to – 5 m OD, the depth to which excavation is proposed. I am satisfied based on the information submitted, which has been updated and supersedes information submitted with previous planning applications/appeals, that excavation is and will be undertaken above the groundwater flow system, and will not intercept groundwater. Excess run-off will continue to be directed to sumps on the quarry floor, and will then be pumped vertically to a concrete settlement pond, which drains via an oil interceptor to a large soakaway located on the west of the site for discharge to ground under Discharge Licence (W/469/13). Surface water runoff from the area of the batching plant and concrete block yard drains to a precast concrete settlement tank, which is a closed circuit system. There are no dewatering works proposed. The restoration of the site could result in the release of pollution and suspended solids to groundwater however mitigation measures, including the use of a perimeter silt fence, are proposed which will render the significance of likely effects imperceptible. I am satisfied that the proposed development will not result in a significant negative impact on groundwater.

7.12.18. The appellant raises concerns in relation to the potential impact of the proposed development on a domestic well serving his property. In response the applicant notes that the appellant has not provided any evidence of any impact in terms of yield or water deterioration at the well and that routine readings in monitor wells show no downward trend since quarrying began; that the current proposal does not seek to deepen the excavation; that groundwater, flooding and private-well protection have been fully assessed by suitably qualified experts in the EIAR with impacts shown to be negligible; and that the EPA Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent ≤10) (2021) stipulates separation distances between domestic wells and on-site domestic wastewater treatment systems of 25m, reflecting the limited zone of contribution, whereas the quarry is c. 800 m from the appellant's well. Having regard to the distance between the appellant's property/well and the

quarry, the absence of interaction with groundwater conduits, the absence of any evidence provided by the appellant in relation to impacts in terms of yield or water quality, to the nature of the underlying aquifer, and the information contained in the EIAR, including in respect of monitoring and impacts on water quality, I am satisfied that the proposed development, will not adversely impact the appellant's well, either in terms of its yield or water quality. I am satisfied that this aspect of the proposal would not result in significant adverse impacts.

Wastewater

7.12.19. Waste water will continue to be treated on the site by an on-site waste water treatment system (WWTS). I note that this treatment system was originally permitted under PA. Ref. 06/4125, Condition no. 19 of which required the system to operate to the applicable EPA Code of Practice for treatment systems. There is no information on the file, or data presented by the Planning Authority or appellant to suggest that the treatment system on the site is not functioning as designed. The EIAR notes that monitoring of the WWTS is undertaken by a dedicated person. I am satisfied that this aspect of the proposal would not result in significant adverse impacts

Flood Risk

7.12.20. The appellant raises the issue of flooding on the site. The site is not indicated as being within an area at risk of flooding. I note that a Flood Risk Assessment accompanies the EIAR (see Appendix 8.9). The report concludes that the proposed works will not result in any net loss of potential flood plain storage and will not have a negative impact, in terms of flood risk, on the local drainage network, on local private property, or to the surrounding environment. Additionally, I note a report/'technical advice note' which was submitted to the Planning Authority which states that a flooded quarry floor is an industry norm, given the impermeable nature of the quarry floor. Having regard to the information submitted I am satisfied that the appeal site is not at risk of flooding and would not increase the risk of flooding of adjacent sites.

Conclusion

7.12.21. The management of surface water is described in detail in the application documentation and is considered to be satisfactory. In particular I am satisfied with the regard to the description of impact on/relationship with groundwater at the site. Having regard to the examination of environmental information in respect of water, in particular

the EIAR and supplementary information provided by the applicant, and having regard to the information submitted in the appeal, I am satisfied that the main significant direct and indirect effects arise during the operational and restoration phase of the development and that these effects can be mitigated by the measures set out in Table 8.9. There is no potential for cumulative effects given the nature of permitted/planned activity in the vicinity of the site. Therefore, I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on water.

7.13. Air and Climate

Issues Raised

7.13.1. No issues are raised in the appeal in relation to air quality or climate.

Examination of the EIAR

7.13.2. Context - Chapter 9 of the EIAR assesses the likely impacts of the proposed development in the context of Climate, while Chapter 10 address Air Quality. As these issues are interlinked I have addressed these chapters together.

7.13.3. Chapter 9 (Climate) addresses the impact of the proposal on local climate and provides an assessment of potential changes in greenhouse gas emissions. The chapter outlines the policy context to climate change, legislative framework in relation to climate, methodology used, sources of information, and the assessment criteria.

7.13.4. Chapter 10 (Air Quality) addresses the potential impacts of the proposed development on air quality. The assessment of the potential air quality and dust impact has been undertaken with reference to the Quarries and Ancillary Activities Guidelines for Planning Authorities (April 2004), published by the Department of the Environment, Heritage and Local Government and the Guidance on the Assessment of Mineral Dust Impacts for Planning (May 2016 (v1.1) published by the Institute of Air Quality Management (IAQM).

7.13.5. Baseline – (Climate) Ireland has a temperate maritime climate characterised by mild temperatures, high levels of precipitation, and relatively consistent weather patterns. During the period 2010-2023, the mean daily rainfall maximum and minimum were 2.66mm and 4.36mm at the Athenry weather station, which is considered representative to conditions at the site.

7.13.6. Baseline – (Air Quality) the predominant wind direction for Athenry is from the south-west. Table 10.5 in the EIAR sets out distances to receptors in the vicinity, including houses and places of employment. The closest inhabited house is indicated as being 368 metres east of the site. Table 10.6 in the EIAR provides details of ecological receptors in the vicinity, the closest being Galway Bay Complex SAC, c. 3.88 km south-west of the site. According to EPA data, the site is located in 'Air Quality Zone D – Rural Ireland'. The average annual mean across all monitoring stations located in Air Quality Zone D for PM10, PM2.5, and NO2 are 10.86, 7.11, and 8.01, respectively. The Claremorris monitoring station, located c. 43km north of the proposed development, is the closest monitoring station in Air Quality Zone D. There were no recorded exceedances of the 24-hour mean PM10 concentration of 50µg/m3 at the Claremorris monitoring station. Dust in monitored at 5 no. locations at the site/site boundary, as required by planning condition under PA. Ref. 09/1958 & ABP. Ref PL.07.235821, and in 2023 no incidences of non-compliance were recorded.

Potential Effects

7.13.7. Likely significant effects of the development are summarised in Table 5 below. I note that the assessments carried out did not identify any significant limitations.

Table 5: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	(Climate) In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s). There will be no carbon impact. (Air Quality) In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s). There will be no impact from an air quality perspective.
Construction	(Climate) The EIAR notes that there is no construction phase associated with the proposed development. (Air Quality) as above.

Operation	(Climate) The proposal will result in varied carbon emissions across different phases of the proposed development (see Table 9.4 of EIAR). The total annual carbon emissions generated from the proposed development at operational phase is 5141.7 tCO2e. Carbon emissions arise from plant/machinery, processing of aggregate and transport. The assumptions on which carbon emissions are based on are outlined in Appendix 9B. Indirect effects are noted from subsequent construction activity using concrete and aggregates from the quarry however emission figures are noted as being too varied and complex to accurately calculate. (Air Quality) Extraction, blasting, crushing and screening of aggregates, the operation of the concrete manufacturing plant and the transport of products will result in point emissions. Exhaust emissions from plant and machinery have potential to contribute towards local air pollution levels. Wind can carry dust particles beyond site boundaries. Fine materials from lorries can be deposited along public roads.
Restoration	(Climate) No expected emissions. Restoration entails allowing the quarry void to fill with water and existing screening berms around the perimeter. (Air Quality) Restoration entails allowing the void to fill with water and existing screening berms around the perimeter. No expected emissions to air.
Cumulative	(Climate) No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts. (Air Quality) - No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.13.8. (Climate) Table 9.6 and Table 9.7 of the EIAR sets out mitigation measures in respect of weather events and carbon emissions respectively. These include, stopping the pumping of water from the quarry to the licenced groundwater infiltration area in the event of a flood; operating to engineering codes during high wind; and operating lighting in accordance with relevant codes. Mitigation measures to address carbon emissions include the regular maintenance of plant/machinery.

7.13.9. (Air) Table 10.9 of the EIAR sets out mitigation measures for dust emissions, including minimising drops heights for excavators; avoid working in windy conditions; minimising the distance for haul routes; use of water sprayers; restricting vehicle speeds; the use of a road sweeper and the use of a wheel wash. In addition, Appendix 10.B sets out a Dust Management Plan for the site.

Residual Impacts

7.13.10. No residual impacts are indicated in relation to climate or air quality. Post mitigation, no residual impacts are identified in relation to climate or air quality.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.13.11. I have examined, analysed and evaluated the information provided in Chapter 9 (Climate) and Chapter 10 (Air Quality) and all the associated documents on file in respect of climate, and air quality. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts generated by the proposed development and provides a suitable range of mitigation measures. Monitoring measures are not proposed in the EIAR, although monitoring of dust is currently undertaken at 5 no. locations by way of planning condition associated with the relevant permission which the development currently operates under which demonstrates compliance in 59 of 60 measurements in 2023 (i.e. a single instance of non-compliance).

7.13.12. In relation to Climate, the proposed development will generate 0.0093% of Irelands annual greenhouse gas, and 0.08% of emissions of the industry sector's carbon emissions in a given year. Emissions (Greenhouse Gass emissions), associated with the development are assessed as not resulting in a significant global increase in carbon concentrations. Subject to the mitigation measures set out at Table 9.6 and Table 9.7 I am satisfied that the proposed development would not give rise to significant emissions.

