Inspector's Report

ACP-323591-25

Development	Construction of asphalt plant and associated site works. A Natura Impact Statement (NIS) accompanied the planning application.
Location	Creeves Quarry, Craggs and Ballylin, County Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	24/61079
Applicant	Roadstone Ltd.
Type of Application	Planning Permission
Planning Authority Decision	Refusal to Grant
Type of Appeal	First Party
Appellant	Roadstone Ltd.
Observers	1. An Taisce 2. Caren O'Donovan 3. Fiona Leahy 4. Michael Pledge 5. Creeves and District Action Group 6. Imelda Downey 7. Declan Buston & Others
Date of Site Inspection	19th February 2026
Inspector	Gary Farrelly

1.0 Site Location and Description

1.1. The subject site has a stated area of 3.4 hectares and is located within the confines of an existing quarry, known as Creeves Quarry, within the rural townland of Craggs and Ballylin, County Limerick. This is located approximately 5km southwest of Askeaton. Creeves Quarry adjoins the northern boundary of an additional quarry operated by Roadstone, known as Joseph Hogans. A further quarry is located to the west of the site, known as 'Shanagolden', which was also operated by Roadstone. The site of the proposed development represents a primarily greenfield site with an existing ground level of 51 metres Above Ordnance Datum (AOD). The subject site represents an area of the quarry already permitted for extraction.

1.2. Access to the site is via an existing internal road within the quarry. This internal road is accessed off a local secondary road L-6063, which is itself accessed off a local primary road L-1222 approximately 850 metres west of the quarry's entrance. The L-6063 is a single carriageway road which is approximately 850 metres in length from the junction of the L-1222 to the junction of the entrance to the quarry, after which it becomes an agricultural type laneway.

1.3. The subject greenfield site is bounded by two recorded monuments; an enclosure (ref. LI019-049) to the west of the proposed development, and a further enclosure (ref. LI019-046) to the southwest. The Ahacronane River is located approximately 600 metres west of the greenfield site and approximately 230 metres west of an existing settlement pond that serves the existing quarry. This river flows northwards into the Robertstown River which outfalls into the River Shannon, between Foynes and Aughinish Island. The existing quarry operates under a local authority licence to discharge trade/sewage effluent to Ahacronane River (Ref. No. W115.2).

2.0 Proposed Development

2.1. Permission is sought to construct an asphalt plant and associated works within an existing permitted quarry extraction area (permitted under planning reference no. 05/7023 and 13.QC.2096). The proposed asphalt plant is to be a modular structure and will be sited at a proposed ground level of 46 metres AOD, which is 5 metres below the existing 51mAOD ground level. The applicant has outlined that these excavation works are already permitted under the quarry permission. The asphalt plant

will have a maximum height of 35 metres from ground level and reach an overall height of 81mAOD. The asphalt plant will be operated via liquified petroleum gas which is proposed to be stored within the southwest corner of the site and piped to the plant. The plant will produce exhaust emissions and will require an air licence application subject to the legislative requirements of the Air Pollution Act.

2.2. A storage shed is proposed along the northeast boundary which will measure 1,500sqm. It will have a finished floor level of 51mAOD and is proposed to be 10 metres in height. This shed will be used to store any returned or imported recyclable bituminous material as well as sand and filler. To the east of the storage shed a total of eight storage bays are proposed where aggregate will be stored.

2.3. The proposed drainage system will incorporate a surface water settlement tank for attenuation purposes within the southwest corner of the site. This will be sized at 1,100m³ in order to accommodate a 1 in 100 year, 24 hour rainfall event with an additional 30% capacity to account for climate change. Surface water onsite will be directed to this tank via H-channel drainage channels. Drainage from the proposed settlement tank will then be directed to an existing settlement pond west of the site via a new Class 1 hydrocarbon interceptor and new, primarily overground, 220mm polyflex pipe approximately 430 metres in length. This existing settlement pond is located outside the redline planning application boundary, however, is permitted under the existing quarry permission. Water is currently discharged from this pond to the Ahacronane river approximately 230 metres west of the pond, via a Class 1 hydrocarbon interceptor, in accordance with its discharge licence ref. W115.2. A copy of the discharge licence has been provided as part of the application documentation.

2.4. The proposed development does not include proposals for a water supply or a wastewater treatment system. There is an existing site office and wastewater treatment system to the west of the site associated with the existing quarry which are located outside the planning application boundary but within the same landholding. It is proposed that the existing infrastructure of the quarry will be utilised as part of the proposed development. Upon decommissioning, all infrastructure associated with the asphalt plant would be dissembled and demolished and removed off site for disposal and recycling.

Proposed Operation

2.5. The proposed asphalt plant will be capable of producing macdam and asphalt. The necessary constituent materials includes aggregates from the existing quarry, sand, filler, high polished stone value (PSV) stone and bitumen as well as recycled asphalt products (RAP). Sand and stone aggregates will be moved from the storage area and loaded into steel bins that make up the aggregate feed system. These bins will discharge the aggregate onto a collection conveyor. The RAP material will be fed into an additional hopper that can receive recyclable bituminous material, a bottom fed conveyor system and a rising elevator to deliver the material to the plant.

2.6. The collection conveyor will feed the material into a drier feed box and from there into a rotary drier fired by a gas burner. This will heat and dry the aggregate. The heated aggregate will then be transported, by an enclosed bucket elevator, to a sealed screening unit where the material is sized and discharged into hot-stone storage bins. Weighed aggregate from the storage bins will then be discharged into a mixer where bitumen is added to meet the required customer specification. The final product will then be transferred to a travelling skip for discharge into heated mixed-material storage silos for vehicle loading prior to delivery.

2.7. The stated maximum quantities of material that will be stored on site will be 3,600m³ of aggregates, 3000m³ of sand and 3000m³ of recyclable bituminous material. The plant will produce a maximum of 120,000 tonnes of asphalt per year.

2.8. Permission is sought to operate the plant between the hours of 07:00 and 19:00 Monday to Friday and between the hours of 07:00 and 14:00 on Saturdays, with the startup of the plant only taking place between the hours of 06:00 and 07:00 hours. Additionally, the proposed development seeks the operation of the plant outside of normal working hours up to a maximum of 60 no. days per annum.

2.9. The application was accompanied by the following documents:

- Natura Impact Statement (NIS) and associated Appropriate Assessment Screening Report (*updated at further information stage*)
- Environmental Impact Assessment (EIA) Screening Report
- Planning and Environmental Report (PER) which includes an Ecological Impact Assessment (EcIA) and assessments on hydrology and hydrogeology, air

quality and climate, noise and vibration, archaeology and cultural assessment, landscape and visual and traffic and transport. Additional information on traffic and transport, hydrological and hydrogeological and archaeological issues were submitted at further information stage.

- Climate and Sustainability Statement (*submitted at further information stage*)
- Construction and Environmental Management Plan (CEMP)

3.0 Planning Authority Decision

3.1. Decision

The planning authority (PA) decided to **refuse** to grant permission, by Order dated 13th August 2025, for 3 no. reasons.

Reasons for Refusal

1. *The proposed development has the potential to impact significantly on two archaeological enclosures, Recorded Monument LI019-046 and Recorded Monument LI019-049, located in proximity to the site. In the absence of an Archaeological Impact Assessment including proposals for the protection of these Recorded Monuments, the Planning Authority is not satisfied that the development as proposed complies with Objective EH O6[1] Preservation of the Archaeological Heritage as set out in the Limerick Development Plan 2022-2028. In particular, the proposed development is considered to be premature pending licensed approval from the National Monument Service for proposed excavation works to and recording in situ of Recorded Monument LI019-049. Therefore, the proposed development is contrary to the objectives of the Limerick Development Plan 2022-2028 and the proper planning and sustainable development.*
2. *In the absence of a comprehensive proposal for the development, including the location of supporting facilities and services, including internal road, vehicle parking, welfare facilities, wastewater treatment system, settlement tank and other ancillary facilities, within the red line planning boundary of the site, the*

[1] *EH O6 incorrectly referred to. Correct Objective is EH O36 (Preservation of the archaeological heritage)*

Planning Authority cannot adequately adjudicate the proposal at this time. Therefore, to permit the proposed development would fail to comply with the requirements of the Development Management Standards set out in the Limerick Development Plan 2022-2028, including 11.6.10 Extractive Industry, and would be contrary to the proper planning and sustainable development of the area.

3. *In the absence of a comprehensive proposal for wastewater treatment on the site, the Planning Authority cannot be satisfied that the proposed development complies with the requirements of the Limerick Development Plan, 2022-2028, specifically Objective EH O16 Septic Tanks and Proprietary Systems, which requires that wastewater treatment systems to be in accordance with EPA Standards. Therefore, the proposal would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

Planning Report

The planner's report assessed the proposed development in terms of its principle, siting, design and layout, impact on residential amenity, visual amenity, biodiversity, archaeology, traffic, hydrology, drainage and climate change. The first planner's report requested further information on 15 no. items including for the relocation of the development from the recorded monuments, designs for junction improvements of the L-1222/L-6063 and entrance, parking areas, revised design of the settlement pond to cater for a 1/100 year event and climate change, further surveys of Floral Protection Order species, further assessment on Sand Martin, further details of the type and volume of discharge to the existing settlement pond, details of the total volume of RAP material to be brought to site, the submission of a Climate Action and Sustainability Statement to limit greenhouse gas (GHG) emissions and details of wastewater management proposals. After submission of the further information the second planner's report recommended refusal of the application for the 3 no. reasons specified in Section 3.1 above. This refusal recommendation was endorsed by the Senior Planner.

Other Technical Reports (*Appendix 1 and 3 of the Planner's reports*)

- Archaeology (*reports dated 17/12/24 and 12/8/25*) – The original archaeologist report recommended refusal. It was considered that recorded monument LI019-049 would be further isolated as a result of the proposed asphalt plant as its setting was already compromised due to past quarrying activities to its west. After submission of further information, where the applicant committed to undertake excavation works under the current quarry permission, the archaeologist recommended a grant of permission subject to conditions.
- Ecology (*reports dated 17/12/24 and 12/8/25*) – The ecologist originally requested further information on a number of issues due to a lack of information on sand martin, drainage issues and the timing of surveys. After submission of further information, the ecologist had no objection to a grant of permission subject to conditions.
- Roads Department (*reports dated 28/11/24 and 8/8/25*) – This section requested further information on a number of items. After submission of the further information, approval was recommended subject to conditions.
- Environment and Climate Action – This section originally required further information on discharge details to the settlement pond and confirmation of bunding for storage tanks. After submission of the further information, no objection was outlined subject to conditions.
- Environment (*report dated 13/12/24*) – This section requested further information on the wastewater treatment system onsite.
- Fire Service (*report dated 19/11/24*) – This section outlined no objection.

3.3. **Prescribed Bodies**

An Taisce – It made a number of observations in relation to traffic and dust deposition, the timing period for the botanic survey, the surveying methods for sand martin, a suggestion to carry out archaeological testing prior to a grant of permission, recommendations on lighting design and groundwater vulnerability concerns.

HSE National Environmental Health Service – It made a number of recommendations in the interest of public health, such as the implementation of all mitigation measures

identified in the supporting documentation and the non-commencement of any activities until the existing licence is reviewed. The report specifically focused on the construction impacts of the development and associated impacts of operations at the quarry.

Department of Housing, Local Government and Heritage (Development Applications Unit) – It reviewed the application and had no comment to make. However, it stated that no inference should be drawn from this that the DAU is satisfied or otherwise with the proposed activity.

3.4. Third Party Observations

There were a significant number of third party observations submitted to the PA (94 no.) outlining concerns with the proposed development in terms of its proximity to residential properties, traffic, dust and noise pollution, light pollution, decrease in property values, water contamination, ecology, visual impact and archaeology.

4.0 Relevant Planning History

Creeves Quarry (*subject site*)

- Section 261 Quarry Registration – PA ref. 05/7023 / ACP ref. 13.QC.2096 (*Commission Order dated 10th December 2007*)

The quarry, operated by Roadstone, measured 42.79 hectares and was registered under Section 261 of the Planning and Development Act 2000, as amended. Some of the conditions imposed by the local authority were appealed by the operator to the Commission which modified the decision with amended conditions. The subject site is located within the confines of the registered quarry and is included in the approved 40.348 hectare workable area. Conditions imposed included limits on operating hours (*between 0700 hours and 1800 hours Monday to Friday and between 0700 hours and 1400 hours on Saturdays*), noise and dust limitations and restrictions related to blasting. There was no time duration for the permission imposed.

- PA ref. 08/2444 (*site north of existing site office – west/northwest of the subject greenfield site*)

On 29th January 2010, Creeves Quarry Limited was granted permission for the erection of a concrete batching plant and refused permission for the extension of the existing limestone quarry due to concerns of the impact on a Turlough north of the site. An extension of duration for the batching plant was approved by the PA (ref. 14/7067) which expired in January 2020.

Shanagolden Quarry

- Section 261 Quarry Registration – PA ref. 05/7016 / ACP ref. 13.QC.2065

Joseph Hogans Quarry

- Section 261 Quarry Registration – PA ref. 05/7004 / ACP ref. 13.QC.2047

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

Section 5.5.18 Mineral Extraction

It is recognised that the exploration and extraction of minerals, aggregates (stone, sand and gravel) and the concrete products industry contribute to economic development, are essential building materials and are required for industrial processes.

Objective ECON O39 (Mineral Extraction and Environmental Impacts)

a) Recognise the potential of the extractive, mineral and mining industries to contribute to Limerick's economy and endeavour to protect access to these resources, where known.

b) Minimise environmental and other impacts of mineral extraction through rigorous application of development management and enforcement requirements for quarry and other developments; and

c) In particular, to have regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes and other water sources, impacts on residential and other amenities, impacts on the road network (particularly with regard to making good any damage to roads), road safety, phasing, re-instatement and landscaping of worked sites.

Objective ECON O44 (Circular Economy)

It is an objective of the Council to support the economic benefits and opportunities that exist in the transition to a more circular economy.

