

Spink Quarry, Knockbaun, Abbeyleix, Co. Laois

Spink Quarry

Environmental Impact Assessment Report

Appendix 1

Background to Project

2021

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APPENDIX 1. BACKGROUND TO PROJECT

1.1 NEED FOR DEVELOPMENT

1.1.1 NATIONAL CONTEXT

The production of quarry aggregates is tied to the level of economic activity, which was significantly depressed during the global financial crisis (GFC) in the late 2000's and early 2010's.

The construction industry has been in recovery since 2013 but it is still grappling with nearly a decade of underinvestment and is playing catch up with an economy that has expanded strongly in the meantime. This has manifest itself in the acute housing supply shortage and infrastructure deficits across the country.

Ireland saw output of new dwellings rise from c. 50,000 units in 2000/2001 to a peak of c. 93,000 units in 2006 followed by a rapid decline to c. 8,000 units in 2012 and 2013. Housing output rose to c. 21,087 units in 2019, but declined to 20,676 in 2020 due to severe lockdown restrictions imposed to arrest the Covid-19 pandemic. Housing completions are forecasted to reach c. 18,000 in 2021 and 21,000 in 2022, while estimates of future annual long-run housing demand is in the range of 35,000 dwellings per annum (ESRI 2021).

In 2012, during the GFC, the construction sector contributed just 5% of GDP. In comparison with other countries - and taking on board long-term trends for Ireland - an economy of our size, with our remaining infrastructure deficits and positive demographics, could be capable of sustaining a construction industry equivalent to around 12% of GNP (10% of GDP). It is recognised that Ireland needs a strong and sustainable construction sector. In May 2014, the government launched "Construction 2020 – a strategy for a renewed construction sector" (DoT 2014). The central aim of the strategy was to provide homes for people by tripling housing output by 2020 and adding 60,000 jobs to the construction sector over the same period. The strategy committed to a detailed, time-bound set of actions to support the return of the sector to sustainable levels.

In 2015, with forecasts of continuing strong economic growth, the construction sector had been expected to become a €20 billion industry by 2020. The total value of Gross Fixed Capital Formation (GFCF) investment in the sector was estimated at €26 billion in 2018, while the Department of Finance predicted this will increase to €41 billion by 2023. Growth in overall building and construction investment was forecast to average 15.6% in 2019, before moderating to 10% in 2020.

Construction output still lags significantly behind the recognised European sustainable level of 10% to 12% of GDP. The commitment to increase spending on social housing and infrastructure in the National Planning Framework (NPF) is expected to act as a driver of continued growth in the construction sector. The construction sector can potentially employ 213,000 direct employees making it the largest generator of jobs in all communities around the economy. The sector is forecast to contribute around 10% of GNP to the Irish economy.

Importantly, the upturn in construction has led to a significant increase in demand for aggregates across the country, most particularly in the Greater Dublin Area (GDA). The increased demand for aggregates due to the upswing in the construction sector (averaging 11.3% growth per annum between 2013 and 2018), will increase pressure on the supply available to the regional market over the lifespan for the proposed quarry development. In 2020, demand for aggregates equated to 12 tonnes per capita or 59 Mt per annum, while Project Ireland 2040 will require 1.5 billion tonnes or 75 Mt per annum (ICF 2020)

ESRI (2021) observed that expected economic growth in 2021 and 2022 is encouraging, with substantial growth of 11.1% in 2021. However, Covid-19 has had a significant adverse impact on the domestic Irish economy, and that the cost in terms of economic output in 2020 and 2021 was c. €24 billion. The pre-pandemic unemployment rate was 5% in February 2020, but peaked at 25.3% in January 2021. ESRI (2021) estimate that the average overall unemployment rate will be c. 16.3% in 2021, dropping to 7.1% in 2022. Nonetheless, the ESRI forecast that the Irish economy will continue its strong economic performance, and that GDP growth will grow from 3.4% in 2020 to 11.1% in 2021 and 6.9% in 2022. The scale of the economic hit has been much more severe during the ongoing Covid-19 induced crisis than that experienced during the GFC over a decade ago. However, the economy appears to have bounced back more rapidly on this occasion.

Construction is a vital sector in any economy with its immediate impacts on economic growth, competitiveness, jobs and productivity. A healthy construction industry requires strong private sector demand supported by a continuous pipeline of public sector infrastructure projects, sustaining jobs right across the sector, in small, medium and large construction firms. It is essential not just for the delivery of much needed physical infrastructure but is also an important driver of competitiveness. With government policy focused on restoring competitiveness, driving down costs and increasing exports, the quantity and quality of infrastructure will play an important role. High quality infrastructure improves the efficiency of the indigenous enterprise sector and also increases the attractiveness of Ireland as an investment location for foreign direct investment.

As discussed in detail below, on February 16th 2018, the government published “Project Ireland 2040”, the new overarching public policy initiative. Project Ireland 2040 consists of the National Planning Framework to 2040 and the National Development Plan 2018-2027, which essentially replace the revoked National Spatial Strategy (NSS) and the Infrastructure and Capital Investment Plan 2016-2021, respectively.

The National Development Plan (NDP) is a ten year strategy for public capital investment of almost €116 billion. This equates to almost €12 billion annually, and represents a substantial increase in the average annual capital budget over that envisaged in the 2nd Infrastructure and Capital Investment Plan 2016-2021. The NDP will drive the long-term economic, environmental and social progress across all parts of the country over the next ten years.

The achievement of the objectives of Project Ireland 2040 will necessitate access to significant reserves of aggregates (stone, sand and gravel) over the lifetime of the plan. It is not an exaggeration to state that many of the investment priorities within Project Ireland 2040 will not be realised without aggregates and aggregate based materials.

Rock aggregates are an integral element of all types of construction activities, and the provision of aggregates is an economic activity that is vital for society. Aggregates are used extensively for the construction, upgrade and maintenance of our houses, schools, hospitals and places of work, as well as other essential infrastructure such as our road and transport networks and water and wastewater infrastructure. In essence, aggregates are the backbone of sustainable construction in Ireland, without which modern and future living would not be possible (ICF 2020).

Ireland has a ready but diminishing supply of high quality aggregate reserves. It is critical that Government recognises the strategic importance of access to a steady and dependable supply of local, high quality raw materials necessary for the construction of Ireland's future built environment as highlighted in Project Ireland 2040.

Currently there are approximately 500 large commercial quarries extracting aggregates throughout Ireland. These quarries produce aggregates from crushed rock, sand and gravel which are used as key building materials in the construction of all of Ireland's social infrastructure and are essential to our quality of life.

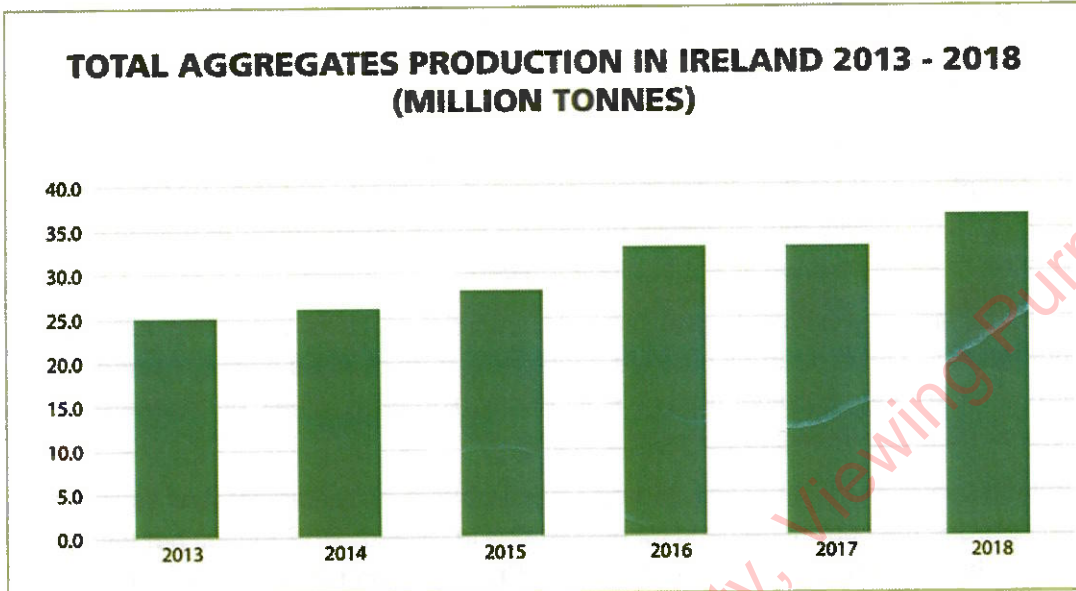
Due to Ireland's infrastructural deficit and dispersed pattern of settlement and its resulting large road network, the current demand for aggregates in Ireland, at 12 tonnes per capita per year, is twice the average demand in the EU 28. Project Ireland 2040 will necessitate the production of approximately 1.5 billion tonnes of aggregates.

In addition, quarries will make an important contribution to the circular economy as recycled aggregates from construction and demolition waste, while unlikely to exceed 5% of demand, will be an integral part of the future construction supply chain.

