

File With _____

Appeal NO: ABP 322793-25Defer Re O/H ☐

TO: SEO

Having considered the contents of the submission dated/received 17/07/25
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 new material informationE.O.: Dump for allDate: 22/07/25**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 FORMAppeal No: ABP 322793-25

M _____

Please treat correspondence received on 17/07/25 as follows:

- | | |
|--|--|
| 1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP <u>25</u>
3. Keep copy of Board's Letter <input type="checkbox"/> | 1. RETURN TO SENDER with BP _____
2. Keep Envelope: <input type="checkbox"/>
3. Keep Copy of Board's letter <input type="checkbox"/> |
|--|--|

Amendments/Comments

SBI response from applicant**4. Attach to file**

- | | |
|---|---|
| (a) R/S <input type="checkbox"/> | (d) Screening <input type="checkbox"/> |
| (b) GIS Processing <input type="checkbox"/> | (e) Inspectorate <input type="checkbox"/> |
| (c) Processing <input type="checkbox"/> | |

RETURN TO EO ☒Diana Wtall

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Diana Wtall</u>	AA: <u>Laoise Foley</u>
Date: <u>22/07/25</u>	Date: <u>24/07/25</u>

James Sweeney

From: Tim Paul <tpaul@slrconsulting.com>
Sent: Thursday 17 July 2025 13:56
To: Appeals2
Subject: ACP Case No. ACP-322793-25: Roadstone Limited - Development at Cappagh Quarry, Dungarvan, Co. Waterford: Submission in Respect of Proposed Blasting Condition
Attachments: Roadstone Submission Cappagh Quarry Case No. ACP- 322793-25 Rev0.pdf

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.

Further to your letter dated 30 June last in relation to the above, please find attached a submission from Roadstone Limited in respect of the review being undertaken by An Coimisiún Pleanála ("ACP") of the earlier decision by An Bord Pleanála to impose a restriction on the number of rock blasts permitted annually at the approved extension to Cappagh Quarry, near Dungarvan, Co. Waterford.

Please confirm receipt of this submission.

Yours sincerely,

Tim Paul.

Tim Paul

Regional Business Lead – Ireland - Environment & Social Impact Assessment

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17 July 2025

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

By E-Mail

SLR Ref.: 501.V00180.00264

ACP Case No.: ACP-322793-25

Dear Sir / Madam

**RE: Roadstone Limited : Development at Cappagh Quarry, Ballykenedy,
Kilgreany and Canty Townlands, Dungarvan, Co. Waterford
Submission in Respect of Proposed Blasting Condition**

Introduction

Further to your letter dated 30 June last, please find below submission from Roadstone Limited in respect of the review being undertaken by An Coimisiún Pleanála ("ACP") of an earlier decision by An Bord Pleanála ("ABP") to impose a restriction on the number of rock blasts permitted annually at the approved extension to Cappagh Quarry, near Dungarvan, Co. Waterford (Case Ref. ABP-313939-22 (the "Grant")).

Roadstone is the largest supplier of construction aggregates to the Irish construction industry and has in excess of 80 years of experience in developing and operating quarries across Ireland. Its submission focuses on the following points

- (i) Why there is no requirement for such a restriction / condition in the first instance and
- (ii) Without prejudice to this position, the nature of any such restrictions which should be applied by such a condition in the event ACP is of the view that such restriction is necessary, lawful and appropriate.

Each of these aspects are addressed in turn below.

No Requirement for Restrictions on Annual Number of Blasts

At the present time, the two key reference documents which provide guidance on the control of quarry development in Ireland are

- (i) *Quarries and Ancillary Activities – Guidelines for Planning Authorities* published by the Department of the Environment, Heritage and Local Government ("DoEHLG") in April 2004; and
 - (ii) *Environmental Management Guidelines - Environmental Management in the Extractive Industry (Non-Scheduled Minerals)* published by the Environmental Protection Agency ("EPA") in 2006.
- (the "Guidelines").

Neither of these documents recommend any limit on the number of blasts.



Do EHLG Guidelines

The DoEHLG (2004) Guidelines set out possible planning conditions for quarry developments in Section 4.7 where it prefaces the suggested conditions as follows:

*The following list of suggested planning conditions is offered for the guidance only of planning authorities; the particular circumstances of each proposed development will need to be carefully considered in deciding the appropriate drafting of a condition. Certain basic criteria apply to all planning conditions, i.e. **conditions should be necessary**, relevant to planning, relevant to the proposed development, precise, enforceable and reasonable [emphasis added]*

Section 4.7 (d) of the DoEHLG guidelines specifically addresses the control of rock blasting and states the following:

Nearby residents (e.g. within 500 metres) need to be given advance notice when blasting operations are due to take place, which should only be carried out between 09.00 and 18.00 hours, Monday to Friday (except in emergencies or for health and safety reasons beyond the control of the developer). Similarly, such residents should be given the "all clear" signal by means of sirens or other agreed measures when blasting has been completed.