Policy EH P1 (Protection of Natural Heritage and Biodiversity)

a) Protect and conserve Limerick's natural heritage and biodiversity, in particular, areas designated as part of the European Sites Natura 2000 network, such as Special Protection Areas (SPAs) and Special Areas of Conservations (SACs), in accordance with relevant EU Directives and national legislation and guidelines.

Policy EH P3 (Climate Action and the Natural Environment)

It is a policy of the Council to take into account the contents of the National Biodiversity Action Plan and the Biodiversity Climate Adaptation Plan and any forthcoming guidance or legislation on climate action, whether adaptation or mitigation that will emerge during the course of the Plan.

Objective EH O3 (Ecological Impact Assessment)

It is an objective of the Council to require all developments where there are species of conservation concern, to submit an ecological assessment of the effects of the development on the site and nearby designated sites, suggesting appropriate mitigation measures and establishing, in particular, the presence or absence of the following species: Otter, badger, bats, lamprey and protected plant species such as the Triangular Club Rush, Opposite Leaved Pond Weed and Flora Protection Order Species generally.

Objective EH O15 (Gound Water, Surface Water Protection and River Basin Management Plans)

a) Protect ground and surface water resources and to take into account the requirement of the Water Framework Directive when dealing with planning and land use issues.

Objective EH O16 (Septic Tanks and Proprietary Systems)

It is an objective of the Council to ensure that septic tanks/proprietary treatment systems, or other waste water treatment and storage systems which are required as part of a development, comply with the standards set out under EPA 2021 etc. and

that they are constructed only where site conditions are appropriate. In respect of groundwater, it is a requirement that as part of the required site assessments the local groundwater conditions as identified in the groundwater protection scheme and the River Basin Management Plan 2022- 2028 are properly assessed in informing the Groundwater Protection Response.

Objective EH O17 (Water Quality)

It is an objective of the Council to support commitments to achieve and maintain 'At Least Good' status, except where more stringent obligations are required. There shall be no deterioration of status for all water bodies under the Marine Strategy Framework Directive and its programme of measures, the Water Framework Directive and the River Basin Management Plan. Key challenges include, inter alia, the need to address significant deficits in urban waste-water treatment and water supply, addressing flooding and increased flood risks from extreme weather events and increased intense rainfall because of climate change.

Objective EH O22 (Commercial and Industrial Noise)

It is an objective of the Council to prevent members of the public being significantly adversely affected by environmental noise from commercial and industrial noise activities.

Section 6.4 Landscape and Visual Amenity

The subject site is located within the landscape character area of the Shannon Coastal Zone (LCA O6) – Map 6.1.

Policy EH P8 (Landscape Character Areas)

It is a policy of the Council to promote the distinctiveness and where necessary safeguard the sensitivity of Limerick's landscape types, through the landscape characterisation process in accordance with the Draft Guidelines for Landscape and Landscape Assessment (2000) as issued by the Department of Environment and Local Government, in accordance with the European Landscape Convention (Florence Convention) and with A National Landscape Strategy for Ireland – 2015-2025. The Council shall implement any relevant recommendations contained in the Department of Arts, Heritage and the Gaeltacht's National Landscape Strategy for Ireland, 2015 – 2025.

Objective EH O36 (Preservation of the Archaeological Heritage)

It is an objective of the Council to seek the preservation of all known sites and features of historical and archaeological interest. This is to include all the sites listed in the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act 1994. The preferred option is preservation in situ, or at a minimum preservation by record.

Objective EH O39 (Protection of the setting of Archaeological Monuments)

It is an objective of the Council to ensure that no development shall have a negative impact on the character or setting of an archaeological monument.

Objective TR O30 (Foynes to Limerick Road)

It is an objective of the Council to support the delivery of the Foynes to Limerick (including Adare Bypass) Road, subject to all environmental and planning assessments.

Objective IN O17 (Waste Management and the Circular Economy)

a) Support innovative, smart solutions and processes, based on the principles of the circular economy to implement the Regional Waste Management Plan for the Southern Region 2015 – 2021 and any subsequent plan, including any targets contained therein.

d) Implement the provisions of the Waste Action Plan for a Circular Economy – Ireland's National Waste Policy 2020 - 2025, DECC, 2020 in the assessment of planning applications.

Policy CAF P1 (Climate Action Policy)

It is a policy of the Council to implement international and national objectives, to support Limerick's transition to a low carbon economy and support the climate action policies included in the Plan.

Policy CAF P2 (Transition to a Low Carbon Economy)

It is a policy of the Council to support the transition to a low carbon climate resilient economy, by way of reducing greenhouse gases, increasing renewable energy and improving energy efficiency and will future proof policies and objectives to deliver on this approach, in so far as possible.

Objective CAF O16 (Circular Economy)

It is an objective of the Council to encourage the adoption of the circular economy through promotion of the reuse, recycling and reduction of the use of raw materials and resources.

Chapter 11 Development Management Standards

- Section 11.6.10 – Extractive Industry

Limerick Climate Action Plan 2024-2029

This Plan aims to facilitate Limerick's transition to a low carbon and climate resilient County. It recognises that transportation has a critical role to play in our approach to climate change, as it contributes to a significant amount of greenhouse gas (GHG) emissions. In Limerick, industrial processes represent the largest contributor to GHG emissions with an estimated 41% of total emissions. The transportation sector is the 3rd largest contributor to GHG emissions, with an estimated 11% of our total emissions. The Plan also recognises the importance of the circular economy and recourse management.

5.2. **National Policy**

- Project Ireland 2040 – National Planning Framework (NPF) (revised 2025) and National Development Plan 2021-2030

  The NPF recognises that extractive industries are important for the supply of aggregates and construction materials and minerals to a variety of sectors and outlines that the planning process will play a key role in realising the potential of the extractive industries sector.

  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.

National Policy Objective 67

Support the circular and bio economy including in particular through greater efficiency in land and materials management, promoting the sustainable re-use and refurbishment of existing buildings and structures, while conserving cultural and natural heritage, the greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.

National Policy Objective 76

Sustainably manage waste generation including construction and demolition waste, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.

- Whole of Government Circular Economy Strategy 2026-2028 (Department of Climate, Energy and the Environment)
- National Waste Management Plan for a Circular Economy 2024-2030

  The Commission should note that this Plan has replaced the various Regional Waste Management Plans referenced in Objective IN O17(a) of the Limerick Development Plan 2022-2028.
- Climate Action Plan (CAP) 2025 / CAP 2024

  Climate Action Plan 2025 builds upon the 2024 Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.
- Water Action Plan 2024, A River Basin Management Plan for Ireland

  The Plan responds to the requirements of the Water Framework Directive, to accelerate the identification and implementation of the right measures in the right places to both restore and protect all water bodies. The catchments.ie website provides substantial background information for this plan and the most current and up-to-date information on the status of local rivers, lakes and water bodies.

- Ireland's 4th National Biodiversity Action Plan (NBAP) 2023-2030

  The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Board, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Board. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.3. Regional Policy

- Regional Spatial and Economic Strategy for the Southern Region (RSES)

  Regional Policy Objective 107

  It is an objective to support innovative initiatives that develop the circular economy through implementation of the Regional Waste Management Plan for the Southern Region 2015-2021 and its successor.

5.4. National Guidance

- Quarries and Ancillary Activities, Guidelines for Planning Authorities (2004)
- Framework and Principles for the Protection of the Archaeological Heritage, (Department of Arts, Heritage, Gaeltacht and the Islands, 1999)
- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Department of Housing, Planning and Local Government, 2018)
- Development Management Guidelines for Planning Authorities (2007)

5.5. Other Guidance

- Institute of Environmental Management and Assessment (IEMA) and Landscape Institute (LI) Guidelines for Landscape and Visual Impact Assessment (GLVIA 2013, 2023 Clarifications Document), and LI's Technical Guidance Note on Visual Representation of Development Proposals (2019)

5.6. Natural Heritage Designations

The subject site is not located within any designated natural heritage site. The closest designated site is the Barrigone Special Area of Conservation (SAC) (Site Code 000432), which is located approximately 1.7km north of the site. This is also a designated proposed Natural Heritage Area (pNHA). The Lower River Shannon SAC (Site Code 002165) and River Shannon and River Fergus Estuaries SPA (Site Code 004077) are both located approximately 2.4km northwest of the site. The Ahacronane River, which is located west of the subject site, is hydrologically connected to SAC 002165 and SPA 004077.

6.0 Environmental Impact Assessment (EIA) Screening

It has been concluded that there is potential for significant effects on European sites and an Appropriate Assessment has been undertaken having regard to the documentation on file including the NIS. The screening carried out for environmental impact assessment (Appendix 1), has addressed the characteristics of the proposed development, its location and the types and characteristics of potential impacts and has also had regard to the mitigation measures proposed in respect of protecting water quality. On this basis I am satisfied that there is no potential for significant effects on water quality or any other environmental factor, or any requirement, therefore, for environmental impact assessment. Impacts on European sites can be addressed under Appropriate Assessment, which I have addressed within Appendix 2 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

A first-party appeal was lodged to the Commission on 8th of September 2025. The applicant's grounds of appeal are summarised as follows:

First Reason for Refusal

- The consultant archaeologist outlined that the relocation of the asphalt plant was not a viable option. After the further information request, a meeting was held with the PA's archaeologist who raised concerns with the impact of the development on the recorded monuments which both lie outside the redline boundary of the site. The proposed development was set to retain a minimum separation of approximately 44 metres from LI019-049 and approximately 54 metres from LI019-046.
- A further site meeting with the PA's archaeologist was held in order to review the monuments on site and discuss the feasibility of full excavation of LI019-049, subject to approval of the National Monuments Service (NMS), and to assess what additional survey work could be undertaken to support an informed decision by the NMS. It was agreed that the applicant would pursue a full excavation of LI019-049, subject to the agreement of the NMS, and further surveys were to be undertaken for LI019-046. The works could be undertaken within the remit of the current quarry permission PA ref. 05/7023 / ACP ref. 13.QC.2096.
- An updated site-specific Archaeological Impact Assessment (AIA) will be submitted to the NMS regarding the two monuments. It is anticipated that the proposed development would not significantly impact on the monuments as the applicant has ensured that there is a significant buffer (44 metres) between any monuments and the red-line boundary.
- It should be noted that the PA's own archaeologist recommended approval of the application subject to 3 no. conditions. In addition, the applicant proposes to undertake archaeological test trenching, monitoring of topsoil stripping and sub-surface groundworks, archaeological excavation programmes where

preservation in-situ is not feasible, and protection hoarding around LI019-049 to prevent accidental damage. These measures are outlined in the cultural heritage chapter of the submitted PER, which includes an AIA.

- It should be noted that it is standard practice for the NMS to issue licences only after planning permission has been granted. The applicant is amenable to the conditions as set out by the PA's archaeologist.

Second Reason for Refusal

- The proposed development can be accommodated using the existing infrastructure of the wider quarry operation which has been subject to multiple previous approved planning applications. This existing infrastructure does not require further assessment and there will be no upgrade of existing infrastructure to facilitate the development. There will be a negligible increase in staffing levels.
- Due to the existing infrastructure being located outside the redline boundary as well as insufficient information, the PA stated that it was not possible to adequately adjudicate on the proposal, however, the submitted planning and environmental report provided a detailed assessment of the likely impacts of the development on population and human health, biodiversity, hydrology, noise and vibration, landscape and visual amenity and material assets. It is asserted by the PA that the proposal does not comply with Section 11.6.10 (Extractive Industry) of the Development Plan, however, the submitted documentation clearly demonstrates compliance with same. There is sufficient information for a proper assessment and adjudication of the application.

Third Reason for Refusal

- Wastewater from the existing quarry is treated in an on-site septic tank treatment unit and percolation area and there will be no untreated discharge of wastewater to ground. There is no requirement for an upgrade to the existing treatment system which is located near the site office outside the redline boundary. It was installed and certified by the Council in 2014 and the design specification was submitted at further information stage.

- As the asphalt plant will only require a 2-3 person crew at any time, the existing wastewater treatment system is sufficient to accommodate the proposal.
- The shed and yard area are permitted under the quarry permission and are outside the current redline boundary of the subject application. It should be noted that all water from this area makes its way to the quarry floor where it is managed in accordance with the existing discharge licence (W115.2).
- Walkover surveys and inspections of the treatment system as well as the drains and streams bounding the quarry site were carried out in August and September 2023 during surface water sampling of the Ahacronane River. There was no evidence of any discharge, enrichment, or ponding from the site associated with the treatment system. Furthermore, the recorded hydrochemistry and laboratory analysis of the river indicated a good quality watercourse with high dissolved oxygen, low orthophosphate and low nitrate.
- It is respectfully requested that An Coimisiún Pleanála overturns the decision of the PA and grant permission.

7.2. Planning Authority Response

The PA did not issue a response to the grounds of appeal.

7.3. Observations

An observation from the prescribed body, An Taisce, was lodged to the Commission on 19th of September 2025, which is summarised as follows:

Biodiversity

- The Commission should be satisfied that the botanic survey carried out on one day on 14th May 2025 is a sufficient amount of time for a detailed botanic survey.
- The NPWS' Flora (Protection) Order 2022 Map Viewer shows records for legally protected vascular plants, charophytes and lichens. Part of the site and its surrounds contains records for Hairy Violet, Meadow Barley and Opposite-leaved Pondweed. Confirmation is required, before determination of the proposal, that these species, or other surveyed FPO species, are not adversely impacted by the proposal.

- It is unclear from the response to item no. 6 of the further information request if further detail has been provided as part of the wider application particulars regarding the botanic survey.
- It is emphasised that there is a need to ensure the rigour of the surveying methods used that determined that no suitable foraging or nesting habitat existed for Sand Martin, as it is an amber-listed bird of conservation concern.