7.13.13. Regarding Air Quality, the extraction of limestone, the operation of the concrete manufacturing facility and associated HGV traffic movements will result in dust deposition. The EIAR notes that IAQM guidance discourages detailed modelling for mineral extraction sites, due to practical limitations, and therefore dispersion modelling has not been undertaken for the proposal. The EIAR includes an examination of the impact of dust on 4 no. receptors (inc. 2 no. houses) and 8 no. nature conservation sites (SAC's, SPA.s NHA's). I do not consider that the operational phase of the proposal will result in significant dust impacts noting the distance between the site works and the nearest inhabited residences and ecological receptors. Emission of dust from blasting is expected to be experienced within 100 metres and potentially travel up to 400 metres however blasting will be controlled and periodic in nature. Dust emissions arising from stockpiles and crushing and processing is also expected to be experienced within 100 metres, and potentially travel up to 400 metres. Vehicles movements on unpaved roads and HGV movements off-site will also result in localised dust transmission. The presence of established screening berms, hedgerows and trees in the vicinity of the quarry site will provide a degree of natural shielding against the dispersion of dust emissions downwind of the prevailing winds. The topography of the site includes a quarry void which will provide a degree of natural mitigation against dust dispersal. However, other dust sources located at ground level, such as the concrete batching plant, stockpiles, and vehicle movements, do not benefit from this topographical mitigation and are more exposed to wind. The EIAR notes that whilst these features contribute to reducing dust dispersion they might not provide complete containment and therefore have not be included in assessing impact. The closest properties in the area are to the east of the site and are downwind of the prevailing wind direction (which is from the south-west). As the closest inhabited property is stated as being 368 metres (east of the site) it is unlikely to experience a significant dust impact due to the effects of dust dispersal. The DoEHLG guidance outlines that "residents living in proximity to quarries can potentially be affected by dust up to 0.5km from the source, although continual or severe concerns about dust are most likely to be experienced within about 100m of the dust source". Measures including the wetting of surfaces and avoidance of works during windy conditions will also minimise the impact from air borne dust on property in the vicinity to non-significant levels. I note

that there are no surface water features on/in the vicinity of the site and therefore there is no potential for dust to enter watercourses.

7.13.14. The IAQM recommend that if the **PM10** background concentration is less than 17 µg/m3 there is little risk that the contribution from the site would lead to an exceedance of the annual mean objective. Fugitive dust from stockpiles and pit operations can potentially contribute up to 5µg/m3[6] towards annual mean background concentrations of the coarse fraction (2.5 – 10µm diameters) of particulates in the immediate area. The EIAR notes that while the potential PM10 impact of the proposed development is considered to be lower than this, to ensure a robust assessment of potential PM10 impacts, 5µg/m3 has been applied to represent the development's contribution to annual ambient PM10 concentrations. This value has then been added to existing background levels to assess whether the Air Quality Standards objective is likely to be exceeded. In terms of PM10, the annual mean concentration was 10.86µg/m³ in 2023 at monitoring stations located in Air Quality Zone D (refer to Table 10.7). The potential contribution of 5µg/m3 is considered to be insignificant and well below the annual objective of 40µg/m³, and below the annual limit of 20 µg/m³ established by Directive (EU) 2024/2881, which must be achieved by 2030. In terms of **PM2.5,** the annual mean concentration was 7.11µg/m³ in 2023 at monitoring stations located in Air Quality Zone D (refer to Table 10.7). The proposed development will be below the annual objective of 25 µg/m3, and also the annual limit of 10 µg/m³ established by Directive (EU) 2024/2881, which must be achieved by 2030. Potential impacts in relation to increase in ambient PM10 and PM2.5 concentrations are classified as 'not significant' in the EIAR. I note that Section 3.3 of the Quarry Guidelines sets out a number of best practice mitigation measures to prevent dust creation at source. The proposal incorporates the measures referred to in the Guidelines.

7.13.15. Dust deposition impacts from de-commissioning (e.g. movement of stockpiles, de-commissioning of plant and equipment, etc.) will result in short-term dust deposition impacts, however I am satisfied that significant impacts will not arise as a result.

7.13.16. There are also potential impacts for people working within the quarry due to exposure to fine dust. Serious risks to human health are not envisaged as the quarrying activity

[6] As stated in UK edition of the LAQM Technical Guidance (LAQM.TG(03)).

would continue to be managed in accordance with all applicable legislation and guidelines, including Safety, Health and Welfare at Work (Quarry) Regulations 2008.

7.13.17. Having regard to the information submitted which is robust and evidence based and subject to the implementation of mitigation measures to supress dust, I am satisfied that the impact of fugitive dust on sensitive receptors is not significant.

Conclusion

7.13.18. Having regard to the examination of environmental information in respect of Climate and Air Quality, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potent impacts on air quality and climate generated by the proposed project and provides a suitably comprehensive range of mitigation measures in Table 9.6 and 9.7 (Climate) and Table 10.9 (Air Quality) to reduce any potential impacts to non-significant levels. In relation to dust, there is no potential for cumulative effects when considered alongside adjacent industrial uses, and having reviewed the planning history in the vicinity I note the absence of permitted or planned construction activity in the vicinity of the site which would significantly contribute to dust/emissions. Having considered the mitigation measures proposed in respect of Climate and Air Quality, I am satisfied that that proposed development will not give rise to significant direct, indirect, or cumulative effects on Climate or Air Quality.

7.14. Noise and Vibration

Issues Raised

7.14.1. No issues are raised in the appeal in relation to noise and vibration.

7.14.2. ***Examination of the EIAR***

7.14.3. Context - Chapter 11 of the EIAR assesses the likely impacts of the proposed development in terms of noise and vibration. The chapter outlines the methodology used, sources of information, and the assessment criteria. The main sources of noise are extraction, processing of rock through crushing and screening on the quarry floor, the transport of material along the haul routes, the use of processed stone in the existing concrete manufacturing facility and then the export of product off site.

7.14.4. Baseline - A noise survey was undertaken at Noise Sensitive Locations (NSL's) on 12th of November 2024 to establish the background noise levels in the area. The noise and vibration impact assessment has been undertaken with regard to:

- Quarries and Ancillary Activities, Guidelines for Planning Authorities, April 2004, Department of the Environment, Heritage and Local Government. (DoEHLG)
- Environmental Management Guidelines Environmental Management in the Extractive Industry (Non-Scheduled Minerals), Environmental Protection Agency (2006)

7.14.5. The survey included a nearby school (Scoil Naomh Mhuire in Lisheenkyle). The results of the baseline survey is set out in Tables 11.3 – 11.5 of the EIAR. Table 11.6 of the EIAR outlines the noise generating sources within the quarry and the level of noise that these sources are likely to generate. A prediction of the specific noise levels at the receptor locations using noise prediction software has been undertaken. Results are calculated at a height of 4 metres, representing a typical first floor window. The predictive noise modelling takes account of the existing berms at the site. Table 11.7 of the EIAR sets out the results of predictive noise modelling at 15 no. noise sensitive locations. Operational noise levels associated with the proposed development are within the operation noise criterion of 55 dB LAeq at all noise sensitive locations. Predicted noise arising from traffic generated by the proposed development is set out in Table 11.8 of the EIAR. Blasting will be undertaken periodically at the site within the proposed extraction areas. There is no change proposed to the current blasting procedure associated with the proposed continuation operations and future extraction. In line with the current best practice operations and conditions of planning at the site, all blasts will be designed to ensure the PPV limit of 12mm/s and AOP of 125dB Lin is not exceeded at the nearest sensitive dwellings. The expected operational phase vibration effects at the nearest NSLs to the site are summarised as negative quality, slight and of brief duration.

Potential Effects

7.14.6. Likely significant effects of the development are summarised in Table 6 below. I note that the assessments carried out did not identify any significant limitations.

Table 6: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Noise and vibration levels would decline as operations at the site cease. New proposals for quarrying in the area, required to meet ongoing demand for aggregates, would potentially reintroduce noise and vibration impacts.
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	Noise and vibration from the proposed development has potential to disturb noise sensitive receptors, including residents and a local school. In relation to quarrying operations, the modelling indicates that noise levels at all sensitive receptors would be within the criterion of 55dB $L_{Aeq, 1hr}$. Noise generation from traffic is noted in the EIAR as not being significant, resulting in a maximum increase in noise levels of 1.8 dB(A) compared to the existing situation. Blasting will be undertaken periodically at the site. No change is proposed to current blasting procedures.
Restoration	The restoration of the quarry, which comprises allowing the quarry void to fill with water and berms which are currently in situ, will not result in significant noise or vibration.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.14.7. Mitigation measures are set out in Section 11.74 (noise) and 11.75 (vibration) of the EIAR and includes, in relation to noise abatement, existing screening banks; maintenance of plant; locating noisy plant at the base of the quarry; designing haul roads with lowest possible gradient; use of chutes and dampeners; and in respect of vibration, laser profiling to establish accurate geometry of quarry face prior to blasting; ensuring optimal blast ratio and efficient use of explosives; and the carrying out of

blasting by trained professionals. Specific mitigation measures are also set out in the EIAR (see Section 11.70) for Peregrine falcon including the use of a buffer area of 125 metres, and blasting schedules which have regard to the breeding time of the Peregrine falcon.