ICF (2020) state that total aggregate production in 2018 was 36 million tonnes, while Project Ireland 2040 will require the production of c. 1.5 billion tonnes of aggregates. It is critical that the Government recognises the strategic importance of a steady and dependable supply of local, high quality raw materials necessary for the construction of Ireland's future built environment. Therefore, the future supply of aggregates needs to be planned, monitored and managed in a sustainable manner. ICF (2020) recommend that:

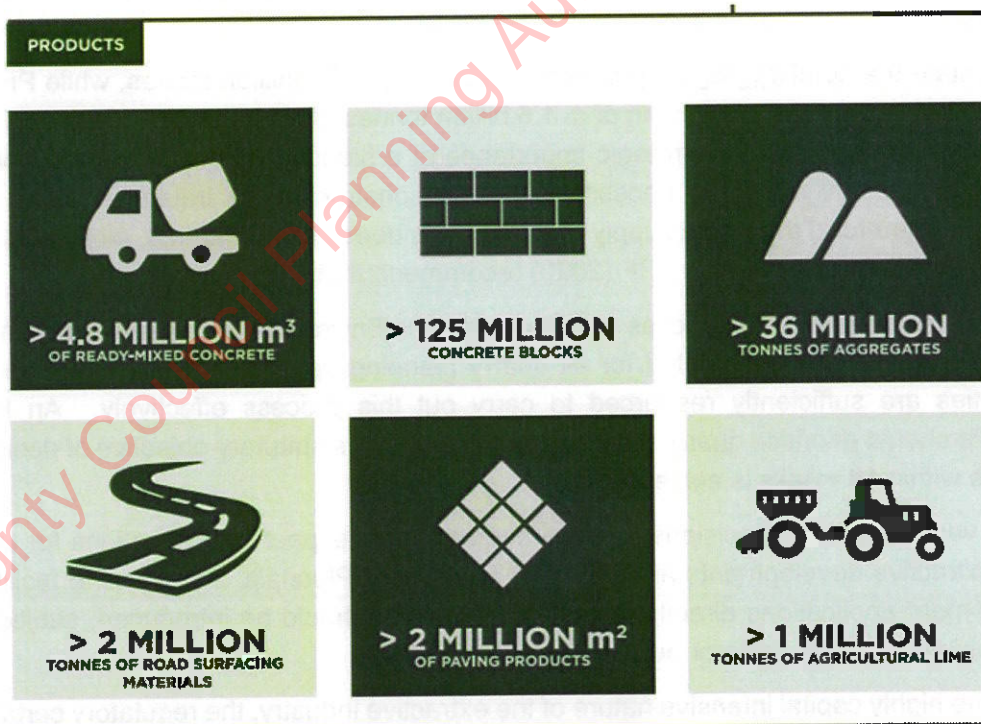
1. It is critical that the scoping process required under the Environmental Impact Assessment (EIA) regulations is implemented for all quarry planning applications and that planning authorities are sufficiently resourced to carry out this process effectively. An Bord Pleanála should prioritise quarry development to ensure its statutory objective of deciding appeals within 18 weeks is achieved;
2. As the vast majority of decisions by local authorities in respect of applications for large scale extractive developments are appealed to An Bord Pleanála, a process to facilitate development applications directly to An Bord Pleanála should be introduced, subject to thresholds in terms of scale or output;
3. Given the highly capital intensive nature of the extractive industry, the regulatory certainty needed for professional operators can only be provided by the granting of permissions of long-term duration — planning permission durations should be commensurate with the planned extraction of resources; and

- The planning system should ensure steady and adequate provision of aggregate supplies by issuing sufficient planning consents to meet demand. Priority should be given to existing sites to ensure existing employment and investment is maintained.



Source (ICF Essential Aggregates providing for Ireland's needs to 2040)

Figure 1 Total Aggregate Production in Ireland.



Source (ICF Essential Aggregates providing for Ireland's needs to 2040)

Figure 2. Range of Quarry Products.

1.1.2 REGIONAL CONTEXT

The Laois County Development Plan (CPD) 2017-2023 sets out a framework for the sustainable spatial and physical development of County Laois, while considering the conservation and protection of the built and natural environment (Laois County Council 2017). The Laois CDP recognises that the aggregate and concrete products industry contribute to the development of the national, regional and local economies by the proper use and management of natural resources for the benefit of the community and the creation of employment opportunities.

Aggregate extraction can only take place where suitable aggregate resources exist, and the Council will seek to safeguard these valuable resources for future extraction. However, extractive industries have the potential to cause harm to the environment, heritage and the landscape, if not appropriately designed and managed. Well managed and designed quarries minimise environmental impacts and have the potential for habitat creation through appropriate restoration.

There is a clear need for Laois County Council to make future provisions for the long-term supply of aggregates. The supply of local aggregates is essential to the sustainable development of communities. Local supplies reduce transport distances, thereby reducing their carbon footprint compared to non-local sources. By their nature, aggregate resources can only be worked where they occur. The products are generally of low unit value. The most significant cost is transportation and as a result most quarries typically operate within a c. 25 km to 50 km radius of their market (the upper limit typically relates to value added products e.g., Asphalt and Concrete).

The reserves at Spink quarry are required to meet the demand that is being placed on the extractive industry to supply raw materials for continued social and economic growth and development within Laois — the second fastest growing county in Ireland, as well the wider Laois-Carlow-Kilkenny region.

The location of the proposed development as shown on EIAR Figure 1-1 has the benefit of good access to the regional and national road network to meet future demands for aggregate. The proposed development will ensure the continued viability of aggregate supply for the applicant's many business interests in the construction sector. It is against this economic background that the applicant wishes to re-open the quarry at Spink.

1.2 GOVERNMENT POLICY

The Government's strategy for the construction sector, Construction 2020, sets out a cross-government action plan to help support a sustainable construction sector over the longer term.

The Government has through the National Development Plan and the National Spatial Strategy made clear its objective to facilitate more balanced social and economic growth throughout the State.

There are two main documents which underpin the direction of spatial development in the county. Firstly, at a National level the National Spatial Strategy and secondly at a Regional level, the Regional Planning Guidelines (RPG) for the Midland Region, albeit the latter have recently been superseded by the Eastern & Midlands Region SRES.

The economic development of Laois can no longer be viewed in isolation from adjoining counties and regions. Ireland as a country has become an open economy and as a result the economic development of Laois must now be considered in the context of regional, national and global influences.

1.2.1 NATIONAL CONTEXT

1.2.1.1 National Spatial Strategy 2002-2020

The National Spatial Strategy (NSS) was launched by the government in late 2002 and is designed to provide a framework for balanced social, economic and physical development between the regions for the next 20 years (DoELG 2002). The strategy is based on a hierarchy of settlement; Gateways, Hubs and County Towns along with the need to support the role of smaller towns, villages and diverse rural economies.

The NSS provides a framework to promote and balanced regional development and sustainable growth. It also guides policies, programmes and investment. The strategy emphasises continued strong growth in the Greater Dublin Area (GDA), but with significant improvement in the regions outside the capital and more particularly in the nine gateway cities and nine hub towns.

The NSS recognises that quality of life is increasingly important to people and that unbalanced development affects quality of life. The growing trend of long-distance commuting, and the dislocation between centres of employment and residential development are economically, socially and environmentally unsustainable. The NSS recognises that the solution lies in balanced regional development, whereby the potential of each area to contribute to the economic, social and environmental wellbeing of the State is developed. Ireland's growing population can be accommodated within existing settlements, by renewing and developing our cities, towns and villages, and ensuring that urban land is used sensitively and efficiently in order to provide attractive, sustainable, compact, public transport friendly forms, whilst avoiding urban sprawl.

The strategy emphasises the critical role of 'Gateway' and 'Hubs' in delivering future economic growth. "The Dublin Gateway is recognised as an international driver of enterprise within the GDA and is supported by regionally designated strategic employment centres, serving the

urban and rural hinterlands. These economic growth areas, which take advantage of nationally important transport hubs and corridors, will provide the focal point for diverse regional enterprise and economic clustering activity. Laois is increasingly coming under the influence of the Greater Dublin Area (GDA) given its proximity of only c. 70 km to the Dublin metropolitan area, and is the second fastest growing county. There is a network of sizable urban settlements within the natural catchment of Spink Quarry, including much of the Laois-Carlow-Kilkenny region. These settlements include the county towns of Portlaoise and Carlow and Kilkenny City, each with its own hinterland and sphere of influence, and extensive services. The RPG economic strategy focusses growth on the multi-modal transport corridors of the GDA, which connect the economic growth centres within the region and NSS gateways in adjoining regions.

The NSS 2002-2020 was revoked in 2013, as it had failed to meet its objectives, largely due to: (1) designation of too many hubs and gateways; (2) a lack of resources due to poor fiscal position; (3) weak political buy-in, as revealed by the decentralization plan; and (4) lack of a statutory footing, which meant it received 'due regard' as opposed to 'compliance'. The Government has made clear its objective to facilitate more balanced social and economic growth throughout the State, and has announced it would seek a successor National Spatial Strategy. This would take account of both the need to acknowledge changed national and international circumstances and continue to set long term national planning and development aims. Such balanced regional growth will result in an increased requirement for social and economic infrastructure with a consequential increase in demand for construction aggregates and related products including asphalt.

1.2.1.2 Infrastructure & Capital Investment Plans

The National Development Plan (NDP) 2007-2013 was revoked in 2010, and was succeeded by the Infrastructure and Capital Investment Plan 2012-2016. In 2011, the Government agreed an exchequer capital programme amounting to €17 billion for the 5 year period 2012-2016. This €17 billion of Exchequer investment was directed at addressing critical infrastructure investment gaps in order to aid economic recovery, social cohesion and environmental sustainability. The sectors prioritised for investment in the Framework include education, health, jobs and enterprise.

The focus of the capital spending was to be on supporting those sectors and projects which will best contribute to sustainable job creation. The review of Infrastructure and Capital Investment 2012-16 (DoPER 2011) assessed the existing capacity of Ireland's infrastructure and identified remaining gaps that must be addressed to aid economic recovery, social cohesion and environmental sustainability.

The approach identified four main components of the investment strategy, namely:

- Economic infrastructure – encompassing transport networks, energy provision and telecommunications capacity;
- Investment in the productive sector and human capital – such as capital investment in education infrastructure;
- Environmental infrastructure – including our waste and water systems; and

- Critical social investment – such as the health service and social housing programmes.
- Amongst the main priorities over the medium term were:
- Ensuring adequate maintenance of the National Road Network in order to protect the value of previous investments; and
- Targeting the improvement of specific road segments where there is a clear economic justification, including advancing two key PPP roads projects;

In September 2015, the Government launched a second Infrastructure and Capital Investment Plan 2016-2021, whose principal stated goal is “Building on Recovery”. With steadily improving public finances, the Government was able to commit to increasing the level of expenditure on capital infrastructure gradually over the programme period, in a way that is sustainable and long term. The plan represented a €42 billion framework for infrastructure investment in Ireland over the period. The plan combined direct investment by the Exchequer of €27 billion, a third phase of PPP investments of about €500 million and State-owned sector investment of around €14.5 billion. In total, this State-backed investment package represented over 3.5 percent of GNP each year between 2016 and 2021, and it supported more than 45,000 construction-related jobs.

The Plan prioritised spending on those areas of greatest need as the economy continued its strong recovery. The considerable improvement in the public finances had allowed the Government to increase the level of expenditure on capital infrastructure gradually over the course of the next six years, in a way that was sustainable and long term in its design and focus. Economic growth is dependent on the capacity to move people and goods around the country quickly and easily, and significant strides had been made since 2000 in improving Ireland’s national transport infrastructure. Nonetheless, transport was allocated the largest sectoral share of 29% of the Exchequer Capital Envelope under the Plan. In particular, the national, regional and local road network was allocated €591 million in 2016, progressively increasing to €1,082 million in 2022, and totaling €6 billion over the period of the Plan.

