



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323777-25

<b>Development</b>	Permission for a period of 25 years for the continued operation and expansion of an existing quarry for extraction of limestone rock An Environmental Impact Assessment Report (EIAR) was submitted with the application
<b>Location</b>	Isertkelly North , Kilchreest, Loughrea, Co. Galway, H62E820
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	2560316
<b>Applicant(s)</b>	Isertkelly Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	First Party against 3 No. conditions
<b>Appellant(s)</b>	Isertkelly Ltd.
<b>Observer(s)</b>	None
<b>Inspector</b>	Bébhinn O'Shea

## 1.0 Site Location and Description

- 1.1. The site of the proposed development approximately 12km south west of Loughrea Co. Galway, within an existing quarry site. There is a Roadstone quarry adjacent and the surrounding area is otherwise largely agricultural with dispersed housing.

## 2.0 Proposed Development

- 2.1. Permission is sought for

- 25 years for the continued operation and expansion of the existing quarry.
- Increase extraction area to 10.565 hectares.
- The development includes crushing, screening/processing of rock from the site using mobile plant.
- Removal of all existing temporary buildings and construction of site office, weighbridge office and maintenance shed
- Associated works including carparking and landscaped soil berms at the permitter.

An EIAR and AA Screening statement accompany the application.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The Planning Authority initially requested Further Information in relation to:
1. Traffic and Transport Assessment
  2. Haulage Routes
  3. Auto tracking, potential HGV conflicts on the local road, the need for passing bays to be demonstrated on a site location map along with consent of third parties.
  4. Revised site layout showing junction/visibility splays, internal pedestrian, details of car-parking measures, traffic calming measures.

5. Surface water drainage details, details of ground investigations to determine suitability for infiltration, details of bypass separator.
6. Consideration of nesting peregrine and sand marten in the existing quarry and biodiversity/landscape enhancement measures ,

3.1.2. The Planning Authority subsequently granted permission subject to 17 conditions, the following are noted

- No. 2 – 25 year duration
- No. 3 - Environmental mitigation and monitoring measures.
- No. 4 – Compliance with Chapter 14, “Traffic Impact Assessment” that includes the Traffic and Transportation Assessment, Safety statement and Road Safety mitigation measures
- No. 5 – Quarry warning signage
- No. 7 – Limitation of traffic movements, provision of traffic counter, specification of haulage routes.
- No. 8 – Special contribution for undertaking local road improvement works that includes the provision of a passing bay
- No. 9 – Surface water
- No. 15 - Minimum protective buffer distance of 150 metres at Peregrine nest ledge for blasting during breeding season
- No. 16 – Financial security – road/road margin/road drainage
- No. 17 – Development contributions.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

3.2.1.1. The first Planning Report set out the policy context for the proposed development. It considered the principle of the acceptable. It noted that the site is located in an area with low sensitivity to development. It screened the proposed development for the

need for Appropriate Assessment and determined that AA was not required. It set out concerns of the Roads and Transportation Section (as per Further Information request details above). It set out that an EIAR was required, acknowledged it had been submitted and deferred its report on the EIAR until Further Information was received. Further information was requested as per 3.1.1. above.

3.2.1.2. The second Planning Report considered the applicant had adequately addressed the further information request. An examination of the EIAR was conducted. It was concluded that the EIAR was adequate in fully identifying and describing the direct, indirect and cumulative effects of the proposed development, alone or in combination with other plans and projects on the receiving environment and that all likely significant environmental effects can be ruled out as a result of the proposed development and mitigation proposed as part of the submitted EIAR. The report recommended that planning permission be granted subject to conditions as per 3.1.2 above.

3.2.2. Other Technical Reports

- Roads and Transportation Report: Recommends conditions

### 3.3. Prescribed Bodies

**Department of Housing, Local Government and Heritage:** Notes nesting peregrine and sand martins which have not been considered and seeks biodiversity/landscape enhancement measures. Reminds Council of obligations under Habitats Directive.

