

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

10th August 2022
[By Courier]

Dear Sir / Madam

RE: APPLICATION FOR SUBSTITUTE CONSENT IN RELATION TO QUARRY AT BALLINABARNEY NORTH AND BOLAGH LOWER, REDCROSS, CO. WICKLOW.

1. INTRODUCTION

1.1. Application for Substitute Consent including remedial Environmental Impact Assessment Report (rEIAR) & remedial Natura Impact Statement (rNIS)

ECT Sand and Gravel Limited ¹has retained Tom Phillips + Associates², Town Planning Consultants, to coordinate the submission of this application for Substitute Consent to An Bord Pleanála (ABP) under Section 177E of the *Planning and Development Acts, 2000-2013* as inserted by Section 57 of the *Planning and Development (Amendment) Act, 2010*.

The Application is accompanied by a *remedial Environmental Impact Assessment Report* ('rEIAR') and a *remedial Natura Impact Statement* ('rNIS') as prepared by WSP Ireland Consulting Limited (trading as Golder) and seeks to fulfil the requirement of ABP's determination dated 9th July 2021 (ABP Ref: 307472-20), which determined that:

"this application for leave to apply for substitute consent has demonstrated that the regularisation of the quarry would not circumvent the purposes and objectives of the Environmental Impact Assessment Directive or of the Habitats Directive because it would allow for the provision of information and an analysis of the likely significant environmental effects of the development,

The appropriate period for making of the application for substitute consent has subsequently been extended by the Board until 12th August 2022 (ABP Ref: 313762-22).

¹ Kilmacrea Lower, Ballinabarney, Co. Wicklow. A67 X027

² Tom Phillips + Associates, Town Planning Consultants, 80 Harcourt Street, Dublin 2. D02 F449

1.2. Professional Inputs into the Substitute Consent Application

The members of the team responsible for the Substitute Consent application and their respective inputs are outlined below:

- Planning Consultant: **Tom Phillips + Associates**
- Engineering and Environmental Consultant: **WSP Ireland Limited (trading as Golder)**

1.3. Site Location

The existing quarry, covering an area of c 23.7 hectares, is located approximately 3.5 km southeast of Rathdrum, and 3.5 km northwest of Redcross, Co. Wicklow (Figure 1).