Residual Impacts

7.14.8. It is considered that noise and vibration levels associated with the proposed development would not increase above existing noise and vibration levels.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.14.9. I have examined, analysed and evaluated the information provided in Chapter 11 and all the associated documents in respect of Noise and Vibration. I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts generated by the proposed development and provides a suitable range of mitigation and monitoring measures.

Noise

7.14.10. The Quarry Guidelines and the EPA's Environmental Management in the Extractive Industry set out a recommended standard of 55dB(A) L_{Aeq} (1 h) for daytime noise and 45 dBA L_{Aeq} (1 h) for night-time at the nearest sensitive receptor. The guidelines also note that it may be appropriate to permit higher noise ELVs (Environmental Limit Values) for short-term temporary activities such as construction of screening bunds, etc, where these activities will result in a considerable environmental benefit. Over the differing phases of excavation, the location of on-site activities will vary. This results in a range of noise levels at the nearest noise sensitive receptors. There will also be mobile sources of noise within the quarry and the intensity of activity will vary depending on demand. Noise levels also include HGV movements and noise associated with periodic blasting. A noise assessment was undertaken for 15 no. noise sensitive receptors (including dwellings and a school) - see Figure 11.1 for receptor locations. A baseline noise survey was carried out in proximity to the site on the 12th of November 2024, to establish the background noise levels in the area. Table 11.7 of the EIAR sets out predicted noise levels at each noise sensitive receiver location.

Predicted noise levels are in accordance with a suggested noise limit of 55 dB(A) during the continuous activity over a 1 hour period. There is no construction phase associated with the proposed development and therefore no construction phase impacts. The restoration of the quarry, which comprises allowing the quarry void to fill with water and berms which are currently in situ, will not result in significant noise or vibration. The existing quarry is subject to noise monitoring. Details of noise monitoring for 2024 is set out in Appendix 11.3 of Chapter 11 and indicates no exceedance of the conditioned standard of 55dB(A) L_{Aeq} (1 h) for daytime noise.

Vibration

7.14.11. Blasting will be undertaken periodically at the site and has potential to generate air and ground vibrations. No change is proposed to current blasting procedures. The Planning Authority did not attach a planning condition stipulating Peak Particle Velocity (PPV) arising from blasting. I note that Condition no.11 of ABP. Ref. 308549-20 stipulated a peak particle velocity of 6 mm per second. The applicant requests that a PPV limit of 12mm/s and AOP (Air Overpressure) of 125dB Lin at the nearest sensitive dwellings is permitted, as the previous conditioned limit of 6mm/s, on foot of ABP. Ref. 308549-20, deviates from EPA guidance, restricts operational efficiency and the applicant contends is unduly restrictive and inconsistent with industry best practice. Having regard to the efficiency which the higher 12 mm per second peak particle velocity would allow for, and which would ultimately result in less blasts being required at the quarry, to the guidance set out in the EPA Environmental Management Guidelines (2006) and BS 5228-2:2209+A1:2014, and to the history at the site where under previous permissions a peak particle velocity of 12 mm per second was permitted (i.e. PA. Ref. 09/1958), I recommend that the applicant's request is acceded to should the Commission grant permission for the proposed development. In terms of air overpressure, existing operations at the quarry should be conditioned to AOP (Air Overpressure) of 125dB Lin at the nearest sensitive dwellings, in line with the guidance set out in the DoEHLG and EPA guidelines. I am satisfied that there would be no significant impact from vibration.

Conclusion

7.14.12. Having regard to the examination of environmental information in respect of Noise and Vibration, in particular the EIAR, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts on noise and vibration generated by the proposed project and provides a suitably comprehensive range of mitigation and monitoring measures in Section 11.74 and 11.75 to reduce any potential impacts to non-significant levels. Cumulative effects have been included in the noise modelling, including from the adjacent battery storage facility, and have been shown not to result in significant cumulative effects. I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on noise and vibration.

7.15. Material Assets, Cultural Heritage and the Landscape

7.15.1. The format of my assessment follows the headings as set out in the Planning and Development Act, 2000 (as amended). Having regard to the information provided in the applicant's EAIR the following sub-headings are used:

- Material Assets
- Cultural Heritage
- Landscape and Visual Impact Assessment
- Traffic and Transport Assessment

7.16. Material Assets

Issues Raised

7.16.1. No concerns were raised in the appeal submission relating to material assets.

Examination of the EIAR

7.16.2. Context - Chapter 15 of the EIAR 'Material Assets' outlines the effects of the proposed development on material assets. Material assets are described as including public utilities; recreational facilities/amenities; land resources; natural resources; geological resources; raw materials and waste; the transport network; and property, and the chapter addresses the impacts of the proposed development on same.

7.16.3. Baseline - The site comprises an operational quarry. There is a concrete manufacturing facility within the site. Land uses in the vicinity include agriculture, industry and residential. Access to the site is provided via a 1km private access road which joins the L7109, which in turn joins the R339 at a T-junction approximately 1.3km north of the site. Public transport in the area is limited. Bus Eireann operates bus service no. 425a from Galway City to Mountbellew which runs along the R339 north of the site. Cashla 220kV Substation adjoins the site to the north-east. Two 100kV overhead power lines cross the application site. The easternmost line traverses the proposed eastern extraction area. The EIAR states that it is not proposed to re-route these lines, and that communication with ESB is ongoing with regard work to be undertaken in the vicinity of these lines. The site is served by electricity from the grid via an overhead line. There is an existing wastewater treatment plant on the site.

Potential Effects

7.16.4. Likely significant effects of the development are summarised in Table 7 below. I note that the assessments carried out did not identify any significant limitations.

Table 7: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	The quarry would continue to operate the quarry as permitted. In the medium term the quarry would be forced to close and there would be a reduction in emissions associated with the operation of the quarry. Opportunities for local employment and the associated revenue within the local economy would not be realised. There would be a reduction in the volume of material available to the construction sector locally.
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	Waste volumes associated with the proposal are low. The proposed development will not significantly alter land use at the site noting the existing use of the site as a quarry. Changes to the site would only be visible from within the site. The proposed development would not result in significant effects on the local transport network, or on

	recreational facilities and amenities. The proposal entails the removal of limestone resource from the site, the loss would not be perceptible.
Restoration	The quarry void will be allowed to flood and the site will re-vegete.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.16.5. Mitigation measures are proposed in Chapter 5 (Population and Human Health); Chapter 7 (Land, Soils and Geology); Chapter 8 (Water); Chapter 10 (Air Quality); Chapter 11 (Noise); Chapter 12 (Landscape); Chapter 13 (Traffic); and Chapter 14 (Cultural Heritage). In addition, specific waste management protocols are set out in Section 15.103 of the EIAR.

Residual Impacts

7.16.6. No residual impacts are anticipated.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.16.7. I have examined, analysed and evaluated the information provided in Chapter 15. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts on Material Assets. Services are available, or can be provided to the site. Waste generated from the proposed quarry is not significant and will be removed off site by authorised agents. Impacts on existing services in the area are not significant.

Conclusion

7.16.8. Having regard to the examination of environmental information in respect of Material Assets, in particular the EIAR, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts on material assets generated by the proposed project. I agree with the EIAR that the mitigation measures set out in other referenced chapters will adequately address the potential for significant impacts on Material Assets, human origin and natural origin. I am satisfied that subject

development will not give rise to significant direct, indirect, or cumulative effects on material assets.

7.17. ***Cultural Heritage***

Issues Raised

No issues were raised in the appeal regarding cultural heritage.

Examination of the EIAR

7.17.1. **Context** - Chapter 14 of the EIAR addresses Cultural Heritage. A study area comprising the site and the 1 km of surrounding lands was determined to be appropriate. The site has been the subject of licensed archaeological monitoring and test excavation. The Cultural Heritage components of the study comprise examination of the Record of Monuments and Places of County Galway; aerial photographs; previous excavation reports; and cartographic and documentary sources.

7.17.2. Baseline – there are no structures listed in the Co. Galway Record of Protected Structures, or any Recorded Monuments situated within the application area or the study area. There are no structures listed in the National Inventory of Architectural Heritage (NIAH) situated within the study area. The closest Recorded Monument outside the application area is a levelled enclosure, described in the RMP as: GA083-008---- An Carn Mór Thiar, Carnmore, Palmerstown Enclosure, c 0.3 km south-west of the site. There are no Sites and Monuments Record (SMR) situated within the application area. The closest non-SMR outside the application area is a Cashla townland, post-1700 AD gravel pit c. 0.5 km north of the application area. Ordnance Survey 1st and 3rd edition six-inch maps of the area do not indicate any previously unrecorded archaeological sites or monuments in the application area. Ordnance Survey 1995, 1996-2000, 2001-2005,2006-12, 2011-13 and 2013-18 imagery as well as Google Earth imagery from 2008, 2011, 2014, 2017, 2018, 2019, 2020 and 2021, and Bing maps imagery from 2016 do not indicate any additional cultural heritage or archaeological sites within the study area. The existing quarry was the subject of an archaeological assessment in 2005, followed by licenced test excavation and monitoring in August-November 2007. Nothing of archaeological significance was

uncovered during the archaeological monitoring and no finds or features of archaeological significance were identified by the test excavation.

Potential Effects

7.17.3. Likely significant effects of the development are summarised in Table 8 below. I note that the assessments carried out did not identify any significant limitations.