**An Taisce:** Compliance with the conditions of existing permissions on the site should be fully assessed. Permission should be limited to ten years. The proposal should be assessed against Article 4 of the Water Framework Directive

### 3.4. Third Party Observations

None

## 4.0 Planning History

### Site:

03/5214 – Permission refused to develop a quarry for the extraction of stone, provide for office accommodation, septic tank, access road and ancillary site works -

05/2870 – Permission granted for the development of a quarry provision of office accommodation, septic tank, access road and ancillary site works

### Adjacent of note:

20/682 - Extension of duration granted to Roadstone for erection and operation of a semi-mobile asphalt/macadam mixing plant on C.0.3 hectares at Kilchreest Quarry.

Previous application 15/359.25601550

25/60440 - Current adjacent application by Roadstone to further develop the existing quarry and all associated site works.

## 5.0 Policy Context

### 5.1. Development Plan

The Galway County Development Plan 2022-2028 (GCDP) is the relevant plan with the following sections relevant:

- Chapter 4 Rural Living and Development Section 4.14 Mineral Extraction and Quarries
- Chapter 7 Infrastructure, Utilities and Environmental Protection Section 6.17 - Wastewater Policies and Objectives
- Chapter 10 Natural Heritage, Biodiversity and Green/Blue Infrastructure Section 10.6 Natural Heritage and Biodiversity
- Chapter 14 Climate Change, Energy and Renewable Resource Section 14.6 Flooding
- Chapter 15 Development Management Standards

**5.2. Galway County Council Development Contribution Scheme** 2016 revised with effect from August 1<sup>st</sup> 2019 (hereafter referred to as ‘the DCS’)

### **5.3. Natural Heritage Designations**

Slieve Aughty Mountains SPA – c. 2.2km

Peterswell Turlough SAC – Site Code 000318 – c.2.7km

Sonnagh Bog SAC – Site Code - 001913 4.7km

No built heritage or archaeological features within or adjacent to the site.

### **5.4. EIA Screening**

An EIAR was submitted with the application. Screening for EIA is therefore not necessary.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The appeal relates to Conditions 8, 16 and 17. The appeal contends:

#### **In relation to Condition 8:**

- The Planning Authority has not specified the particular works that are required, including their location and cost and how much of them can be apportioned to the permitted development, as is required.
- The imposition of the condition in the first instance is a surprise as the quarry and other in the vicinity has operated for over 20 years without the necessity for a passing bay. The permission for the development requires the newly permitted quarry to operate at the same output as it does currently. It is difficult to understand why any public infrastructure is needed to facilitate the proposed development.
- A roads report on the PA website does not provide any additional information on how the special contribution was calculated or where the specifically the infrastructure upgrade was located.

- The PA have not followed S7.12 of the DM guidelines in framing this condition.

**In relation to Condition 16:**

- The Planning Authority were acting outside their powers in seeking securing for damage that may occur. Section 34 (4) of the Act only allows the imposition of security conditions for the satisfactory completion of development. The reason given for the condition is traffic safety.
- The DM Guidelines restrict the imposition of security conditions to residential developments; there is no residential element in the subject development.

**In relation to Condition 17:**

- The condition references the cost of facilities which will facilitate the development, but the facilities are not specified. Therefore the imposition of the condition does not accord with statutory provisions.
- The PA has not indicate how the contribution was calculated as is required. The contribution may be misapplied.
- The PA has given options for the methodology of calculating the contribution and then proposed to use a methodology which produces the highest figure. This is a misapplication of powers. It is accepted practice that developers should only have to pay what is necessary and not an additional premium based on conflicting methodologies. There is little sign of evidence-based planning.
- The development history of these lands in particular under 05/2870 should be considered. The area/planning unit associated with same overlaps with the area of the subject 2025 application and should not be subject to development contribution as this relates to double charging.

**6.2. Planning Authority Response**

No response

**6.3. Observations**

None

## 6.4. Further Responses

None

## 7.0 Assessment

- 7.1. This appeal relates to financial conditions: Conditions 8 and 17 relate to Development Contributions provided for under Section 48 of the Act. Condition 16 relates to financial security for potential damage to the local road network.