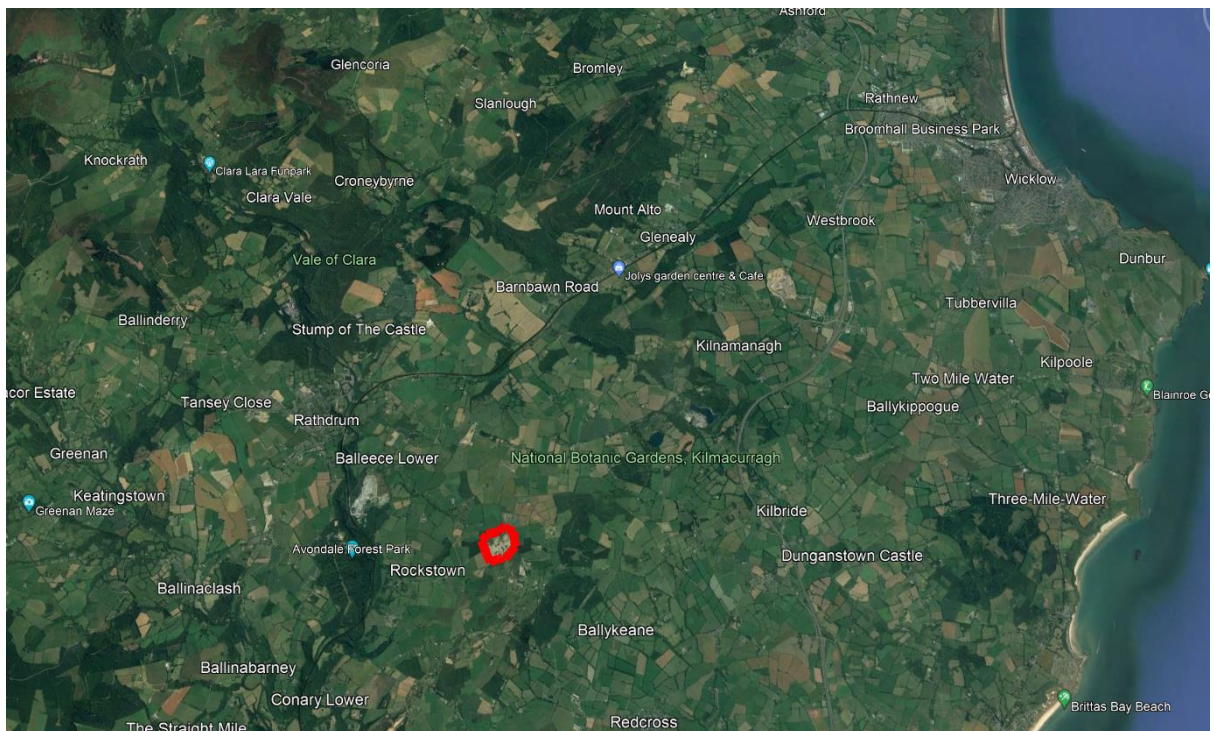


Figure 1 - Site Location outlined in red (Google Earth as annotated by Tom Phillips and Associates)

1.4. Development Description

The development consists of a sand/gravel extraction pit including extraction areas, processing areas, stockpiling areas & ancillary works (circa 23.7 hectares). The development also includes a sand/ gravel washing/ screening plant & buildings comprising workshop/ machinery shed, tools storage container, pump-house, 2 No. portable office buildings, 1 No. portable office/ canteen/ W.C., Sand processing plant electrical control room, 3 No. storage containers, sand processing plant control cabin, bunded oil storage tanks, diesel generator container & electrical sub-station (All totalling circa 376 sq. metres).

1.5. Description of Existing Quarry

The lands the subject of this Substitute Consent application extend to ca. 23.7 ha and reflect the historic operational site area including the extractable area declared under S.261 quarry registration in 2005. The quarry extraction area that makes up the application for the



substitute consent planning unit currently extends to ca. 20.16 ha. lying central to the Project Site.

Activities at the Site include the extraction of sand and gravel, together with processing and temporary stockpiling areas where materials are stored prior to being sold to market.

The reserve at the existing Redcross quarry consists of glaciofluvial sands and gravels derived from sandstone and shales and underlain by shales and siltstone. The sand and gravel deposits are currently worked to an average depth of 114 mAOD. The reserve is excavated by mechanical means and processed on site. Excavated material is transported to an existing processing plant area in the central area of the site, where washing, screening and grading for market takes place.

2. BASIS OF APPLICATION FOR SUBSTITUTE CONSENT

2.1 Background

The applicants purchased the Redcross quarry in 1999 and subsequently submitted an application on 27th July 2005 for registration of the quarry (QY39). Following some confusion in relation to the submission of additional information by the applicant, the quarry was not correctly registered by Wicklow County Council.

In 2009, planning permission was granted by Wicklow County Council for the retention and continuation of use processing and stockpiling of aggregate and various buildings and plant and for the retention and continuation of use of sand and gravel extraction but was subsequently overturned on appeal (planning Reg. Ref. 08/1153, ABP PL27.233638).

The Board's reasons for refusal referred to the planning history of the site, the failure to register the quarry in accordance with section 261, the judgement C-215/06³ and that the development for which permission was sought was of a class that required EIA and included a significant element of retention and that therefore the Board was precluded from granting permission.

Pursuant to the introduction of the S.261A provisions in 2011, on the 12th August 2012, Wicklow County Council served notice in accordance with Section 261A of the Planning and Development Act directing the applicant to apply to An Bord Pleanála for substitute consent with an rEIS based on the development which post-dated 1st February 1990 for which an EIA should have been carried out but was not.

ECT Sand & Gravel Ltd applied to An Bord Pleanála for a review of the direction to apply for substitute consent (reference number 27.QV.0299) and An Bord Pleanála upheld Wicklow County Council's direction to apply for substitute consent in a letter of direction dated 28th March 2014.

³ Judgment of the Court (Second Chamber) of 3 July 2008 — Commission of the European Communities v Ireland (Failure of a Member State to fulfil obligations — No assessment of the environmental effects of projects within the scope of Directive 85/337/EEC — Regularisation after the event)

The Board refused an application for substitute consent by order dated 2nd February 2016 stating that the Environmental Impact Statement was deficient in its failure to consider cumulative effects and alternatives and to provide sufficient information in relation to key impacts including the effects on water resources, hydrology and aquatic environment of the area. The Board was therefore not satisfied that the development, which has taken place has not resulted in significant and adverse effects on the environment. A subsequent application for leave to apply for substitute consent in July 2020 (ABP Ref: 307472-20) was permitted by order dated 9th July 2021.