Continuation of the public capital programme would have beneficial effects on the construction industry, and on the wider economy in terms of employment, continued recovery and national competitiveness. In their report Building a Better Ireland, the Construction Industry Council (2010) stated that as the economy continued to grow and the population increased towards its projected 2020 level of 5,000,000, real planning for the future is vital. It was in this context that, on February 16th 2018, the government adopted “Project Ireland 2040”, the new National Planning Framework—the successor national spatial plan to replace the revoked NSS.

1.2.1.3 Project Ireland 2040

Project Ireland 2040 is the Government’s new overarching public policy initiative, which emphasises “social outcomes and values consistent with prudent economic and budgetary policy” (DoHPLG 2018). Project Ireland 2040 consists of the National Planning Framework to 2040 and the National Development Plan 2018-2027. These will essentially replace the revoked NSS and the Infrastructure and Capital Investment Plan 2016-2021, respectively. The key difference with all previous spatial planning policies is that it represents an alignment of the investment strategy with the strategic planning policy, to create a unified and coherent

plan for the country. Insofar as the Plan is underpinned by investment and placed on a statutory footing that it will receive 'compliance' as opposed to 'due regard', it will have the force of both funds and law.

The objective of Project Ireland 2040 is to provide a "comprehensive social, economic and cultural infrastructure for all our people to flourish". The policy seeks to achieve ten strategic outcomes, building around overarching themes of wellbeing, equality and opportunity. The ten shared priorities will ensure a consistent approach between planning objectives under the National Planning Framework and investment commitments under the National Development Plan. These are:

1. Compact Growth;
2. Enhanced Regional Accessibility;
3. Strengthened Rural Economies and Communities;
4. Sustainable Mobility;
5. A Strong Economy, supported by Enterprise, Innovation and Skills;
6. High-Quality International Connectivity;
7. Enhanced Amenity and Heritage;
8. Transition to a Low Carbon and Climate Resilient Society;
9. Sustainable Management of Water and other Environmental Resources; and
10. Access to Quality Childcare, Education and Health Services.

1.2.1.3.1 National Planning Framework to 2040

The new draft National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of the country. The NPF sets out a spatial strategy for Ireland, to accommodate in a sustainable and balanced fashion, the significant projected changes in demographics, such as a population growing by an extra million, and which is increasingly aging and living in smaller family units. The NPF will guide development and investment over the next two decades, and will empower each region to lead in the planning and development of their communities, based on a common set of national objectives and key principles.

The above vision will be achieved by:

- Developing a new region-focused strategy for managing growth;
- Linking the NPF to a new 10-year investment plan, the National Development Plan;
- Using state lands for certain strategic purposes;
- Supporting the NPF with more environmentally focused planning at local level; and
- Backing-up the NPF in law with an Independent Office of the Planning Regulator.

Some of the key provisions are as follows:

- A roughly 50:50 distribution of growth between the Eastern and Midland region, the Southern and the Northern and Western regions, with 75% of the growth outside of Dublin and its suburbs;
- The five cities in terms of population size (pop. > 50,000): Dublin, Cork, Limerick, Galway and Waterford, will be targeted for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth;
- Major new policy emphasis on renewing and developing existing settlements rather than continual expansion and sprawl of cities and towns into the countryside, with a target of at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites;
- Implementation of the NPF will be fully supported by the Government's investment strategy for public capital investment and investment by the State sector in general, as outlined in the National Development Plan;
- The State owns key parts of our cities and towns, the development of which can play a vital role in reshaping those urban areas, providing homes, places of work and recreation, and a new national Regeneration and Development Agency will be established to harnessing public lands as catalysts to stimulate regeneration and investment;
- The future planning and development of our communities at local level will be refocused to enable a national transition to a competitive low carbon, climate resilient and environmentally sustainable economy by 2050, through harnessing the country's prodigious renewable energy potential;
- More strategic and co-ordinated planning of our cities and large towns across local authority boundaries will be introduced, including statutorily backed Metropolitan Area Strategic Plans in the five cities;
- The NPF will be given full legislative support within the planning system, including regular reviews and updates to reflect changing circumstances as necessary. The legislation underpinning the Framework will create a new independent Office of the Planning Regulator (OPR) to monitor its implementation of the NPF; and
- For each of the three regions, the Regional Assemblies will prepare their own strategy in accordance with the framework, and these will be completed by early 2019 and will be known as Regional Spatial and Economic Strategies (RSES). County and City Development Plan review cycles will then fall in to line with their respective regional strategies, ensuring that the shared vision is carried through to the local planning level.

The NPF includes 75 National Policy Objectives, of which the following are considered particularly relevant here:

National Policy Objective 1a

The projected level of population and employment growth in the Eastern and Midland Regional Assembly area will be at least matched by that of the Northern and Western and Southern Regional Assembly areas combined.

National Policy Objective 2a

A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

National Policy Objective 3a

Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 3b

Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

National Policy Objective 3c

Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

National Policy Objective 4

Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 5

Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

National Policy Objective 6

Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

National Policy Objective 12

The Government will establish a National Regeneration and Development Agency to work with local authorities, other public bodies and capital spending departments and agencies to co-ordinate and secure the best use of public lands, investment required within the capital envelopes provided in the National Development Plan and to drive the renewal of strategic areas not being utilised to their full potential. The Government will consider how best to make State lands available to such a body to kick-start its development role and to legislate for enhanced compulsory purchase powers to ensure that the necessary transformation of the places most in need of regeneration can take place more swiftly and effectively.

National Policy Objective 32

To target the delivery of 550,000 additional households to 2040.

National Policy Objective 35

Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

National Policy Objective 75

Ensure that all plans, projects and activities requiring consent arising from the National Planning Framework are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate.

Key future planning and development and place-making policy priorities for the Eastern and Midland Region include:

- Enabling the complementary development of large and county towns in the wider Greater Dublin Area and Midland areas on the key strategic and public transport routes in a regionally co-ordinated manner;
- More effective strategic planning and co-ordination of the future development of nationally and regionally strategic locations at points that straddle boundaries between this and neighbouring regions as in the example of Athlone;
- A focused approach to compact, sequential and sustainable development of the larger urban areas along the Dublin – Belfast economic and transport corridor, along which there are settlements with significant populations such as Dundalk and Drogheda;
- More emphasis on consolidating the development of places that grew rapidly in the past decade or so with large scale commuter driven housing development, with a particular focus on addressing local community and amenity facility provision in many of the larger commuter towns;
- Preparing and implementing a regional priorities programme, to shape and inform delivery of the Regeneration and Development Initiative. It should identify significant ready-to-go city, rural town and village and rural rejuvenation priorities which could harness publicly owned land and other assets that are not being used presently, which together with community and wider private and public sector support and investment, could deliver transformation in an integrated manner;
- Tourism development and promotional branding to ensure that areas like the Midlands and Lakelands areas are developed and promoted in such a way as to play their full part in tapping the economic potential in the region;
- Harnessing the potential of the region in renewable energy terms across the technological spectrum from wind and solar to biomass and, where applicable, wave energy, focusing in particular on the extensive tracts of publicly owned areas of peat extraction in order to enable a managed transition of the economies in such areas; and
- Building on the progress made in developing an integrated network of greenways, blueways and peatways, that will support the diversification of rural and regional economies and promote more sustainable forms of travel and activity based recreation utilising canals, former railways, and other routes.

1.2.1.3.2 National Development Plan 2018 to 2027

The National Development Plan (NDP) is the companion document to the NPF, and is a ten year strategy for public capital investment of almost €116 billion. This equates to almost €12 billion annually, and represents a substantial increase in the average annual capital budget

over that envisaged in the 2nd Infrastructure and Capital Investment Plan 2016-2021. The NDP will underpin the NPF and drive its implementation, as well as driving long-term economic, environmental and social progress across all parts of the country over the next ten years.

The future success of Ireland rests on ensuring readiness for a changing world and the continued successful development of the knowledge economy, and as such on also adopting a strongly strategic approach to public capital investment in the NDP. The NDP represents a response to significant deficits in Ireland's public infrastructure, and identifies the strategic priorities for public capital investment for all sectors.

There are many major challenges that form the context for the NPF and the NDP's strategic investment priorities, and these include:

- Demographic change;
- Need for Ireland to become a low-carbon, climate-resilient society;
- Brexit; and
- Realising sustainable growth.

The NDP is a blueprint, setting out a strategic framework for public capital investment over the next ten years with a particular focus, beyond simply underpinning the NPF, but on achieving the following over-arching objectives:

- Meeting Ireland's infrastructure and investment needs over the next ten years through a total investment of an estimated €116 billion over the period; and
- Reforming how public investment is planned and delivered by shifting to integrated regional investment plans, stronger co-ordination of sectoral strategies to secure mutually reinforcing outcomes, and more rigorous selection and appraisal of projects to secure value-for-money.

Substantial growth is planned in public capital investment over the coming years, but this must be consistent with the fundamental requirements of overall economic and fiscal sustainability. Over the period 1995 to 2015, Gross Fixed Capital Formation (GFCF) as a share of Gross Domestic Product (GDP) in Ireland was comparable to the EU15 average of 3% over the same period. This indicates that a value of 3% of national income can be considered as an appropriate target for the long-term average level of public capital spending. Under the NDP, it is projected that public capital investment will reach 3.8% of Gross National Income (GNI) in 2021 and 4% by 2024, with sustained investment averaging 4% on an annual basis over the period 2022 to 2027. Public capital investment in Ireland will therefore become among the highest in the EU and will also ensure that public investment underpins the sustainability of economic growth but avoids contributing to economic instability and exacerbating any risks of unbalanced and inflationary growth.

Exchequer funding allocated for public capital investment over the ten-year period will amount to €91 billion and will be supplemented with State-backed investment by commercial State owned enterprises to generate a total 10-year investment programme estimated at €116 billion. The Exchequer resources allocated for investment under the NDP are based on projected nominal growth in national income (GNI) averaging 4% over the period 2022-

2027. This is consistent with long term growth forecasts for the Irish economy produced by various international organisations. The total annual capital expenditure will thus increase from €8.4 billion in 2018 to €14.0 billion in 2027 under the Plan.