The EPA recommends that to avoid any risk of damage to properties in the vicinity of a quarry, the vibration levels from blasting should not exceed a peak particle velocity of 12 millimetres per second as measured at a receiving location when blasting occurs at a frequency of once per week or less. In the rare event of more frequent blasting, the peak particle velocity should not exceed 8 millimetres per second. The nature of the underlying rock can influence the way blast vibrations are transmitted through the ground to locations outside the site, so it is important that such information (including predicted vibration levels in adjacent noise-sensitive receptors) be submitted with the planning application where relevant.

Blast noise is characterised by containing a large proportion of its energy within a frequency that is below the normal hearing range and is therefore termed "air overpressure." The EPA recommends that blasting should not give rise to air overpressure values at the nearest occupied dwelling in excess of 125 dB(Lin) max. peak with a 95% confidence limit.

The developer should carry out blast monitoring (groundborne vibration and air overpressure) for each blast. The monitoring locations should be as agreed within the planning authority and shall be established prior to the commencement of blasting. The results should be reported to the planning authority on a regular agreed basis. Groundborne vibration levels measured at the nearest occupied dwelling should not exceed the specified limit values. 95% of all air overpressure levels measured at the nearest occupied dwelling shall conform to the specified limit value. No individual air overpressure value should exceed the limit value by more than 5 dB(Lin).

EPA Guidelines

The 2006 EPA Guidelines recognise that efficient blasting requires as much of the explosive energy as possible be utilised for fragmentation of rock, and by implication, any energy which is dissipated by way of either ground borne vibration or air overpressure results in less efficient blasting (less rock fragmentation) and use of explosive energy.

The guidelines recommend a suite of measures to reduce the effects of blasting as follows:

- Optimise blast design
- Monitor blasts and revise blast design, as required
- Limit ground-borne vibration and minimise air overpressure by:



- *Taking care in unusual situations, e.g. corners*
- *Including geological considerations in blast design*
- *Minimising air overpressure through proper blast design, avoiding detonation of large unconfined charges, and by consideration of atmospheric conditions before blasting;*
- *A blast must be carried out on a specified day as concerns over security do not allow for explosives to be stored on site. In exceptional or unforeseen circumstances (e.g. late delivery, security, meteorological conditions, etc.), a blast may be delayed or brought forward. Where possible the operator should endeavour to inform the public of the revised blasting timetable*
- *Adequate stemming of holes*
- *Ensure the correct blasting ratio is obtained. The blasting ratio is a measure of the amount of work per unit volume of explosives (i.e. tonnes/kg);*
- *Notify nearest residences prior to the blast.*

The EPA guidelines also recognise that air overpressure values generated by blasting activities can fluctuate depending on weather conditions, a factor outside the control of quarry operators, and consequently recommend that a 95% confidence limit be applied when setting emission limit values (ELVs) for air overpressure.

As was noted in the DoEHLG guidelines referred to above, the EPA recommends that the following vibration and air overpressure ELVs be adopted and applied at the nearest vibration and air overpressure sensitive location (e.g. a residential property):

- *Groundborne vibration : Peak particle velocity = 12mm/sec measured in any of the three mutual orthogonal directions at the receiving location (for vibration with a frequency of less than 40 Hz)*
- *Air overpressure: 125dB (linear maximum peak value) with a 95% confidence level*
- *Normal hours of blasting should be defined (e.g. 09.00 – 18.00 hr Monday to Friday) and provision should be included to permit blasting outside these hours for emergency or safety reasons beyond the control of the quarry operator.*

The EPA guidelines also recommend that quarry operators provide advance notification of blasting to nearby residents through use of written notes, signage at site entrance, telephone, or warning sirens (or a combination of these methods).

Approach adopted by the Guidelines

It will be noted that in the Guidelines referenced above, neither the DoEHLG nor EPA identify any requirement for restrictions to be placed on the number of permitted blasts which can be carried out annually at quarry locations.

The only reference in the DoEHLG guidelines to frequency of blasting is in its recommended emission limit values for groundborne vibration (refer above). The guidelines envisage that the following limit values should be applied:

- *Blasting frequency once per week or less: groundborne vibration limit value of 12 mm/sec peak particle velocity measured at the nearest occupied dwelling.*
- *Blasting frequency more than once per week: groundborne vibration limit value of 8mm/sec peak particle velocity measured at the nearest occupied dwelling.*

Both the DoEHLG and the EPA recognise and accept that the impacts of quarry blasting should be consistently and safely managed through the application of controls on vibration and air overpressure and through effective advance communication around the timing of blasts.