The Board examined whether or not exceptional circumstances exist such that it would be appropriate to allow the opportunity for regularisation of the development by granting leave to apply for substitute consent.

In this regard, the Board:

1. *“Considered that this application for leave to apply for substitute consent has demonstrated that the regularisation of the quarry would not circumvent the purposes and objectives of the Environmental Impact Assessment Directive or of the Habitats Directive because it would allow for the provision of information and an analysis of the likely significant environmental effects of the development,*
- *Considered that the applicant could reasonably have had a belief that the quarrying development that took place prior to prior to 1999 when he acquired the site was authorised,*
- *Considered that this application for leave to apply for substitute consent has demonstrated that the ability to carry out an assessment of the environmental impacts of the development for the purpose of an Environmental Impact Assessment and to carry out an Appropriate Assessment, and provide for public participation in such assessments, has not been substantially impaired.*
- *Considered that the submission of a remedial Environmental Impact Assessment Report and remedial Natura impact statement would facilitate an assessment of the potential for the remediation of any signification effects on the environment or on a European site, and*
- *Considered that the applicant had made reasonable efforts to regularise the planning status of the quarry and noted that the planning authority is not currently pursuing enforcement proceedings against the applicant in this case,*

Having regard to the foregoing, it was considered by the Board that that exceptional circumstances do exist such that it would be appropriate to permit the opportunity for application for regularisation of the development by permitting an application for substitute consent.

Having regard to Sections 177C and 1770 of the Planning and Development Act 2000, as amended, the Board were satisfied that an Environmental Impact Assessment and an

Appropriate Assessment are required in this case, in the light of the scale and nature of the quarrying that has been carried out.

The initial deadline set for submission of the application was 1st October 2021. However this deadline has since been extended by An Bord Pleanála in order to facilitate the preparation of the required supporting documentation.

2.2 Response to previous refusal

The preparation of the current application for substitute consent included a review of the Board's previous refusal (ABP Ref: SU0121), the primary refusal reason being as follows:

The Environmental Impact Statement is deficient in its failure to consider cumulative effects and alternatives and to provide sufficient information in relation to key impacts including the effects on water and ecology. The Board is not satisfied that the development, which has taken place has not resulted in significant and adverse effects on the environment. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

The accompanying rEIAR has sought to address the above refusal reason and can be summarised as follows:

Cumulative Effects

While the various chapters in the rEIAR have addressed the matter of cumulative effects, we consider the areas of most significance in terms of the previous refusal to be in relation to Water and Hydrology and the nearby C&D Waste facility. The findings of the rEIAR can be summarised as follows:

Section 6.10, chapter 6 of the rEIAR determined that there is potential for the effects caused by the Site to have cumulative effects with the following:

- Groundwater abstraction could combine with adjacent residential properties to dewater the aquifer;
- Hydrocarbons and suspended solids captured in the northwest waterbody and discharged via the settlement ponds could combine in the River Avonmore with sources arising from runoff from the upstream Rathdrum area and any local residential or agricultural fuel stores; and
- Effects on surface water quality could combine downstream with any discharges from the Ballese Wood Quarry (where the Newbawn stream discharges to the River Avonmore) and again further downstream with the poor discharges from the Avoca Mine area, which is a historically polluted site (close to the confluence of the Rivers Avonmore and Avonbeg to form the River Avoca).

However, due to the predominant lack of hydraulic connectivity for groundwater, the large catchment area for the River Avonmore and the not significant and not greater than moderate



nature of the effects assessed, there is considered to be limited potential for cumulative impacts to occur.

Chapter 13, Section 13.3 refers to the existing permitted C&D waste recycling facility, located approximately 400 metres to the southeast of the application site. The facility operates under permit conditions including environmental emissions thresholds, of which there has been no exceedances to date. Therefore, no cumulative impacts are envisaged to have taken place in conjunction with this facility.