Table 8: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s).
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	The proposed development could impact/disturb undiscovered archaeological features however the site/adjoining area are of very low archaeological potential and it is predicted that the proposed development will not cause any direct or indirect impacts with respect to any features or monuments of archaeological heritage interest.
Restoration	Not addressed in EIAR.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.17.4. Mitigation (or monitoring) measures are not proposed.

Residual Impacts

7.17.5. Residual impacts are not envisioned.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.17.6. I have examined, analysed and evaluated the information provided in Chapter 14 and I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts on cultural heritage. The site and adjacent area are of very low/negligible archaeological potential. Previous test excavation on the site yielded no evidence of archaeology. I am satisfied that the proposed development would not give rise to significant impacts on cultural heritage.

Conclusion

7.17.7. Having regard to the examination of environmental information in respect of Cultural Heritage, in particular the EIAR I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding cultural heritage context of the site and surrounding area. Noting that the site and adjacent area are of very low/negligible archaeological potential, and on the basis of the site testing results I am satisfied that mitigation measures and monitoring are not required. Similarly, given the low archaeological potential on the site/in the vicinity, there is no potential for cumulative effects. Therefore, I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on Cultural Heritage.

7.18. **Landscape and Visual Impact**

Issues Raised

7.18.1. No issues were raised in the appeal in relation to landscape/visual impact.

Examination of the EIAR

7.18.2. Context - Chapter 12 of the EIAR addresses Landscape and Visual Impact. The proposed development comprises a lateral extension within the existing permitted quarry and is unlikely to be visible beyond the site, photomontages have therefore not been prepared. Instead impacts from several nearby receptors within a 1 km of the site which are deemed to be most susceptible to change are assessed.

7.18.3. Baseline - Topography across the study area is generally flat in nature, however gentle undulations are located across the site with more elevated terrain in the eastern periphery of the study area. In terms of land use there is a strong anthropogenic theme across the entire study area. Besides the quarry, substation and C & F factory, agricultural farmland is the dominant land use comprising of small to medium-sized

pastoral fields. Field boundaries in the surrounding vicinity are most commonly mature hedgerows or stone walls. The site is bound by a series of mature hedgerows which aid in screening the site from nearby receptors. The site is offset from the roads that surround it to the south and east, mitigating views and assimilating the quarry into the existing landscape fabric. The most notable road within the study area is the M6 which traverses east to west. There are no towns or villages within the study area. The Galway County Development Plan 2022 – 2028 identifies the site as being located within a landscape of low sensitivity (i.e. Class 1) and there are no protected views or scenic routes on or near the site.

Potential Effects

7.18.4. Likely significant effects of the development are summarised in Table 9 below. I note that the assessments carried out did not identify any significant limitations.

Table 9: Summary of Potential Effects

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s).
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	The proposed development has potential to alter visual perspectives from nearby dwellings and the local road network, however the site is well screened by existing vegetation and undulating topography and views of the quarry of limited. The receiving landscape is a robust, working landscape where quarrying is an existing activity that has a notable influence on the surrounding landscape. The proposed works involve creating a broader void in the landscape and an extension into disturbed lands. The proposed development will not exceed the existing boundaries of the site and will not noticeably detract from the integrity of landscape.

Decommissioning	The site will be left for natural recolonisation by locally occurring grass and shrub/scrub species and the void will fill with water. All existing boundary fences and hedgerows will be retained. All plant and machinery will be removed from the quarry void. Restoration will result in an improvement from the current quarried condition.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.18.5. No specific mitigation or monitoring measures are proposed.

Residual Impacts

7.18.6. Residual impacts are not envisioned. Over time proposed landscape measures will provide a positive visual impact and biodiversity enhancement.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.18.7. I have examined, analysed and evaluated the information provided in Chapter 12 in respect of Landscape and Visual Impact. I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts. I am satisfied that no mitigation measures are required to address the potential impact of the proposed development.

7.18.8. The impact of the proposed development on the landscape has been examined at 3 no. visual receptors. These receptors are to the south along the M6, adjacent to C&F Tooling and at the entrance to the quarry. Regarding views from the M6/south, machinery, sheds and mounds of gravel can be partially observed in the middle distance. The proposal to extend the quarry will not result in the quarry being any more visible than what exists currently. Regarding the view from C&F Tooling to the north-east, views of the quarry are not possible due to the combination of distance and screening. Views from the quarry entrance to the east, which are representative to that experienced by residential receptors, are obscured by tree lines, dense vegetation and the existing sub-station. Glimpses of the quarry are possible but at a distance of 380

metres the quarry is not readily discernable from this location. The visual impact assessment deems the impact of the proposed development at all three locations imperceptible. I agree with this conclusion. I am satisfied that the receptor locations represent locations in the vicinity where there is a potential impact to arise from the proposal. I am satisfied that the impact of the proposal on the landscape will not be significant.

Conclusion

7.18.9. Having regard to the examination of environmental information in respect of Landscape and Visual Impact, in particular the EIAR, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the impact of the proposal on the receiving landscape generated by the proposed project and that mitigation and monitoring measures are not required to reduce any potential impacts to non-significant levels. I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects in the context of the receiving landscape. I am also satisfied that the proposed development accords with Policy Objective LCM1, LCM2 and LCM3 of the Galway County Development Plan 2022 – 2028.

7.19. **Traffic and Transport Assessment**

Issues Raised

7.19.1. Issues relating to traffic and transportation have been raised in the appeal submission, specifically, visibility at the junction of the R339/L7109 and the adequacy of the turning radii for HGV's at this junction, and that the number of vehicles going through this junction exceeds that set out in DN-GEO-03060 when compared to the AADT (Annual Average Daily Traffic) figures in the EIAR.

Examination of the EIAR

7.19.2. Context - Chapter 13 of the EIAR addresses Traffic and Transport. The chapter comprises an assessment of existing and purposed traffic conditions arising from the proposed development. A Traffic Impact Assessment (TIA) and a separate Traffic and Transport Assessment (TTA) have been prepared.

7.19.3. Baseline – The site is/will be accessed from the L7109. The L7109 links the R339 Regional Road with Lisheenkyle East. It terminates at a stop-controlled T-junction with

the R339, approximately 1 km to the north of the site access. The L7109 is c. 4.5m-6m with no footpaths or hard strips. As of the 7th of February 2025 the default speed limit on rural roads (inc. the L7109) in Ireland will reduce from 80kph to 60kph, as set out in the Road Traffic Act 2024.

7.19.4. The methodology for the traffic impact assessment, as set out in Chapter 13, comprises a (i) site visit undertaken on the 2nd of October 2024; (ii) Trip Generation and Trip Assignment, used to derive trip rates and forecast trips for the proposed development, and to assign generated traffic flows onto the existing road network; (iii) Link Capacity Assessment, to estimate an AADT[7] value for each of the main roads on the surrounding road network and assess their capacity with and without the proposed development; Junction Capacity Assessment, using traffic count data to model the assessed junctions; and Future Year Assessments, to assess the future operational performance of the junctions and surrounding road network for 2025 (assumed year of opening), and at two future assessment years, the opening year +5 (2030) and the opening year +15 (2040).

7.19.5. Traffic counts were carried out on 11th of December 2024 at the junctions between the L7109 and the Coshla Quarry Access, the L7109/R339 T-Junction and the L7109/Lisheenkyle Junction. Each of the traffic counts were carried out between 7:00am and 7:00pm. The count data for each site has been converted to Annual Average Daily Traffic (AADT) values. The AADT was calculated to determine the percentage increase in traffic volumes on the road network as a result of the trips generated by the proposed development. Detailed results of the traffic counts are set out in Table 0-1 – 03 in Chapter 13. Traffic modelling has adopted a 'worst-case' scenario, i.e. 137 loads per day/400,000 tonnes per annum, to reflect the highest possible rate of extraction. Staff trips are estimated to generate 24 no. peak hour trips (12 in/12 out) for morning and evening peak. 6 no. trips have been assumed for miscellaneous trips.

7.19.6. The TII Publications document reference DN-GEO-03031 advises that the capacity of a Type 3 Single Carriageway road with 6.0m cross-section is 5,000 AADT for a Level of Service D. The L7109 has an average cross-section width of c. 6 m and is considered comparable with the Type 3 Single Carriageway cross section. The

[7] Annual Average Daily Traffic

combined background and site traffic volumes in each of the assessment years is less than the LOS D capacity of 5,000 AADT for a Type 3 Single Carriageway and therefore it is considered that the L7109 will operate within capacity for each of the assessment years. Traffic associated with the proposed development represents between 36.04% and 28.52% of the total traffic on the L7109 during the assessment years 2025 to 2040. Link capacity analysis was carried out on the L7109, and it was determined that the link road will continue to operate within capacity for each of the assessment years: 2025, 2030 and 2040.Junction analysis carried out for the operational hours of the quarry indicates that that the junctions will operate within capacity for each of the assessment years 2025, 2030 and 2040, so will have an imperceptible impact on the local road network. Regarding sightlines, the proposed extension forms part of the existing quarry at Coshla Quarry and will use the existing access on the L7109. The available visibility to the left (north) is sufficient for a design speed of 80kph on the L7109. To the right (south), visibility is restricted by the horizontal alignment, which limits visibility to approximately 120m, one-step below the desirable minimum stopping sight distance for a design speed of 85kph. As of the 7th February 2025, the default speed limit on rural roads in Ireland has reduced from 80kph to 60kph, as set out in the Road Traffic Act 2024. This speed limit reduction will, in effect, lower the sightline requirements near the quarry access. The visibility requirement for a road with a 60kph speed limit is 90m at a point 3m back from the edge of carriageway. Sightlines will therefore be met at the quarry access. Road Safety Audits (RSA's) were undertaken in 2020 (on foot of PA. Ref. 20/499) and in 2024 (see Appendix E). The issues identified relate to general traffic using the public highway, e.g. road markings, road surfacing etc. and responsibility for potential improvements would reside with Galway County Council as the Local Road Authority, who maintain the local road network. In summation, the traffic assessment concludes that the proposed development will have an imperceptible impact on the local road network.

