

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP 322624-25Defer Re O/H ☐Having considered the contents of the submission dated/ received 24/6/25  
fromApplicant I recommend that section 131 of the Planning and Development Act, 2000  
~~be~~/not be invoked at this stage for the following reason(s): no m issuedE.O.: [Signature]Date: 1/7/25

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached  
submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**Appeal No: ABP 322624-25

M \_\_\_\_\_

Please treat correspondence received on 24/6/25 as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

2. Acknowledge with BP 203. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

Applicants response to appeal**4. Attach to file**(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐**RETURN TO EO** ☐

EO:

Daniel O'Connor

AA:

[Signature]

Date:

26/6/25

Date:

29/6/25

## Daniel O'Connor

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**From:** Appeals2  
**Sent:** Tuesday 24 June 2025 13:43  
**To:** Daniel O'Connor  
**Subject:** FW: ABP-322624-25  
**Attachments:** 250624.72.01.ABP Appeal Response.FINAL.pdf

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**From:** Peter Kinghan <[pkinghan@quarryconsulting.ie](mailto:pkinghan@quarryconsulting.ie)>  
**Sent:** Tuesday, June 24, 2025 1:38 PM  
**To:** Appeals2 <[appeals@pleanala.ie](mailto:appeals@pleanala.ie)>  
**Subject:** ABP-322624-25

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir / Madam

Refer to correspondence attached.

Regards  
Peter

Peter Kinghan  
Chartered Mineral Surveyor  
Chartered Geomatics Surveyor  
Registered Valuer (MSCSI MRICS)



Unit 3, Cedar Crescent, Cedar Park, Westport, Co. Mayo, F28 PN47.

Email: [pkinghan@QuarryConsulting.ie](mailto:pkinghan@QuarryConsulting.ie)  
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By E-Mail

24 June 2025

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1, D01 V902

via e-mail: [appeals@pleanala.ie](mailto:appeals@pleanala.ie)

Dear Board Secretary,

**RE: APPLICANT: COSHLA QUARRIES LTD.**

**COSHLA QUARRIES LTD., BARRETTSPARK, ATHENRY, CO. GALWAY**

**PLANNING AUTHORITY REF.: 2560220**

**AN BORD PLEANALA REF: ABP-322624-25**

We refer to your letter dated 28<sup>th</sup> May 2025 in relation to a third-party appeal lodged by Mr. Brendan Dowling ('the Appellant') dated 25<sup>th</sup> May 2025, in connection with the decision of Galway County Council to grant permission to our client, Coshla Quarries Ltd., for proposed quarry development at Barrettspark, Athenry, Co. Galway.

We wish to make the following submission in response to the content of this third-party appeal, on behalf of:

Coshla Quarries Ltd., Barrettspark, Athenry, Co. Galway, H65 EE33.

The Board will be aware that Mr Dowling has objected to previous applications relating to this quarry (see ABP-308549-20 file) raising, in essence, the same concerns on hydrogeology, traffic and EIA procedure that have already been examined by Galway County Council and by the Board itself. The present submission addresses the points now repeated, demonstrates that they are either factually inaccurate or already resolved, and confirms that the permission granted by the Planning Authority complies fully with planning policy, technical standards, the Water Pollution Act, Irish Regulation enacting the European Union's law governing Environmental Impact Assessment, The Water Framework Directive and enacted Irish Regulations associated: namely The Groundwater Regulations, The Surface Water Regulations and the Abstraction Regulations.

Before turning to the specific technical clarifications set out below, we wish to emphasise that every issue now raised by the appellant has already been answered in full within the planning file—namely:

- The Environmental Impact Assessment Report (EIAR, March 2025) and specifically the detail of the Water Chapter and its associated Appendices.
- The stand-alone Flood-Risk Assessment (Envirologic, February 2025), which is Appendix 8.9 of the EIAR.
- The stand-alone Geophysical Assessment at Coshla Quarries (Apex, 2024), which is Appendix 7-4 of the EIAR.
- The Safety Assessment of the R339/L-7109 junction (PMCE, December 2024).
- Hydro-G's technical response of 3rd of April 2025 to the third-party observation.