Alternatives

Section 1.8, chapter 1 of the EIAR has addressed the need for the development and the consideration of alternatives. The evolution of quarrying activities at this location has been determined by the proven existence of a sand and gravel reserve of good quality, capable of being used aggregate fill and for further processing to asphalt products. Moreover, the long term, continuous use of the subject lands as a quarry demonstrates that it was more feasible, in environmental and economic impact terms, than developing a new greenfield quarry at an alternative location.

From a Socio-Economic perspective, the local sourcing of construction aggregate strengthens the local economy through job provision and associated spending and exploits advantages and opportunities inherent in local supply chains. Aggregates are an essential material for the construction industry and are used in all major development plans (housing, road surfacing, infrastructure etc.). The long established existence of the quarry is therefore of significance to the local economy and itself has been dictated by the presence of the good quality sand and gravel reserves at this site as opposed to alternative locations.

Alternative design proposals are precluded due to the retrospective nature of the rEIAR. However, having reviewed historical data, it is assumed that the direction of extraction workings was dictated by the proximity of processing and direction of deposit.

Effects on water and Hydrology

The rEIS associated with the previous substitute consent application (ABP Ref: SU0121) had assigned 'at risk' scores to the nearby water body and it was considered that this required further assessment. In addition, it was not considered that sufficient evidence had been provided to make a determination on the potential impact of the development on surface water flows and fisheries. The Inspector, in their report stated the following :

Only having considered that information can the Board be satisfied in my opinion that the development has not given rise to a deterioration in the status of the water body and is not contributing to the 'at risk' status. This is necessary information also in relation to the matter of whether or not mitigation is necessary to address any water quality impacts and loss of flow in the stream.....

Having examined the information available in the planning history files in particular I consider that the assessment undertaken has failed to provide adequate information on impacts during the operational phase.

In response to the above, Chapter 6 of the accompanying rEiAR prepared by WSP Ireland Consulting Ltd (trading as Golder) includes extensive data in relation to surface and groundwater conditions and outlines embedded mitigation measures that have been employed at the site to minimise the potential for impacts on local hydrology.

The potential effects are generally shown to be imperceptible or slight, except for the effects on flows in the Newbawn stream which are assessed as moderate. In order to further mitigate the effects associated with the Development as it currently stands on the water environment and human health, several additional remedial mitigation measures, as outlined in the chapter, are recommended to be carried out including:

- An Environmental Management System (EMS) or Working Plan for the Site should be developed to establish good record keeping of incidents, record water uses for future activities and clearly embed mitigation practices and routine monitoring into the Site practices;
- The effect of pumping/discharges upon the Newbawn stream warrants further monitoring to confirm current conditions;
- Pumping/discharges from the northwest waterbody should be minimised where possible. It may be possible to raise the height of the pump to allow for the water level to rebound further;
- Regular inspections of on-site equipment and tanks should be carried out to check for rusting and leaching of metals to ground;
- An emergency spill kit (including absorbers) should be available for use in the event of an accidental spill on the quarry floor and key personnel trained in its use;
- The on-site water supply (DW1) should be routinely tested to assess ongoing suitability as the source of drinking water. Bottled water should be used if exceedances of the drinking water standards are observed;
- The on-site waterbodies should be inspected regularly for signs of any hydrocarbon contamination; and
- Maintenance and refuelling of vehicles and plant on Site should continue to be carried out on hardstanding.

The applicants would welcome the inclusion of conditions on a final grant to give effect to the above recommended mitigation should the Board be minded to grant permission for substitute consent.

2.3 Planning History Summary

The main planning history related to the subject quarry is summarised in the table below. Additional detail with regard to the planning background at the site is outlined in section 2.1.