Archaeology

- It is suggested that an archaeological investigation and test is carried out before the application is granted permission and it should not be left as a condition due to monitoring and enforcement constraints within local authorities.
- A 20 metre buffer zone between the development site and the national monuments is required to minimise adverse impacts upon the archaeologically significant sites. Approving the development in advance of licensed approval from the NMS would be premature and would be likely to impact the integrity of the monument.

Lighting

- It is recommended that the proposal be assessed with regards to the 'Environmentally Friendly Lighting Guide' compiled by Dark Sky Ireland which seeks to minimise negative light pollution impacts on ecological and human receptors as well as preserving the night sky as a repository of cultural heritage.

Water

- The underlying vulnerability of potential drinking water aquifers should also be fully assessed as part of the proposal. A hydrogeological assessment should be conducted to ensure that excavation depths do not introduce contaminants into the groundwater system which may subsequently flow into the Ahacronane river. The proposal should be assessed against Article 4 of the Water Framework Directive.
- The proposed septic tank and discharge of treated effluent to a percolation area requires assessment with regard to EPA standards.

A further 6 no. observations were lodged to the Commission from Caren O'Donovan, Fiona Leahy, Michael Pledge, Creeves and District Action Group, Imelda Downey and Declan Buston & Others. A number of these observers live within the locality of the proposed development. The issues raised in these observations are summarised as follows:

- The decision of the PA is supported and it is requested that the Commission upholds the refusal decision. However, the reasons for refusal provided by the PA are inadequate and should have included further issues including the over industrialisation of the rural landscape and the impact on air quality due to emissions and pollution.

Archaeology

- The proposed archaeological works that the applicant proposes to complete after a grant of permission cannot be accepted. It is requested that any future licence application is rejected due to previous excavations and lack of care of recorded monuments. The development would undermine compliance with objective EH O36 of the Limerick Development Plan 2022-2028 which mandates the preservation of archaeological heritage.

Climate

- The proposed development is carbon intensive and contrary to climate action objectives set out in Chapter 8 of the Limerick Development Plan 2022-2028. There will be a considerable use of fuel oil and/or gas in order to achieve the high temperatures required as well as hydrocarbons in order to produce asphalt. It does not align with the NPF which aims to transition to a low carbon and climate resilient society as well as the sustainable management of water, waste and environmental resources together with nature and biodiversity protection. It does not align with the RSES which promotes a low carbon region. There is no assessment of alignment with current climate objectives under the Climate Action Plan.

Public Health

- There are health and safety concerns in terms of air quality standards due to airborne emissions from the asphalt plant including NO_x, CO, PM^{10}, $PM^{2.5}$, SO^2,

as well as volatile organic compounds (VOCs) and polycyclic aromatic compounds (PAHs). It is contended that the air modelling undertaken is flawed as it did not take into account the cumulative impact from other industry in the area or the topographical characteristics of the surrounding area. The air quality assessment does not include passive diffusion sampling or continuous monitoring adjacent to dwellings.

- There are concerns regarding dust deposition from the plant and HGV movements and the application provides no enforceable maintenance schedule, monitoring regime or protection measures.
- The hydrological impact assessment did not include for pollutants related to asphalt plants such as hydrocarbon residues, heavy metals and fine particulates. The baseline surveys and sampling of the Ahacronane river are not based on processes from an asphalt plant.
- The ambient noise levels of the area are low and the introduction of an industrial plant would significantly increase noise pollution impacting residential amenity and biodiversity. No evidence was provided to demonstrate compliance with EPA NG4 Guidelines.

Visual Impact

- Concerns are raised regarding the visual impact of the development due to its siting at a ground level of 46mAOD and its 35 metre height providing a total height of 81mAOD. The proposal does not meet the objectives set out in Section 6 of the Limerick Development Plan and there was a lack of assessment of the visual impact from the PA, with the request for further information omitting any visual impact issues. The construction of berms to screen the development will have no benefit due to its height.
- The submitted photomontages are insufficient and do not include verified viewpoints, seasonal comparisons or night time lighting impacts. The photomontages do not show the plant in operation with exhaust fumes being emitted.

Traffic Safety

- The planning authority did not assess the impact of the increase in traffic on the local road network of the L-1222 and L-1220 and only focused on the L-6063 road that serves the quarry and the L-6063/L-1222 junction. The quarry is approximately 5km from the national road N-69 and the junction is not suitable to accommodate increased HGV manoeuvres. The local road network of the L-1222 and L-1220 is not suitable to accommodate the traffic due to constraints in terms of width, junction manoeuvrability and carrying capacity of bridges. There are concerns regarding the timing of traffic counts when there was no activity in the Creeves quarry. A full area traffic audit should have been carried out and the PA should have refused permission due to a lack of information on traffic.
- Due to the extent of industrial development in the area, a traffic development and management masterplan should have been established by the Council. In the absence of this, the development which will increase major heavy traffic, is premature.

Wastewater

- It is not agreed that there is no requirement to upgrade the existing wastewater treatment system. Whilst the applicant undertook an inspection of the treatment system and sampling of the Ahacronane river confirming good water quality, it is incorrect to assume that this will continue due to the characteristics of the proposed development comprising of high-temperature bitumen handling, aggregate washing and ancillary processes.
- There is concern that inadequate wastewater treatment will result in contamination of residential wells due to potential of karstification as a result of blasting.

Other Issues

- The applicant does not provide details of the duration or lifespan of the proposed facility and there is no mention on whether material will be imported from other locations. The extension of working hours through the night for 60+ nights per annum should not be considered at any level.

- The proposed development will impact all rural homes and their amenity and financial value.
- There was no critical review of potential alternative locations for the asphalt plant. The existing quarry is reaching the end of its life with limited opportunity for major quarrying activities and the quarry to the south of the site has effectively been quarried out. The topography of the site has dictated the siting of the plant in terms of exhaust fumes.
- There will be blasting of rock as a result of operations which will result in vibrations on residential properties.
- The validity of the application is questioned due to the application form not being signed by the applicant and the submitted drawings not including topographical levels of the surrounding landscape or site section drawings showing relationship with key roads or neighbouring houses.

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local, regional and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Climate Impact
- Archaeological Heritage
- Traffic Safety
- Noise
- Air Quality
- Landscape and Visual Amenity
- Biodiversity
- Drainage
- Wastewater

8.2. The Commission should note that the proposed asphalt plant and associated works are located within an existing quarry registered and subject to operational conditions under application PA ref. 05/7023 and ACP ref. 13.QC.2096, and on lands already permitted for extraction. The submitted drawings illustrate in blue the permitted extraction boundary of Creeves quarry, together with John Hogan's quarry and Shanagolden quarry which are all under the ownership and operation of the applicant. The Commission should note that the existing Creeves quarry and surface water infrastructure within the quarry operate under an existing discharge licence (ref. W115.2) from the local authority. This permits the discharge of trade effluent to the Ahacronane river, subject to certain conditions including limits on emissions and monitoring requirements. The applicant has stated that all surface water will comply with the required water quality parameters.

8.3. The PA's description is that of a disused quarry and I noted on the date of my site inspection that the facility was closed. Having reviewed the terms of application PA ref. 05/7023 / ACP ref. 13.QC.2096 (herein referred to as "*the existing quarry permission*") I note that there was no timeline on the duration of the permitted development.

Climate Impact

8.4. I acknowledge the concerns of the observers with regards to the climate impact of the proposed development. Whilst I note that this issue did not form part of the PA's reasons for refusal of the application, I consider such matter to be substantive for a development of this nature which will contribute to greenhouse gas (GHG) emissions. I acknowledge that it is a requirement under the Climate and Low Carbon Development Act 2015, as amended, for the Commission to, in so far as practicable, perform its functions in a manner consistent with climate objectives. The Commission should note that a climate assessment was included within chapter 8 of the submitted planning and environmental report (PER), together with a climate action sustainability statement (CASS) submitted at further information stage, following a request for the applicant to outline proposals to limit GHGs emissions.

8.5. The applicant has outlined that asphalt is fundamental to the construction, transport and infrastructure sector in providing materials essential for construction and day-to-day life. Asphalt manufacturing requires aggregates which the applicant states can be

sourced from nearby quarries, thereby representing a sustainable location for the delivery of asphalt to industry. Moreover, the applicant has referenced major road projects within the vicinity of the site which will require asphalt to be completed, including the future planned Cork-Limerick M20 scheme and the approved Foynes to Limerick road project (granted permission under ACP ref. 306146-19). I note that the permitted route is approximately 1km directly north of the subject site.

8.6. It is also outlined that the proposed development will facilitate the use of recycled asphalt product (RAP) material as part of its operation. A maximum quantity of 3000m³ of RAP material will be stored on site which I note accounts for 31% of the total stored material (9,600m³). Additionally, it is stated that the asphalt plant will be operated using liquified petroleum gas. The Commission should note that these measures are outlined as measures to mitigate GHG emissions associated with the proposed development.

8.7. I note that the Climate Action Plan (CAP) 2025 acknowledges that industry accounted for 10.4% of Ireland's GHGs in 2023, however, industry emissions are reducing with one of the drivers being the switch from carbon intensive fuels to lower carbon ones. With regards to transport emissions, they represent 19.5% of economy wide emissions with 2023 seeing a 0.3% increase in emissions over 2022 levels. It is stated that fleet electrification and biofuels are expected to provide the greatest share of emissions abatement in the medium term. CAP 2025 also acknowledges that the transition to a circular economy will reduce our GHG emissions and make a significant contribution to achieving our climate objectives.

8.8. Furthermore, I note that National Policy Objective (NPO) 67 and NPO 76 of the National Planning Framework (NPF), as well as Regional Policy Objective (RPO) 107 of the Regional Spatial and Economic Strategy for the Southern Region support the circular economy including through greater efficiency in materials management. Policy CAF P2 (Transition to a Low Carbon Economy) of the Limerick Development Plan 2022-2028 (LDP) stipulates that it is a policy of the Council to support the transition to a low carbon climate resilient economy, by way of reducing GHGs. Objectives CAF O16 (Circular Economy), ECON O44 (Circular Economy) and IN O17 (Waste Management and the Circular Economy) of the LDP seek to support the principles and economic benefits of the circular economy.

8.9. Firstly, I recognise the importance of the aggregate industry to the economy of the county as outlined within Section 5.8.15 and Objective ECON O39 of the LDP. I also recognise that Section 9.2.6 of the LDP acknowledges that some traditional sectors of the economy that are heavily dependent on fossil fuels or carbon intensive raw materials will be at a disadvantage as a result of this transition to a low carbon economy. I consider the proposed development to represent such a sector.

8.10. With this in mind, having regard to the GHG mitigation measures set out in the applicant's submitted CASS, including the use of RAP material, together with the location of the proposed development within an existing quarry, its close proximity to aggregate material and its close proximity to road projects, including the Foynes to Limerick project and which objective TR O30 (Foynes to Limerick Road) of the LDP seeks to support its delivery, I consider that the proposed development would be consistent with climate objectives for the industry and transport sectors through the reduction of GHG emissions and the principles of the circular economy. Overall, on the basis of the entirety of the information available on file, to the conclusions of the CASS and the conclusions of the PA who sought further information on this matter, I conclude that the proposed development would comply with objectives CAF O16, ECON O44 and IN O17 and would be consistent with Policy CAF P1 (Climate Action Policy) and Policy CAF P2 (Transition to a Low Carbon Economy) of the Limerick Development Plan 2022-2028.

Archaeological Heritage

8.11. I note that the PA's first reason for refusal related to concerns regarding the impact of the proposed development on recorded monument enclosures LI019-046 and LI019-049 and it being contrary to Objective EH 036 (Preservation of Archaeological Heritage) of the Limerick Development Plan 2022-2028. The Commission should note that further archaeological concerns have been raised within a number of the submitted observations, including from An Taisce, which recommends archaeological investigations and testing should be undertaken prior to any grant of permission and the requirement for the maintenance of a 20 metre buffer zone to the monuments.

8.12. The applicant has stated that the proposed development has been sited approximately 44 metres from enclosure LI019-049 and approximately 54 metres from enclosure LI019-046 which the applicant considers to be significant and above what is

recommended by An Taisce. Again, I recognise that the lands of the proposed development have already been permitted for extraction under the terms of the existing quarry permission and I note that the drawings submitted as part of this quarry application highlighted the area of enclosure LI019-046 to be excluded from the workable area.

8.13. I note that the applicant has also stated that full excavation of LI019-049 will be pursued subject to the agreement of the NMS and such works will be undertaken under the remit of application PA ref. 05/7023 / ACP ref. 13.QC.2096. The Commission should note the recorded monuments have not been included within the planning application boundary of the subject application and therefore such measures, as recommended to be conditioned by the PA's archaeologist, would not meet the criteria set out in Section 7.3 of the 2007 Development Management Guidelines for Planning Authorities.

8.14. In contrast, the applicant's consultant archaeologist proposed mitigation measures within the proposed development site including archaeological test trenching, monitoring of topsoil stripping and subsurface groundworks and erection of fencing and hoarding around the monuments. If the Commission is minded to grant permission I consider that such measures should be conditioned.

8.15. Overall, it is my view that the proposed development would be acceptable in terms of its impact on archaeological heritage, due to the location of the proposed development on lands that have already been permitted for extraction, to the separation distance of the proposed development to the recorded monuments and to the mitigation measures proposed by the applicant as set out in the submitted archaeology and cultural heritage report. Accordingly, I consider that the development would not contravene objective EH O36 of the LDP, and would therefore comply with Objective EH O39 (Protection of the Setting of Archaeological Monuments) of the LDP in this regard. Therefore, it is my recommendation to the Commission that the PA's first reason for refusal should be overturned.

Traffic Safety

8.16. The Commission should note that there have been a number of observations raising concerns regarding the traffic impact of the proposed development on the adjoining

road network. It is contended that the local road network is inadequate in terms of width, junction manoeuvrability and carrying capacity of bridges.

