

An Bord Pleanála
64 Marlborough Street
Dublin 1

AN BORD PLEANÁLA
LDG- 069172-24
ABP- _____
04 JAN 2024
Fee: € 110.00 type: CHQ
Time: 17.11pm By: HAND

4th January 2024

Ref.: 23/169
App: P&S Civil Works Ltd
For: 1. Quarry extension development for rock extraction and associated processing over an area of c. 4 hectares within an overall planing application are of c. 4.9 hectares as previously permitted under P. Ref. 12/101 (P. Ref. 17/383) and never commenced; 2. A time period of 15 years is being sought to allow the previously permitted extraction be completed plus 2 years to complete restoration works (total duration sought 17 years); 3. The development proposed seeks to utilise existing ancillary buildings and facilities including weighbridge, wheelwash, portacabin office/canteen/toilet, waste water treatment system, processing plant, site entrance and all other associated site works, and ancillary activities as currently permitted by P. Ref. 07/827; 4. Final restoration of the worked out quarry to a permanent water body and naturally regenerated wildlife habitat area. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of this planning application. Significant further information and revised plans have been submitted.
Site: Mullymagowan Townland, Stradone, Co Cavan

A Chara,

In accordance with the provisions of Section 37(1) of the Planning and Development Act 2000 (as amended), An Taisce wishes to appeal the decision on 29th November 2023 of Cavan County Council to grant permission for the above proposal on the following grounds:

Section 35 of the Planning and Development Act 2000 (as amended) on refusal of planning permission for past failures to comply requires that any application for extending a quarry operation in area or of its operational lifetime needs to address and resolve the compliance history of the site in the first instance.

A matter of general principle any permission for a new or extended quarry should be 5 to 10 year duration only, and never beyond a 10 year period.

An Taisce is a membership-based charity | Join us at www.antaisce.org/membership

An Taisce - The National Trust for Ireland | Protecting Ireland's heritage, safeguarding its future

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Company Limited by Guarantee no. 12469 | Charity CHY4741 | Charity Regulator no. 20006358 | EU Transparency Register no. 473905437651-60

Directors: Stuart McCaul (Chair),

Trish O'Connell (Vice Chair), John Conroy (Treasurer), Olivia Rogers, Rónán O'Brien, Finbarr Murray

Issues around temporary abandonment have not been adequately addressed and require appropriate review to properly address planning compliance status of overall quarry site.

There would appear to have been inadequate review of ancillary activities which an application of this type will likely create and depend upon.

There has been a failure to adequately address issues relating to hydrological and hydrogeological concerns, and the associated protection measures suggest that the applicants cannot eliminate all reasonable scientific doubt as to the significance of impacts upon local aquatic regimes.

Water Framework Directive Article 4 assessment criteria must be applied.

A review of historic surface water quality bodies and micro/macro aquatic faunae downstream and upstream of the extant quarry void is required to enable proper contextual assessment of quarry activities on local water regimes during previous quarrying activities and extended period of inactivity. There is an apparent absence of detailed assimilative capacity reporting on receiving water courses despite the volume of surface waters which will require to be pumped out of the quarry void daily.

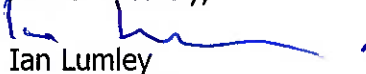
The proposed surface water mitigation measures would seem to depend on use of historic surface water management measures. There does not appear to be any detailed survey and assessment of these various measures.

The initial Planner's Report (29th May 2023), in reviewing Chapter 7 of the EIAR on hydrology, recognises the absence of water quality monitoring but leaves consideration of this to review of the discharge licence: *"I consider the above assessment to be satisfactory notwithstanding there are no earlier water monitoring reports submitted in the EIAR. I note Environment Section's recommendation to review the conditions of the Discharge Licence (which includes water quality monitoring) should permission be granted for the proposed development"* (page 26).

We do not consider that this issue was addressed or resolved in the further information response submission and the consent which leaves monitoring to post-consent condition and future discharge licencing.

Please acknowledge this appeal and advise us of any decision made.

Yours sincerely,



Ian Lumley

Heritage Officer

An Taisce – The National Trust for Ireland

Submission No.: 150000002649

Date of Issue:
04/05/2023 12:00pm

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANALA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

Cavan County Council

PLANNING APPLICATION REFERENCE No: 23169

A submission/observation in writing, has been received from An Taisce An Taisce on 03/05/2023 in relation to the above planning application.

The appropriate fee of €20 has been paid. (Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 and will be taken into account by the planning authority in its determination of the planning application.

Yours faithfully,
Cavan County Council