| Ref | Description |
|---|---|
| 06/4577 | permission was granted for a new entrance and driveway to an existing sand and gravel pit and farm. |
| QY39 | an application was lodged on 27th July 2005 for registration of the quarry. There was some confusion in relation to the submission of information by the applicant and the quarry was not properly registered. |
| PL27.233638 (planning Reg. Ref. 08/1153) | permission was granted at application stage but refused on appeal for the retention and continuation of use processing and stockpiling of aggregate and various buildings and plant on 25.9617 hectares and permission was sought for the retention and continuation of use of sand and gravel extraction at 21.07 hectares in 4no. phases. Processing of 150,000 tonnes per annum was proposed. The application was accompanied by an EIS. The Board's reason for refusal referred to the planning history of the site, the failure to register the quarry in accordance with section 261, the judgement C-215/06, that the development for which permission was sought was of a class that required EIA and included a significant element of retention and that therefore the Board was precluded from granting permission |
| QV0251 | The Board determined on 28th March 2014 that development was carried out after the 1st day of February 1990, which development would have required an environmental impact assessment. |
| SU0121 | the Board refused an application for substitute consent because the Environmental Impact Statement was deficient in its failure to consider cumulative effects and alternatives and to provide sufficient information in relation to key impacts including the effects on water resources, hydrology and aquatic environment of the area. The Board is not satisfied that the development, which has taken place has not resulted in significant and adverse effects on the environment |

In terms of relevant nearby planning history, the most notable relates to a 2012 permission for a waste recycling facility to include recovery and recycling of construction and demolition wastes at a maximum rate of 25,000 tonnes per annum on lands to the south (Planning Ref: 12/605).

3. PLANNING AND DEVELOPMENT POLICY CONTEXT

This section examines the planning and development context of the lands and outlines the key development management issues that concern the site.

3.1 Relevant Provisions of Wicklow County Development Plan 2016- 2022

The Following represents the main planning policies relating to the extractive industry as contained in the Wicklow County Development Plan.

EX1 To facilitate and encourage the exploration and exploitation of minerals in the County in a manner, which is consistent with the principle of sustainability and protection of residential, environmental and tourism amenities.

EX4 To have regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:

- *Quarries and Ancillary Activities: Guidelines for Planning Authorities (2004, DoEHLG);*
- *Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA 2006;*
- *Archaeological Code of Practice between the DoEHLG and the Irish Concrete Federation 2009;*
- *Geological Heritage Guidelines for the Extractive Industry, 2008; and*
- *Wildlife, Habitats and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry, NPWS 2009.*
-

The policy context therefore supports the continued operation of the quarry, subject to adherence to the relevant national guidance and legislation in relation to the extractive industry.

3.2 Relevant Provisions of Draft Wicklow County Development Plan 2022- 2028

The *Draft Wicklow County Development Plan 2022 – 2028* is currently at Material Amendments stage and is expected to be adopted in mid September 2022.

The policies with regard to the extractive industry are largely in line with the existing Development Plan and are subject to an overall strategic objective that seeks to :

support and facilitate the exploitation of County Wicklow's natural aggregate resources in a manner, which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area.

The specific objectives with regard to the extractive industry as they pertain to the development the subject of this substitute consent application can be summarised as follows:

CPO 9.51 To facilitate and encourage the exploration and exploitation of minerals in the County in a manner, which is consistent with the principle of sustainability and protection of residential, environmental and tourism amenities.



CPO 9.52 To encourage the use, development and diversification of the County's indigenous natural dimensional rock industry, particularly where it can be shown to benefit processing, craft or other related industries.

CPO 9.54 To have regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:

1. *'Quarries and Ancillary Activities: Guidelines for Planning Authorities' (2004, DoEHLG);*
2. *'Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non Scheduled Minerals)', EPA 2006;*
3. *'Archaeological Code of Practice between the DoEHLG and the Irish Concrete Federation' 2009;*
4. *'Geological Heritage Guidelines for the Extractive Industry', 2008; and*
5. *'Wildlife, Habitats and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry', NPWS 2009*

3.3 Relevant Provisions of Project Ireland 2040 – National Planning Framework

The NPF recognises that extractive industries are important for the supply of aggregates and construction materials and minerals to a variety of sectors, for both domestic requirements and for export. The role of the planning process in realising the potential of the extractive industries sector by identifying and protecting important reserves of aggregates and minerals from development that might prejudice their utilisation is recognised in the plan

The above is underlined by National Policy Objective 23 which seeks to:

Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.

As such, the NPF indicates that aggregates and minerals extraction will continue to be enabled where this is compatible with the protection of the environment in terms of air and water quality, natural and cultural heritage, the quality of life of residents in the vicinity, and provides for appropriate site rehabilitation.

4. IMPACT ASSESSMENT OF EXISTING QUARRY

The Application for substitute consent is accompanied by a remedial Natura Impact Statement (rNIS) and remedial Environmental Impact Assessment Report (rEIAR) as per the requirements of the Board in their letter granting leave to apply for substitute consent dated 9th July 2021 (ABP Ref: 307472-20).