8.17. I note that the existing Creeves quarry and proposed development site are both accessed off the local secondary road L-6063 which is approximately 850 metres in length from the junction with the local primary road L-1222. The national road N-69 is located approximately 3.45km northwest of the L-1222/L-6063 junction. I observed on the date of my site inspection that the road network between the N-69 and the L-1222/L-6063 junction to be adequate in terms of width and carrying capacity. I also observed the adequacy of the L-1222 road southeast of the L-1222/L-6063 junction, past the access to John Hogan's quarry, and for approximately 4.5km in length, before it narrows from a two way delineated carriageway to a carriageway with no such delineation within the townland of Ballyann. The L-1220 located to the west of the site also comprises of a two way delineated carriageway road before it becomes a non-delineated carriageway near the junction with the N-69. Furthermore, I observed the 850 metre long L-6063 to be a non-delineated carriageway, notwithstanding its established and approved use for HGV movements associated with Creeves quarry. However, I noted no residential properties are accessed of the L-6063 road.

8.18. The Commission should note that the PA did not refuse permission on traffic safety grounds. The Roads Department of the PA, who I note are responsible for the upkeep of the local road network within the County, raised no concerns with the capacity of the road network to facilitate the additional traffic movements from the proposed development and had no objection to the proposed development subject to a number of conditions. It should be noted that the applicant proposed to provide a special financial contribution for improvements to the L-1222/L-6063 junction as well as the L-6063 road, due to the roads being outside the control of the applicant, and which the PA considered acceptable. Therefore, if the Commission is minded to grant permission it is my recommendation that this special financial contribution is conditioned in order to cover improvement works to the L-1222/L-6063, L-6063 and entrance to the site off the L-6063.

Capacity of road network

8.19. I note that the applicant undertook a Traffic and Transport Assessment (TTA) as part of Chapter 12 of the submitted PER. A stage 1 Road Safety Audit (RSA) and Pavement

Condition Survey (PCS) of the L-6063 (entire length) and part of the L-1222 (1.15km) were also undertaken. The submitted TTA forecasted a maximum increase in flow on the L-1222 of 9.3% for a peak hour and 8.8% all day and concluded that there would be a slight long term residual impact on general traffic flows through the L-1222/L-6063 junction as a result of the proposed development. I note the observers' concerns regarding the timing of the existing traffic volumes survey being undertaken when there was no activity within the Creeves Quarry. The Commission should note that I also observed no activity in the Creeves quarry on the date of my site inspection. Having regard to this and to the fact that the Creeves quarry has been substantially extracted to date, I am satisfied that the applicant's traffic count survey provides an accurate representation of the existing environment. However, I do acknowledge that further excavation could be undertaken as part of the existing quarry permission.

8.20. Notwithstanding this, having reviewed the terms of the existing quarry permission, I note that the permitted application outlined the traffic associated with the quarry to be up to 36,000 truck movements per annum. The applicant has stated that this amounts to a total of 119 HGV trips to and from the site per day. With regards to the subject application, the applicant has outlined that the asphalt plant will produce a maximum of 120,000 tonnes of asphalt per annum which together with delivery or raw materials and importation of gas to the site would result in a total of 49 no. trips per day. The submitted TTA calculates the trips proposed to be generated as a result of the asphalt plant to represent 41% of the current permitted trips to and from the site.

8.21. It is my view that due to the location of the asphalt plant within an existing permitted quarry and to its proximity to John Hogan's quarry to the south of the site, that the proposed development can avail of raw materials in close proximity which would reduce the impact on the wider local road network. Moreover, the junction of the L-1222/L-6063 is approximately 3km south of the National Road N-69, where on the date of my site inspection, I observed adequate road infrastructure in terms of width, alignment and carrying capacity. This junction is also located approximately 3km (via the road network) south of the route of the approved Foynes-Limerick road project (ACP ref. 306146-19). Having regard to the nature of the proposed development, I consider the siting of the asphalt plant to represent a sustainable location in close proximity to future road construction.

8.22. Furthermore, I would highlight to the Commission that after completion of the Foynes-Limerick project, the proposed development site would be within 3km of the future dual carriageway network which will provide wider accessibility and connectivity to other construction and roads projects throughout the county. Having regard to the above, to the documentation submitted by the applicant, and to the fact that a significant portion of the 40.238 hectares permitted for extraction within Creeves quarry has been extracted to date, I am satisfied that the proposed development would not result in an adverse impact on the surrounding road network.

Sightlines

8.23. In terms of sightlines at the L-1222/L-6063 junction, the submitted TTA noted that sight visibility splays of 90 metres in both directions are achievable subject to hedge maintenance. The Commission should note that this maintenance is permitted under the existing quarry permission and letters of consent from the landowners were provided as part of this application which the PA considered acceptable. I have no significant concerns with the proposed development in terms of traffic safety in this regard.

Parking

8.24. In terms of parking arrangements, I note that 2-3 spaces are proposed to operate the asphalt plant and after inspecting the site I observed sufficient space within the existing quarry compound to accommodate same. Whilst I note that this location is outside the application boundary of the proposed development, it is located within the same landholding, and while this formed part of the PA's second reason for refusal, due to the limited staff numbers/private vehicles associated with the proposed development and layout of the proposed development with adequate space for parking, I have no significant concerns with the availability of parking. I also note that the car parking standards set out in Section 11.8.3 of the Limerick Development Plan 2022-2028 relate to maximum requirements within Limerick City and settlements within the County.

8.25. With regards to HGV parking, I note that the applicant outlined that there would be no requirement for dedicated parking spots as HGVs will arrive onsite, load materials and depart. If short-term parking is required the asphalt area of the development site provides sufficient space for queuing and manoeuvring. The applicant illustrated this

on revised drawings submitted at further information stage. Overall, I am satisfied with the proposed development in terms of parking.

Other Issues

8.26. I note that the PA raised concerns regarding the location of the existing wheel wash being outside the planning application boundary, however, I note that the updated drawings submitted at further information illustrates same within the application boundary. Therefore, I consider that the PA's second reason for refusal with regards to road and parking infrastructure should be overturned.

Noise

8.27. I note the observers' concerns in relation to noise from the proposed asphalt plant and associated HGV movements as well as the proposed operating hours of the facility. The applicant states that the proposed operating hours of the plant will be 0700 hours to 1900 hours Monday to Friday and 0700 hours to 1400 hours on Saturdays with startup of the plant only between 0600 and 0700 hours. Material will only enter and exit the site from 0700 and 1900 hours. The applicant also seeks to provide for the occasional operation of the plant outside normal working hours up to a maximum of 60 no. days per annum. The reason being due to the increase in road construction and maintenance projects taking place during night-time hours. I note that the nearest dwelling to the proposed asphalt plant is approximately 900 metres to the east of the greenfield site.

8.28. The Commission should note that a noise and vibration assessment (NVA) was carried out as part of chapter 9 of the submitted PER. Baseline noise monitoring was carried out on 11th April 2024 between 0900 and 1300 hours at 3 no. noise sensitive locations (NSLs) approximately 900 metres to the north, 850 metres to the east and 950 metres to the west of the proposed asphalt plant location. The survey was carried out in dry conditions with winds between 0-3m/s and temperatures between 10-11°C. Several parameters were measured in order to interpret existing noise levels including LAeq which is the equivalent continuous A weighted sound pressure level and is an average of the total sound energy measured over a specified time period. I note that the results ranged from 55-58 LAeq15 min at the NSL to the north, 39-67 LAeq15 min to the east and 38-49 LAeq15 min to the west with the main noise sources described as road traffic and noise from the Joseph Hogans quarry.

8.29. The Commission should note that the existing permitted quarry operates under a noise restriction as set out in Condition No. 4 of the existing quarry permission. This condition specified no exceedance of 55Db(A) LAeq over a measured time interval of one hour between 0800 to 2000 hours, and 45Db (A) LAeq between 2000 hours and 0800 hours. I note that this is in accordance with the recommendations set out in the Quarries and Ancillary Activities, Guidelines for Planning Authorities (2004).

8.30. The NVA recorded noise associated with the operation of the proposed asphalt plant screen at 88dB(A), asphalt plant fans at 76dB(A) and a HGV at the silo at 82db(A) (all within 10 metres). I note that these measurements were obtained from similar developments on other sites as well as reference data from BS 5228-1:2009(+A1 2014). The predicted noise levels at a total of 22 no. noise sensitive locations in proximity to the site are presented in Table 9-12 of the NVA and show noise emissions within 55dB(A) (the highest being NSL11 at 40dB(A)). The Commission should note that these predicted noise levels would also comply with the 45dB(A) night time restrictions.

8.31. The NVA species that no mitigation measures are required, however, best practice measures will form part of site management practices to control noise nuisance including regular maintenance of plant and haul routes. The NVA concludes that the expected noise effects during the operational phase will be not significant.

8.32. In terms of noise associated with HGV movements, I note that the NVA recognises that there will be additional traffic using the public roads as a result of the proposed development. Table 9-13 of the NVA predicts increases in noise levels along the L1222 to between +0.3dB(A) and +0.7dB(A) during peak hours (2025 year) and +0.2dB(A) and +0.5dB(A) during peak hours (2040). Such change is considered negligible as per Table 9-6. The Commission should note that I have no significant concerns in terms of additional noise from HGV movements associated with the proposed asphalt plant, having regard to the existing quarry operations and approved traffic movements associated with same.

8.33. Overall, to conclude, having regard to the siting of the asphalt plant within an already permitted quarry where existing activities are controlled by noise restrictions as per Condition No. 4 of the existing quarry permission, to the findings of the submitted NVA which recorded predicted noise levels associated with the plant on NSLs to be within

the existing noise parameters of the quarry, as well as below the night-time restrictions, I am satisfied that the applicant has satisfactorily demonstrated that the proposed operation of the plant will not result in an adverse impact on nearby residential amenity in terms of noise and disturbance. In relation to the observers' concerns regarding noise from HGV movements, if the Commission is minded to grant permission, I recommend that a condition is attached that prohibits any entry or exit of material outside of the approved operating hours. Additionally, I have no significant concerns with the noise and disruption impact during the construction phase due to the short term nature of the works and the mitigation measures proposed within the NVA. Accordingly, I consider that the proposed development would comply with Objective EH O22 (Commercial and Industrial Noise) of the LDP.

Night Time Operations

8.34. With regards to the applicant's proposal to operate an additional 60 days per annum outside normal working hours, I have had regard to previous approvals by the Commission. I note that under ABP-318513-23, which related to a proposal for the alteration of operating hours up to a maximum of 30 days annually at an asphalt plant in County Donegal, the Commission granted such extended hours for a temporary period of 2 years. Moreover, as part of appeal ref. ABP-317634-23, which related to a new asphalt plant in County Tipperary, the Commission permitted the working of 'exceptional hours' outside the normal times to be agreed with the PA. If the Commission is minded to grant permission, I recommend that a condition is attached that permits extended hours in exceptional circumstances, up to a maximum of 30 days, and such days and duration to be agreed in advance with the PA.

Air Quality

8.35. I note that the observations have raised concerns with air emissions from the asphalt plant and impact on public health. Again, the Commission should note that these matters did not form part of the PA's reasons for refusal. I note that the environment and climate action section of the PA outlined that the operation of the asphalt plant would require a licence under the Air Pollution Act 1987 and, therefore, did not provide any observations in respect of the planning application. Again the Commission should note that the nearest dwelling to the proposed asphalt plant is approximately 900 metres to the east of the greenfield site.

8.36. I note that the application was accompanied by an Air Quality Impact Assessment which modelled air emissions from the site to assess concentrations of nitrogen dioxide (NO^2), carbon monoxide (CO), particulate matter (PM^{10} and $PM^{2.5}$), sulphur dioxide (SO^2) and ambient odour concentrations at a variety of locations beyond the site boundary. Emissions were modelled at maximum proposed emission concentrations and flow rate. It concluded that emissions to atmosphere of NO^2, CO, PM^{10}, $PM^{2.5}$ and SO^2 and odour from the site would be in compliance with the ambient air quality standards which are based on the protection of the environment and human health. The applicant also noted that the operation of the asphalt plant would be subject to an air licence application.

8.37. Therefore, having regard to the results of the submitted air quality impact assessment modelling and to the nature of the development being subject to an air licence application from the local authority, I have no significant public health concerns with the proposed development in terms of operational air emissions.

8.38. With regards to concerns in relation to dust during the construction and operational phases, I note that the applicant proposes a number of measures to reduce dust emissions such as the implementation of dust suppression and dust collection features within the asphalt plant, the use of a wheelwash for HGVs and ongoing dust monitoring. I note that the existing permitted quarry operates under a condition that total dust emissions from the site shall not exceed 350mg/m²/day averaged over a continuous period of 30 days at the boundary of the facility. It is my recommendation to the Commission that if it is minded to grant permission that a similar condition is attached. Overall, I have no significant concerns regarding the impact of the proposed development on air quality.

Landscape and Visual

8.39. I note that the observations have raised concerns regarding the visual impact of the proposed development on the landscape including the inadequacy of the submitted photomontages. Again, I note that this matter did not form part of the PA's reasons for refusal of the application. However, I note that whilst the planner's report did acknowledge that a development of this nature would be visible from certain viewpoints, and required further viewpoints along the L-1220 to be considered, the matter was not pursued as part of its further information request.

8.40. I note that the siting of the asphalt plant will be on paved asphalt at a ground level of 46mAOD which I note is approximately 5 metres below the existing ground level of the site. The height of the asphalt plant will be 35 metres from ground level. The proposed storage shed will be sited on hard standing at the existing ground level of 51mAOD and will be 10 metres in height. Having inspected the site, I observed that the Joseph Hogan's quarry to the south of the site accommodated a concrete block manufacturing facility which was sited in an elevated and exposed location with visibility from the L-1222 public road.

8.41. The Commission should note that the subject site and surrounding areas are located within the landscape character area (LCA) of the 'Shannon Coastal Zone' (LCA O6) as illustrated on Map 6.1 of the Limerick Development Plan 2022-2028. There are no designated views and prospects within close proximity of the site. I note that the nearest such designation is along the N-69 west of the settlement of Foynes where the protection of this view/prospect is considered a priority for the PA as set out in the specific objective of LCA O6.