Potential Effects

7.19.7. Likely significant effects of the development are summarised in Table 10 below. I note that the assessments carried out did not identify any significant limitations.

Table 10: Summary of Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	In the absence of the proposed development it is expected that the site would continue to be used for quarrying until the expiration of the relevant planning permission(s). Traffic related to the quarry would reduce in the vicinity. Replacement sources of aggregate may introduce additional traffic to the area.
Construction	The EIAR notes that there is no construction phase associated with the proposed development.
Operation	Additional traffic, including HGV traffic, could impact on junctions and road capacity. The TIA and TTA concludes that the L7109 will operate within capacity for each of the assessment years; junctions will operate within capacity for each of the assessment years 2025, 2030 and 2040; and visibility/sightlines in both directions at the site entrance meet the required standard for a local road with a speed limit of 60 kmph.
Restoration	Not addressed in EIAR.
Cumulative	No planning applications, activities or proposed activities at or within proximity to the site that would be likely to result in significant cumulative impacts.

Mitigation

7.19.8. Mitigation measures proposed include junction marking maintenance; signage compliance; and vegetation management. It is noted that the measures identified are within the remit of the Local Authority as roads authority. The nature of the works would be considered standard practice in maintaining the local road network.

Residual Impacts

7.19.9. No residual impacts are identified in the EIAR in relation to Traffic and Transport.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

7.19.10. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts of the proposal on traffic and transport. The applicant has undertaken a TTA for the proposed development which concludes

- Link capacity analysis was carried out L7109, and it was determined that all roads will continue to operate within capacity for each of the assessment years: 2025, 2030, and 2040. The results of the junction capacity analysis indicates that all junctions will operate within capacity for each of the assessment years: 2025, 2030, and 2040. The development will have a negligible impact on traffic flows on the existing road network due to the low volumes of traffic being generated by the development

- The available visibility to the left (north) is sufficient for a design speed of 80kph on the L7109. To the right (south), visibility is restricted by the horizontal alignment, which limits visibility to approximately 120m. The speed limit reduction on local roads from 80 kmph to 60 kmph, effective from 7th February 2025, will in effect lower the sightline requirements 90m. Sightlines requirements are therefore met.

Conclusion

I have had regard to the examination of environmental information in respect of Traffic and Transport, in particular the EIAR and supplementary information provided by the applicant. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts of the proposed project on traffic and transport. Noting the trips generated by the proposed development and the existing capacity of the local road network, I am satisfied that the proposed development will not result in significant impacts on the receiving road network, including junctions in the vicinity, and will not result in significant queuing of traffic on the road network/at the junctions examined. I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects in the context of the Traffic and Transport.

7.20. ***Interaction and Cumulative Effects***

Chapter 16 addresses Interactions. It is acknowledged that all aspects of the environment are likely to interact to some extent and to varying degrees of complexity.

Occurrences of interactions between environmental topics have been addressed in each chapter. Table 16.1 in the EIAR provides a matrix of interactions between environmental topics.

7.20.1. I have considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects may be acceptable on an individual basis. I generally agree with the findings of Chapter 16 in relation to the identification of interactions.

7.21. *Cumulative Impacts*

7.21.1. The cumulative effects of the proposed development alongside other proposed/permitted development in the vicinity of the site has been addressed in each chapter of the EIAR, and it has been concluded that the cumulation of effects from the planned and permitted development and the proposed development would not be likely to give rise to significant effects on the environment other than those that have been described in the EIAR and considered in this EIA.

7.22. *Reasoned Conclusion on the Significant Effects*

7.22.1. Having regard to the examination of environmental information set out above, to the EIAR and other information provided by the applicant, and to the submissions on the file and to the appeal, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- ***Land, Soils, Water, Air and Climate:***

  Groundwater: pollutants potentially entering groundwater from quarrying, and also from the operation of the concrete batching plant. Excavation is/will be undertaken above the groundwater flow system, and will not intercept groundwater. Mitigation measures will prevent the pollution of ground water and will prevent negative impacts on the water quality from the operation of the site.

  Air: extraction, blasting, crushing and screening of aggregates, the operation of the concrete manufacturing plant and the transport of products will result in point emissions which could be carried beyond site boundaries. Mitigation

measures will suppress fugitive dust emissions reducing dust levels outside the site to within acceptable limits.

7.22.2. The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures[8], as appropriate. The assessments provided in the individual EIAR chapters are satisfactory to enable the likely significant direct environmental effects arising as a consequence of the proposed development to be satisfactorily identified, described and assessed. I am satisfied that the EIAR has adequately addressed the indirect effects of the proposed development on the receiving environment.

7.23. Appropriate Assessment (Screening)

7.23.1. (See Appendix 2) In accordance with Section 177U of the Planning and Development Act, 2000, (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Galway Bay Complex SAC (Site Code: 000268); Inner Galway Bay SPA (Site Code: 004031); or Cregganna Marsh SPA (Site Code: 004142) or any other European site, in view of the Conservation Objectives of those site and Appropriate Assessment (and submission of a NIS) is not therefore required.

7.24. Water Framework Directive

7.24.1. The impact of the proposed development in the context of the Water Framework Directive, and the requirements of same, are addressed in Chapter 7 of the EIAR and assessed above at paragraph 7.12.8. The WFD Assessment submitted with the planning application/appeal concludes that the proposed development;

- will not cause deterioration to any flowing surface water body, transitional water body or coastal waterbody.
- will not impact any mapped or reported Drinking Water Area, Bathing Water, Shellfish Water or any other site.

[8] Table 17.1 and 17.2, in Chapter 17 'Mitigation and Monitoring' sets out the suite of mitigation and monitoring measures in respect of the proposed development under the heading of each chapter in the EIAR.

- will not cause a deterioration in the mapped Good Status of the underlying Clarinbridge GWB.
- will not jeopardise the condition or protections provided to an downgradient designated site, or their future enhancement, and,
- does not present any potential for impediment to the Programme of Measures associated with the River Basin Management Plan 2022 – 2027 or the Water Action Plan (WAP) 2024.

I have considered the objectives as set out in Article 4 of the Water Framework Directive, which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. I conclude, that on the basis of the WFD Assessment, and the mitigation measures proposed to address potential pollution to groundwater, the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives

7.25. **Issues Arising**

7.25.1. Objective DM 28 - The appellant contends that the proposed development would materially contravene the Development Plan with reference to Objective DM28 of the Galway County Development Plan 2022 – 2028 in the context of sightlines at the junction between the R339 and L7109. In response the applicant notes that Objective DM28 is not applicable as the proposed development does not entail the creation of a new vehicular entrance. As addressed above at paragraph 7.2.4, the applicant has satisfactorily demonstrated the availability of sightlines at the existing entrance onto the L7109 (i.e. 90 metres). The maintenance of sightlines at the junction between the R339 and L7109 is an issue for the Local Authority. In my opinion no material contravention in respect of Objective DM28 of the Galway County Development Plan 2022 – 2028 arises.

7.25.2. Agricultural Lime Plant – the appellant alleges that an agricultural lime processing plant has been erected within the quarry void without planning permission, and that the effects of this plant have not been addressed in the EIAR or NIS. The applicant, in

their response to the third party appeal, notes that a mobile crusher/screen assembly was installed as a short-term pilot project to test stone suitability for ground limestone, that operation of the processing assembly lasted for a period of hours, and that the assembly was then de-commissioned and dismantled. The applicant also states that the assembly was not a permanent structure and was exempted development. Regarding potential environmental cumulative impact, the applicant states that the temporary unit was considered in the ElAR under the description of 'mobile crushing/screening plant operating within the quarry void', and that the environmental effects of same were fully assessed within the generic mobile-plant envelope. I did not observe any agricultural lime processing plant on the site during my site inspection. I am satisfied that the development description contained in the public notices accurately describes the development which is proposed under this application/appeal, and that the plant previously on the site has been captured in the EIAR in the manner described by the applicant under the heading of mobile plant. I note that the planning application/appeal was not accompanied by a NIS.

7.25.3. Impact on Domestic Well – see para 7.12.18 (above). Having regard to the distance between the appellant's property/well and the quarry and the absence of interaction with groundwater conduits I am satisfied that the proposed development would not result in significant adverse impacts on the appellant's well.

7.25.4. Conditions of Planning Authority - the Notification of Decision to Grant Permission issued by Galway County Council includes a number of notable planning conditions, specifically -

C2 – stipulates that the duration of permission is 20 no. years and that restoration of quarry shall be undertaken within a period of 2 no. years following.