The appeal to Condition 8 and 17 is brought to the Commission under Section 49 (10) (b) and as such this assessment is limited to consideration of whether there has been an improper application of the terms of a development contribution scheme or special contribution. In relation to condition 16, which does not relate to development contributions but relates to financial security, having regard to the provisions of S 139 of the Act, I have had regard to the nature and scale of the development and the specific issues arising and I am satisfied that determination of the application as if it had been made to the Commission in the first instance is not warranted. This assessment will therefore be confined to the specific appeal of Condition numbers 8, 16 and 17 of the Planning Authority decision.

I will consider Condition 8 and 17 first as these relate to development contributions. I note the Galway County Council Development Contribution Scheme 2016 revised with effect from August 1<sup>st</sup> 2019 (DCS) as the relevant scheme.

## 7.2. Condition 8

- 7.2.1. This condition states:

8. The developer shall pay a financial contribution of €30,000 to the planning authority as a special contribution under Section 48(2) of the Planning and Development Act 2000, as amended, in respect for undertaking local road improvement works that includes the provision of a passing bay onto the LS -8538 public road margin. The contribution shall be paid prior to commencement of the development unless an alternative agreement is reached with the Roads and Planning Authority.

**Reason: A requirement under the Planning and Development Act 2000, as amended, the Development Contribution Scheme made under section 48 of the Act shall be applied to the permission.**

7.2.2. Section 48(2) (c) of the Planning and Development Act 2000, as amended sets out the special requirements that justify the imposition of special contribution conditions as follows:

*“A planning authority may, in addition to the terms of the scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development”.*

7.2.3. Accordingly, three essential requirements or characterises are necessary to justify the imposition of a ‘special contribution’ condition. Under s48(2)(c) the payment must be required:

- a) In respect of a development,
- b) Specific exceptional costs must be incurred as a result of or in order to facilitate it, and
- c) Such costs cannot be covered by a Development Contribution Scheme made under Section 48 or 49 of the Act.

7.2.4. Under test (a) the payment is being sought in respect of a development, i.e. a quarry/extraction operation. However, I note the payment sought has not been demonstrated to be solely in respect of this particular development, as the need for local road improvement works, including passing bay, has not been demonstrated to relate solely to this activity rather than others in the area.

7.2.5. Under test (b) I note the Planning Authority condition requires a contribution of €30,000 for *“local road improvement works that includes the provision of a passing bay onto the LS -8538 public road margin”*. I do not consider ‘local road improvement works’ to be specific or exceptional. I consider that they are more appropriate for apportionment under a development contribution scheme, rather than as a special contribution under Section 48 (2). Neither are they specific to the proposed development.

7.2.6. I note that these works ‘include’ (but are not limited to) a passing bay. The location of the passing bay, its dimensions, construction method/materials or basis of cost is not specified, nor has been it been indicated to be specific to the subject development

such that the development should bear the full contribution rather than a proportion of same. Other existing uses, including existing quarry use, and that under different ownership adjacent, would contribute to movements on the road and benefit from the passing bay. I am therefore of the view that the condition does not pass the test in terms of the works being 'specific' or 'exceptional'.

7.2.7. I further note that the DCS states on page 3:

*Additional special contributions for waste/land fill; quarries and gravel pits may be applied under Section 48 of the Planning and Development Acts and shall be based on the following criteria:*

- (i) The scale of the proposed development i.e. in the case of landfills the volume of material that it is proposed to deposit at the site or in the case of Quarries and Gravel Pits: the volume of material it is proposed to supply from and deliver to the site*
- (ii) The condition of the road serving the development.*
- (iii) The length of the road or roads from the development to the nearest Class 1 local roads which is in good condition.*
- (iv) The cost of bringing the road or roads up to a standard necessary to facilitate the development and not cause an adverse impact on other road users.*
- (v) The cost of traffic control measures.*
- (vi) Buildings provided as part of a Waste Landfill/ Quarries and gravel pits development will be subject to the provisions of the general contribution scheme for applicable development.*

7.2.8. In terms of specific costs, the DCS itself sets out clear criteria on which Special Contributions are to be based, but the Planning Authority has not supplied such information to demonstrate these costs are specific. This further supports the conclusion that the works have not been demonstrated to be 'specific' or 'exceptional'.