To avoid unnecessary duplication, we do not re-submit those documents here. For ease of reference, however, we highlight five key points that directly address the appellant's grounds of appeal:

1. Res judicata
2. Non-compliance with the EIA Directive
3. Water-table & Flood-Risk Concerns
4. Junction safety and traffic capacity confirmed
5. Agricultural Lime Plant

## POINT 1: RES JUDICATA

Grounds of appeal presented: *"This planning permission application (Galway County Council No: 25/60220) seeks to revisit what has already been decided by the Board. In effect the application appears to be res judicata as Coshla Quarry is seeking to have the same matter by the same parties adjudicated on for a second time in search of a different result; and where they did not challenge the legitimacy of the Board's past decision at that time, but this time present submissions relating to the environment that conflict with the previous submissions."*

Quarry Consulting Response:

- The Board granted permission in August 2023 (ref. ABP-308549-20) for a broadly similar development described for the purposes of assessment in somewhat different terms. The appellant did not judicially review this decision of the Board.
- In November 2023 the Board used the section 146A "clerical-error" power to tidy wording in Conditions 3 and 6.
- The appellant judicially reviewed that clerical error amendment order only. In *Dowling v ABP* [2024] IEHC 249 Mr. Justice Barrett quashed the section 146A order alone. The substantive 2023 permission still stands but now contains drafting anomalies on extraction depth and monitoring—anomalies the Board itself has acknowledged.

*Res judicata* only arises where *"the same cause of action, on the same facts, between the same parties, has already been finally determined by a court of competent jurisdiction"*.

The merits of permission ABP-308549-20 have never been before the courts; the appellant challenged only the

s.146A clerical order, which the High Court quashed for going beyond a “mechanical” correction. That judgment addressed the Board’s clerical-error power, not the development’s planning merits.

Since 2023 the quarry engaged a professional groundwater engineer / hydrogeologist with significant proven competency and experience in the groundwater environments at limestone quarries and this has resulted in additional boreholes, completion of geophysical surveys and interpretation by Karst experts. In addition, the Flood-Risk Assessment has been updated with information supplied by Consulting Engineers and OPW information for the landscape in the vicinity of the quarry. There are substantial “new facts” that the competent authority has now assessed afresh.

Accordingly, there is no possible suggestion of *res judicata* for matters which have not been before the court and which are technically of material difference.

## POINT 2: NON-COMPLIANCE WITH THE EIA DIRECTIVE

**GROUND OFS OF APPEAL PRESENTED: “THE EIAR FAILS TO COMPLY WITH THE EIA DIRECTIVE; HYDROLOGY, HYDRO-GEOLOGY AND TRAFFIC HAVE NOT BEEN PROPERLY ASSESSED.”**

### Full conformity with EU and Irish EIA law

Chapter 1 of the EIAR lists the qualified and experienced specialists who prepared each topic. Chapter 2 of the EIAR explains how each chapter follows Directive 2011/92/EU (as amended by 2014/52/EU), the Planning & Development Regulations 2001-2023 and the EPA 2022 “Guidelines on the Information to be Contained in EIARs.” All chapters of the EIAR were prepared by competent experts in line with the statutory and technical frameworks – refer to EIAR Chapter 1. The appellant cites no alternative guidance and provides no methodological critique. The blanket assertion of “non-compliance” is unsubstantiated and should be dismissed.

## POINT 3: WATER-TABLE & FLOOD-RISK CONCERNS: RESPONSE PREPARED BY HYDRO-G

**GROUND OFS OF APPEAL PRESENTED: ISSUES RELATING TO HYDROLOGY AND HYDROGEOLOGY HAVE NOT BEEN PROPERLY ASSESSED**

### Terminology – “water-table” versus “karst conduit”

The appeal dwells on the vocabulary used in Chapter 8 of the 2025 EIAR. Whether one labels the control level in a mature karst network a “water-table” or a “conduit elevation” is immaterial: the legally relevant test is *impact*. The updated hydro-geological assessment by Dr Pamela Bartley (Hydro-G), a noted karst specialist, establishes, on the basis of additional boreholes and a 2024 geophysics survey (completed by Dr. Yvonne



O'Connell, also a noted karst specialist), that the quarry floor at -5 m OD is > 12 m higher than the nearest mapped conduit horizon. There is direct and irrefutable evidence at the site by virtue of the volumes of water being managed and discharged from the quarry, under Section 4 Licence. The evidence proves that the site is not operating below the 'water table' because the volumes of water being managed are too small to represent a saturated groundwater system. There is a flow meter on the waters being discharged. The data and the evidence speak for themselves. Whilst some days there is zero discharge, when there has been no rainfall, the average discharge volume is 132m<sup>3</sup>/d when calculated over the last five years or 180m<sup>3</sup>/d when averaged over the last 4 years. All discharges are piped via the sump-settlement-lagoon system and are regulated under Galway County Council Section 4 Licence W/469/13. A site-specific Flood-Risk Assessment (EIAR Appendix 8-9) confirms that even the November 2009 pluvial event could be fully retained on the floor of the quarry without risk to any receptor. Thus, the semantic debate advanced by the appellant has no bearing on the matter before us: EIA, environmental effect or impact.