Both bodies appropriately leave it to quarry operators to establish the appropriate number, size and frequency of rock blasts required to optimise extraction efficiency while also



complying with prescribed ELVs. This approach effectively recognises that a competent and commercially astute quarry operator will optimise its blast design to minimise the number of blasts undertaken and maximise rock fragmentation while minimising inefficiencies associated with the dissipation of blast energy through groundborne vibration and air overpressure of any blasts undertaken.

An essential criteria of any lawful planning condition is that it must be necessary. Applying the published Guidelines to the imposition of planning conditions in this context, achieves this requirement by not unnecessarily limiting or restricting operational flexibility which will on occasion be required to address site-specific circumstances which may arise on account of local geology (including limited or reduced overburden depth or changes in the nature, spacing and orientation of rock discontinuities), greater proximity to potentially sensitive receptors and alterations to the geometric configuration and layout of quarry workings (e.g. tidying up or removing smaller areas), each of which might necessitate a greater number of smaller blasts.

This approach to planning control of blasting activities at quarries in Ireland is tried and tested.

Provision for Additional Controls on Blasting in Planning Application

For completeness, ACP is reminded that the EIAR submitted with the application for the proposed future development at Cappagh Quarry also outlines a series of additional control measures to be implemented at the site to minimise disturbances associated with blasting operations.

These mitigation measures are relatively routine for quarry developers and accord with the 'best practice / mitigation' measures described in Section 3.2 of the DoEHLG (2004) guidelines.

In this specific instance, Section 10.134 of the EIAR includes the following undertakings :

- Blasting will be restricted to between 11.00 hours and 15.00 hours Monday to Friday;
- Blasting shall not be carried out on Saturdays, Sundays or public holidays;
- Notification of each blast shall be given in writing or by other means 48 hours in advance of each blast to all residences and farms within 500m radius of the quarry;
- Blast notifications shall be provided by pre-blast and post-blast siren warnings;
- All blasting operations shall be carried out by a certified 'shotfirer' in accordance with the relevant health and safety regulations;
- The optimum blast ratio shall be maintained, and the maximum instantaneous charge shall be optimised;
- The blast design and blasting methodology uses the monitoring results to optimise and ensure consistent blast designs;
- Blast clearance area shall be established for nearby farm livestock (depending on the location of the blast) with the support and co-operation of local farmers.
- Blast dates and time are scheduled and agreed between the quarry manager, blast engineer, explosives supervisor and Gardaí.
- Noise barriers / screening berms (refer to EIAR Section 10.131)

The proposal to limit blasting activities at the quarry to between 11.00 hours and 15.00 hours Monday to Friday aims to ensure that it does not clash with milking times for local dairy herds and thereby avoid any blast related stress which could be caused to livestock during milking. This time limit is contained in Condition 8(d) of the Grant.

The above listed controls have been conditioned by way of Condition No. 4 in the Grant which stipulates that all mitigation measures identified in the EIAR shall be implemented.



Nature of Any Blasting Restrictions to be Applied

Notwithstanding the above, and without prejudice to Roadstone's strongly held view that no limit should be applied to the annual number of blasts at Cappagh Quarry (or any quarry) when setting planning conditions in respect of future quarry development, Roadstone would consider that a restriction on the number of blasts at Cappagh to a maximum of 30 blasts per annum may be acceptable should ACP decide that it is necessary to impose such a condition. This is based on the following site-specific factors:

- past experience of quarry workings at this location;
- local geology (including absence of any significant overburden cover);
- projected future output / demand in the surrounding area; and
- planned phasing of quarry development (including the initial construction of a tunnel underpass in the rock beneath the local road).

In light of all of the above, Roadstone requests that condition 8(d) of the Grant should be amended to be in accordance with the Guidelines. The proposed revised wording is set out below. For the avoidance of doubt, Roadstone understands that ACP's decision is confined to the reconsideration of Condition 8 (d) only, and therefore all other conditions in the Grant will be unchanged.

Proposed Amended Condition 8(d):

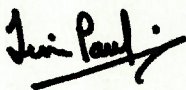
"Blasting shall be confined to 1100hours and 1500hours Monday to Fridays inclusive only".

If for any reason ACP is not willing to impose such a condition, Roadstone would accept the following condition:

"Blasting shall not occur more than 30 times a year and shall be confined to 1100hours and 1500hours Monday to Fridays inclusive only".

If you have any further queries in respect of the responses or any of the information provided above, please contact the undersigned.

Yours faithfully,
SLR Environmental Consulting (Ireland) Ltd



pp. Derek Luby
Technical Director

cc John Glynn / Pat Gibney Roadstone Limited.