7.2.9. Under test (c) whether such costs are already covered by a Development Contribution Scheme, I refer to the Galway County Council Development Contribution Scheme 2016 revised with effect from August 1<sup>st</sup> 2019. The Scheme divides the County into two sub-areas and a separate charge derived for each area.

Sub-area 2 is all areas other than Towns and Villages with adopted Local Area Plans, and development within the GTPS (Galway Transport and Planning Study).

- 7.2.10. Part 1 of the scheme details the charges for residential units and Part 2 details the charges for Industrial and Commercial and Other Development. Part 1 clearly sets out that part of the contribution relates to Roads, Footpaths and Transportation charge. Part 2 in relation to Industrial and Commercial Development states:

*“The various Industrial/Commercial uses have been grouped according to their likely impact on the amenities and roads infrastructure requirements of the communities in which they are located.”*

Page 3 of the Scheme states that Quarries and Gravel pits to be levied at 10c per m<sup>3</sup> to be extracted or €18,292 per hectare, of extraction area, whichever is the greater. The DCS also sets out criteria for Special Contributions .

- 7.2.11. The DCS generally sets out that the contributions include a component relating to Roads, Footpaths and Transportation. I therefore consider that the provision of local road improvement works, including a non-specific passing bay, is provided for under the general Contribution Scheme and as such the condition fails to pass test (c).
- 7.2.12. I conclude therefore that Condition 8 does not meet the requirements of legislation and should be removed.

### **7.3. Condition 17**

- 7.3.1. This condition states:

17. The applicant/developer shall pay **€118,898.00** to the Planning Authority, unless a phased payment schedule has been agreed in writing, with the Planning Authority. This charge has been calculated using the Development Contributions Scheme adopted by Galway County Council in accordance with the provisions of Section 48 of the Planning and Development Act 2000.

Development Sub-Area	Development Sub-Type	Charge Code Description	Number of Units	Unit Charge	Line Charge
Sub Area 1	Part 2	Industrial/Commercial & other Developments		€	€118,898.00
				Total	€118,898.00

The makeup of this sum is detailed in the list below:

**Part 2 Industrial/commercial and other Development**

*Quarries and Gravel Pits to be levied at 10c per m3 to be extracted or €18,292 per hectare of extraction area, whichever is the greater.*

**Reason: So that the developer shall pay an equitable portion of the cost of the facilities that are provided or that it is intended will be provided by or on behalf of Galway County Council, which will facilitate the proposed development**

- 7.3.2. The appeal contends that the imposition of the condition does not accord with statutory provisions as it does not specify facilities; the condition references the cost of facilities which will facilitate the development, but the facilities are not specified.
- 7.3.3. I note that the condition relates to a contribution under the Development Contribution Scheme. The basis for determining the contribution, and the detail and costing of public infrastructure and facilities, is, in accordance with Section 48 of the Act, to be set out in the DCS, not in a condition. I therefore do not consider that there is any deficiency in this condition arising out of lack of facilities being specified.
- 7.3.4. The appeal contends that the Planning Authority, in using use a methodology which applies the highest of two figures, is misapplying its powers. I note page 3 of the DCS states *Quarries and Gravel pits to be levied at 10c per m3 to be extracted or €18,292 per hectare, of extraction area, whichever is the greater.*
- 7.3.5. The approach to the contribution is therefore in accordance with the DCS. As per the Planning Act Section (10) (a) Subject to *paragraph (b)*, no appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with a scheme made under this section. This element of the appeal is therefore dismissed.

7.3.6. The appeal contends that the contribution may be misapplied as the PA has not indicated how the contribution was calculated as is required. I note that, beyond the total figure within contribution and the reference to the levy set out in the DCS, there is an absence of detail from the Planning Authority in relation to the calculation of the contribution. I also note however that the appellant had not suggested an alternative figure. I therefore set out my calculation as follows. I note that the site is not within the area of the GTPS, shown on Figure 6 p 28 of that document. I also note the application includes construction of replacement buildings.