The Water Chapter of the 2025 EIAR presents significant information for the Board's considerations. The overarching collation of all relevant information was presented in the Section Heading 'Conceptual Understanding of the Site, the Proposed Development and Interactions' of the Water Chapter and associated paragraphs numbered 8.185 to 8.199.

- Paragraph number 8.191 stated that *"With respect to hydrogeology, the site is mapped as part of a limestone body that is a Regionally Important Karst (conduit) Aquifer. The macro scale environment in which the quarry sits is conceptualised by hydrogeologists as a subterranean world of karst caves and conduits and very large underground flow rates. Perception would be that this is a high-risk location with respect to encountering conduits. However, the existing excavation of rock to -5m OD has not intercepted a groundwater flow system. There is no evidence of a groundwater flow system in the excavated open area of rock walls of the void."* and
- Paragraph number 8.192 stated that *"The fact that the quarry is able to operate in this hydrogeological environment is because the quarry has and would intend to continue excavating to an elevation of -5mOD, whereas the groundwater flow system in the conduits is well documented within and outside the site as operating at elevations ranging from c.-10m OD to c.-30m OD. The quarry is therefore operating above the groundwater flow system, and this is the correct terminology for groundwater in conduit karst aquifers: There is no 'Water Table' in this type of hydrogeological setting because karst limestone in the west of Ireland has no contiguous saturated pore space. There is no primary porosity in this type of limestone and the*



*very low measured discharge rates are testament to this. The site has discharged an average of c.180m<sup>3</sup>/d in the last four years, which is a volume entirely relatable to rainfall runoff."*

The applicant engaged Dr. Pamela Bartley specifically because of contention as to whether a 'Water Table' exists in this landscape. Dr. Bartley is a Karst specialist with a PhD from Trinity College Dublin in which she specifically assessed groundwater responses in Irish karst limestone environments. She was awarded the Ph.D on the basis that she had contributed novel understanding to the advancement of scientific understanding of her subject: groundwater in karst limestone. In the last 20 years, Pamela has developed a particular skillset with respect to the extractive industry and is considered an EIA specialist with discharge licensing competency in the context of the Water Pollution Act, enacted Irish Regulation and EU Directives. She has completed impact assessments and assisted in successful permission attainment for many regionally important quarries in SAC settings. Pamela's quarry assessments, successful EIARs gaining planning and associated Section 4 Discharge Licences include, as follows:

- a) Bennettsbridge Limestone, Co. Kilkenny consent to continue at an existing site following previous refusals at Board level and successful review update of the Section 4 Discharge Licence (ENV/W/78, 2017) permitting a range of 22,000m<sup>3</sup>/d as the annual mean with a maximum of 70,000m<sup>3</sup>/d. The discharge is to the River Nore. The large range is because it is a diffuse karst aquifer and during high rainfall there is a large volume of water on the floor delivered through the epikarst of the walls of the excavated quarry.
- b) Mc Grath Limestone Works Ltd, Cong, Co. Galway (W391/05\_R1, 2019) permitting a discharge of 10,000m<sup>3</sup>/d to the Cong Canal upstream of Lough Corrib (SAC, SPA, proposed NHA & Public Water Supply for Galway City and environs).
- c) Churchill Stone Ltd. (Cassidys), Keeloges, Churchill, Letterkenny, Co. Donegal. Section 4 Discharge (Lwat65) permitting discharge of 950 m<sup>3</sup>/d to a headwater and upstream of the commencement of mapping for a Pearl Mussel River.
- d) Harrington Concrete and Quarries, Ardgaheen, Co. Galway (W\_502\_22) permitting a discharge of 1,435m<sup>3</sup>/d to a grassed vegetation area, following an oil interceptor, and subsequent discharge to groundwater *via* a Nature Based System in a conduit karst aquifer in a Hydrometric Area of Lough Corrib SAC and SPA.
- e) MC Group, Castleisland (W214), Co. Kerry, permitting a discharge of 540m<sup>3</sup>/d to surface water.