8.42. The applicant undertook a landscape and visual impact assessment (LVIA) as part of chapter 11 of the submitted PER. I note that it was prepared in accordance with guidance documents including the 'Landscape and Landscape Assessment, Consultation Draft of Guidelines for Planning Authorities, 2000', 'National Landscape Strategy for Ireland 2015-2025' and the Landscape Institute and Institute of Environmental Management and Assessment's 'Guidelines for Landscape and Visual Impact Assessment Third Edition 2013'. Site surveys were conducted in March and May 2024 which recorded no highly sensitive landscape aspects within the site or the wider landscape setting. The LVIA concluded that the landscape value and susceptibility to change was low with the landscape sensitivity of the site and wider landscape area considered to be low. I am in agreement with this conclusion having regard to the site being located with an existing quarry, surrounding landscape comprising of quarries and open voids as well as a substantial solar farm development to the west/northwest of the site (approved under PA refs. 17/1220 and 22/1258).

8.43. With regards to the visual impact, I note that photomontages from 5 no. viewpoints were provided to inform the LVIA. They included two viewpoints from the L-1222 to the west of the site, one viewpoint from the L-1220 to the east of the site, a viewpoint from the access road south of the site and a viewpoint from the L-1220 to the south of

the site. The photomontages are outlined as type 3 photomontages as per the Landscape Institute's Technical Guidance Note 06/19 (Visual Representation of Development Proposals) which are described as a reasonable level of locational and photographic accuracy and which do not need to be accompanied by verification data nor require a precise survey of features and camera locations. Section 3.7 of the TGN provides an example of a small quarry/extension in a landscape considered of medium to high sensitivity to be appropriate for Type 3 photomontages. The submitted photomontage booklet outlines the methodology of the images. The photographic imagery was captured using a 50mm lens with a full frame sensor camera on a tripod 1.6 metre above ground height which is representative of the average eye height. A 3D digital model of the development was created using 3D Studio Max modelling software using the drawings and specifications supplied by the architects.

8.44. The visual assessment concluded that whilst the plant would be visible from certain viewpoints there would be a 'low' to 'medium' visual effect on residential dwellings to the west and east of the development with no visual effect on dwellings to the north. This was due to the complete or partial screening of the development by intervening vegetation enclosing agricultural fields, undulating topography as well as the ridgeline of the landscape.

8.45. I acknowledge that the subject site represents an elevated location and will be visible from surrounding areas, in particular from the public road to the west of the site. However, I consider that that the proposed development would not seriously injure the visual amenities of the area having regard to the conclusions of the submitted LVIA, the submitted photomontages, to the siting of the plant at a ground level of 46mAOD and approximately 5 metres below the existing ground level, to the separation distance and level of intervening lands to nearby public roads and dwelling houses and to the absence of any designated protected viewpoints or prospects within the vicinity of the development which would be impacted.

Biodiversity

8.46. I note the observation from An Taisce and its questioning of whether a one day botanical survey was sufficient and whether the surveying methods are sufficient to determine the impact on the Sand Martin. It also required confirmation that there are

no floral protected species within the site that would be impacted by the proposed development.

8.47. Having reviewed the National Parks and Wildlife Service's (NPWS) Flora (Protection) Order 2022 Map Viewer for Bryophytes[2] and for Vascular Plants, Charophytes and Lichens[3], I note that records of Viola hirta (Hairy Violet) are mapped to the east and west side of Ahacronane river as well as near Ahacronane bridge. Hordeum secalinum (Meadow Barley) and Groenlandia densa (Opposite-leaved Pondweed) are recorded within the 10km grid. There are no mapped bryophyte species within close proximity of the site.

8.48. The Commission should note that the application was accompanied by an Ecological Impact Assessment (EcIA) as part of Chapter 5 of the submitted PER, which I note is in accordance with the requirements of objective EH O3 (Ecological Impact Assessment) of the Limerick Development Plan 2022-2028. The EcIA included habitat surveys, bat surveys, badger surveys, ornithological surveys including Sand Martin. The EcIA recorded two areas of Annex I wooded limestone pavement (Habitats Directive) along the southern boundary of the site outside the application boundary. These surveys were carried out on 5th and 20th March 2024, and additional bat surveys on 9th and 29th May 2024.

8.49. At further information stage the applicant's consultant ecologists clarified that the proposed development does not contain any suitable habitat for Sand Martin to create nesting tunnels and does not include suitable foraging habitat. Therefore, it was considered that there was no potential for impact on Sand Martin and no mitigation was required. Additionally, the consultant ecologists carried out an additional botanical survey on 14th May 2025 which recorded no flora protection species. Therefore, it was considered that there would be no impact on such species.

8.50. A number of mitigation measures are proposed including measures to protect the Annex I wooded limestone pavement such as dust suppression measures, as well as other measures including the replanting of 168 linear metres of hedgerow habitat along the berms to the northeast of the site. Overall, the EcIA concluded that there would be no significant impact on biodiversity. I note the internal report from the PA's ecologist

[2] https://www.npws.ie/maps-and-data/flora-protection-order-map-viewer-bryophytes
[3] https://www.npws.ie/maps-and-data/npws-flora-protection-order-2022-map-viewer-vascular-plants-charophytes-and-lichens (*Accessed 16/03/26*)

who considered that the information submitted at further information stage addressed the PA's biodiversity concerns and recommended conditions as part of any grant of permission.

8.51. Overall, having regard to the baseline environment, the mitigation measures proposed within the submitted EcIA and elsewhere within the submitted documentation to protect water quality, and to the location of the proposed development on lands already permitted for extraction, I am satisfied that the proposed development would not result in a significant impact on biodiversity. I am satisfied that the proposed development is in accordance with the provisions of the National Biodiversity Action Plan 2023-2030. The Commission should note my assessment in terms of the impact of the proposed development on European sites is set out within Section 9 and Appendix 2 of this report.

Drainage

8.52. The PA's second reason for refusal also related to the location of the quarry settlement tank outside the planning application boundary of the site. I note that this settlement tank serves the existing permitted quarry operated by the same applicant and its discharges is subject to the requirements of an existing discharge licence. The proposed surface water treatment of the site will comprise of permeable surfaces and H-channel/ACO drains which will direct surface water to a proposed 1,100m³ settlement tank within the southwest corner of the site. This is sized to accommodate a 1 in 100 year, 24 hour rainfall event with an additional 30% capacity to allow for potential climate change effects.

8.53. A proposed class 1 hydrocarbon interceptor will be installed after discharge from the settlement tank which will act as an additional fail safe as an existing Class 1 hydrocarbon interceptor is already installed downstream after the existing settlement pond. Water will then flow via a primarily overground new 200mm polyflex pipe westwards for approximately 430 metres where it will discharge water into the existing settlement pond that serves the quarry. The quantity and quality of water that is discharged from this settlement pond is governed by the limits set out in the existing discharge licence W115.2.

8.54. The Commission should note that I have no significant concerns with the location of the existing settlement pond being outside the planning application boundary as I note

that all works occur within the redline boundary and no changes or alterations to the settlement pond are proposed. Therefore, having regard to this and to my assessment within Sections 9 and 10 and Appendices 2 and 3 of this report, it is my view that the PA's second reason for refusal should be overturned in this regard.

Wastewater Treatment

8.55. The Commission should also note that the PA's second and third reasons for refusal related to the location of the existing wastewater treatment plant (WWTP) infrastructure outside the planning application boundary and the absence of proposed wastewater treatment proposals.

8.56. The applicant provided details of the existing WWTP installation as part of its further information response to the PA. It confirmed that the WWTP was installed in accordance with the existing discharge licence of the quarry and in compliance with the Environmental Protection Agency (EPA) Code of Practice. Therefore, it was concluded that there was no requirement to upgrade the WWTP. The applicant has also stated that the asphalt plant would only require a crew of 2-3 people at any one time.

8.57. Having regard to the location of the proposed development within the confines of an existing quarry which is owned and operated by the same applicant as the subject application, to the existing WWTP within the quarry site being installed in accordance with EPA requirements and which is subject to the conditions of the existing discharge licence, and to the limited number of persons required to operate the asphalt plant at any one time, I am satisfied that there is no requirement for further wastewater treatment provision within the site, and therefore, I consider the proposed development does not contravene Objective EH O16 of the Limerick Development Plan 2022-2028. It is my recommendation that the PA's second and third reasons for refusal are overturned in this regard.

Other Issues

Lighting

8.58. The Commission should note that An Taisce provided comments regarding lighting associated with the proposed development. I note that the applicant submitted lighting design details at further information stage which included mitigation measures such

as motion sensors only after operating hours and use of LEDs. It was confirmed that lighting would not be continuous and only switched on during activities. I note the proposed hours of operation, that the PA considered the lighting design acceptable subject to measures recommended by the PA's ecologist to prevent light overspill. If the Commission is minded to grant permission, I recommend that a condition is attached that final lighting designs are approved with the PA prior to commencement of the development.

Blasting Operations

8.59. I note that an observer raised concerns regarding blasting operations within the subject site. The Commission should note that the submitted proposals do not propose such operations and, in any case, I note that blasting operations are already permitted, with restrictions, under the terms of the existing quarry permission.

Alternative Locations

8.60. I note the observer's concerns regarding a lack of assessment of potential alternative locations. The Commission should note that the proposed development is not subject to an Environmental Impact Assessment Report (EIAR) where it is a requirement to consider reasonable alternatives. Having regard to this, and to my assessment set out within this report, I have no significant concerns with the siting of the proposed development.

Devaluation of Property

8.61. I note the concerns raised in the observations in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

Validity of the Application

8.62. I note that an observation highlights that the submitted application form is not signed by the applicant. Having reviewed the terms of the application form it is stated an application made in electronic form with valid login credentials will replace the need for a signature and satisfy the declaration. I note that the submitted cover letter, which

is signed by the applicant's agent, specifies that the planning application was submitted online.

8.63. I also note the observer's concerns regarding the standard of drawings submitted, in particular, the absence of information on the surrounding environment. I note that the PA was satisfied with the submitted drawings, and the updated set submitted at further information stage, and did not invalidate the application on this basis. The Commission should note that I am satisfied that the submitted drawings comply with the requirements of Articles 22 and 23 of the Planning and Development Regulations 2001, as amended. The concerns regarding photomontages are addressed previously in this report.

9.0 Appropriate Assessment (AA)

9.1. In screening the need for Appropriate Assessment, it was determined that during the construction and operational phases the proposed development could result in significant effects on the Lower River Shannon Special Area of Conservation (SAC) (Site Code 002165) and River Shannon and River Fergus Estuaries Special Protection Area (SPA) (Site Code 004077), in view of the conservation objectives of those sites, and that Appropriate Assessment under the provisions of Section 177U was required.

9.2. Following an examination, analysis and evaluation of the NIS and all associated material submitted, I consider that adverse effects on site integrity of the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. My determination is based on the following:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed including the proposed measures for the management of surface waters, materials handling and management measures.
- Surface water to be discharged in accordance with the emission limit values of the existing discharge licence no. W115.2.
- Application of planning conditions to ensure application of these measures.

9.3. The proposed development will not affect the attainment of conservation objectives for the Lower River Shannon SAC or the River Shannon and River Fergus Estuaries SPA.

10.0 Water Framework Directive (WFD) Assessment

10.1. The subject site is located approximately 230 metres east of the Ahacronane river (Ahacronane_020, Code: IE_SH_24A010900). The status of this waterbody is classed as 'Poor' ecological status or potential and 'At Risk' of not achieving its WFD objective as per the 2019-2024 monitoring period.[4] The site is also underlain by the Askeaton groundwater waterbody (Code: IE_SH_G_010). The overall groundwater status of this waterbody for the 2019-2024 monitoring period is 'Good' and 'Not at Risk' of not achieving its WFD objective. The application was accompanied by a Water Framework Directive Assessment. I note that there have been a number of third party observations received raising water deterioration concerns.

10.2. I have assessed the project and have considered the objectives set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and groundwater waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. I refer the Commission to Appendix 3 of the report in this regard.

10.3. Firstly, with regards to the impact on the underlying groundwater waterbody, having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to the groundwater waterbody, either qualitatively or quantitatively. The reason for this conclusion is as follows:

- To the nature of the construction and excavation works being approximately 5 metres above the winter groundwater level.
- To the measures proposed within the submitted NIS, Water Framework Directive Assessment, Hydrology and Hydrogeology report (*Chapter 7 of submitted Planning and Environmental Report)* and Construction and Environmental Management Plan (CEMP), which are designed to protect groundwater from pollution during the construction and operational phases.

[4] https://www.catchments.ie/data/#/waterbody/IE_SH_24A010900?_k=2vhzwm (*Accessed 16/03/26*)

10.4. Secondly, with regards to the impact on the Ahacronane river and downstream surface waterbodies, the proposal was screened in for a water status impact assessment (WSIA) in order to establish whether the activity may cause deterioration or jeopardise the waterbody in achieving good status. The reason for this conclusion was due to the Ahacronane waterbody being classed as 'poor' ecological status and 'at risk' of not meeting the WFD environmental objectives, to the hydrological connection to the Ahacronane river via the existing and proposed surface water network and to the nature of the existing quarry operating under a discharge licence from the local authority (Ref. No. W115.2).

10.5. Following the WSIA, it was concluded that due to the design of the proposed development, which will treat surface water onsite to a proposed settlement tank designed to cater for a 1 in 100 year, 24 hour rainfall event, with an additional 30% capacity to account for climate change, to the incorporation of a Class 1 hydrocarbon interceptor, prior to discharge to the existing surface water infrastructure of the quarry where the discharge is governed by an existing discharge licence, there is no conceivable risk to any surface waterbodies either qualitatively or quantitatively.

10.6. Therefore, I conclude that on the basis of objective information, that the proposed development would not result in a risk of deterioration on any waterbody (rivers, lakes, groundwater, transitional and coastal), either qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any waterbody in reaching its WFD objectives and, consequently, can be excluded from further assessment. Accordingly, I consider that the proposed development would comply with Objective EH O15(a) (Gound Water, Surface Water Protection and River Basin Management Plans) and EH O17 (Water Quality) of the LDP.