		Rate	Basis	Total	Relevant Total
<b>Area to be extracted (hectares)</b>	7.4 hec	€18,292 per hectare	Area as per EIAR p 8 Rate: DCS p 3	€135,360	<b>€135,360</b>
<b>Volume to be extracted (m3)</b>	1.33 million m3	10 cent per m3	Volume stated in development description Rate: DCS p 3	€133,000	
<b>Buildings</b>			DCS p 3 point (vi)		<b>€8,082</b>
site office	104 m <sup>2</sup>	€11 per sq m	Group 3 Office < 1000 sqm. Sub area 2	€1,144	
weighbridge office	16 m <sup>2</sup>	€11 per sq m	Group 3 Office < 1000 sqm. Sub area 2	€176	
maintenance shed	483 m <sup>2</sup>	€14 per sq m	Group 1 Industry General. Sub area 2	€6762	
<b>Total</b>					<b>€143,442</b>

7.3.7. The appeal contends that the area/planning unit associated with same overlaps with the area of the subject 2025 application and should not be subject to development contribution as this relates to double charging. I note that the contributions set out above relate to the additional area as identified by the applicant in the application and I do not consider that any double charging or misapplication of the DCS has occurred in terms of extent of extraction.

7.3.8. I therefore recommend that Condition 17 be amended to reflect the amount of €143,442

#### **7.4. Condition 16**

7.4.1. This condition states:

16. Prior to commencement of development, the developer/applicants shall lodge a Roads & Transportation bond with the planning authority of a cash deposit amount to the sum of €100,000 with the Planning authority, or other cash amount or form of security, as may be acceptable to the relevant planning authority, to secure the reinstatement of the public road, road signage and road markings which may be damaged by the transport of materials to the site, to secure the provision of existing drains and other services required in connection with the development coupled with an agreement empowering the relevant planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road and margins of the LS-8538, that junctions onto/from the Local Primary LP-4219 and onto/from the strategic regional route R-380.

**Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.**

7.4.2. In relation to this security, I note the provisions of S34 (4) of the Act allows for the application of conditions for requiring the giving and maintaining of adequate security for satisfactory completion of a proposed development (Section 34 (4) (g)). However, the security sought under the above conditions relates to re-instatement following possible damage to roads infrastructure, rather than completion of development, and is not specifically provided for under S 34 (4).

7.4.3. The condition also seeks to secure the provision of existing drains (I note, as worded, this is something of a contradiction). The cost of works to improve or provide drains, if specific to this development and exceptional as opposed to general road maintenance would be more appropriately sought as a Special Contribution.

7.4.4. The Development Management Guidelines published in 2007, and more recently OPR Practice Note 3 on Planning Conditions, set out certain criteria which planning

conditions should meet. Conditions should be necessary, relevant to planning, relevant to the development, precise, enforceable and reasonable. I do not consider that this condition has been demonstrated to be fully relevant to the development and only the development. I do not consider that it is precise, as it sets out no fixed duration, no basis of calculation of the security, and no detail in terms of exact nature, location and extent of works required to satisfy the condition. Furthermore, the condition is not reasonable, because in the absence of the foregoing detail there is no clarity for the applicant in terms of when he could legitimately expect such security to be returned.

7.4.5. I therefore recommend that condition 16 be removed.

## 8.0 AA Screening

While noting the provisions of Section 48 (13) (a), along with development contributions the appeal relates to a condition requiring the provision of a bond. I have therefore screened the proposed development in accordance with Section 177U of the Planning and Development Act 2000 (as amended). On the basis of the information considered in the application, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- (i) Nature of works
- (ii) Lack of direct connections to European Sites
- (iii) Distance from European Sites,
- (iv) The limited zone of influence of potential impacts.

## 9.0 Water Framework Directive Screening

9.1. See Appendix 2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no likely risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Distance from watercourses and disposal of surface water within the site
- Limited extent of the impact from drawdown and dewatering
- Mitigation and monitoring measures set out in the EIAR

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

## 10.0 Recommendation

I recommend that Condition No. 8 be REMOVED. I recommend that Condition no. 16 be REMOVED. I recommend that Condition no. 17 be AMENDED to reflect the amount of €143,442

## 11.0 Reasons and Considerations

Having regard to the nature of the conditions the subject of the appeal, the Commission is satisfied that Condition no. 8 relates to an uncosted unspecific project, which fails to meet the 'specific exceptional costs' test required for Special