Each of these quarries operates within SAC catchments or in proximity to NHA Bogs and they have successfully managed their discharge, under licence, for many years. The significance of this is that Dr. Bartley understands how to read a quarry from the evidence, or not, of water ingress in the walls of the excavation and the size of

the sump, its pump(s) and the diameter of the pipework leading from it. Dr. Bartley understands the scale of water requiring management when one is managing both groundwater ingress and rainwater falling on a quarry. She has categorically asserted, on the basis of being an expert and on the basis of observations and mathematical evidence for the site, that Coshla Quarries is managing rainwater only and therefore is not operating below a 'water table'. The appellant relies on conclusions reached by earlier assessors, but Dr. Bartley's updated hydro-geological analysis shows that those earlier determinations were based on a misinterpretation of the underlying data. On the basis of site observations documented by Dr. Bartley, the information of specific note includes, as follows:

1. The quarry floor is dry on most occasions except when it is called for to attenuate extreme rainfall events, which is a stated Mitigation Measure. It is interesting to note that there are markings on the small heaps of stone on the floor that would suggest that the floor floods with heavy rainfall and that the rain requires pumping to create a dry working area: the rain does not percolate through the floor because it is competent hard limestone.
2. The site's sump and settlement tank are small. However, the water in the settlement tank is crystal clear, which suggests that the small sump is able to attenuate the waters allowing solids to settle out. A big tank is not required because the volumes of water that the site is managing are relatively small.
3. The 2020 EIAR presented historic flow meter readings and the following points are noteworthy,
  - a. The 2020 EIAR reported that the site manages to keep the floor dry by discharging 146 m<sup>3</sup>/d.
  - b. The 2020 EIAR used data from January 2019 to January 2020 to determine the 146 m<sup>3</sup>/d average value.
  - c. For the size of the excavation, a volume of 146m<sup>3</sup>/d CANNOT be groundwater because it is too small a value. In a karst conduit setting a value of 146m<sup>3</sup>/d can only be rainfall derived. The infrastructure at the site confirms this.
  - d. When Hydro-G considers the Flow Meter reading on a June 2024 site visit, relative to 2018, the discharge value is 87.9 m<sup>3</sup>/d, on average. This is because rainfall must be the main cause of the discharge and in the summer there is no discharge at all. This is normal and concurs with the experience at all limestone quarries.

With respect to the 2020 EIAR's contentious statement in the EIAR: IS THE QUARRY OPERATING BELOW THE WATER TABLE? The confident answer is NO: the site is not operating below the water table. One might ask how this can be confidently asserted. The answer is confidently supported by facts, as follows:

- A. There is no evidence of any conduits or contiguous groundwater transmission zones in any of the exposed walls of the quarry void. The Board is reminded that the applicant does not propose to go any

deeper than the current floor level and therefore all walls of the existing void provide all relevant evidence that there is no groundwater ingress to the site. If there is no groundwater then there is no potential for a 'water table'. There is one small area of one wall in which there is evidence of recent shallow rainwater ingress at a short depth below natural ground level and this is entirely common in the epikarst zone of the subsoil bedrock interface.

- B. A site's sump and its pump never lie. The sump is so small, and the pump is small. IF the site were operating below the "water table", then there would be significantly larger infrastructure required to keep the floor workable.
- C. The site's flow meter data, as stated in the 2020 EIAR, measures 142 m<sup>3</sup>/d as the discharge.
- D. The site's meteorologically based water balance, using values presented in Chapter 7 of the 2020 EIAR, suggests as follows:
  - a. That the site runoff volumes could amount to an average value of 183 m<sup>3</sup>/d
  - b. That the site's "groundwater recharge" component could be 333 m<sup>3</sup>/d.
  - c. The combined value for runoff and groundwater recharge arisings would be 515 m<sup>3</sup>/d IF groundwater was a component. Groundwater is NOT a component because the site discharges only 142 m<sup>3</sup>/d under the Section 4 Discharge Licence.
  - d. The Section 4 Discharge Licence issued by Galway County Council (W/469/13 is dated August 2013 and is therefore justified and current in the context of the Water Framework Directive's transposition into Irish Statutory Instruments entitled The Surface Water Regulations (2009, as amended) and The Groundwater Regulations (2010, as amended).

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

*"Based on the groundwater level monitoring, the quarry is operating below the groundwater table (refer to the current bench levels on Figure 7.6). More specifically it is operating below the potentiometric groundwater level of the fractures below the quarry. However, due to the competent, low permeability nature of the limestone in which the quarry is operating, there are no significant groundwater inflows from the underlying fracture network through the base or sides of the quarry."*

Hydro-G's confident and factual conclusion is that it is entirely incorrect to assign a water table concept to a karst conduit groundwater system and a limestone quarry that presents dry walls. The quarry is not operating below the 'groundwater table' and this fact is supported by extensive site investigations for the 2025 EIAR in addition to data available in 2020.