11.0 **Recommendation**

I recommend to the Commission that permission is **Granted** for the reasons and considerations set out below, subject to conditions.

12.0 **Reasons and Considerations**

Having regard to the nature, scale and extent of the proposed development and to the following:

(a) the planning history of the site, the location of the proposed development within an existing established quarry and to the site itself being located within lands already permitted for extraction, in proximity to the source of raw materials,

(b) the pattern of development within the vicinity,

(c) the separation distance of the proposed development to recorded monuments and measures proposed to protect archaeological sites,

(d) the proximity of the site to the national primary road network as well as the proximity to future permitted transportation projects and infrastructure,

(e) the nature of the proposed development incorporating the manufacturing of recycled asphalt products (RAP) material being in accordance with circular economy principles,

(f) the policies and objectives of the Limerick Development Plan 2022-2028,

(g) the provisions of the National Planning Framework (revised 2025), which recognises the importance of the supply of aggregates and construction materials,

(h) the Water Action Plan 2024, A River Basin Management Plan for Ireland,

(i) the targets and objectives of the National Biodiversity Action Plan 2023-2030,

(j) the climate action objectives of the Limerick Climate Action Plan 2024-2029, and Policies CAF P1 (Climate Action Policy) and CAF P2 (Transition to a Low Carbon Economy) of the Limerick Development Plan 2022-2028,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not be prejudicial to public health or the environment, would be acceptable in terms of road and traffic safety and would not seriously injure the setting or character of archaeological heritage assets. Accordingly, it is considered that the proposed development would comply with objectives ECON O44 and CAF O16 (Circular Economy), IN O17 (Waste Management and the Circular

Economy), EH O22 (Commercial and Industrial Noise), EH O15(a) (Ground Water, Surface Water Protection and River Basin Management Plans), EH O17 (Water Quality) and EH O39 (Protection of the Setting of Archaeological Monuments) of the Limerick Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

13.0 **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 6th day of June 2025, 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.	The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented. **Reason:** To protect the integrity of European sites.
3.	The mitigation measures contained in the submitted Ecological Impact Assessment (EcIA), shall be implemented.

	Reason: To protect the environment.
4.	The mitigation measures contained in the submitted Planning and Environmental Report, shall be implemented. **Reason:** To protect the environment.
5.	All construction works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period. **Reason:** To protect the environment.
6.	The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report

	has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer. **Reason:** To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.
7.	(a) The development shall operate only between 0700 hours and 1800 hours Monday to Friday, and between 0700 hours and 1400 hours on Saturdays. (b) Initialisation/heating of the asphalt plant is hereby permitted to commence at 0600 hours Monday to Saturday. There shall be no HGVs entering or exiting the site between the hours of 0600 and 0700. (c) No activity shall take place outside of these hours or on Sundays or Public Holidays, with the exception of exceptional circumstances up to a maximum of 30 recorded occurrences per annum. The working of exceptional hours outside of the times stated in 7(a) above, and within specified hours, shall only take place with the prior written agreement of the planning authority. **Reason:** In order to protect the residential amenities of property in the vicinity and to allow for additional working hours in exceptional circumstances as determined by the planning authority.
8.	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: (a) A rating of LAr, 1 hour value of 55 dB(A) during permitted operating hours. (b) An LAr, 15 minutes value of 45 dB(A) at any other time. Nighttime emissions shall have no tonal or impulsive component.

	Noise monitoring results shall be submitted to the planning authority on a quarterly basis. **Reason:** To protect the amenities of property in the vicinity of the site.
9.	(a) Dust levels at the site boundary shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Details to be submitted shall include monitoring locations, commencement date and the frequency of monitoring results, and details of all dust suppression measures. (b) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with these limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the site, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any works on the site. This programme shall include an annual review of all dust monitoring data, to 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. **Reason:** To control dust emissions arising from the development and in the interest of the amenity of the area.
10.	(a) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. (b) Prior to the commencement of development, the developer shall submit to the planning authority for written agreement a stage two – Detailed Design Stage Storm Water Audit. Upon completion of the development and prior to any use, a stage 3 – Completion Stormwater Audit to demonstrate Sustainable Drainage System measures and the proposed surface water

	system have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement. **Reason:** In the interest of public health.
11.	All overground tanks containing liquids (other than water) shall be contained in waterproof bunded areas, which shall be of sufficient volume to hold 110 per cent of the volume of the tanks within the bund. All water contaminated with hydrocarbons, including stormwater, shall be discharged via a grit trap and three-way oil interceptor with sump to a watercourse. The sump shall be provided with an inspection chamber and shall be installed and operated in accordance with the written requirements of the planning authority. **Reason:** In order to protect ground waters.
12.	A detailed Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall incorporate details for the following: measures to protect archaeological and cultural heritage, collection and disposal of construction waste, surface water run-off from the site, and environmental management measures during construction including working hours, noise control, dust and vibration control, protection of groundwaters, and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development. **Reason:** In the interest of environmental protection of residential amenities, public health and safety and environmental protection.
13.	Prior to commencement of the development, details of the proposed lighting shall be submitted to the planning authority for its written approval. **Reason**: In the interest of biodiversity and visual amenity.

14.	The wheels and undersides of all vehicles transporting material from the site onto the public road shall, prior to the exit of such vehicles onto the public road, be washed in a wheelwashing facility. **Reason:** In the interest of traffic safety and convenience, and to protect the amenities of the area.
15.	The development shall be operated and managed in accordance with an Environmental Management System (EMS), which shall be submitted by the developer to, and agreed in writing with, the planning authority prior to commencement of development. This shall include 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, on site. (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) Monitoring of ground and surface water quality, levels and discharges. (f) Details of site manager, contact numbers (including out of hours) and public information signs at the entrance to the facility. (g) Monitoring of Noise levels at identified noise sensitive locations. **Reason:** In order to safeguard local amenities.
16.	In the event of the asphalt plant hereby permitted ceasing to operate for a period of 12 months, all infrastructure associated with the asphalt plant shall be removed and the site shall be reinstated within 6 months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, within 15 months of the

	structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operators expense. **Reason:** In the interest of the visual amenities of the area.
17.	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.
18.	The developer shall pay a financial contribution 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 along the public road L-6063 and L-6063/L-1222 junction, which benefits the proposed development. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of the development, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the

	terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer. **Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not covered in the Development Contribution Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.

Declaration

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Gary Farrelly
Planning Inspector
16th March 2026

Appendix 1: EIA Screening

(a) Form 1 - EIA Pre-Screening

Case Reference	ABP-323591-25
Development Summary	Construction of asphalt plant and associated site works
Development Address	Creeves Quarry, Craggs and Ballylin, County Limerick
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ~~☐ No, No further action required.~~
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
~~☐ Yes, it is a Class specified in Part 1.~~	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
~~☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.~~	
~~☐ Yes, the proposed development is of a Class and meets/exceeds the threshold.~~	

☒ Yes, the proposed development is of a Class but is sub-threshold.	Part 2: Class 13: Changes, extensions, development and testing • (a) 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 paragraphs 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 project relates to a change within an existing quarry which is permitted for an extraction area of 40.348 hectares. The subject site measures 3.4 hectares which is approximately 12% of the size of the development already authorised and is within the confines of the authorised area.**

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	**Screening Determination required (Complete Form 3)**
~~**No ☐**~~	~~**Pre-screening determination conclusion remains as above (Q1 to Q3)**~~

(b) Form 3: EIA Screening Determination

A. CASE DETAILS		
An Coimisiún Pleanála Case Reference	ACP-323591-25	
Development Summary	Construction of asphalt plant and associated works	
	Yes / No / NA	**Comment (if relevant)**
1. Was a Screening Determination carried out by the PA?	Yes	Yes. It determined that there was no real likelihood of significant effects on the environment and that EIAR was not required.
2. Has Schedule 7A information been submitted?	Yes	Yes, the application was accompanied by an EIA screening report which included Schedule 7a information.
3. Has an AA screening report or NIS been submitted?	Yes	A NIS was submitted with the application and concluded that, subject to the implementation of mitigation measures, the proposed development would not have an adverse effect on the integrity of any European site, individually or in-combination with other plans and projects.
4. Is a IED/IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	An Air Pollution licence will be required from the local authority.

Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	The Limerick Development Plan 2022-2028 has been subject to Strategic Environmental Assessment (SEA) and Strategic Flood Risk Assessment (SFRA). The applicant submitted a Water Framework Directive assessment as part of the submitted documentation pursuant to the Water Framework Directive. An air quality assessment was also submitted pursuant to the Air Quality Framework Directive and daughter Directives.	
B. EXAMINATION	**Yes / No / Uncertain**	**Briefly describe the nature and extent and Mitigation Measures (where relevant)** (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) **Mitigation Measures –** Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect	**Is this likely to result in significant effects on the environment?** **Yes / No / Uncertain**
This screening examination should be read with, and in light of, the rest of the Inspector's Report.			
1. Characteristics of proposed development (including demolition, construction, operation or decommissioning)			

1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The project is located within an existing quarry which is approximately 42.79 hectares (with permitted area of extraction amounting to 40.348 hectares). The subject site measures approximately 3.4 hectares which is not exceptional in the context of the existing quarry.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The construction phase will involve the stripping of soil within the site. The stripped soil will be used for the construction of the berms. The site of the asphalt plant currently comprises of agricultural lands, however, the site is already permitted for quarry extraction under 13.QC.2096. The plant will be located at a ground level of 46mAOD, which is approximately 5 metres below the existing ground level, and which will be carried out under the existing quarry permission.	No

1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	The plant will process aggregates from the existing quarry, sand, filler, high polished stone value (PSV) stone and bitumen. It will also facilitate the use of recycled asphalt products (RAP). The plant will require the use of gas which will be piped to the plant from a proposed storage tank. Gas will be brought to the site in tankards.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	The plant will emit NO^2, CO, PM^{10}, $PM^{2.5}$, SO^2 and odour from the site which is stated will be in compliance with the ambient air quality standards. The facility requires an Air Licence to operate. Bitumen and other chemicals will be stored in containers and bunding and a storage capacity of 110% of the volume to be stored. Gas will be transported to the site subject to regulations for such movements.	No

		Surface water is to be treated via permeable hardstanding and H-type drainage channels to a proposed settlement tank and class 1 hydrocarbon interceptor. Construction works to be undertaken in accordance with CEMP and operation will be in accordance with Environmental Management System (EMS).	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Air dispersion modelling of operational stage emissions was carried out as part of an Air Quality Impact Assessment and concludes that emissions to atmosphere of NO^2, CO, PM^{10}, $PM^{2.5}$, SO^2 and odour from the site will be in compliance with the ambient air quality standards. Emissions were modelled at maximum proposed emission concentrations and flow rate.	No
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground	No	During construction, there is potential for runoff of fine materials and pollution/hydrocarbon spillages and	No

or into surface waters, groundwater, coastal waters or the sea?		release of cement-based products. Excavation works will take place at least 5 metres above the winter groundwater level and there will be no discharge to surface water during construction. The submitted Construction and Environmental Management Plan (CEMP) outlines a number of measures to prevent pollution of surface and ground waters during construction such as measures to control concrete pouring, fuel and oil control and installation of silt fencing. During operation, water will be discharged to a settlement tank, full hydrocarbon interceptor and on to a settlement pond to the west of the site before discharging to the Ahacronane river. The quarry currently operates under a Discharge Lience (no. W115.2) approved by the local authority, subject to measures such as groundwater and effluent monitoring.	

1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	A noise and vibration assessment was carried out which recorded predicted noise levels at noise sensitive locations within 45dB(A). No significant impact expected.	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Risks of water contamination of groundwater and the Ahacronane river will be managed via surface water management measures such as hydrocarbon interceptor and settlement ponds as well as installation of silt fencing and measures to control concrete pouring, fuel and oil control. Construction works will be managed in accordance with a CEMP and adherence to discharge licence emission limit values. The submitted Air Quality Impact Assessment concludes that emissions to atmosphere of NO^2, CO, PM^{10}, $PM^{2.5}$, SO^2 and odour from the site will be in compliance with the ambient air quality standards.	No

		Therefore, there is no real likelihood of significant effects to human health associated with water contamination or air pollution.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	There is no risk of major accidents or disasters having regard to the nature of the development and location of the site.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The development will create employment during the construction phase and operational phase.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	Section 3.5.1.2 of the screening report considers cumulation with other developments. The project is located within an established quarry permitted under application PA ref. 05/7023 / ACP ref. 13.QC.2096. The majority of the permitted 40.348 hectare quarry has been extracted with the exception of the subject site and lands to the north. There were 30,000 HGV movements per annum associated with	No

		this quarry (as stated on the application form for the Section 261 registration), or 119 trips per day as outlined within the EIA screening report. It is stated that the proposed asphalt plant will require 49 HGV trips per day and this will be taken from the already permitted 119 trips per day. Due to the traffic volumes permitted under application PA ref. 05/7023 / ACP ref. 13.QC.2096 and associated traffic volumes with the subject project, and to the layout of the surrounding road network and proximity to the national road network, it is considered that the surrounding road network is capable of accommodating the associated traffic. The cumulative effect is not considered significant.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have	Yes	The site is located approximately 1.7km from Barrigone Special Area of	No

the potential to impact on any of the following: - **European site (SAC/ SPA/ pSAC/ pSPA)** - **NHA/ pNHA** - **Designated Nature Reserve** - **Designated refuge for flora or fauna** - **Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan**		Conservation (SAC) (Site Code 000432), which is also a designated proposed Natural Heritage Area (pNHA), and approximately 2.4km from the Lower River Shannon SAC (Site Code 002165) and River Shannon and River Fergus Estuaries SPA (Site Code 004077). Surface water will eventually be discharged to the Ahacronane river which is hydrologically connected to SAC002165 and SPA004077. I refer the Commission to Section 9 and Appendix 2 of this report in this regard. No significant effects in terms of the EIA Directive are anticipated.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example:	No	The National Parks and Wildlife Service (NPWS) Flora (Protection) Order 2022 Map Viewer[5] records Viola hirta (Hairy Violet) to the east and west side of	No