Indicative resource allocations for delivery of the National Strategic Outcomes, and for named Strategic Investment Priorities under each Outcome, over the period ten-year period are detailed in the Plan (See Table 3.2, p. 21-22 of NDP). These allocations will be updated and adjusted where necessary as the Plan is implemented, in light of:

- Progress achieved in relation to public capital investment priorities currently underway or planned;
- Ongoing assessment of longer-term infrastructural priorities across sectors underpinning the implementation of NPF priorities; and
- Different planning horizons applying to different types of capital expenditure.

This will allow for appropriate flexibility and responsiveness of capital allocations to changing circumstances and priorities.

1.2.2 REGIONAL CONTEXT

The *National Spatial Strategy (NSS)* for Ireland set out the basis on which all areas of the country will have the opportunity to develop to their potential within a national spatial planning framework for the period up to 2020 (DoEHLG 2002). The Regional Authorities were entrusted with the important responsibility of implementing the NSS and successor spatial plans at regional level.

The Planning and Development Act, 2000 conferred on the Regional Authorities the power to make RPGs for their functional areas. The RPGs, which also incorporate a socioeconomic development strategy, are intended to constitute a strategic planning framework for the period 2010-2022 for the development of each region and for inter-regional cooperation. The strategic policies and objectives set out in the RPG will form the backdrop for socio-economic planning by national and regional agencies and will constitute the policy framework within which county, city, town and local area development plans will be made. Thus, although the NSS has been revoked, its legacy persists in the Regional Planning Guidelines (RPGs), which remain in effect until 2022 or until otherwise replaced by new Regional Spatial & Economic Strategies (RSES).

The Southern, the Northern and Western, and the Eastern and Midland Regional Assemblies were established on 1st January 2015, following on from the dissolution of the Border, Midland and Western and the Southern & Eastern Regional Assemblies, under the Government's regional reform process, as enacted in the Local Government Reform Act 2014. The Eastern and Midland Regional Assembly has twelve constituent local authorities split into three Strategic Planning Areas. The Regional Spatial & Economic Strategy 2019-2031 was adopted by the Eastern and Midland Regional Assembly on June 28th, 2019 (EMRA 2019). The RPGs for the Midland Region are now superseded by the RSES and will be incorporated into the next iteration of the Laois County Development Plan.

1.2.2.1 Eastern & Midland Regional Spatial Economic Strategy 2010-2031

A Regional Spatial and Economic Strategy (RSES) is a strategic plan and investment framework to shape future development and to better manage regional planning and economic development throughout the Eastern & Midland Region. The RSES identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives.

The principal statutory purpose of the RSES is to support the implementation of Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the Region. The RSES is a significant evolution of regional policy-making and replaces the 2010-2022 Regional Planning Guidelines (RPGs).

Developing the Strategy is achieved through the integration of spatial and economic policy. By ensuring good alignment with European and National policy, the RSES can ensure that investment is targeted towards identified policy and objectives. Key policy parameters for the RSES growth strategy are also set by national policy documents, including Project Ireland 2040 (i.e., NPF and NDP 2018-2027) and Ireland's National Enterprise Policy 2015-2025, Enterprise 2025.

One of the key drivers for the NPF is the promotion of effective regional development that manages more balanced growth between the three Irish Regions—the Eastern & Midland Region, the Northern & Western Region and the Southern Region. The NPF sets out a preferred 'regional parity' scenario in which the growth of the other Regions would at least match that of the Eastern and Midland Region.

The key elements identified at the national level, which set the parameters for the development of the RSES growth strategy, include:

- Regional parity between the EMRA, and NWRA and SRA combined;
- Regional concentration toward cities and some regionally important larger settlements;
- A focus on contained growth and reduced sprawl by targeting infill and brownfield lands in existing built-up areas;
- Sequential provision of infrastructure with some critical infrastructure in place to promote investment;
- A Metropolitan Area Strategic Plan to deliver compact regeneration and growth in the Dublin metropolitan area; and
- A comprehensive approach to rural fabric supporting sustainable growth and reversing decline.

The Eastern & Midland Region is the smallest in terms of land area but the largest in population size, with over 2.3 million people. The Eastern and Midland Region is also the primary economic engine of the state providing more than 1 million jobs. The main settlement is the capital city of Dublin, which is home to 1.2 million people and is supported by a network of regional and county towns and an extensive rural hinterland.

The Region contains some of the fastest growing communities in the Country which increases demand for housing, infrastructure and services in those areas. In line with the prevailing state-wide trend of urbanisation, the Region saw the continued increase in the share of population residing in urban areas. However, alongside this is a trend for counter urbanisation with strong growth in the peri-urban and rural areas surrounding Dublin.

A key objective of the NPF is to enable all parts of the Country – both urban and rural – to achieve their full potential. The RSES reflects this core objective and aims to strengthen the fabric of rural Ireland, supporting rural towns and communities as well as the open countryside, improving connectivity, and supporting job creation, particularly in a more diverse range of sectors. The rejuvenation of rural towns and villages requires that appropriate job creation can be supported in rural areas. Traditional sectors such as agriculture, tourism, extractive industries and forestry are complemented by diversification in sectors such as food, renewable energy and opportunities provided from improved digital connectivity.

The RSES sets out a settlement and economic growth strategy that seeks to ensure that the needs of the Region's citizens are met. Thus, there is significant policy alignment between the UN Sustainable Development Goals (SDGs) and the NPF's National Strategic Outcomes (NSOs), to which the development of the Regional Strategic Outcomes in the RSES are closely aligned and supportive.

The Vision Statement of the RSES is "To create a sustainable and competitive Region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all."

The Strategy is underpinned by key cross-cutting principles that reflect the three pillars of sustainability; Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region. The three Key Principles are:

- **Healthy Placemaking:** To promote people's quality of life through the creation of healthy and attractive places to live, work, visit, invest and study in;
- **Climate Action:** The need to enhance climate resilience and to accelerate a transition to a low carbon society recognising the role of natural capital and ecosystem services in achieving this; and
- **Economic Opportunity:** To create the right conditions and opportunities for the Region to realise sustainable economic growth and quality jobs that ensure a good living standard for all.

The NPF sets the policy parameters for the Region to better manage the growth of Dublin as a city of international scale supported by the growth of the key Regional Growth Centres of Athlone, Dundalk and Drogheda, which form the upper two tiers in the settlement hierarchy.

Strategically located in the centre of Ireland at a key node on the River Shannon between Dublin and Galway, Athlone has direct national connectivity to towns such as Longford, Mullingar, Tullamore, Maynooth, Portlaoise, Ballinasloe and Roscommon. Due to its scale of population, employment and services, Athlone acts as a key regional centre for an extensive catchment that extends into the Northern and Western Region.

To achieve effective regional development, Dublin and the Regional Growth Centres will be supported by the complementary development and regeneration of a small number of selected Key Towns. The RSES identifies a third tier of Key Towns, such as Swords, Mullingar, Portlaoise and Graiguecullen (Carlow). They are large economically active service and/or county towns, with high quality transport links that play an important service role for their catchments and that have the capacity to act as growth drivers to complement Dublin and the Regional Growth Centres. Portlaoise is situated c. 16.5 km north northwest of Spink, and thus lies within the natural market of the quarry, such that the proposed development and regeneration of Portlaoise will almost certainly benefit the quarry at Spink through demand for aggregates.

The town of Portlaoise, with a population of 22,050 in 2016, is strategically located providing important inter-regional links via its location on the Dublin to Cork/ Limerick rail line and M7/M8 Motorway. Similarly, the N80 provides an essential link accessing Carlow, Waterford and Rosslare to the southeast and Tullamore, Mullingar and Athlone to the northwest.

Portlaoise has a strong economic base, significant talent and success spread across various sectors including the Global Business and ICT Service sectors, agri-business sector and the public services sector. This has attracted internationally renowned companies and provides a solid foundation for economic growth and employment into the future. The J17 National Enterprise Park (formerly Togher Inland Port) is a c. 121 hectare site located to the southwest of Portlaoise town centre and has significant potential for the development of the economic base of Portlaoise.

Portlaoise has a rich architectural heritage with the town centre designated as an Architectural Conservation Area. The Portlaoise Regeneration Demonstration Project aims to focus on regenerating the original town centre with a view to the creation of a place that people want to live and spend time in. It is anticipated that this will be a demonstrator project to show how the best quality planning, urban design and implementation can create rejuvenated towns, tied with opportunity to become a 'Low Carbon Town Centre' through reducing the impacts of the car on the public realm and improving the mix of uses within the town centre.

The RSES provides Regional Policy Objectives in respect of the Portlaoise, which are relevant to this proposal, and are given here:

RPO 4.71 Support delivery of the Portlaoise Regeneration and Development Demonstration Project and assist the local authority in seeking funding opportunities for delivery of regeneration development.

RPO 4.73 Support the vision and objectives of the J17 National Enterprise Park Masterplan, where appropriate, which aims to deliver a viable economic zone within Portlaoise which will accommodate a range of potential businesses and industries whilst having regard to spatial planning, infrastructural, environmental and transportation requirements and compatibility with adjoining land uses. This is subject to compliance with the requirements of the SEA, Habitats and Floods Directive.

Supporting the regional driver role of Key Towns, are Self-Sustaining Growth Towns, which are towns such as Abbeyleix that contain a reasonable level of jobs and services, and which adequately caters for the people of its service catchment. This may include sub-county market

towns and commuter towns with good transport links, which have capacity for continued commensurate growth.

A key objective of the NPF is to enable all parts of the country – both urban and rural – to achieve their full potential. Hence, the RSES aims to strengthen the fabric of rural Ireland, supporting rural towns and communities as well as the open countryside.

RPO 4.77 In development plan policy, local authorities shall prioritise the regeneration of rural towns and villages through identification of significant regeneration projects for rural villages and rural areas which could harness untapped assets with community and wider private and public sector support and investment including the Rural Regeneration and Development Fund.

RPO 4.79 Local authorities shall identify and provide policies that recognise the contribution that small towns, villages and rural areas contribute to social and economic wellbeing. As part of this policy provision that seeks to support and protect existing rural economies such as valuable agricultural lands to ensure sustainable food supply, to protect the value and character of open countryside and to support the diversification of rural economies to create additional jobs and maximise opportunities in emerging sectors, such as agri-business, renewable energy, tourism and forestry enterprise is supported.

The RSES provides Regional Policy Objectives in respect of the Rural Economy, one of which is relevant to this proposal, and is given here:

RPO 6.7 Support local authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors, such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bioeconomy, tourism, 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.