Based on the dry void, small discharge volumes, small sump and small scale of infrastructure at the sump, the quarry is not operating below the groundwater table. It is true that the quarry's bench floors are below the potentiometric groundwater level in the site's perimeter boreholes but that is because the water levels in the bored holes represent the water pressure in the groundwater conduit fractures at significant depth below the quarry floor. The groundwater conduit flow system is documented in BH Logs, and as summarised in Table 7-2(a) of the Land, Soils and Geology Chapter of the 2025 EIAR. The elevation of the groundwater flow system's conduits ranged from minus 29m OD to minus 79m OD: it was those four perimeter BHs that were used by the assessors in the previous EIAR. The potentiometric (pressure head) will of course be high when the water strike is so far below the site's minus 5m OD current and future proposed floor level. This is why the previous assessors stated: "More Specifically, it is below the potentiometric head.....". As detailed in Section 7.79 of the 2025 EIAR: "On the periphery of the overall site, the first shallow groundwater inflows at locations BH1 to BH5 occurred at elevations of -13.98, -10.98, -29.43, -8.89 and -21.85 mOD respectively. However, each BH had to progress deeper to obtain any real groundwater strike and in no case were significant karst conduit water flows encountered". The lowest floor's elevation at the site is minus 5m OD. Due to the competent, low permeability, nature of the limestone in which the quarry is operating there are no groundwater inflows through the base or sides of the quarry. Therefore, the quarry is operating above the groundwater conduit flow system. The concept of 'water table' does not apply to karst conduit limestone bedrock. There is no water table in the actual bedrock. There is a water LEVEL (pressure head or potentiometric groundwater level) in the bored holes because they target a deep conduit system that uses the bored hole as a pressure release mechanism, pushing water from the conduits up towards the atmosphere. There is no groundwater in the quarry excavation. This hydrogeological understanding of the site is borne out by the operational evidence at the site because of the following:

1. There is a very small floor sump that is serviced by a small pump.
2. The quarry can keep itself dry by pumping an average of 142 m<sup>3</sup>/d (EIAR, 2020), or <100 m<sup>3</sup>/d (2018 - 2024 average) or <200m<sup>3</sup>/d for the last 4 year's average, under a justified and demonstrably compliant Section 4 Discharge Licence (All three averages are rainfall-driven variations; none approaches the legally permitted and universally complied with Section 4 Emission Limit Licence value for volume of 360 m<sup>3</sup>/d ELV).
3. The volumes of water pumped correlate most closely with met station values for rainfall created site surface water runoff.
4. If the site were indeed "operating below the water table" then the floor would be permanently flooded because the site's discharge licence (W/469/13) permits a maximum volumetric Emission Limit Values (ELV) of only 360 m<sup>3</sup>/d to groundwater *via* a percolation lagoon. A



volume of 360m<sup>3</sup>/d does not present an allocation for a groundwater component to the discharge.

5. The Site's Long Term Monitoring Data are detailed in a specific heading of the 2025 Water Chapter: paragraphs numbered 8.178 to 8.180. In relation to 'Discharge Volumes' specifically, paragraph 8.180 of this applications EIAR stated, as follows:

- Discharge varies throughout the year according to rainfall. Values of zero (0m<sup>3</sup>/d) are observed for some days in dry months.
- The 2020 EIAR used data from January 2019 to January 2020 to determine the 146 m<sup>3</sup>/d average value. As previously outlined in the Desk Study, for the size of the excavation the volume of 146m<sup>3</sup>/d is entirely relatable to rainfall runoff. The sump and pump and settlement infrastructure at the site confirms this.
- In June 2024, the water meter reading relative to the reported 2019 reading suggested a long-term average value of 87.9 m<sup>3</sup>/d. This is because there are days with no discharge.
- Flow Meter readings, as tabulated in Appendix 8.11, demonstrate that the site's discharge volumes range from 1 to 286 m<sup>3</sup>/d. The average discharge over the last five years is calculated to be 132 m<sup>3</sup>/d.
- Again, it is reiterated that for a 27.5 ha quarry, the volumes discharged are entirely relatable to rainfall runoff.
- The discharge volume values are compliant with the Conditions of the Section 4 Licence.

The information presented for the site is not merely opinion or interpretation, it is fact. The walls of the quarry are solid and competent. The Board is referred to Plates 7-1a to 7-1d of the Lands, Soils and Geology Chapter: the walls of this quarry are dry in the context of 'water table'. There are very small zones of epikarst subsoil – bedrock interface waters ingressing but they have been quantified, by virtue of the measured and reported discharge volumes, and they are rainfall related.

### Flooding

Unlike earlier objections, the current appeal does not allege a flood-risk problem. That omission is unsurprising: the Flood Risk Assessment documents submitted with the application showing the 2009 ponding pre-dated today's lagoon controls and how a 1-in-100-year depth-duration storm would remain entirely onsite. No new evidence contradicts that finding. As previously outlined, the site-specific stand-alone Flood-Risk Assessment (Envirologic, January 2025) was presented as Appendix 8.9 of the EIAR.