[5] https://heritagedata.maps.arcgis.com/apps/webappviewer/index.html?id=a41ef4e10227499d8de17a8abe42bd1e (*Accessed 16/03/26*)

for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?		Ahacronane river as well as near Ahacronane bridge. Hordeum secalinum (Meadow Barley) and Groenlandia densa (Opposite-leaved Pondweed) are recorded within the 10km grid. No such species were recorded within the site during a Flora Protection Order survey of the site on 14th May 2025. Therefore, no significant impact likely.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	The site is located next to two recorded monuments; ringforts LI019-046 and LI019-049. No significant impact considered likely subject to archaeological monitoring. It should also be noted that the area is already permitted for extraction as per application PA ref. 05/7023 / ACP ref. 13.QC.2096. Mitigation measures to protect archaeological monuments are proposed including test trenching, protective fencing and monitoring.	No
2.4 Are there any areas on/around the location which	No	The site is located on agricultural land within the confines of an existing quarry on	No

contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?		lands that are already permitted for extraction. The construction phase will result in the stripping of soils and subsoils to accommodate the development. Excavations will be completed 5 metres above the winter groundwater level.	
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	The site itself is not located within a flood zone, however, the Ahacronane river to the west is located within the National Indicative Fluvial Mapping (NIFM) for a mid-range future scenario with an annual exceedance probability of 100:1.[6] Having regard to the treatment of surface water to a proposed settlement tank designed to cater for a 1:100 year 24 hour rainfall event with an additional 30% capacity to allow for potential climate change effects, to the existing surface water infrastructure of the existing quarry, and to the nature of the development, including the excavation	No

[6] https://www.floodinfo.ie/map/floodmaps/# (*Accessed 16/03/26*)

		of lands which are not flood prone, no significant impact is considered likely.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No evidence of these risks having reviewed the Geological Survey of Ireland (GSI) Landslide database.[7]	
2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	The site is served by an existing public road which is accessed of a two-carriageway road approximately 3.5km southeast of the national road network. The road network has handled 119 HGV trips per day associated with existing permitted quarry (with the majority of the site being already extracted) and it is considered that the road network is capable of handling the 49 HGV trips per day associated with the asphalt plant.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc)	No		No

[7] https://gsi.geodata.gov.ie/portal/apps/webappviewer/index.html?id=be808e49f2be4808bd4e2e60820fa856 (*Accessed 16/03/26*)

which could be affected by the project?			
3. Any other factors that should be considered which could lead to environmental impacts?			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/operation phase?	No	Cumulative effects have been considered above under Question 1.11 and are not likely to give rise to significant impacts.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No		
3.3 Are there any other relevant considerations?	No		
C. CONCLUSION			
No real likelihood of significant effects on the environment.	**X**	EIAR Not Required	
~~**Real likelihood of significant effects on the environment.**~~		~~EIAR Required~~	

D. MAIN REASONS AND CONSIDERATIONS

Having regard to:

1. The criteria set out in Schedule 7, in particular

   (a) The nature, scale and location of the proposed development in an established quarry which was permitted under applications ref. 05/7023 / 13.QC.2096 and which is served by existing quarry infrastructure,

   (b) The management of surface water to a proposed settlement tank designed to cater for a 1:100 year 24 hour rainfall event with an additional 30% capacity to allow for potential climate change effects, and to the existing surface water infrastructure of the permitted quarry, prior to discharge to the Ahacronane River,

   (c) The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended

2. The results of other relevant assessments of the effects on the environment submitted by the applicant including the noise and vibration assessment, air quality assessment, traffic assessment, cultural heritage assessment, Natura Impact Statement, Ecological Impact Assessment, hydrology and hydrogeology assessment, water framework directive assessment, climate sustainability statement and construction and environmental management plan,

3. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment,

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

Appendix 2(a) Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The project involves the construction of a modular type asphalt plant as well as a storage shed and storage bays. Surface water is proposed to be treated via drainage channels to a new settlement tank within the southwest corner of the site. Surface water will then be routed to an existing settlement pond west of the proposed asphalt plant via a Class 1 hydrocarbon interceptor and a new 200mm polyflex pipe approximately 430 metres in length. Thereafter, the treated surface water of the quarry will be discharged to the Ahacronane river, via a Class 1 bypass hydrocarbon interceptor. The maximum quantities of materials that will be stored on site will be 3,600m³ of aggregates, 3,000m³ of sand and 3,000m³ of recyable bituminous material. The plant will produce a maximum of 120,000 tonnes of asphalt per year. The operator will apply for an air licence from the local authority.
Brief description of development site characteristics and potential impact mechanisms	The site is located within the existing Creeves quarry on lands already permitted for extraction under application ref. 05/7023 / 13.QC.2096. The site of the proposed asphalt plant and storage shed/bays are located within agricultural lands and approximately 600 metres east of the Ahacronane river. The existing ground level of the site is 51mAOD. Surveyed habitats of the site include improved agricultural grasslands (GA1), scrub (WS1), oak-ash-hazel woodland (WN2), spoil and bare ground (ED2) and recolonising bare ground (ED3). Species within the greenfield site include Rough Meadow Grass, Common Daisy, Creeping Buttercup, Perennial Ryegrass, Ribwort Plantain (Plantago lanceolata), Brachythecium spp. within the grassland sections, Gorse (Ulex europaeus) and Blackthorn (Prunus spinosa) within the scrub patch and Bramble, Nettle (Urtica) and Buddleia (Buddleja davidii), Wild Carrot and Colts Foot (Tussilago farfara).

	The discharge of surface water to the Ahacronane river from the existing settlement tank is permitted under a discharge licence (Ref. no. W115.2) and it is proposed that any discharges will be carried out in line with the standards set out in this licence (*Appendix 2 of submitted NIS document*).
Screening report	Yes
Natura Impact Statement (NIS)	Yes

Step 2: Identification of relevant European sites using the Source-Pathway-Receptor model

Two European sites are potentially within a zone of influence of the proposed development as detailed within Table 1 below. I note that the screening report considered a further four sites in a wider area (within 15km) including Barrigone SAC, Askeaton Fen Complex SAC, Curraghchase Woods SAC and Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA but rules these out for further examination due to the results of the air quality impact assessment (Appendix 1 of NIS document) which concludes that air emissions will be within environmental limits beyond the boundaries of the site, lack of ecological connections and separation distance in terms of ex-situ effects. I am satisfied that these sites can be excluded from further consideration.

Table 1

European Site (Code)	**Qualifying Interests (QIs)**	**Distance from proposed development**	**Ecological connections**	**Consider further in Screening (Y/N)**

Lower River Shannon SAC (002165)	21 QIs	The site is located approximately 2.4km downstream from the existing Creeves quarry discharge location into the River Ahacronane. The closest point to the site via air is also 2.4km.	Hydrological connection via the Ahacronane river.	Y
River Shannon and River Fergus Estuaries SPA (004077)	21 QI bird species Wetland and Waterbirds [A999]	The site is located approximately 2.5km downstream from the existing Creeves quarry discharge location into the River Ahacronane. The closest direct point via air is also 2.5km to the north.		Y

Step 3: Describe the likely significant effects of the project (if any, alone or in combination) on European sites

Site Name **Qualifying Interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site**	
	Impacts	**Effects**
Site 1: Lower River Shannon SAC (002165) • Sandbanks which are slightly covered by sea water all the time [1110] • Estuaries [1130] • Mudflats and sandflats not covered by seawater at low tide [1140]	Direct – No impact There is no potential effect in terms of loss, fragmentation or disturbance of habitat, or reduction in species density, due to the	SAC & SPA Deterioration in water quality during the construction phase and operational phase which could undermine the conservation objectives set

• Coastal lagoons [1150] • Large shallow inlets and bays [1160] • Reefs [1170] • Perennial vegetation of stony banks [1220] • 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] • Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] • Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] • Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] • Petromyzon marinus (Sea Lamprey) [1095] • Lampetra planeri (Brook Lamprey) [1096] • Lampetra fluviatilis (River Lamprey) [1099] • Salmo salar (Salmon) [1106]	characteristics of the site and the distance to the SAC and SPA. <u>Indirect – Potential impact</u> There is potential for release of silt and sediment and pollutants to the Ahacronane river during the construction and operation phases. *SPA* There is also potential for ex-situ bird species disturbance during the construction and operational phases.	for water quality targets and to water dependent species. <u>SPA</u> Ex-situ Disturbance of bird species during the construction and operational phases.

• Tursiops truncatus (Common Bottlenose Dolphin) [1349] • Lutra lutra (Otter) [1355]		
Site 2: River Shannon and River Fergus Estuaries SPA (004077) Cormorant (Phalacrocorax carbo) [A017] Whooper Swan (Cygnus cygnus) [A038] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Scaup (Aythya marila) [A062] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160]		

Redshank (Tringa totanus) [A162] Greenshank (Tringa nebularia) [A164] Black-headed Gull (Chroicocephalus ridibundus) [A179] Wigeon (Mareca penelope) [A855] Shoveler (Spatula clypeata) [A857] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone) **YES**	
	~~If No, is there a likelihood of significant effects occurring in combination with other plans or projects?~~	

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

Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures, the proposed development has the potential to result in significant effects on the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA during the construction and operational phases.

I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SAC and SPA when considered on their own and in combination with other projects and plans in relation to pollution related pressures on qualifying interest habitats and species.

Appendix 2(b) Appropriate Assessment

Appropriate Assessment
The requirements of Article 6(3) as related to appropriate assessment of a project under Part XAB, Section 177V of the Planning and Development Act 2000, as amended, are considered fully in this section.
Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the project in view of the relevant conservation objectives of the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA based on scientific information provided by the applicant. The information relied upon includes the following: • Natura Impact Statement (NIS) prepared by MKO. • National Parks and Wildlife Service Conservation Objectives Supporting Documents for the SAC and SPA and related publications. • Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009). • Managing Natura 2000 sites, The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission, 2019). I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

There have been a number of third party observations which raise concerns regarding airborne emissions and particulates and runoff and the impact on hydrology and habitat quality.

An Taisce's submission relates to matters regarding protected vascular plants, charophytes and lichens and which are addressed within Section 8 of this report.

Lower River Shannon SAC (002165)

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

- Water quality deterioration (construction and operational phases)

Qualifying Interest features likely to be affected	Conservation Objectives (Targets and Attributes)	Potential adverse effects	Mitigation Measures (summary)
Species			
Petromyzon marinus (Sea Lamprey) [1095]	To restore the favourable conservation condition which is defined by, inter alia, no decline in extent or distribution of spawning beds.	Deterioration in water quality during the construction and operational phases has the potential to impact the conservation objectives of the QI species.	Construction • Appointment of Ecological Clerk of Works (EcOW) • Installation of silt fencing downgradient of construction aeras • Refuelling within concreted bunded areas • Spill kit kept onsite

			• No discharge of cement contaminated waters to the drainage system • Wetting of loose stone and soil during medium to strong winds to minimise movement of dust <u>Operational</u> • Surface water to be collected in a settlement tank prior to route to existing settlement pond and hydrocarbon interceptor • No refuelling of machinery onsite • Containers and bunding for storage of bitumen and other chemicals will have a holding capacity of 110% of the volume to be stored • Implementation of EMS • Discharge of surface water to Ahacronane river in accordance with emission limit values of discharge licence no. W115.2
Lampetra planeri (Brook Lamprey) [1096]	To maintain the favourable conservation condition which is defined by, inter alia, no decline in		*Same as above*

	extent or distribution of spawning beds.		
Lampetra fluviatilis (River Lamprey) [1099]	To maintain the favourable conservation condition which is defined by, inter alia, no decline in extent or distribution of spawning beds.	*Same as above*	*Same as above*
Salmo salar (Salmon) [1106]	To restore the favourable conservation condition which is defined by, inter alia, no decline in extent or distribution of spawning redds due to anthropogenic causes and water quality targets of at least 4 (Q value) at all sites sampled by the EPA.	*Same as above*	*Same as above*
Tursiops truncatus (Common Bottlenose Dolphin) [1349]	To maintain the favourable conservation condition which is defined by, inter alia, human activities occurring at levels that do not adversely affect the species population.	*Same as above*	*Same as above*
Lutra lutra (Otter) [1355]	To restore the favourable conservation condition which is	*Same as above*	*Same as above*

	defined by, inter alia, no significant decline in the distribution or terrestrial/river habitat.		
Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]	*Having regard to the location of this qualifying interest within the Cloon River at a significant distance upstream and to the pressures and threats associated with this QI as set out in the NPWS' Article 17 Species Conservation Assessment 2025, it is considered there will be no likely significant effects on the conservation objectives of this QI.*		
Habitats			
Estuaries [1130]	To maintain the favourable conservation condition defined by, including, the conserving in a natural condition of intertidal sand to mixed sediment with polychaetes, molluscs and crustaceans community complex; Estuarine subtidal muddy sand to mixed sediment with gammarids community complex; Subtidal sand to mixed sediment with Nucula nucleus community complex; Subtidal sand to mixed sediment with Nephtys spp. community complex; Fucoid-dominated intertidal reef community complex;	Deterioration in water quality during the construction and operational phases has the potential to impact the conservation objectives of the QI habitats.	Construction • Appointment of Ecological Clerk of Works (EcOW) • Installation of silt fencing downgradient of construction areas • Refuelling within concreted bunded areas • Spill kit kept onsite • No discharge of cement contaminated waters to the drainage system • Wetting of loose stone and soil during medium to strong winds to minimise movement of dust Operational Phase