Although the Eastern & Midland RSES was adopted in 2019, it only takes effect and will have a bearing on planning when incorporated into the current iterations of the County Development Plan. The scheduled review of the Laois CDP is currently in Stage 2 (i.e., Public consultation of Draft Plan) and the new 2021-2027 CDP is not expected to be adopted before late 2021, or even 2022. Spink Quarry is currently permitted under PA. Ref. 10/383 which is for a 10 year period to work the quarry, plus two years for final re-instatement works, unless, prior to the end of the period, planning permission has been granted for its extension for a further period. Thus, the application for planning permission for continuance of use and operation of the existing quarry including deepening of the quarry that will accompany this document (i.e., EIAR), will be submitted while the current CDP is in effect, and thus reflective of the 2010 RPGs. Therefore, the Midland Region RPGs 2010-2022 remain the basis for the Laois CDP under which the accompanying planning application in respect of Spink Quarry will be made. Consequently, the Regional Planning Guidelines for the Midland Region 2010-2022 are discussed in the next subsection.

1.2.2.2 Regional Planning Guidelines for the Midland Region 2010–2022

The Regional Planning Guidelines (RPGs) set the long-term strategic planning framework which aims to direct the future growth of the Midland Region over the medium to long term and works to implement national policy as set out in the National Spatial Strategy (NSS) of 2002. The sustainable development of the region is a key theme of the Regional Planning Guidelines and is integrated into the strategies relating to the development of the regional economy, location of future housing, provision of critical infrastructure, and protection of the natural environment.

These RPGs act as a robust planning framework to proactively facilitate sustainable development, protect and improve our amenities, and quality of life and, provide greater certainty and direction to our citizens. The RPGs form the foundation upon which the County Development Plans were developed by the planning authorities in the Midland Region, including Laois County Council.

Midland Region

The Midland Region encompasses the four counties of Laois, Longford, Offaly, and Westmeath, representing c. 9.5% of the total area of the state. There is a wealth of biodiversity and ecological sites in the region including those of international and national importance. Designated ecological sites in the region include Natura 2000 sites, Ramsar sites, Natural Heritage Areas (NHAs), Nature Reserves and Salmonid Waters. The RPGs are set out so that their implementation will contribute towards the protection and management of the region's biodiversity resource.

The major trends in regional population and settlement in the Midland Region since the introduction of the NSS in 2002, as identified in the 2010 RPGs, can be summarised as follows:

- Between 2002-2006 the population of the Midland Region grew by 11.6% to 251,664, which represented 6% of the total population of Ireland;
- The strongest growth occurred in the east of the region which is located in proximity to the Greater Dublin Area (GDA). As many as 20-30% of residents in areas located to the east of the region travel further than 30 km to work each day;
- Between 2002 and 2006, the linked gateway of Athlone, Tullamore and Mullingar exhibited the second fastest growth of all gateways; and
- The 2006 census indicated that 149,945 of the region's population reside in rural areas and that it had the second lowest population density at 38 persons per square kilometre.

The highest level of employment in the region was achieved in 2007 when there were 127,007 people employed. In terms of absolute employment, the public sector was the largest employer (22.4%), while the manufacturing sector was the second largest employer (15.9%) followed by construction (15.7%) and wholesale/ retail (13.4%). All sectors recorded increases, with the exception of agriculture. However, there was a substantial decline in employment levels to 108,200 in 2009 due to the GFC, which disproportionately impacted the construction sector with employment falling roughly in half by 2009.

The Midland Region is traversed by motorway corridors (M4, M6, M7 and M8) as well as rail lines radiating from Dublin to Sligo, Galway and Limerick and Cork, which represent the social

and economic arteries of the country upon which the region has yet to fully capitalise. Transport links between the towns of the linked gateway and the principal towns remain weak and a barrier to the region achieving its full potential.

Vision for Region

The Strategic Vision underpinning the RPGs is that by 2022, the Midland Region will be a successful, sustainable and equitable region full of opportunities for its expanded population achieved through:

- Enhancing the critical mass of the region by combining the strengths of the linked gateway of Athlone, Tullamore and Mullingar, as envisaged in the NSS with those of the principal towns of Longford and Portlaoise;
- Developing the full potential of rural areas in the region in a manner that is compatible with the strengthening of the urban structure of the region;
- Offering a distinctive lifestyle rooted in a high quality living environment, rich in heritage and landscape value;
- Harnessing the central geographical location of the region at the “heart” of Ireland with more interregional links than any other region in Ireland, to build a strategically focused network of transport and communications links; and
- Ensuring that the natural environment of the region such as water quality, landscape, and biodiversity is protected, maintained, and enhanced, where appropriate, as a basis for future sustainable development in the region.

Economic Development Strategy

The sustainable development of the Midland Region into the future requires a strong economy which must be built on sound principles and the specific strengths and advantages inherent in the region. A sound Economic Development Strategy provides direction and a framework to guide future policy formulation and decision making at appropriate levels. The Economic Development Strategy sets out Key Strategic Issues that need to be addressed to drive the region's economy and identifies the elements required to increase productivity in the region.

There are five overarching and interrelated strategic issues that must be considered in order to drive the region's economy and enhance its overall business environment. These key strategic issues are as follows:

- Create a Strong Regional Identity;
- Build the Critical Mass of the Linked Gateway and Principal Towns;
- Establish a Strategic Development Zone East of Athlone;
- Promote the Rural Economy; and
- Increase Regional Productivity and Enhance Competitiveness.

Building critical mass of the linked gateway and the principal towns is crucial to developing and sustaining enterprise and employment in the region. A polycentric spatial settlement model of a centrally located, linked gateway coordinating with Longford and Portlaoise, acting

as drivers and administrative centres, facilitates enhanced economic activity and the development and retention of critical mass.

There has been progress in terms of the development of the major inter-urban routes that traverse the region and other projects such as the N52 Tullamore bypass. The development of such infrastructure enhances inter-regional links with the GDA and improves intra-regional link-up between the linked gateway towns and other regional centres. However, weaknesses remain such as the route from Portlaoise to Tullamore (N80). The development of improved physical infrastructure, including roads, water/wastewater services, broadband and utilities is paramount for the development of the region's economy in line with the identified priorities.

Regional Settlement Strategy

Some parts of the region lie close to the GDA and its associated radial road and rail lines and are effectively a part of the GDA's economic sphere of influence and continue to experience rapid growth. Other parts of the region are more remote, are more dependent on the rural economy and have experienced population decline. Development trends in different parts of the region are being increasingly driven by strategic and spatial development trends across administrative boundaries.

The Regional Settlement Strategy is based on NSS policy. The RPGs propose that the 'Balanced Development of the Region', is preferred as the Regional Settlement Strategy. Under the 'Balanced Development of the Region' scenario, the focus will be on the implementation of the linked gateway supported by the principal towns acting as engines of growth locally but well connected to the linked gateway to benefit from it.

Sustaining and revitalising rural areas by building up towns and villages as "local growth engines and service providers" and identifying development opportunities in rural areas that will deliver a more diversified economic base. Under this scenario, the strategic roles of different settlement types are defined. Excluding the Linked Gateway, which is not located in Laois, these roles are as follows:

Principal Towns;

The principal towns are part of the broader polycentric settlement model, centred on the linked gateway, and include Longford and Portlaoise. These towns are the major urban centres and economic drivers at the north and south of the region with distinct local economies and strong links to the adjacent regions. In order to fulfil this role, the principal towns are a significant focus for future population growth in the Regional Settlement Strategy.

Key Service Towns;

Distributed throughout the region, key service towns act as important drivers for local economies in areas that are comparatively more remote from the main population centres of the region. Well established economic, administrative and social functions are provided in these settlements. The RPGs envisage that the development of these towns will be closely linked with the development of principal towns and the linked gateway. Portarlington is the only Key Service Town in County Laois.

Service Towns;

These towns perform important retail, residential, service and amenity functions for local rural hinterlands and support the upper tiers of the urban hierarchy. Many of these towns have experienced high levels of population growth over the last census period. The RPGs envisage that the development of these towns needs to be increasingly aimed at consolidating growth within the towns and better matching to the development of relevant supporting physical and social infrastructure. Abbeyleix, Graiguecullen, Mountmellick, Mountrath and Stradbally are the Service Towns in County Laois.

Local Service Towns;

Local service towns are more remote from the linked gateway and principal towns and the RPGs envisage them performing important local level residential, retailing, social and leisure functions and providing appropriate local services to a wider rural hinterland. They have attractive streetscapes, physical settings and heritage buildings that present a strong visual character. Durrow and Rathdowney are the only two Local Service Towns in County Laois.

Transport and Infrastructure Strategy

Targeted investment in transport and infrastructure is a fundamental element in the creation of a more competitive, sustainable region with an improved quality of life for all. The transport and infrastructure strategy highlights priority infrastructure investments and measures required to enhance regional competitiveness, the sustainability of development and to improve quality of life by improving accessibility and reducing travel times. The regional identity will be consolidated by stronger relationships between the major settlements, based on efficient transport modes with ease of access and reduced travel times between the linked gateway and principal towns. In addition, the development of the rural economy in key areas such as tourism, agri-food and green enterprise requires targeted investment in regional infrastructure.

Environment and Amenities Strategy

The Environment and Amenities Strategy for the Region is underpinned by a recognition for the diversity of environmental assets within the region and the need to have regard for and promote awareness of the complex interrelationships both between its natural and manmade elements.

“Traditionally, the environment was seen as an important input to economic progress only insofar as natural resources were raw materials for production. In recent times it has become accepted that a high quality environment is both an important dimension of quality of life and a key requirement for economic performance in a much more sophisticated way than was widely accepted in the past”.

The RPGs recognise the diverse environment, heritage and amenities of the region and their relationship to quality of life, potential tourism opportunities and contribution to the wider economy. The key areas identified in the RPGs are: Landscape; Built Heritage; Natural Heritage; Open Spaces and Recreation; Flood Risk; and Social, Community and Cultural Infrastructure.

Extractive Industries

The RPGs recognise that extractive industries, such as peat and quarrying, are rural activities for which substantial regulation exists in current legislation, and also note that occasionally industries associated with these sectors benefit the local economy by co-location in close proximity to the resource.

There is only one environmental policy relating to quarries or extractive industries in the RPGs, which is as follows:

EP3 To ensure that subsidiary plans require that zoning in areas likely to be significantly and adversely affected by environmental interactions with existing or disused quarries shall be assessed and mitigated to avoid such adverse interactions.