### Private domestic well

The appeal refers to the Dowling family supply well (c. 800 m north-east of the working face) but provides no evidence of any negative impacts in terms of declining yield, draw-down or water-quality deterioration over the quarry's two-decade history. The Water Chapter of the 2025 EIAR demonstrated no potential for impact in a detailed fashion.

### Yield / draw-down

Extensive site investigations completed in 2024, which included observations of the quarry walls in many seasons, a comprehensive geophysical assessment (Apex, 2024, Appendix 7-4 of the EIAR) and boreholes drilled to elevations of minus 27 m OD, under the field supervision of a specialist karst hydrogeologist, confirmed that no active karst conduits intersect the working floor. In addition, the matrix hydraulic conductivity was measured and analysed in a stand-alone report (Appendix 7-5, Bedrock Permeability, Envirologic, 2025) and reported it is in the  $10^{-8}$  to  $10^{-10}$  m/s range: these results suggest a functionally impermeable bedrock in the application area. Draw-down, in the classical porous-media sense, is therefore not a meaningful concept here. Routine level readings in the four perimeter monitor wells, as measured routinely by an independent laboratory and reported in the Certificates of Analysis, show no downward trend since quarrying began.

A simple groundwater balance gives the same result: even if every drop collected in the quarry sump (average  $132 \text{ m}^3 \text{ d}^{-1}$  rainfall runoff) were treated as 'abstraction', it equates to < 0.08 % of the natural recharge to the Clarinbridge Ground-Water Body—an order of magnitude below the EPA GW5 "No potential impact" benchmark of  $\leq 1$  %. The existing discharge is easily related to rainfall and stormwater collection for the developed area and is, therefore, not related to groundwater in distant water abstraction wells that target the deeper groundwater conduit system.

Crucially, the current application does not propose to deepen the excavation below the existing and permitted -5 m OD floor; it only proposes to widen relatively small lateral portions across already-stripped ground and within the original footprint of the site. All blast limits, settlement-lagoon capacity, Section 4 discharge controls and monitoring frequencies remain exactly as set by Galway County Council.

In summary, the appeal advances multiple grounds that lack supporting evidence and stand in direct contrast to the substantial expert data already before the Board. The 2025 EIAR demonstrates that groundwater, flooding and private-well protection have been fully assessed by suitably qualified experts of national repute; measured and modelled impacts have been shown to be negligible.

Accordingly, there is no credible hydro-geological pathway for the proposed lateral extension to impair the Dowling well or any other wells because the groundwater system and the entire landscape has been documented and assessed. There is significant information for the area in multiple records on the Geological Survey of Ireland's well database and all that information is available to the public and the Board. Hydro-G presented the information and detailed a reasoned and expert assessment of No Potential for Impact. The EPA Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ) (2021) stipulates separation distances between domestic wells and on-site domestic wastewater treatment systems (DWWTS). Table 6.2 of EPA (2021) specifies the Minimum separation distances from the entire DWWTS and it is clearly set out in the legal Code of Practice that the separation distance required between a well on site and the DWWTS is 25m. This distance has been specified by the EPA because for the relatively small usage by a domestic residence, and the amount of rainfall falling and replenishing the groundwater system, the Zone of Contribution to a domestic well is not more than 25m radius from the well. As stated, the 3<sup>rd</sup> party appellant's (Mr. Dowling's) well is significantly remote from the quarry at c. 800 m north-east of the working face. Again, Dr. Pamela Bartley addressed this issue of potential impacts comprehensively in the Water Chapter (Chapter 8 paragraphs 8.136 to 8.141).

The facts of the environment and the information presented in the EIAR are complete, accurate and supported by significant evidence arising from long term monitoring and thorough site investigation. The Environmental Impact Assessment presented in the Water Chapter of the EIAR used information and assessment by three professionals:

- Dr. Pamela Bartley (karst quarry expert hydrogeologist),
- Dr. Yvonne O'Connell (Apex Geoservices expert karst geophysicist) and
- Dr. Colin O'Reilly (expert hydrologist, hydrogeologist and flood risk assessor).

The Environmental Impact Assessment information presented, in the 2025 EIAR for PL 2560220, to Galway County Council for their evaluation was complete, supported by factual evidence and adheres to EU, EPA and Department Guidance. Galway County Council agreed and granted permission because the quarry does not pose a flood risk to any receptors — on site or in the surrounding landscape — and continues to operate in full compliance with its discharge licence and the relevant enacted provisions of the Water Framework Directive.

The information presented in the EIAR provides detailed information and mathematical calculations for any Competent Authority in relation to demonstrated compliance with the Qualitative and Quantitative Obligations of the Water Framework Directive's Groundwater Regulations and, by virtue of the fact that



groundwater supports surface water, the demonstrated compliance with the objectives of the Groundwater Regulations also demonstrates compliance with the Surface Water Regulations.