Section 4.9 of the *Quarries and Ancillary Facilities: Guidelines for Planning Authorities* notes '*where the expected life of the proposed quarry exceeds 5 years it will normally be appropriate to grant permission for a longer period (such as 10 – 20 years), particularly where major capital investment is required at the outset. In deciding the length of the planning permission, planning authorities should have regard to the expected life of the reserves within the site'*. The period sought is reasonable in my opinion and is based on estimated reserves in the quarry and specific extraction rates.

I also note the level of capital investment which has been made in the site, which includes a concrete manufacturing plant. I recommend that this condition is included should the Commission grant permission for the proposed development.

C3 – requires that environmental mitigation and monitoring measures are implemented and that an environmental manager oversee same.

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

C4 – requires compliance with the recommendations, summary and conclusions set out in the Environmental Impact Assessment Report "Chapter 13, Traffic, which includes the Traffic and Transportation Assessment, Safety Statement and Road Safety mitigation measures.

The conclusions of the TTA and Traffic Impact Assessment are that the local road network, including junctions, have capacity to cater for the proposed development and will not be adversely affected by same. The recommendations of the RSA relate to actions which are required to be undertaken by the Local Authority in their capacity as roads authority, and to areas outside the confines of the site. These actions are outside the remit and responsibility of the applicant (e.g. cutting back of vegetation, road markings etc). Condition 7 (addressed below) requires the payment of a special contribution towards road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry. These works will address safety issue raised in the applicant's RSA. I do not recommend that this condition is included should the Commission grant permission for the proposed development.

C5 – requires maintenance of sight distance triangles, and installation of "Stop" sign at the T- junction with the L-7109.

Point 2 of the applicant's RSA relates to sightlines at the entrance onto the L7109. The area concerned is however noted (see page 14 of TTA) as being the responsibility of the Local Authority). The area concerned has not been indicated as being within the ownership/control of the applicant, and is within the remit of the Local Authority. The applicant has satisfactorily demonstrated the availability of sightlines at the entrance onto the L7109. I do not recommend that this condition is included should the Commission grant permission for the proposed development.

C6 - stipulates that the quarry operate at its current output with reference to HGV movements, i.e. 137 two way trips per day, and that no extraction works shall take place (on foot of this permission) prior to the implementation of the safety assessment recommendations to the R339, L7109 Junction as contained within Traffic and Transportation Assessment.

As addressed above in relation to C4, the conclusions of the TTA and Traffic Impact Assessment are that the local road network, including junctions, have capacity to cater for the proposed development and will not be adversely affected by same. I recommend that HGV trips are stipulated to 137 (two way) trips per day. However, regarding the later part of C6, that no development commence until the recommendations of the RSA regarding the junction between the L7109 and R339 are implemented, these relate to actions which are required to be undertaken by the Local Authority in their capacity as roads authority and as such are outside the remit and responsibility of the applicant. Condition 7 (addressed below) requires the payment of a special contribution towards road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry. These works will be carried out by the Local Authority and will address the safety issue raised in the applicant's RSA. I do not recommend that this later element of C6 is included should the Commission grant permission for the proposed development.

C7 – requires the payment of special contribution (S. 48 (2)) towards road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry.

The report of the Roads Department recommends that a condition requiring the payment of a Special Development Contribution (€30,000) be included in any grant of permission, C7 reflects this. The applicant has not appealed this condition. I note that a similar condition was attached under PA. Ref. 20/499 / ABP – 308549-20 (i.e. Condition no. 16). Section 48 (2) (c) of the Planning and Development Act, 2000, as amended, provides for the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by the General Development Contribution Scheme are incurred by any local authority in respect of public infrastructure and facilities which would benefit the proposed development. The Galway County Council Development Contribution Scheme 2016 (as amended and effective form 1st August 2019) notes that additional special contributions for quarries

may be applied having regard to a number of criteria, including, the scale of the proposal; the condition of the road serving the development; and the cost of bringing the road up to a necessary standard. The public infrastructure and facilities which is to be provided (i.e. upgrading of roads) is in my view, a specific exceptional cost, which will benefit the specific requirements of the proposed development, that being the facilitation of HGV traffic associated with the quarry, and is a cost not covered by the General Development Contribution Scheme. I recommend that a condition requiring the payment of a Special Development Contribution is included should the Commission grant permission for the proposed development.

C10 – stipulates noise emission limits.

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

C11 – stipulates hours of operation.

I recommend that this condition is included should the Commission grant permission for the proposed development. I consider the proposed hours of operation i.e. 0800 – 1800 M-F and 0800 – 1600 hrs Saturday to be acceptable.

C12 – stipulates dust emission limits, and requires dust monitoring plan to be agreed with PA.

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

C14 – requires payment of bond in respect of roads.

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

7.25.5. Limitation on extraction rates/blasting – the Quarry Guidelines (see Section 4.7 (L)) recommends against the inclusion of planning condition stipulating extraction limits annually, save for cases where they are deemed necessary to regulate environmental impacts, e.g. where traffic movements, blasting etc. have been linked to annual extraction rates and the acceptability of the development has been decided on this basis. The EIAR includes a Traffic and Transport Assessment using extraction rates to model traffic volumes, and consequently traffic impact. On this basis I consider that

a condition stipulating the annual extraction rates at the site to be appropriate. Regarding blasting, the applicant states that blasting will typically occur once in a five week period, but that during times of increased demand blasting may occur up to twice within a given five week period. Based on this I recommend that a condition should be attached to any grant of permission limiting blasting at the site to 21 times per annum[9]. This is considered reasonable subject to the noise and vibration limitations specified under Condition no.'s 8 and 9 (see below).

7.25.6. *Res judicata* – the appellant contends that the application is *res judicata,* in that the application is the same as that proposed under PA. Ref. 20/499 / ABP. Ref. 308549-20 and the applicant is hoping for a different decision, with reference to a condition attached under PA. Ref. 20/499 / ABP. Ref. 308549-20, i.e. Condition no. 6 which stipulated that extraction shall not occur below the water table. In response the applicant notes that *res judicata* only arises where the same cause of action, on the same facts, between the same parties, has already been finally determined by a court of competent jurisdiction. The applicant notes that the appellant judicially reviewed that clerical error amendment order only, and that the merits of permission ABP-308549-20 have never been before the courts. In addition, the applicant notes that there is no possible suggestion of *res judicata* with reference to the new information contained in the application in relation to groundwater at the site. Having regard to the foregoing, specifically that the merits of permission ABP-308549-20 have never been before the courts, and the new information on the file which in my view renders the proposal materially different to that previously proposed under PA. Ref.20/499 / ABP-308549-20 I do not consider that the issue of *res judicata* arises, or that the Commission are precluded from assessing/permitting the proposed development.

7.25.7. Development contributions – the applicant raises the issue of development contributions in the planning report submitted with the planning application/appeal. I note that development contributions are not the subject of a first party appeal. The applicant notes that development at the site is currently operating under PA. Ref. 06/4125 / PL07.235821, which was considered under Section 48 at the time of the grant of permission, and that the permission which was subsequently granted under

[9] 21 blasts per annum is based on the maximum rate as set out in the application, i.e. twice each 5 weeks.

PA. Ref. 20/499 / ABP-308549-20, which is also subject to a Section 48 contribution, may be commenced prior to any grant of permission under this current application/appeal. The applicant notes that PA. Ref. 20/499 / ABP-308549-20 includes the existing quarry void, the remaining area yet to be quarried under PA. Ref. 06/4125 / PL07.235821, and the proposed extension, but that due to the ongoing nature of operations at the quarry and the overlap in areas it is not possible to determine the exact unextracted area at the time of a potential grant of permission for the purposes of calculating development contributions, and that this will require an updated survey. The applicant subsequently requests that this is taken into account when framing a development contribution condition. I note that the issue raised by the applicant is more applicable to the initial planning application as the Planning Authority will determine the amount of financial contribution. Should the Commission grant permission for the proposed development I recommend that the standard planning condition requiring the payment of a financial contribution in accordance with the applicable Section 48 Development Contribution Scheme is attached. The exact amount payable will then be calculated based on the information contained in the application, having regard to the history on the site with respect to previous contributions paid, or in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

8.0 Recommendation

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

9.0 Reasons and Considerations

Having regard to:

(a) National planning and related policy, including:

- Project Ireland 2040 - National Planning Framework which provides that aggregates and minerals extraction will continue to be enabled where this is compatible with the protection of the environment in terms of air and water quality, natural and cultural heritage, the quality of life of residents in the vicinity, and provides for appropriate site rehabilitation,

- Climate Action Plan, 2025,
- The 'Quarry and Ancillary Activities, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2004,
- Environmental Management Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA, 2006,

(b) Local planning policy, including:

- the provisions of the Galway County Development Plan 2022 - 2028,

(c) the following matters:

- the pattern of development in the area,
- the location and nature of the site,
- the Environmental Impact Assessment Report, and all other information received in connection with the application and the appeal,
- the Reasoned Conclusion on the significant effects of the proposed development,
- the submissions on the file, including the contents of the appeal and the response to the appeal,
- the nature and scale of the development proposed, including the phased extraction, and restoration of the site.

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

10.0 **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions.

	Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. **Reason:** In the interest of clarity.
2.	a) This grant of planning permission relates only to the area outlined on the drawings submitted on the 4th day of March 2025. All extraction and loading operations on site shall cease 20 years from the date of the grant of permission. All plant and machinery shall cease operation and shall be removed from site within 20 years of the date of this grant of planning permission. b) Restoration of the site shall be completed within 22 years of the date of grant of permission unless, prior to the end of that period, planning permission is granted for the continuance of use. c) The developer shall submit annually, for the lifetime of the permission, a map and aerial photograph of the progression of the phased development of the quarry and of the quarry perimeter, surveyed against established perimeter beacons, the form and location of which shall be agreed in writing with the Planning Authority prior to commencement of quarrying works. **Reason:** In the interests of orderly development and to ensure the appropriate restoration of the site.
3.	(a) The developer shall ensure that all mitigation and monitoring measures set out in the Environmental Impact Assessment Report submitted with the application, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions. (b) A single schedule of Monitoring and Mitigation Measures shall be complied and submitted to the Planning Authority within 1 month of a grant of permission.

	(c) The applicant shall appoint an Ecological Clerk of Works with suitable ecological and construction expertise to oversee the mitigation measures contained in the Environmental Impact Assessment Report. **Reason:** In the interest of clarity and the protection of the environment during the construction and operational phases of the development.
4.	a) The total volume of extracted material from the site shall not exceed 400,000 tonnes per annum. b) No extraction of aggregates shall take place below the level of the groundwater flow system. Extraction depth shall not exceed -5 metres OD. c) There shall be no dewatering of groundwater at the site. **Reason:** In the interest of clarity, to ensure the overall development is carried out on a phased basis, and to protect groundwater in the area.
5.	a) Restoration shall be carried out in accordance with a restoration plan, which shall include existing and proposed finished ground levels, landscaping proposals and a timescale for implementation. This plan shall be prepared by the developer, and shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development, or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination. b) Upon completion of restoration the applicant shall submit to the Planning Authority for their written agreement a digital topographical survey of the final restored contours. c) This grant of permission does not authorise the importation of materials for the restoration of the site. **Reason:** To ensure the satisfactory restoration of the site, in the interest of visual amenity, and in the interest of clarity.

6.	a) The total number of Heavy Goods Vehicle (HVG) traffic movements serving the site each day shall not exceed 137 number (two-way movements). b) A traffic counter shall be installed at the quarry and records from the counter shall be made available to the public to view. Records of traffic movement shall be maintained on site. Prior to commencement of development, the counter shall be installed and details in relation to the traffic counter and viewing shall be submitted for the written agreement of the Planning Authority. c) All HGVs departing the quarry shall do so via a wheel-wash. d) All loads of dry fine materials shall be sprayed with water or covered prior to exiting the quarry. e) During dry weather conditions, all roads within the site shall be sprayed with water at least three times a day. **Reason:** To limit the volume of Heavy Goods Vehicle (HGV) traffic to and from the site and in the interests of traffic safety.
7.	Settlement ponds shall be cleaned out at monthly intervals. Details of the proposed use, handling, and destination of the removed silt shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. **Reason:** In the interest of surface water drainage, to reduce the risk of water pollution, and to ensure the efficient operation of the settlement ponds.
8.	a) During the operational phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed -

	An LArT value of 55 dB(A) during 0700 to 1800 hours. The T value shall be one hour. An LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes. All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise. **Reason:** To protect the residential amenities of property in the vicinity.
9.	(a) Blasting operations shall occur a maximum of 21 times per annum. Blasting shall not occur more than once per week. (b) Blasting operations shall take place only between 1000 hours and 1700 hours, Monday to Friday, and shall not take place on Saturdays, Sundays or public holidays. (c) Vibration levels from blasting shall not exceed a peak particle velocity of 12 millimetres/second, when measured in any three mutually orthogonal directions at any sensitive location. Blasting shall not give rise to air overpressure values at sensitive locations which are in excess of 125 dB (Lin)max peak with a 95% confidence limit. No individual air overpressure value shall exceed the limit value by more than 5 dB (Lin). (d) A monitoring programme, carried out at the developer's expense, which shall include reviews to be undertaken at annual intervals, shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of any quarrying works on the site. This programme shall be undertaken by a suitably qualified person acceptable to the Planning Authority. The results of the reviews shall be submitted to the Planning Authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the Planning Authority following this annual review.

	(e) Prior to the firing of any blast, the developer shall give notice of same to the occupiers of all dwellings within 500 metres of the site. An audible alarm for a minimum period of one minute shall be sounded. This alarm shall be of sufficient power to be heard at all such dwellings. **Reason:** In the interest of public safety and residential amenity.
10.	The total dust emissions arising from on-site operations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge) when measured as deposition of insoluble and insoluble particulate matter at any position on the boundary of the quarry. **Reason:** To control dust emissions arising from the development and in the interest of the amenity of the area.
11.	a) The developer shall monitor and record groundwater, surface water flow, noise, and dust deposition levels at monitoring and recording stations, the location of which shall be agreed in writing with the Planning Authority prior to commencement of development. Monitoring results shall be submitted to the Planning Authority on an monthly basis for groundwater, surface water flow, noise and dust deposition. b) On an annual basis, for the lifetime of the facility (within two months of each year end), the developer shall submit to the Planning Authority five copies of an environmental audit. Independent environmental auditors approved of in writing by the Planning Authority shall carry out this audit. This audit shall be carried out at the expense of the developer and shall be made available for public inspection at the offices of the Planning Authority and at such other locations as may be agreed in writing with the Planning Authority. This report shall contain: (i) A written record derived from the on-site traffic counts of the quantity of material leaving the site. This quantity shall be specified in vehicle movements and tonnage.

	(ii) An annual topographical survey carried out by an independent qualified surveyor approved in writing by the Planning Authority. This survey shall show all areas excavated (and restored where applicable). On the basis of this, a full materials balance shall be provided to the Planning Authority. (iii) A record of groundwater levels measured at monthly intervals. (iv) A written record of all complaints, including actions taken in response to each complaint. c) All incidents where levels of noise or dust exceed specified levels shall be notified to the Planning Authority within two working days. Incidents of surface or groundwater pollution or incidents that may result in groundwater pollution, shall be notified to the Planning Authority without delay. d) Following submission of the audit or of such reports, or where such incidents occur, the developer shall comply with any requirements that the Planning Authority may impose in writing in order to bring the development in compliance with the conditions of this permission. **Reason:** In the interest of protecting residential amenities and ensuring a sustainable use of non-renewable resources.
12.	The development shall be operated and managed in accordance with an Environmental Management System (EMS), which shall be submitted by the developer to, and agreed in writing with, the Planning Authority, prior to commencement of development. This shall include proposals for the following: a) proposals for the suppression of on-site noise, b) proposals for the on-going monitoring of sound emissions at noise sensitive locations in the vicinity, c) proposals for the suppression and monitoring of dust at prior agreed locations and on the access road,

	d) all fuels and lubrication shall be stored in fully bunded storage areas and proposals to deal with accidental spillage shall be submitted to the Planning Authority, e) details of safety measures for the land above the quarry, to include warning signs and stock-proof fencing, f) management of all landscaping, with particular reference to enhancing the ecological value of the woodland/grassland in buffer areas, g) monitoring of ground and surface water quality, levels and discharges, h) details of site manager, contact numbers (including out-of-hours) and public information signs at the entrance to the site. **Reason:** In order to safeguard local amenities.
13.	Scrap metal and other waste material shall be removed to an appropriately licensed facility at least annually from the site in accordance with the written requirements of the Planning Authority. Such materials shall be deemed to include scrapped vehicles, worn out conveyor belts/chains, batteries, tyres and worn out conveyor/roller shafts. **Reason:** To protect the amenities of the area.
14.	On-site operations (other than blasting) are hereby permitted to be carried out between the hours of 0800 and 1800, Monday to Friday inclusive, and 0800 and 1600, Saturday. No activity shall take place outside these hours or on Sundays or public holidays. Truck loading activities may take place between 0700 and 0800 Monday to Saturday inclusive. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority. **Reason:** To protect the amenities of properties in the vicinity of the site.
15.	Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the Planning Authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to such reinstatement. The form and amount of the security

	shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination. **Reason:** To ensure the satisfactory restoration of the site in the interest of visual amenity.
16.	The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún 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
17.	The developer shall pay the sum of €30,000 (thirty thousand euro), updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office, to the Planning Authority as a special contribution under Section 48 (2) (c) of the Planning and Development Act, 2000, as amended, in respect of road improvement works at the junction of the L7109 and R-339, and on the L-7109 road and entrance to the quarry. The contribution shall be paid prior to commencement of development, or in such phased payments as the

	Planning Authority may facilitate. The application of indexation required by this condition shall be agreed between the Planning Authority and the developer, or in default of such agreement, the matter shall be referred to An Coimisiún Pleanala to determine. **Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the Planning Authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

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

Ian Campbell
Senior Planning Inspector

8th October 2025

Appendix 1 - Form 1

EIA Pre-Screening

N/A – EIAR SUBMITTED

Appendix 2 - Appropriate Assessment Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics **Case file: ABP-322624-25**	
Brief description of project	Continued use of existing quarry to the permitted depth of minus 5 metres OD, including drilling, blasting, crushing, processing, stockpiling of materials, associated roads and ancillary services; storage areas; permitted concrete manufacturing facility; office; maintenance shed; water management system; weighbridge and wheel wash; and lateral extension of the existing permitted quarry area over a previously permitted extraction area of c.4.6 ha. area to a final floor level of minus 5 mOD. Detail set out in section 2.0 of the Inspector's report.
Brief description of development site characteristics and potential impact mechanisms	A detailed description of the development site is provided in Section 1.0 of the Inspector's report and detailed specifications of the proposal are provided in the Appropriate Assessment Screening Report and other planning documents provided by the applicant.