Other environmental policies that may be relevant to the current proposal are as follows:

EP5 Conserve and enhance the nature conservation resources of the waterways throughout the Midland Region, including the Shannon and Lough Ree.

EP 12 Promote the protection, conservation and enhancement of the region's biodiversity and natural and geological heritage. This includes wildlife (flora and fauna), Species protected under the Wildlife Acts and listed for strict protection on Annex IV of the Habitats Directive; and Wildlife corridors and stepping stones as envisaged under Article 10 of the Habitats Directive, habitats, sites with no statutory protection, proposed National Heritage Areas, landscapes and/or landscape features of importance to wildlife or which play a key role in the conservation and management of natural resources such as water.

EP 13 Facilitate the protection of sites designated in National and European legislation, and in other relevant International Conventions, Agreements and Processes. This includes sites designated or proposed to be designated as: Ramsar sites, Special Areas of Conservation, Special Protection Areas, National Heritage Areas, nature reserves, and refuges for flora or fauna.

EP 14 Subsidiary Plans shall avoid inclusion of policies that give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites arising from their size or scale, resource requirements, emissions (disposal to land, water or air), transportation requirements, or from any other effects (either individually or in combination with other plans).

EP 15 Subsidiary Plans will be subject to Appropriate Assessment under Article 6 of the Habitats Directive, procedures to ensure compliance shall be set up to this effect.

1.2.2.3 Planning & Development Control (CDP 2017-2023)

The Laois County Development Plan (CPD) 2017-2023 sets out a framework for the sustainable spatial and physical development of County Laois, while considering the conservation and protection of the built and natural environment (Laois County Council 2017). The following section details the policies within the County Development Plan that are of relevance to the proposed quarry development at Spink. The plan is set in the context of the sustainable development strategy for the country as set out in the National Spatial Strategy 2002-2020 (DoELG 2002) and the Regional Planning Guidelines for the Greater Dublin Area 2010-2022 (DMERA 2010). The latter have been superseded by the Regional Spatial & Economic Strategy (RSES) for the Eastern & Midlands Regional Assembly 2019-2031 (EMRA 2019), which will be incorporated into the next iteration of the Laois CDP.

The following section details relevant CDP objectives and measures proposed to address same with respect to the proposed recommencement of operations at Spink Quarry. Consideration of the relevant policy statements has been given through preparation of the relevant sections of the EIAR.

Laois is an inland county in the south midlands of Ireland covering an area of 171,990 hectares and occupying a strategic position near the centre of the country. Administratively, since January 1st 2015, it is now part of the Eastern and Midland Regional Assembly (EMRA). However, in many respects Laois is increasingly coming under the influence of the Greater Dublin Area (GDA) given its proximity of only c. 70 km to the Dublin metropolitan area.

1.2.2.3.1 Natural & Recreational Amenities

Recreation, leisure and sport are important components of a good quality of life and have major land use implications. Adequate and accessible provision of open space, sport and recreational facilities is an important consideration in assessing the quality of life in a town or area. The Council recognises the significance of natural amenities as a major resource for visitors and local people. The preservation and enhancement of natural amenities and recreation amenities is an integral part of the development of the county, both in terms of providing an attractive and accessible resource for the county's population and in terms of attracting inward investment from tourism and increasing the marketability of Laois as a location for industry, business and commercial activity. It is the policy of the Council to:

NRA 6 Recognise the role played by natural amenities as a major resource for visitors and local people and support, protect and promote public access to mountains, Natura 2000 sites, nature reserves rivers, lakes and other natural amenities that have been traditionally used for outdoor recreation and to the countryside generally and ensure that any plan or project associated with open space planning, recreation or tourism is subject to Appropriate Assessment Screening in compliance with the Habitats Directive, and subsequent assessment as required.

NRA 9 Recognise the role played by natural amenities and landscape, as part of our heritage and as a major resource both for visitors and local people, support and protect public access to our natural heritage including mountains, uplands moorlands, forests, rivers,

lakes, valleys, nature reserves, scenic areas, areas of natural beauty and to the countryside generally.

1.2.2.3.2 Economic Development

A sound local economy is fundamental to fostering sustainable communities and a good quality of life. This Plan seeks to create the conditions to support the sustainable economic development of County Laois during the plan period 2017-2023. A sound local economy is fundamental to fostering sustainable communities and a good quality of life. The Council is committed to protecting, promoting and enhancing the natural resources of the County making it a nicer place to live and visit.

The Plan specifies the planning policy framework used to assess planning applications. This gives developers and entrepreneurs certainty in relation to how planning applications will be assessed and guidance on how to align their proposals with planning policy.

It is the policy of the Council to:

ECN6 Facilitate land-based or resource-based economic activities in rural areas and more generally ways of living and doing business that support a sustainable environment and resilient communities.

The Council's rural development strategy is based on promoting sustainable rural development aimed at maintaining vibrant and viable rural communities while also seeking to protect the amenity, recreational and heritage value of the rural landscapes and countryside of the county.

The rural landscapes of Laois are shaped by economic activities such as forestry, quarrying and in particular farming as well as housing. Unlike in urban areas where industrial uses that generate noise and odour can be clearly separated from emission-sensitive residential uses through zoning, this robust system of separating uses does not happen in the same way in rural areas and conflicting uses can occur in close proximity. Just over half of the residents of the county live in rural areas, such that rural economic sectors remain very important in Laois. The Council will seek to facilitate rural economic development opportunities in accordance with policies and objectives set out in the Plan.

According to Census 2011 data, 8% of Laois' workforce is engaged in farming and forestry, which is higher than the State average (5%). Less than 1% are engaged in quarrying and peat extraction. The growth in employment in these land-based sectors in the Midlands between 2012 and 2015 reinforces the continuing importance of this sector to the local economy. The Council will seek to facilitate rural economic development opportunities in accordance with policies and objectives set out in the Plan.

1.2.2.3.3 Mining & Aggregates

The Laois County Council recognises that the aggregate and concrete products industry contribute to the development of the national, regional and local economies by the proper use and management of natural resources for the benefit of the community and the creation of employment opportunities. These products are required as essential building materials in the process of social and economic development, including the provision of housing, schools,

factories and infrastructure. The Council will seek to safeguard these valuable resources for future extraction.

The National Guidelines on Quarries and Ancillary Activities for Planning Authorities (DOEHLG 2004) is the guiding document against which applications for quarries and ancillary activities will be considered.

Aggregate extraction can only take place where suitable aggregate resources exist—they are a 'tied' resource, and may give rise to land use and environmental issues. It is considered, therefore, that planning policies should be carefully constructed to avoid adverse effects on aggregate resources and the related extractive industries and added value production that are essential for the built environment, infrastructure and future economic development.

Like many forms of development, extractive industries have the potential to cause harm to the environment, heritage and the landscape, if not appropriately designed and managed. It is essential that aggregates are sourced without significantly damaging the landscape, environment, groundwater and aquifer sources, road network, heritage and/or residential amenities of the area. Diminution of the visual amenity during and after the lifetime of the project, is thus considered a major environmental impact that must be addressed during planning. However, aggregates are a necessary resource and are of great importance to the economy and society. Indeed, well managed and designed quarries minimise environmental impacts, and there is also the potential for habitat creation through the restoration of quarry sites following the cessation of operations.

The following National Guidelines (as may be superseded and/or updated) should be complied with:

- Environmental Management (EPA 2006);
- Quarries and Ancillary Activities Guidelines (DOECLG 2004);
- Environmental Code (ICF 2006);
- Geological Heritage Guidelines (ICF & GSI 2008);
- Archaeological Code of Practice (ICF & DOECLG 2009); and
- Sections 261 & 261A Planning and Development Acts 2000–2013.

In respect of Extractive Industries, it is the policy of the Council to:

RUR6 Reconcile the need for resource-based economic activities to conduct a reasonable operation and the needs of residents in rural areas to access a good quality of life and access to rural areas.

RUR7 Have regard to Laois' Landscape Character Assessment, as well as more general planning considerations, such as transport, environmental sensitivities, habitat considerations, the need for buffer zones around water bodies in its determination of planning applications related to land-based economic activities.

RUR8 Support in principle the expansion of the aggregates and concrete products industry which offers opportunity for employment and economic development generally subject to environmental, traffic and planning considerations and ensure that any plan or project associated with extractive industry is subject to Appropriate Assessment

screening in compliance with the Habitats Directive and subsequent assessment as required, applicants for planning permission shall have regard to the GSI-ICF Quarrying Guidelines.

- RUR9** To support the necessary role of the extractive industries in the delivery of building materials for infrastructural and other development and to recognize the need to develop extractive industries for the benefit of society and the economy.
- RUR10** To secure the long-term supply of value-added products (such as concrete products and asphalt, which are often, but not always, produced in conjunction with aggregate extraction).
- RUR11** Support in principle the processing of minerals to produce cement, bitumen or other products in the vicinity of the source of the aggregate, where the transport network is suitable to reduce trip generation.
- RUR12** Investigate the feasibility of mapping the full extent of aggregate resources of the county during the lifetime of the County Development Plan 2017-2023 and seek to prevent the sterilisation and inappropriate development of aggregate and mineral resources in order to ensure a sustainable supply of these non-renewable resources;
- RUR13** Protect rural amenities, natural archaeological and natural heritage, visual amenities, eco-systems, conservation areas, landscape and scenic views from adverse impacts of agricultural practices and development particularly in high amenity areas and ensure that it is appropriate in nature and scale, and ensure it does not have an undue negative impact on the visual/scenic amenity of the countryside and identify mitigating measures where required. Integrate into the landscape, including the minimal use of signage.

1.2.2.3.4 Strategic Regional Roads

The regional road network in the county is subdivided into Strategic Regional Roads and Regional Roads. In the case of strategic regional roads and regional roads, especially those which have a high carrying capacity, the Council shall adopt a restrictive policy in relation to new development in the interests of traffic safety. There are 17 Strategic Regional Roads in County Laois linking the main county towns to the national routes and M7 and M8 motorways, one of which is the R430, which extends from the junction with the R445 (Mountrath) to the County Carlow boundary.

It is the policy of the Council to:

- TRANS 15** Manage and maintain the strategic regional road network in the county in a manner which safeguards the strategic function of road network.
- TRANS 16** Prohibit unnecessary access onto strategic regional routes in areas where speed limits in excess of 50 kph applies.
- TRANS 18** Consider permitting access for developments of a commercial nature, where a clear need for the development is established, which could not be met in other locations, and where there is no suitable alternative access to a local road possible. The Council will have regard to the specific nature of the enterprise in question and the

likely number and type of traffic movements associated with proposed development in the assessment of such proposals.