	Faunal turf-dominated subtidal reef community; and Anemone-dominated subtidal reef community. *This is mapped approximately 2.5km downstream of outfall (Map 4 of Conservation Objectives Supporting Document).*		• Surface water to be collected in a settlement tank prior to route to existing settlement pond and hydrocarbon interceptor • No refuelling of machinery onsite • Containers and bunding for storage of bitumen and other chemicals will have a holding capacity of 110% of the volume to be stored • Implementation of EMS • Discharge of surface water to Ahacronane river in accordance with emission limit values of discharge licence no. W115.2
Mudflats and sandflats not covered by seawater at low tide [1140]	To maintain the favourable conservation condition defined by, including, the conserving in a natural condition of Intertidal sand with Scolelepis squamata and Pontocrates spp. community; and Intertidal sand to mixed sediment with polychaetes, molluscs and crustaceans community complex.	*Same as above*	*Same as above*

	This is mapped approximately 2.5km downstream of outfall (Map 5 of Conservation Objectives Supporting Document).		
Reefs [1170]	To maintain the favourable conservation condition defined by, including, the conserving in a natural condition of; Fucoid-dominated intertidal reef community complex; Faunal turf-dominated subtidal reef community. *These marine community types are mapped approximately 2.5-7.5km downstream of outfall (Map 9 of Conservation Objectives Supporting Document).*	*Same as above*	*Same as above*
Salicornia and other annuals colonising mud and sand [1310]	To maintain the favourable conservation condition defined by, including, the maintaining of the presence of species-poor communities with typical species listed in Saltmarsh Monitoring Project.	*Same as above*	*Same as above*

	The NIS notes that although the habitat is located 39km downstream from the outfall, the conservation objectives supporting document states that further unsurveyed areas maybe present within the site, and Salicornia is an annual species, so its distribution can vary significantly from year to year.		
Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	To restore the favourable conservation condition defined by, including, the maintaining of the natural circulation of sediments and organic matter. *This is mapped approximately 2.3km downstream of outfall (Map 12 of Conservation Objectives Supporting Document).*	*Same as above*	*Same as above*
Mediterranean salt meadows (Juncetalia maritimi) [1410]	To restore the favourable conservation condition defined by, including, the maintaining of the natural circulation of sediments and organic matter.	*Same as above*	*Same as above*

	This is mapped approximately 2.5km downstream of Ahacronane river outfall (Map 12 of Conservation Objectives Supporting Document).		
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	To restore the favourable conservation condition defined by, including, no decline in habitat distribution. *The NIS notes that although there are no mapped distributions downstream of the proposed development, the conservation objectives supporting document states that further areas are likely to be present within the SAC.*	*Same as above*	*Same as above*
Sandbanks which are slightly covered by sea water all the time [1110], Coastal lagoons [1150], Large shallow inlets and bays [1160], Perennial vegetation of stony banks [1220], Vegetated sea cliffs of the Atlantic and Baltic coasts [1230], Water courses	*Having regard to the location of these qualifying interests at a significant distance downstream/upstream and to the pressures and threats associated with these QIs as set out in the NPWS' Article 17 Habitat Conservation Assessment 2025, it is considered there will be no likely significant effects on the conservation objectives of these QIs.*		

of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260], Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]	

River Shannon and River Fergus Estuaries SPA (004077)

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

- Water quality deterioration (construction and operational phases)
- Disturbance

Qualifying Interest features likely to be affected	Conservation Objectives (Targets and Attributes)	Potential adverse effects	Mitigation Measures (summary)
Cormorant (Phalacrocorax carbo) [A017], Whooper Swan (Cygnus cygnus) [A038], Light-bellied Brent Goose (Branta bernicla hrota) [A046], Shelduck (Tadorna tadorna) [A048], Teal (Anas	To maintain the favourable conservation condition of the bird species which is defined by, inter alia, no significant decrease in their distribution.	Deterioration in water quality during the construction and operational phases has the potential to impact the conservation objectives of the QI species. Ex-situ disturbance during construction and operational phases	Construction • Appointment of Ecological Clerk of Works (EcOW) • Installation of silt fencing downgradient of construction areas • Refuelling within concreted bunded areas

crecca) [A052], Pintail (Anas acuta) [A054], Scaup (Aythya marila) [A062], Ringed Plover (Charadrius hiaticula) [A137], Golden Plover (Pluvialis apricaria) [A140], Grey Plover (Pluvialis squatarola) [A141], Lapwing (Vanellus vanellus) [A142], Knot (Calidris canutus) [A143], Dunlin (Calidris alpina) [A149], Black-tailed Godwit (Limosa limosa) [A156], Bar-tailed Godwit (Limosa lapponica) [A157], Curlew (Numenius arquata) [A160], Redshank (Tringa totanus) [A162], Greenshank (Tringa nebularia) [A164], Black-headed Gull (Chroicocephalus ridibundus) [A179], Wigeon (Mareca penelope) [A855], Shoveler (Spatula clypeata) [A857]		is not considered likely due to separation distances and number of intervening lands between the sites, proximity to an existing quarry and to the characteristics of the site comprising of agricultural lands, scrub and gravel stockpile.	• Spill kit kept onsite • No discharge of cement contaminated waters to the drainage system • Wetting of loose stone and soil during medium to strong winds to minimise movement of dust <u>Operational Phase</u> • Surface water to be collected in a settlement tank prior to route to existing settlement pond and hydrocarbon interceptor • No refuelling of machinery onsite • Containers and bunding for storage of bitumen and other chemicals will have a holding capacity of 110% of the volume to be stored • Implementation of EMS • Discharge of surface water to Ahacronane river in accordance with emission limit values of discharge licence no. W115.2

Wetlands [A999]	To maintain the favourable conservation condition of the wetland habitat which is defined by, including, a stable habitat area.	Deterioration in water quality during the construction and operational phases has the potential to impact the conservation objectives of the QI habitat.	*Same as above*

Assessment of issues that could give rise to adverse effects:

Deterioration in water quality

During the construction and operational phases, there is potential for water quality deterioration through the release of suspended solids which can result in excessive eutrophication leading to deoxygenation of water and subsequent asphyxia of aquatic species. An increase in sediments has the potential to impact fish species by damaging gravel beds required for spawning, smothering fish eggs and interfering with the gills of fish. The release of hydrocarbons from construction and operational plant and equipment, can also affect water quality potentially resulting in toxic conditions for aquatic flora and fauna and de-oxygen of waters. The release of uncured concrete would alter the pH of the waterbody, potentially leading to aquatic flora and fauna mortality.

Mitigation Measures and conditions

The focus of mitigation measures proposed are at preventing ingress of pollutants and silt into surface water and receiving watercourses during the construction phase and operational phase. The measures proposed are set out in Section 6.1 of the submitted NIS and include:

- Appointment of Ecological Clerk of Works (EcOW)
- Installation of silt fencing downgradient of construction aeras
- Refuelling within concreted bunded areas
- Spill kit kept onsite
- No discharge of cement contaminated waters to the drainage system

- Wetting of loose stone and soil during medium to strong winds to minimise movement of dust
- Surface water to be collected in a settlement tank prior to route to existing settlement pond and hydrocarbon interceptor
- No refuelling of machinery onsite
- Containers and bunding for storage of bitumen and other chemicals will have a holding capacity of 110% of the volume to be stored
- Implementation of EMS

In addition, the discharge waters to the Ahacronane river will be in compliance with the emission limit values within the existing discharge licence.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS (*Appendix 3 of submitted NIS document*). The applicant has considered a number of projects within the vicinity of the site, including the Hogans and Shanagolden quarries which operate under discharge licences to the Ahacronane river, and demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is no potential for in-combination effects.

Findings and Conclusions

The applicant determined that following the implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of the European sites. Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Regarding indirect impacts, mitigation measures are described to prevent ingress of silt laden surface water and other construction and operational related pollutants. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted.

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Lower River Shannon SAC or River Shannon and River Fergus Estuaries SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appendix 3: Water Framework Directive (WFD)

WFD Impact Assessment Stage 1: Screening			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	**ACP-323591-25**	**Townland, address**	Creeves Quarry, Craggs and Ballylin, County Limerick
Description of project		Construction of asphalt plant and associated works. A Water Framework Directive (WFD) Assessment was submitted as part of the application.	
Brief site description, relevant to WFD Screening,		The site is a greenfield site within the confines of an existing quarry permitted for extraction. There are no watercourses within the boundaries of the subject greenfield site. The greenfield site is located approximately 600 metres east of the Ahacronane river where the existing quarry is permitted to discharge to under licence number W115.2 (subject to conditions such as groundwater and effluent monitoring and quality standards). It is proposed that construction works will take place at least 5 metres above the winter groundwater level. There is no discharge to surface water proposed during the construction phase.	
Proposed surface water details		Surface water drainage from all hardstanding areas and buildings is proposed to be treated to a settlement tank which will be sized to accommodate a 1 in 100 year 24 hour rainfall event with an additional 30% capacity to allow for potential climate change effects. Surface water will then be routed via a new piped drainage system to the	

	existing settlement pond west of the proposed development site where it will further attenuate prior to discharge to the Ahacronane river via a hydrocarbon interceptor. Excess water from the wheelwash area will also be routed towards the existing settlement pond.
Proposed water supply source & available capacity	The site is underlain by a regionally important limestone aquifer which is classed as 'Extreme (x)' vulnerability. This is described as 'rock at or near surface or karst'.[8] Groundwater monitoring wells are located north of the site and within Hogans Quarry south of the site which recorded groundwater levels between 16-39mOD with groundwater flowing in a west/southwest direction across the site. There is no excavation dewatering or groundwater abstraction proposed.
Proposed wastewater treatment system & available **capacity, other issues**	There is no wastewater treatment facilities proposed as part of the proposed development. However, the existing staff welfare facilities of the quarry compound is served by an existing septic tank treatment system and percolation area.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	**Distance to (m)**	**Water body name(s) (code)**	**WFD Status (2019-2024)**	**Risk of not achieving WFD Objective e.g.at risk, review, not at risk**	**Identified pressures on that water body**	**Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)**

[8] https://gsi.geodata.gov.ie/portal/apps/webappviewer/index.html?id=d333a8a9b6ab44378411fc0d973db4ef (*Accessed 16/03/26*)

River Waterbody	230 metres west of existing settlement pond	Ahacronane_020	Poor	At Risk	Extractive Industry Agriculture Hydromorphology	Existing settlement tank to the west of the site discharges to waterbody.
Transitional Waterbody	2.5km downstream of Ahacronane river (North)	Lower Shannon Estuary IE_SH_060_0300	Good	Not at risk	No pressures	Approximately 2.5km downstream of Ahacronane river.
Groundwater Waterbody	Underlying site	Askeaton IE_SH_G_010	Good	Not at risk	No pressures	The site is underlain by a regionally important limestone aquifer which is classed as 'Extreme (x)' vulnerability. This is described as 'rock at or near surface or karst.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

Construction Phase

No	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no)	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if

							'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Ahacronane_020	Existing drainage to watercourse	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice Silt fencing CEMP	No. Due to absence of watercourses onsite and hydrological regime at the site with high effective recharge rates, any surface water will infiltrate to ground before reaching the Ahacronane stream.	Screened Out
2.	Transitional	Lower Shannon Estuary IE_SH_060_0300	Ahacronane River	As above	As above		Screened Out
3.	Ground	Askeaton IE_SH_G_010	Drainage	Hydrocarbon Spillages Release of cement based products	As above	No, subject to CEMP measures. It is proposed to extract approximately 5 metres above the winter ground water level. There will be no dewatering and no effect on groundwater levels.	Screened Out

Operational Phase							
4.	Surface	Ahacronane_020	Drainage to watercourse	Siltation, pH (Concrete), hydrocarbon spillages	Settlement Pond Hydrocarbon Interceptor	Yes. Due to 2019-2024 WFD status and existing discharge being subject to a discharge licence from the local authority (licence number W115.2).	Screened In
5.	Transitional	Lower Shannon Estuary IE_SH_060_0300	Ahacronane River	As above	As above	As above	Screened In
6.	Ground	Askeaton IE_SH_G_010	Drainage	Spillages	Environmental Management System (EMS) Groundwater monitoring	Yes. Due to nature of material to be stored onsite, such as bitumen, leakage and spillage is possible. Monitoring will be required.	Screened In

Stage 2: Assessment					
Details of Mitigation Required to Comply with WFD Objectives					
Surface Water					
Development/Activity	**Objective 1:Surface Water** **Prevent deterioration of the status of all bodies of surface water**	**Objective 2:Surface Water** **Protect, enhance and restore all bodies of surface water with aim of achieving good status**	**Objective 3:Surface Water** **Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status**	**Objective 4: Surface Water** **Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances**	**Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)**
	Describe mitigation required to meet objective 1:	**Describe mitigation required to meet objective 2:**	**Describe mitigation required to meet objective 3:**	**Describe mitigation required to meet objective 4:**	
Surface Water drainage during operational phase	Settlement tank to cater for a 1:100 year 24 hour rainfall event with an additional 30% capacity to allow for potential climate change effects,	Settlement tank to cater for a 1:100 year 24 hour rainfall event with an additional 30% capacity to allow for potential climate	NA	NA	Yes

	installation of a Class 1 hydrocarbon interceptor, prior to discharge to existing surface water infrastructure of the quarry. Site will operate under an EMS. Discharge of existing quarry to comply with conditions of existing discharge licence.	change effects, installation of a Class 1 hydrocarbon interceptor, prior to discharge to existing surface water infrastructure of the quarry. Site will operate under an EMS. Discharge of existing quarry to comply with conditions of existing discharge licence.			
Details of Mitigation Required to Comply with WFD Objectives					
Groundwater					
Development/Activity	**Objective 1: Groundwater** **Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater**	**Objective 2 : Groundwater** **Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim**	**Objective 3:Groundwater** **Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity**		**Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)**

		of achieving good status*		
	Describe mitigation required to meet objective 1:	**Describe mitigation required to meet objective 2:**	**Describe mitigation required to meet objective 3:**	
Operational phase	Site to operate under EMS. Monitoring of groundwater levels and quality. Bunding for storage of bitumen and other chemicals to have holding capacity of 110% of the volume to be stored.	N/A	N/A	Yes