Development Contributions, and furthermore in the absence of such specific information, considers that such funding for local road improvement works is already provided for under the Galway County Council Development Contribution Scheme 2016 (revised with effect from August 1st 2019). In relation to Condition 16 the Commission considers that the condition is not specifically provided for under Section 34 (4) of the Planning and Development Act and, being an uncosted sum not shown to be specifically relevant to the development, would place an unreasonable burden of indefinite duration on the developer. In relation to Condition no. 17, the Commission considers that the contribution applied was not determined fully in accordance with the Galway Development Contribution Scheme. The Commission therefore directs the Council to remove Condition 8 and Condition 16 and amend Condition 17 to reflect the amount of **€143,442**

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

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Bébhinn O'Shea  
Senior Planning Inspector

30/01/2026

## Appendix 2: AA Screening

Screening for Appropriate Assessment Test for likely significant effects				
<b>Step 1: Description of the project and local site characteristics</b>				
Brief description of project		Continued operation and expansion quarry, increased extraction area to 10.565 hectares. Crushing, screening/processing of rock Replacement of buildings, associated works including carparking and landscaped soil berms at the permitter.		
Brief description of development site characteristics and potential impact mechanisms		The site area is associated with an existing extraction operation and there is a further quarry adjacent. Site largely flat. Potential Impact Mechanisms include: <ul style="list-style-type: none"> <li>• Loss of ex situ breeding/nesting ground</li> <li>• Disturbance to species from noise</li> <li>• Pollution of water sources</li> </ul>		
<b>Screening report</b>		Panther Ecology Limited Appropriate Assessment Screening Report		
<b>Natura Impact Statement</b>		No		
<b>Relevant submissions</b>		No		
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
Slieve Aughty Mountains SPA	<a href="#">CO004168.pdf</a> 20/12/2022	c. 2.2 km	No direct hydrological connections.  Air	Y
Peterswell Turlough SAC	<a href="#">CO000318.pdf</a> 11/11/2021	c. 2.8 km	No direct surface water connection. Site is c.1.6 km from the watercourse leading to the SAC.  Potential groundwater connection	Y

Rahasane Turlough SAC	<u>ConservationObjectives.rdl</u> 16/12/2020	c. 7.7 km	No surface water connection.  Potential groundwater connection  Having regard to separation distance and weak hydrological connections, significant effects on this site can be ruled out	N
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**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites**

**AA Screening matrix**

<b>Site name Qualifying interests</b>	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b>	
	<b>Impacts</b>	<b>Effects</b>
Site 1: Slieve Aughty Mountains SPA Site Code: 004168  <b>QI list</b> Hen Harrier ( <i>Circus cyaneus</i> ) [A082] (Restore favourable conservation condition)  Merlin ( <i>Falco columbarius</i> ) [A098] (Maintain favourable conservation condition)	Direct: None  Indirect: Disturbance from noise   Loss of ex situ breeding/nesting/foraging ground	Given distance of site, orientation of quarry rock face, presence of existing operations creating noise no significant effects from noise are likely  Site does not offer suitable nesting, breeding g habitats. Most trees are to be retained and supplemented with perimeter planning. No indirect effects likely.
	<b>Likelihood of significant effects from proposed development (alone):</b> <b>N</b>	
	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b>	



objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- (i)** Nature of works
  
- (ii)** Lack of direct connections to European Sites
  
- (iii)** Distance from European Sites,
  
- (iv)** The limited zone of influence of potential impacts.

**WFD IMPACT ASSESSMENT STAGE 1: SCREENING****Step 1: Nature of the Project, the Site and Locality**

<b>An Bord Pleanála ref. no.</b>	<b>323777</b>	<b>Townland, address</b>	Isertkelly North , Kilchreest, Loughrea, Co. Galway,
<b>Description of project</b>	Permission for a period of 25 years for the continued operation and expansion of an existing quarry for extraction of limestone rock		
<b>Brief site description, relevant to WFD Screening</b>	The site of the proposed development approximately 12km south west of Loughrea Co. Galway, within an existing quarry site. Area of extraction to increase to 10.565 hectares. Site largely flat, area largely agricultural with dispersed housing.		
<b>Proposed surface water details</b>	No surface drainage features present. Soakpits proposed.		
<b>Proposed water supply source &amp; available capacity</b>	Existing well		
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Septic tank and percolation trenches		