1.2.2.3.5 Traffic & Transport Assessments

Developers will be required to undertake Traffic and Transport Assessment (TTA) for development proposals that may generate significant additional trips/travel, including road traffic, with potentially significant implications for national and non-national roads. TTAs are used to assess the transport impacts of a proposed development, incorporating any subsequent measures necessary to ensure roads and junctions and other transport infrastructure in the vicinity of the development remain fit for purpose and encourage a shift towards sustainable travel modes. Thresholds for TTAs are contained within the Traffic and Transport Assessment Guidelines 2014.

It is the policy of the Council to:

TRANS 27 Require the submission of a Traffic and Transport Assessment including mobility management plans in accordance with the guidelines in the Traffic and Transport Assessment Guidelines 2014, for developments with the potential to create significant additional demands on the traffic network by virtue of the nature of their activity, the number of employees, their location or a combination of these factors and for significant developments affecting the national and non-national road network.

1.2.2.3.6 Water Supply

There is a total of 28 Public Water Supply Schemes in Laois supplying drinking water to 14 towns, 7 villages, a number of small rural settlements and a considerable rural area. The Council manages, on behalf of Irish Water, the production of a total of 23,000 m³ of potable water, which serves a population of approx. 61,000 people. Laois is unique in that 98.5% of all PWS is derived from groundwater. In general, the quality of groundwater in Laois is of good status and requires far less treatment in order to ensure compliance with the EU (Drinking Water) Regulations 2014.

It is the policy of the Council to:

PWS 1 Protect both ground and surface water resources and to work with Irish Water to develop and Implement Water Safety Plans to protect sources of public water supply and their contributing catchment.

WS7 Assess all applications in the context of available and sufficient public infrastructural facilities, the protection of Surface Water and Groundwater Resources. Laois County Council will not permit developments of greater than one dwelling which propose developer provided infrastructure in areas remote from Public Water or Waste Water Schemes.

Laois County Council is responsible for ensuring that the water supplied by any other water supplier, which includes the Public and Private Group Water Schemes, Small Private Water Supplies and individual Water Supplies is wholesome and clean and meets the requirements of the EU (Drinking Water) Regulations 2014.

Under the European Union (Drinking Water) Regulations 2014, Laois County Council is the Supervisory Authority for 80 Group Water Schemes, fifty of which are connected to a public water supply, while 30 use privately sourced groundwater.

The crucial importance of ground water resources and abstraction points is recognised by the Council, which prioritises the careful protection of water resources from pollution in the interests of the common good and public health. The control of pollution and prevention of contamination of groundwater and watercourses will be assessed in developments which discharge to groundwater or watercourses within the requirements of the Water Pollution Acts 1977 to 1990. Effluents must be treated and discharged in a satisfactory manner.

It is the policy of the Council, subject to provision of adequate funding and resources, to:

WS22 Protect and develop, in a sustainable manner, the existing Group Scheme groundwater sources and aquifers in the County and control development in a manner consistent with the proper management of these resources, in accordance with the County Source Protection Zones.

In response to the increasing threat of pollution and demand from the public for cleaner rivers, lakes and beaches, the EU developed the Water Framework Directive (2000/60/EC) (WFD). The WFD establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial water bodies for the benefit of everyone. The protection of water for wildlife and their habitats is also included under the WFD. Management of water resources is planned and implemented through River Basin Management Plans.

For the purposes of implementing the WFD, Ireland was divided into eight river basin districts that are drained by a large river or number of rivers. The Nore and Barrow catchments and a tributary of the Shannon catchments occur in County Laois. The South Eastern River Basin Management Plan (RBMP) covers the catchments to the River's Nore, Barrow, Suir, Slaney and a number of smaller rivers around the coast, along with the coastal waters bordering these river catchments. The Shannon catchment is covered by the Shannon International RBMP. These plans set out the standards and objectives for water quality in the river basin. RBMPs relate to all waters including rivers, canals, groundwater, lakes and protected wetlands.

Protection of the surface and groundwater resources is one of the most fundamental challenges facing Laois in the future as good quality water is essential in supporting diverse and varied ecosystems, sustainable communities and a developed economy. The chemical quality and availability of groundwater and the chemical and biological quality of surface water are under significant pressure.

The Nore Freshwater Pearl Mussel, known as *Margaritifera durrovensis* is found in the River Nore in Laois. This species is unique to the River Nore and is not found anywhere else in the world, and has been critically endangered for some time. The quality of its habitat is failing (evidence of heavy siltation, macrophyte and filamentous green algal growth) and its population demographic profile is weak. A Sub-Basin Management Plan for the Nore freshwater pearl mussel has been prepared, which indicates the sensitivity of the species and includes environmental objectives. Similarly, a number of protected areas (Natura 2000 sites) in Laois are water sensitive including river, bog and fen.

It is the policy of the Council to:

WS28 Improve the water quality in rivers and other watercourses in the county, including ground waters.

Groundwater provides the water requirements of the vast majority of households and businesses in county Laois via public, group scheme and private wells. Groundwater also contributes water to the river system as base flow, and so its quality is intrinsically linked to surface water quality. Groundwater is a resource that is under increasing risk from human activities. The main threats are posed by:

- Point contamination sources e.g. farmyard wastes (mainly silage effluent and soiled water), industrial discharges, activities related to quarrying and extraction, septic tank effluent, leakages, spillages, the improper use of pesticides and leachate from waste disposal sites; and
- Diffuse sources e.g. spreading of fertilisers (organic and inorganic) and pesticides.

A number of surface water bodies are protected by way of Special Area of Conservation (SAC) designation. Sensitive aquifers that contribute to the groundwater resources of the county also require protection and careful management. The Geological Survey of Ireland has completed a Groundwater Protection Scheme for the county, the overall aim of which is the preservation of the quality of groundwater, for drinking water, surface water ecosystems and terrestrial ecosystems, for the benefit of present and future generations. The Groundwater Protection Scheme provides guidance for the Council in decision-making on the location, nature and control of developments and activities in order to protect groundwater.

It is the policy of the Council to:

WS30 Protect and develop, in a sustainable manner, the existing groundwater sources and aquifers in the County and control development in a manner consistent with the proper management of these resources, in accordance with the County Source Protection Zones.

WS35 Assist and co-operate with the EPA and the Lead Authorities in the continued implementation of the EU Water Framework Directive.

WS36 Ensure, through the implementation of the River Basin Management Plans and their associated Programmes of Measures and any other associated legislation, the protection and improvement of all drinking water, surface water and ground waters throughout the county.

WS39 Have regard to the Groundwater Protection Scheme and to comply with the Water Services Act 2007 (as amended) in decision-making on the location, nature and control of developments and activities in order to protect groundwater.

WS41 Ensure that all industrial development is appropriately located, to seek effluent reduction and 'clean production' where feasible, and require that waste water treatment facilities are adequate, and that effluents are treated and discharged in a satisfactory manner.

WS43 Ensure that developments that may adversely affect water quality will not proceed unless mitigation measures are employed, such as settlements ponds, interceptors etc.

1.2.2.3.7 Stormwater & Flooding

The management of surface and storm water is important so as to avoid increased flood or pollution risk in the storm water network, rivers and streams in the county's towns, villages and rural areas. The Council will require compliance with best practice guidance for the collection, reuse, treatment and disposal of surface waters for all future development proposals. Sustainable Drainage Systems, commonly known as SuDS is an approach that seeks to manage the water as close as possible to its origin by various engineering solutions that replicate natural drainage processes before it enters the watercourse. The incorporation of SuDS techniques allows surface water to be either infiltrated or conveyed more slowly to water courses using porous surface treatments, ponds, swales, filter drains or other installations. SuDS provide an integrated approach which addresses water quantity, water quality, amenity and habitat. The Council will require the application of SuDS in development proposals.

It is the policy of the Council to:

- SW1** Ensure that all storm water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved storm water system.
- SW2** Promote storm water retention facilities for new developments and to incorporate design solutions that provide for collection and recycling of surface water in accordance with Sustainable Urban Drainage Systems as recommended in the Planning System and Flood Risk Management: Guidelines for Planning Authorities (DoEHLG 2009) and Laois County Council's Roads and Drainage Standards, or as amended.

Flooding has significant impacts on human activities, and in addition to economic and social damage, floods can have severe environmental consequences. The Council's aim is to minimise the level of flood risk to people, business, infrastructure and the environment, through the identification and management of existing, and particularly potential future, flood risks. Flood risk will be incorporated in an integrated, proactive and transparent manner in line with evolving best practice into decision making processes for future development and use of land in the county.

The Council has prepared a Strategic Flood Risk Assessment (SFRA) following which the county has been divided into two zones according to their risk of flooding. The SFRA for County Laois will be reviewed [and amended if necessary] following the national Catchment Flood Risk Assessment and Management [CFRAM] Studies. The Planning System and Flood Risk Management: Guidelines for Planning Authorities' (DEHLG 2009) prescribe the use of a sequential approach to ensure that new development is directed towards land that is at a low risk of flooding. The sequential approach makes use of flood risk assessment and of prior identification of flood zones for river flooding. The planning implications for each of the flood zones are as follows:

Flood Zone A - High Probability of flooding

Most types of development would be considered inappropriate in this zone.

Flood Zone B - Moderate Probability of flooding

Highly vulnerable development would generally be considered inappropriate in this zone, while less vulnerable developments might be considered appropriate in this zone subject to a flood risk assessment.

Flood Zone C - Low Probability of flooding

Development in this zone is appropriate from a flood risk perspective (subject to assessment of flood hazard from sources other than rivers and the coast) but would need to meet the normal range of other proper planning and sustainable development considerations.

FD2 Ensure that all development proposals comply with the requirements of the Planning System and Flood Risk Management-Guidelines for Planning Authorities' (DEHLG 2009) and to ensure that the Justification Test for Development Management is applied to required development proposals and in accordance with methodology set out in the guidelines.

1.2.2.3.8 Air Quality

The EPA is the body responsible for the monitoring of air quality in Ireland. The Council is the regulatory authority under the Air Pollution Act 1987 and the Air Pollution Act 1987 (Licensing of Industrial Plant) Regulations 1988. Under the above legislation Laois County Council's role is to protect, enhance and control air pollution and to ensure the provision of the highest standards. The Council is empowered to improve air quality and prevent pollution by having regard to the Air Quality Standards Regulations 2011 (S.I. No. 180 of 2011).