4.1 Ecology and Appropriate Assessment

A remedial Natura Impact Statement prepared by WSP Ireland Consulting Ltd (trading as Golder) is included with this application. The focus of the assessment, wherever possible, is centred on the establishment of likely baseline environmental conditions and potential impacts from quarrying activities between 1990 and 2022, which had the potential to affect the integrity of Natura 2000 sites including the qualifying species.

The rNIS indicates that it is considered certain that the historic and current operation of the site has not had a likely significant effect on the Natura 2000 sites pertinent to this Assessment. There is a high level of confidence in the likely degree of the magnitude of impacts in accordance with the Site and as such it is concluded objectively that significant effects have not been afforded.

The following key considerations contributed towards this conclusion:

- The Site's operation has occurred as a nearly closed loop system regarding discharges with no aquatic or terrestrial connectivity with Natura 2000 receptors as defined within this report and water quality remaining compliant with the Salmonid regulations.
- Site water has no hydrological connectivity with Natura 2000 sites.
- There is sufficient distance between the Site and all Natura sites that the Site has not caused disturbance / displacement of those species that form the part of the qualifying interests of the Natura 2000 designation.

4.2 Environmental Impact Assessment

EIA requirements are governed by Directive 2014/52/EU, which amends the Directive 2011/92/EU. The primary objective of the EIA Directive is to ensure that projects that are likely to have significant effects on the environment are subjected to an assessment of their likely impacts.

EIA forms part of the planning consent process and is carried out by the Competent Authority. An EIAR is prepared by / on behalf of a Developer in respect of a project seeking planning consent. The EIAR thus becomes an integral informing element in the Competent Authority's EIA.

The EIA process may be summarised as follows:

1. Screening – Is EIA required?
2. Scoping – If EIA is required, what aspects of the environment should be considered?
3. Preparation of EIAR.
4. EIAR informs EIA (as part of the consent process).

Remedial EIA and rEIAR arise where retrospective consent for development that ought to have attracted the requirement for EIA has been undertaken.

In this instance the substitute application that this rEIAR accompanies is by Order of An Bord Pleanála [ABP-307472-20] of 9 July 2021. The order refers to Section 177E of the Planning and Development Act, 2000, as amended, which sets out the requirements for a valid substitute consent application

The EIA Directives have been transposed into Irish law for the purposes of this planning application by the provisions of Part X of the Planning and Development Acts, 2000 (as amended) and Part 10 of the Planning and Development Regulations, 2001 (as amended).

Article 5 of the 2014 EIA Directive sets down the minimum information to be supplied in an EIAR including those matters at Annex IV as follows;

(a) a description of the project comprising information on the site, design, size and other relevant features of the project;

(b) a description of the likely significant effects of the project on the environment;

(c) a description of the features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;

(d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;

(e) a non-technical summary of the information referred to in points (a) to (d); and

(f) any additional information specified in Annex IV relevant to the specific characteristics of a particular project or type of project and to the environmental features likely to be affected."

The Environmental Impact Assessment Report was completed by WSP Ireland Consulting Ltd (trading as Golder). The members of the team, their qualifications and their respective inputs are outlined in chapter 1 of the rEIAR. A separate Non-Technical Summary of the rEIAR is also enclosed within the application.

5. SUBSTITUTE CONSENT APPLICATION DOCUMENTATION

5.1 Planning Fee

A cheque made payable to 'An Bord Pleanála' totalling **€13,803.60** representing the planning application fee, in accordance with the provisions of Schedule 9 of the *Planning and Development Regulations, 2001-2013*:

- | | | |
|---|---|------------|
| ○ Class 4 – The provision of buildings: | | |
| • €80 or €3.60 per sq m (376 sq m x 3.6) | = | €1,353.60 |
| ○ Class 6(a) – the winning and working of materials: | | |
| • 23.7 hectares at €50 for each 0.1 hectare | = | €11,850.00 |
| ○ Class 8 – plant and machinery, or tanks or other structures (Septic tank system, Screening and washing plant, Fuel Storage): | | |
| • €200 or €50 per 0.1 ha | = | €600 |

Total Fee for Substitute Consent Application = €13,803.60

5.2 Substitute Consent Application Form

- Six copies of the completed Substitute Consent Application Form, signed and dated Wednesday 10th August 2022. (This is as per Article 227 (Form No. 7) of the *PD(A)A 2010*.)