<b>Others?</b>						
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>						
<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>
river	c. 1050 m	Kilchreest_010	Poor	Review	None	Air (dust deposition). Baseflow from groundwater
river	c. 1500	Kilcolgan_040	Poor	At risk	Hydromorphology, Industry, Agriculture, Domestic Wastewater	Air (dust deposition) Baseflow from groundwater

groundwater	0m	IE_WE_G_010 0 GWDTE- Rahasane Turlough	Good	At risk	Agriculture, Domestic Wastewater	Infiltration
groundwater	0m	IE_WE_G_009 3 GWDTE-Coy Turlough	Good	At risk	Agriculture	Infiltration

**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	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>
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1.	Site clearance/ construction	Kilcolgan_0 40  Kilchreest_0 10	No direct pathway.	Given distance to SW bodies no potential for impact from hydrocarbon spillages, siltation etc.  All drainage water managed on site and discharged to ground	'Drainage Impact Assessment' and Chapter 7 of EAIR refers  None but standard Construction Measures /. Condition 3 mitigation measures	No	Screened out
2.	Site clearance/ construction	IE_WE_G_0 100 GWDTE- Rahasane Turlough  IE_WE_G_0 093 GWDTE- Coy Turlough	Infiltration	Contaminated run-off entering ground water	'Drainage Impact Assessment' and Chapter 7 of EAIR refers  Standard operational measures e.g. petrol interceptor/ bunding of fuel tanks etc. Condition 3 mitigation measures. Condition 14 monitoring.	No	Screened out

**OPERATIONAL PHASE**

3	Contaminant deposits to surface water bodies	Kilcolgan_040 Kilchreest_010	Air	Airbourne particles as dust following extraction and processes on site.  Limited potential for impact given distance to watercourses.	Condition 3 mitigation measures. Condition 14 monitoring.  Dust monitoring condition no. 13	No	Screened out
4	Drawdown/dewatering	Kilcolgan_040 Kilchreest_010	Baseflow depletion	Limited. The drawdown and dewatering impact on the groundwater aquifer is very localised at only 190m from the site. Any pumped water returned to aquifer through soakway on site	'Drainage Impact Assessment' and Chapter 7 of EAIR refers Well monitoring.  Condition 3 mitigation measures. Condition 14 monitoring.	No	Screened out
5	Contaminated discharges to groundwater	IE_WE_G_0100 GWDTE-Rahasane Turlough  IE_WE_G_0093 GWDTE-Coy Turlough	Infiltration	Particulate matter, hydrocarbons etc infiltrating to ground water and aquifer. Increased exposure with removal of soil covering	'Drainage Impact Assessment' and Chapter 7 of EAIR refers  Limited due to interception (soakaways, rainwater harvesting tanks) and bypass fuel separator, bunding attenuation/soakways.	No	Screened out

					<p>Existing wells monitored - Oils/hydrocarbons in bunded storage - Plant maintenance close to office using oil interceptor - Availability of spill kits - Settlement lagoon for suspended solids</p> <p>Condition 3 mitigation measures. Condition 14 monitoring.</p>		
<b>DECOMMISSIONING PHASE</b>							
7.	Contaminant deposits to surface water bodies	Kilcolgan_0 40 Kilchreest_0 10	Air	<p>Airbourne particles/ dust from de- commissioning buildings and equipment, regrading of quarry benches and any infill, overburden removal, bund de- construction, restoration works.</p> <p>Limited potential for impact given distance to watercourses.</p>	<p>Condition 3 mitigation measures. Condition 14 monitoring.</p> <p>Dust monitoring condition no. 13</p>	No	Screened out

8.	Contaminant deposits to discharges to groundwater	IE_WE_G_0100 GWDTE-Rahasane Turlough  IE_WE_G_0093 GWDTE-Coy Turlough	Infiltration	Contaminated run-off containing hydrocarbons etc. entering ground water	Condition 3 mitigation measures. Condition 14 monitoring.	No	Screened out
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