Relevant information is clearly presented in the EIAR's Table 8.7 detailing potential qualitative impact arising from the use of explosives (page 42 of the Water Chapter) and Table 8.8 detailing potential quantitative impact of the waters arising at the site and the WFD Groundwater Body Scale (page 43 of the Water Chapter). Specific call outs relating to no potential for impact were presented in the EIAR, as follows:

- With reference to the mathematical evidence shown in Table 8.7 (page 42 of the Water Chapter of the 2025 EIAR), Section 8.230 of the Water Chapter presented that *"Overall, the residual concentrations meet the requirements of the Threshold Values (TVs) of the Groundwater Regulations (2010), which prescribe TVs of 37.5 mg/l of NO<sub>3</sub>; 65 to 175 ug/l as Ammonium and 375 ug/l as Nitrite. Therefore, the residuals calculated for all N Species are a fraction of the TVs defined in the Groundwater Regulations. The calculated masses are lower than the concentrations in the site's quarterly discharge monitoring, which are currently 6 to 13 mg/l NO<sub>3</sub>. There is no expected exceedance for Regulatory Threshold Values specified in the Groundwater Regulations (2010, as amended). Neither are exceedances predicted for the ultimate receiving environment of the site's discharge to groundwater, which is Galway Bay. The calculated residual for Ammonia is compliant, in itself, with the Environmental Quality Objective specified in the Surface Water Regulations (2009, as amended)."*
- With reference to the mathematical evidence shown in Table 8.7 (page 42 of the Water Chapter of the 2025 EIAR), Section 8.231 presented that *"The risk of impact to local and regional water quality arising from the use of explosives at the site is therefore negligible. These calculations are based on PEAK abstraction rates and no risk is determined"*.

On a Quantitative basis, the calculations presented in Table 8.8 (page 43 of the Water Chapter), the final sentence of 8.237 stated factually that the waters arising and managed by the site presented 'No Potential for Impact' when using the classification rating of the WFD Working Group Guidance GW5 (2004b).

The standalone Water Framework Directive Report submitted with the application documents demonstrated compliance with the Objectives of the Water Framework Directive.

The submitted EIAR, planning application, and associated technical documentation clearly and thoroughly demonstrate this through extensive data, assessment, and adherence to national and EU regulatory requirements.

## POINT 4: JUNCTION SAFETY AND TRAFFIC CAPACITY CONFIRMED

*GROUND'S OF APPEAL PRESENTED: THE TRAFFIC HAZARD PRESENT AT THE PRIORITY ACCESS JUNCTION HAS NOT BEEN RECOGNISED IN THE EIAR.*

### Response

#### 1. DM Standard 28

DM Standard 28 obliges an applicant to demonstrate compliant sight-lines only when a *new* vehicular entrance is being created. The present proposal does not create or modify any entrance: it continues to use the quarry's long-established access onto the L 7109. Therefore, DM 28 is not triggered. For completeness, the Applicant nevertheless commissioned:

- a full Traffic & Transport Assessment (PMCE, 2025), and
- an independent Road-Safety Assessment of both the quarry access and the L 7109 / R 339 junction (TII-approved auditor).

#### 2. Unreliable third-party Drawing

*"Layout Plan for Cashla Junction"* (submitted by David Courtney & Associates) is not a traffic-engineering survey. We note the following in relation to the drawing:

- a. Prepared by a general planning consultancy, not a qualified traffic engineer.
- b. Based on Ordnance Survey base-mapping, which shows historic boundary lines rather than current carriageway edges.
- c. Western sight-line is measured from a recessed domestic entrance, artificially shortening visibility; the eastern line follows a boundary, not the running lane.
- d. Cites "DM Standard 19" for sight-lines – a standard that contains no visibility criteria.

#### 3. Professional analyses before the Board

*Traffic & Transport Assessment* (TTA) and *Road-Safety Assessment* were prepared by PMCE who specialise in Road Design & Planning, Road Safety Engineering, and Traffic Assessment

- a. TTA (EIAR Chap. 13) – Shows imperceptible impact on link and junction capacity; RFCs  $\leq 0.60$  in 2040.

- b. Road Safety Assessment (Dec 2024) – Conducted by Mr Mazen Al Hosni, TII-approved Auditor (Ref. MA3409511); recommends low-cost edge-lines / studs and routine vegetation trimming. Execution rests with Galway County Council as road authority.  
Both studies follow DN-GEO-03060 (*Geometric Design of Junctions*), the 2014 TTA Guidelines and GE-STY-01024 (*Road-Safety Audit*).
4. Precedent – ABP-308549-20
  - a. The Board granted permission in 2023 for identical HGV flows through the same junction with no traffic conditions beyond standard ones. The current analyses reach the same conclusion. The board is respectfully requested to confirm its previous decision.