5.3 Statutory Notices

- One copy of the original Newspaper Notice extracted from *The Irish Daily Star*, dated Monday 8th August 2022. Further copies of the relevant page of the newspaper are attached to the Substitute Consent Application Form.
- Six copies of the Site Notice signed and dated Monday 8th August 2022 as attached to the Substitute Consent Application Form. Copies of the Notice have been erected on site as indicated on enclosed Site Location Map (Drawing 01 Rev A prepared by WSP Ireland Consulting Ltd (trading as Golder).)

5.4 Planning Report/Cover Letter

- Six copies of this Town Planning Report/Cover Letter prepared by Tom Phillips + Associates, dated Wednesday 10th August 2022.

5.5 Remedial Environmental Impact Assessment Report (rEIAR)

- Six copies of the *Remedial Environmental Impact Assessment Report* prepared by WSP Ireland Consulting Ltd (trading as Golder).

5.6 Remedial Natura Impact Statement (rNIS)

- Six copies of the *Remedial Natura Impact Statement* prepared by WSP Ireland Consulting Ltd (trading as Golder).

5.7 Planning Drawings

- Six Copies of the Planning Drawings prepared by WSP Ireland Consulting Ltd (trading as Golder).

| WSP Ireland Consulting Ltd (trading as Golder) Drawings | | | | |
|--|------------|---|--------------|-------------|
| Drawing No. | Rev | Title | Scale | Size |
| 01 | A | Site Location Plan | 1:2500 | A1 |
| 02 | A | Baseline 1990 Conditions | 1:1000 | A0 |
| 03 | A | Existing Conditions | 1:1000 | A0 |
| 04a | A | Cross Sections A&B – North South | 1:500 | A0 |
| 04b | A | Cross Sections C&D – West East | 1:500 | A0 |
| 05a | A | Existing Buildings and Plant – Sheet 1 of 4 | 1:100 | A1 |
| 05b | A | Existing Buildings and Plant – Sheet 2 of 4 | 1:100 | A1 |
| 05c | A | Existing Buildings and Plant – Sheet 3 of 4 | 1:100 | A1 |
| 05d | A | Existing Buildings and Plant – Sheet 4 of 4 | 1:100 | A1 |

5.8 Digital Copy

- 1 no. digital copy of the application and supporting materials as outlined above.

5.9 EIA Portal Confirmation

- 1 no. copy of the EIA portal email confirmation.

6. CONCLUSION

The Applicant has successfully operated a sand and gravel quarry and associated screening plant at this site for over twenty years with minimal environmental impact on surrounding lands. Having regard to the high-quality sand and gravel reserve on the subject site, the significant capital investment already made at the site, the need safeguard this valuable resource, the existing operations and employment in the longer-term, we submit that Substitute Consent should be granted for this quarry and associated development.

Having regard to:

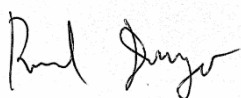
- The updated Impact Assessments undertaken in this Substitute Consent Application for *Hydrology & Hydrogeology, Air Quality & Climate*, and *Noise & Vibration*, which review the existing environment with reference to a baseline date of 1st February 1990, include new monitoring data carried out during operation of the quarry and provide an assessment of the significance of any past, current or future impacts, including cumulative impacts, on surrounding lands including protected Natura 2000 sites;
- The enclosed *remedial Natura Impact Statement* and its conclusion that no significant effects on the designated Natura 2000 sites have occurred as a result of the operation of the ECT Sand and Gravel Ltd quarry and none are expected to occur as a result of the continued operation of the quarry and that mitigation measures were/ are not required.

Substitute Consent should be granted for the existing quarry, and associated development to secure operations at this site into the future.

We would ask the Board to assess this Substitute Consent Application in as expedient a fashion as possible in order to enable ECT Sand and Gravel Limited to continue to operate its business in an appropriate manner. We look forward to written acknowledgment of receipt of this application.

Please do not hesitate to contact me should you have any queries regarding any aspect of this application.

Yours faithfully



Bernard Dwyer
Senior Planner
Tom Phillips + Associates