	The site is located in proximity to a number of European Sites. Impact mechanisms include the release of polluted run-off (inc. suspended solids and hydrocarbons) to ground water during the operational and restoration phase of the proposed development.
Screening report	Yes (prepared by Green and Blue Ecology)
Natura Impact Statement	No
Relevant submissions	Appellant – submission does not raise any specific issues or concerns with regard to impacts on designated sites however the appellant's main contention is that the proposal entails extraction below the water table. The appellant also refers to the erection of an agri-lime plant on the site which has not been addressed in the context of Appropriate Assessment.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

3 no. European sites are potentially within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that the applicant included a greater number of European sites in their initial screening consideration with sites within 15km of the development site considered. There is no ecological justification for such a wide consideration of sites, and I have only included those sites with any possible ecological connection or pathway in this screening determination.

The AA screening report submitted by the applicant notes that based on the size and nature of the proposed development the maximum distance for which the proposed development should be evaluated in terms of

potential impacts on European Sites associated with effects arising from disturbance (i.e. noise, vibration, human and visual disturbance, dust and traffic emissions) is 2 km, and therefore a source-receptor-pathway for European Sites outside this range can be excluded. Potential effects should however be evaluated in terms of alteration to the hydrogeological regime and changes in groundwater quality.

European Site (code)	**Qualifying interests (summary) Link to conservation objectives (NPWS, date)**	**Distance from proposed development**	**Ecological connections**	**Consider further in screening Y/N**
Galway Bay Complex (Site Code: 000268)	Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220]	c. 4 km south-west from appeal site	The quarry lies within a karst landscape. There is potential hydrogeological connectivity to the Clarinbridge Groundwater body (GWB) which the site overlies with a potential source-pathway-receptor link where westerly groundwater flows towards Oranmore Bay. Therefore the	**Y**

	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Turloughs [3180] Juniperus communis formations on heaths or calcareous grasslands [5130]		Galway Bay Complex SAC has been included for further evaluation.	

	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Alkaline fens [7230] Limestone pavements [8240] Lutra lutra (Otter) [1355] Phoca vitulina (Harbour Seal) [1365]			
Inner Galway	Black-throated Diver (Gavia arctica) [A002]	c. 6 km south-west	The quarry lies within a karst landscape. There is	**Y**

Bay SPA (Site Code: 004131)	Great Northern Diver (Gavia immer) [A003] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Teal (Anas crecca) [A052] Red-breasted Merganser (Mergus serrator) [A069] Ringed Plover (Charadrius hiaticula) [A137]	from appeal site	potential hydrogeological connectivity to the Clarinbridge Groundwater body (GWB) which the site overlies with a potential source-pathway-receptor link where westerly groundwater flows towards Oranmore Bay. Therefore the Inner Galway Bay SPA has been included for further evaluation.	

	Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169]			

	Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855] Sandwich Tern (Thalasseus sandvicensis) [A863] Wetland and Waterbirds [A999]			
Cregganna Marsh SPA	Greenland White-fronted Goose (Anser albifrons flavirostris) [A395]	c. 6 km south-west	Cregganna Marsh SPA lies to the south of the Oranmore River and	**Y**

(Site Code: 004142)		from appeal site	Oranmore Bay where groundwater flows from the direction of the quarry are likely to have been intercepted.	

Baseline information was gathered through a combination of desk-based study, site visit and inspection of the site on the 22nd of July 2024. The existing and proposed limestone quarry extraction area covers an area of approximately 13 hectares (ha) within an application area of c.27.5 ha. The application site includes the existing operational quarry used for the extraction of limestone and its associated infrastructure and a concrete manufacturing facility. The existing quarry void has faces rising up to a height of c.28m from a floor level of -5m ordnance datum (mOD) and is used for the extraction of limestone using blasting techniques. The surrounding landscape is characterised by low-lying and relatively flat agricultural land comprised of small fields under permanent improved and semi-improved pasture bounded by some hedgerows and low level stone walls. A relatively large electrical sub-station is located immediately adjacent the north-east corner of the quarry with a smaller excavated area adjacent to the eastern boundary.

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

AA Screening matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site

	Impacts	Effects
Galway Bay Complex (Site Code: 000268)	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Indirect pathway to SAC. Water pollution arising from quarrying works, in particular blasting and quarrying (e.g. suspended solids, hydrocarbons, etc.), affecting water dependent habitats and species within the SAC. Disruption of groundwater movement and changes in the quantity of water flowing through the karst	Low risk of contaminated run-off from the site reaching the SAC via groundwater based on the following; - Monitoring of the quality of water discharged to groundwater shows that the discharge of trade effluent has not had any exceedances and has been within the discharge consent limits of Discharge Licence W/469/13. This includes the parameters for nitrates that indicate that any residues form blasting are not significant. The continuation and extension of the existing quarry will not require any changes the existing water management system and/or to any of the parameters as specified in Discharge Licence W/469/13 and no changes in baseline groundwater quality are predicted. The restoration of the site to natural habitats on cessation of quarrying operations at Barrettspark is not predicted to result in any negative effects on groundwater quality.

	system, affecting groundwater dependent terrestrial ecosystems within the SAC.	The proposed development will have no effects on the hydrogeological and/or hydrological regime of Galway Bay Complex SAC, noting that; - The existing quarry floor level at a depth of – 5 m OD has not intercepted the water table. The extension areas of the quarry will also be worked to – 5 m OD and will not intercept the water table. No de-watering operations will be required as part of quarrying operations at the site other than water that has been collected in the sump pumped to a concrete settlement tank before it is either used for dust suppression or discharged to ground. - Surface water runoff from the area of the batching plant and concrete block yard drains to a staged precast concrete settlement tank. The settlement tank is a closed-circuit system. The continuation and extension of the existing quarry will not require any changes to either the existing water management system or to Discharge Licence

		W/469/13 that limits the volumetric discharge to ground of 360m%/day. Furthermore, the restoration of the site will not result in any significant hydrogeological changes to groundwater flows.
	Likelihood of significant effects from proposed development (alone): **No**	
	Impacts	**Effects**
Inner Galway Bay SPA (Site Code: 004131)	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Indirect pathway to SPA. Water pollution arising from quarrying works, in particular blasting and quarrying (e.g. suspended solids, hydrocarbons, etc.), affecting water dependent	Low risk of contaminated run-off from the site reaching the Inner Galway Bay SPA via groundwater (same as above). The restoration of the site to natural habitats on cessation of quarrying operations at Barrettspark is not predicted to result in any negative effects on groundwater quality. The proposed development will have no effects on the hydrogeological and/or hydrological regime of Inner Galway Bay SPA (same as above). Ecological information indicates that the current land use is not suitable for regular use by SCI wintering birds of the SPA.

	habitats and species within the SPA. Disruption of groundwater movement and changes in the quantity of water flowing through the karst system, affecting groundwater dependent terrestrial ecosystems within the SPA.	
	Likelihood of significant effects from proposed development (alone): **No**	
	Impacts	**Effects**
Cregganna Marsh SPA (Site Code: 004142)	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Indirect pathway to SPA.	Low risk of contaminated run-off from the site reaching Cregganna Marsh SPA via groundwater (same as above). The restoration of the site to natural habitats on cessation of quarrying operations at Barrettspark is not predicted to result in any negative effects on groundwater quality.

	Water pollution arising from quarrying works, in particular blasting and quarrying (e.g. suspended solids, hydrocarbons, etc.), affecting water dependent habitats and species within the SPA. Disruption of groundwater movement and changes in the quantity of water flowing through the karst system, affecting groundwater dependent terrestrial ecosystems within the SPA.	The proposed development will have no effects on the hydrogeological and/or hydrological regime of Cregganna Marsh SPA (same as above). Ecological information indicates that the current land use is not suitable for regular use by SCI wintering birds of the SPA.
	Likelihood of significant effects from proposed development (alone): **No**	

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

I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on European sites. No further assessment is required for the project. No mitigation measures are required to come to these conclusions.

I note that an Appropriate Assessment was submitted under PA. Ref. 20/499 / ABP – 308548-20, however I note that under this proposal it was assumed that the proposed development entailed extraction below the groundwater system. However, in the case of the current proposal it has been demonstrated that existing quarrying has not intercepted the groundwater flow system, and that the proposed extraction will be above the groundwater flow system.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Galway Bay Complex SAC (Site Code: 000268); Inner Galway Bay SPA (Site Code: 004031); or Cregganna Marsh SPA (Site Code: 004142), or any other European site, in view of the Conservation Objectives of those site and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

o Scientific information provided in the Screening report.

o Distance from and weak indirect connections to the European sites.

o The existing quarry has not intercepted the groundwater flow system and the extension and will not intercept the groundwater flow system.

o No ex-situ impacts on wintering birds.

o Possible impacts identified would not be significant in terms of site-specific conservation objectives for Galway Bay Complex SAC (Site Code: 000268); Inner Galway Bay SPA (Site Code: 004031); or Cregganna Marsh SPA (Site Code: 004142), and would not undermine the maintenance of favorable conservation condition or delay or undermine the achievement of restoring favorable conservation status for those qualifying interest features of unfavorable conservation status.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.