In summary, the appellant's drawing misrepresents junction geometry, mis-quotes the Development Plan and is unsupported by expert evidence. Conversely, the applicant's TTA and Road Safety Assessment—prepared by qualified specialists using recognised standards—demonstrate that:

- The L 7109 and R 339 junctions will continue to operate comfortably within capacity.
- Only minor road-marking and maintenance measures are advisable.

No counter-modelling, expert evidence or new data is offered by the appellant; the traffic objection is therefore without merit and should be dismissed.

## POINT 5: AGRICULTURAL LIME PLANT

**GROUND OF APPEAL PRESENTED: THE AGRICULTURAL LIME PROCESSING PLANT ERECTED WITHOUT PERMISSION IS NOT INCLUDED IN THE EIAR – ITS EFFECTS ON THE ENVIRONMENT HAVE NOT BEEN ASSESSED.**

Quarry Consulting Response:

Agricultural lime is also known as ground limestone and has a granulometry of 3mm – 0; it is produced by the further crushing down (re-sizing) of standard quarry dust. As an operation, it is specific to pure limestone quarries and is generally offered as a product to the agricultural sector from all limestone quarries with suitable resource (high calcium carbonate content). In this case, the rock at Coshla Quarries is imminently suitable for this purpose. A mobile crusher/screen assembly was installed as a short-term pilot project to test stone suitability for ground limestone; the trial was a matter of running a small quantity of stone through this mobile assembly and evaluating the results (just hours of actual operation of the processing assembly). The assembly was then de-commissioned and dismantled. No agricultural lime product was sold from the site as only pilot study quantities were produced.

It should be noted that the process assembly in this case was substantially identical to existing crushing and ancillary plant within the quarry void. All plant was enclosed within a temporary surround which clearly was not of the nature of a permanent structure; a soft environmental cover was available in case of inclement weather during use due to the fine nature of the material being produced which must be kept dry.

It is submitted that the temporary and exceedingly brief use of this assembly was not material in planning terms and, in any event, also met the requirements of planning legislation for exempted development. In particular, the nature of the temporary plant including temporary surround and associated use complied with the exemption provisions of the Planning & Development Regulations 2001, as amended, Schedule 2 Part 1 Class 16 and/or Class 21(a)(iii), and/or the Planning & Development Act 2000, as amended, Section 4(1)(h).

In relation to the likely future permanent setup of this mobile assembly and its contribution to potential environmental cumulative impact, the temporary unit was already subsumed in EIAR 2025, Chapter 3 under the description of *mobile crushing/screening plant operating within the quarry void*; accordingly its environmental effects were fully assessed within the generic mobile-plant envelope and require no separate treatment. All fuel handling was within the quarry void, under the same spill-kit / interceptor regime described in the EIAR. No environmental risk arose and no separate consent is required.

Accordingly, the appellant's concern relates to a temporary, now-absent installation that generated no measurable discharge and falls under existing pollution-control infrastructure. No planning or environmental non-compliance arises.

## CONCLUSIONS

The appeal offers no new data, no technical analysis and no professional affidavit to rebut the comprehensive evidence already before the Board. By contrast, the application is supported by:

- a fully compliant EIAR, prepared and peer-reviewed by recognised experts in accordance with the EIA Directive and EPA (2022) guidelines;
- updated hydrogeological investigations (2024 boreholes, geophysics and FRA) confirming zero risk to groundwater, private wells or flooding receptors;
- a Traffic & Transport Assessment and independent Road-Safety Assessment—both prepared to TII standards—demonstrating ample link and junction capacity and recommending only minor road-marking improvements; and

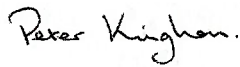
Client: Coshla Quarries Ltd.  
Project: RESPONSE TO THIRD PARTY APPEAL, DATED 25<sup>th</sup> May 2025  
AN BORD PLEANALA REF: ABP-322624-25

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- un-refuted evidence that the quarry continues to operate entirely within its Section 4 discharge licence.

In short, the objections are unsubstantiated; the development accords with the Galway County Development Plan 2022-2028, Section 28 Guidelines and all relevant national and EU law. We therefore respectfully request that An Bord Pleanála uphold Galway County Council's decision and grant permission subject to the conditions already imposed.

Yours Faithfully,



Peter Kinghan  
Chartered Mineral Surveyor  
Quarry Consulting

Cc. Mr. Martin Collins (Coshla Quarries Ltd.)