The Council has adopted policies in relation to air quality having regard to its importance to a good quality of life, public health and environmental sustainability. Air pollution can negatively affect human health and eco-systems with the main threat to air quality being emissions from road traffic. The policy approach of the Council to integrate land use planning and transportation will reduce emissions from vehicles. The most sensitive areas in relation to air quality are built-up urban areas and major transport developments. The Council will have regard to the EU Framework Directive on Air Quality Assessment relating to air quality standards. Regard shall also be had to the EPA document "Air Quality in Ireland".

It is the policy of the Council to:

ES8 Ensure good air quality throughout the county by requiring developments of a certain nature to carry out assessments of the impact of the development on air quality.

ES9 Encourage the use of appropriate mitigation measures, such as dust dampeners, chimney stack scrubbers, etc. to minimize the potential impacts of developments on air quality.

1.2.2.3.9 Noise

Noise control is governed by the Environmental Protection Agency Act 1992 and the Environmental Protection Agency Act (Noise) Regulations 1994 (S.I. No. 179 of 1994). The definition of environmental noise includes “noise which causes a nuisance, or would endanger human health or damage property or harm the environment”. Noise that is continuous, repeated or loud can have significant impacts on the quality of life of individuals, communities and the environment, in particular, wildlife. The protection of noise sensitive land usage, such as residential uses, is important in order to foster a good quality of life. The Council will seek to minimise noise through the planning process by ensuring that the design of future developments incorporate measures to prevent or mitigate the transmission of noise and vibration, where appropriate.

Laois County Council adopted the 2014-2018 Noise Action Plan, which is in accordance with Environmental Noise Regulations (SI 140 of 2006). The aim of the plan is to avoid, prevent and reduce, on a prioritised basis the harmful effects, including annoyance due to the long term exposure to environmental noise.

It is the policy of the Council to:

- ES12** Require an assessment of impact of the developments on noise levels, having regard to the provisions of the Environmental Protection Agency (EPA) Acts 1992 and 2003 and the EPA Noise Regulations 1994 when assessing planning applications.
- ES13** Ensure that relevant planning applications comply with the provisions of any Noise Action Plan or noise maps relating to the area.
- ES14** Restrict development proposals causing noise pollution in excess of best practice standards.
- ES15** Regulate and control activities likely to give rise to excessive noise, other than those activities which are regulated by the EPA.
- ES16** Ensure new development does not cause an unacceptable increase in noise levels affecting noise sensitive properties. Proposals for new development with the potential to create excessive noise will be required to submit a construction and/or operation management plan to control such emissions.
- ES17** Require activities likely to give rise to excessive noise to install noise mitigation measures and monitors. The provision of a noise audit may be required where appropriate.

1.2.2.3.10 Light Pollution

The control of light pollution is important in the interests of nature conservation, residential amenity and energy efficiency. While adequate lighting is essential to a safe and secure environment, light spillage from excessive or poorly designed lighting is increasingly recognised as a potential nuisance to surrounding properties, a potential hazard to road safety, a threat to wildlife and can reduce the visibility of the night sky. Lighting columns and other fixtures can have a significant effect on the appearance of buildings and the environment and

where proposals for new lighting require planning consent, the Planning Authority will ensure that they are carefully and sensitively designed.

It is the policy of the Council to:

ES19 Ensure that lighting is carefully and sensitively designed.

ES20 Ensure that external lighting and lighting schemes are designed so that light spillage is minimised, thereby limiting light pollution into the surrounding environment and protecting the amenities of nearby properties and wildlife, including protected species.

1.2.2.3.11 Soil Quality

There is increasing pressure on soil, particularly from land use changes, intensification of agriculture, erosion and overgrazing, afforestation, industry and urbanisation. These developments have significant impacts on soil quality and require careful management to protect soils and the wider environment.

It is the policy of the Council to:

ES21 Ensure good soil quality throughout the county by requiring developments of a certain nature (as specified in the relevant environmental legislation) to carry out assessments of the impact of the development on soil quality.

ES22 Recognise the significant impacts of land use, land use change and sludge generation and treatment in relation to carbon loss/stocks and recognise the function of soil assessment and management, carbon sinks, carbon sequestration and restoration of degraded lands in plan led settlement and development strategies.

1.2.2.3.12 Built Heritage

The Council is committed to the conservation and preservation of the environment and will seek to continue to protect natural resources of the county through the enforcement of policies and relevant legislation. Any proposed development affecting areas of natural and/or manmade environment must be carried out in an acceptable manner and be in compliance with the policies of the Plan.

The monuments, buildings, streets and spaces in the towns, villages and rural areas of Laois together make up the rich built heritage of County Laois. The built heritage of County Laois has a very considerable contribution to make to the identity of the county itself.

The protection of special historic buildings and special groups of historic buildings is important as these structures form a rich part of the cultural heritage and economic and social history of County Laois as well as displaying fine craftsmanship and technical advances. Some of these assets comprise individual structures with distinct architectural integrity, groups of buildings, streetscapes, demesne landscapes intrinsically linked to the special interest of country houses, the arrangement of buildings in and around spaces such as in vernacular farmyards and at market squares, the sympathetic evolution of individual structures displaying different architectural trends. There are some outstanding and very exceptional structures within County Laois, as well as many fine groups of buildings including historic village and town centres for which Architectural Conservation Areas have been designated.

The Planning and Development Act 2000 (as amended) sets out the Planning Authority's obligations in relation to structures that are worthy of preservation. The protection of special historic buildings and special groups of historic buildings is important as these structures form a rich part of the cultural heritage and economic and social history of the county.

There are two primary mechanisms to protect the county's architectural heritage:

- If a structure is considered to be of significant importance, the Council may designate it as a protected structure. A protected structure must be of architectural, historical, archaeological, artistic, cultural, scientific, technical and social interest and
- If a group of buildings is considered special and is of significant importance, the Council may designate it as an Architectural Conservation Area.

It is an objective of the Council to:

OBJ3 Protect the intrinsic value, character, integrity and settings of monuments and places in the Record of Monuments and Places (RMPs) and any forthcoming statutory register and protect Zones of Archaeological Potential against inappropriate development.

OBJ4 Protect all structures listed in the Record of Protected Structures, that are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical character or interest in County Laois.

OBJ11 Implement, promote and support, in partnership with all relevant stakeholders (including the County Heritage Forum, the Heritage Council, community groups and the wider public) the aims and objectives contained in the Laois County Heritage Plan 2014-2019 and any revision thereof, and take cognizance, in assessing planning applications and preparing development plans, the provisions of the Plan.

In respect of Built Heritage, it is the policy of the Council to:

BH2 Consult with the DAHG in considering planning applications that may affect Protected Structures or architectural conservation areas. The Council will have regard to comments made by the Department and relevant guidelines such as the Architectural Heritage Protection: Guidelines for Planning Authorities (DAHG 2011);

Archaeology is an irreplaceable link with the past and is to be found in virtually every townland in County Laois. The Council recognises the importance of preserving and protecting this resource and fostering a greater public appreciation of it among both residents of the county and visitors. The archaeology of County Laois varies greatly in form, date and condition and includes structures, constructions, groups of buildings, developed sites, all recorded monuments as well as their contexts, and moveable objects, situated both on land and underwater. The Archaeological Heritage is comprised of:

- Recorded sites and features of historical and archaeological importance included in the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994;

- Major sites of archaeological importance in State Ownership or Guardianship (as outlined in Table 22 of the Plan);
- National Monuments which are the subject of Preservation Orders in Laois (as outlined in Table 23 of the Plan); and
- All previously unknown archaeology that becomes known (e.g. through ground disturbance, fieldwork, or the discovery of sites underwater).

It is an objective of the Council to:

OBJ1 Secure the preservation (in-situ or by record) of all sites and features of historical and archaeological interest;

OBJ3 Ensure that development in the vicinity of a site of archaeological interest shall not be detrimental to the character of the archaeological site or its setting by reason of its location, scale, bulk or detailing;

OBJ7 Require the preparation and submission of an archaeological assessment detailing the potential impact of any development on both upstanding monuments, and buried structures and deposits. The report will also include a visual impact assessment to ensure adequate consideration of any potential visual impact the proposed development may have on any upstanding remains;

OBJ8 When considering proposals for extractive Industry, the applicant shall have regard to

- the Archaeological Code of Practice agreed between Irish Concrete Federation and National Monuments Division;
- the Code of Practice for Bord Na Mona and other Archaeological Codes of Practice <https://www.archaeology.ie/codes-of-practice>;
- Currently the Code of Practice with TII is at an advanced stage (pers. comm.).

In respect of Archaeological Heritage, it is the policy of the Council to:

ARCH7 Ensure that all archaeological excavations are undertaken to the highest standard and the resultant information made publicly available. Developers will be required to have regard to Archaeology and Development: Guidelines for Good Practice for Developers (ICOMOS, 2000) in planning and executing development in sensitive areas;

ARCH10 Protect the integrity, character, value and settings of Recorded Monuments and Places and the settings of National Monuments from inappropriate development;

The Record of Monument and Places (RMP) is a statutory audit of archaeological monuments provided for in the National Monuments Acts. It consists of a county by county set of marked-up Ordnance Survey maps and a manual listing basic information in relation to each monument or area included in the RMP. Monuments in the RMP are protected under the National Monuments (Amendment) Act 1994.

A Record of Protected Structures contains structures that are considered representative of the diversity of the architectural heritage of the county that are of various categories of interest, including architectural, historical, archaeological, artistic, cultural, scientific, technical and

social. The achievement of a proper balance between the special interest of a Protected Structure and proposals to alter or extend it to ensure its utility as a structure is always challenging and should be based on specialist expertise. Many Protected Structures can sustain a degree of sensitive alteration or extension; however, a small number of structures may be sensitive to even slight alterations.

1.2.2.3.13 Natural Heritage

A wide diversity of flora, fauna and wildlife habitats make up the biodiversity of County Laois. Some sites have been designated by the National Parks and Wildlife Service of the DOAHRRGA as Special Areas of Conservation (SACs), Special Protection Areas [SPAs] and Natural Heritage Areas (NHAs) as a result of their international and national wildlife importance. Laois County Council also recognises the integral value of the locally important sites and the wildlife and biodiversity of the wider countryside and acknowledges the importance of implementing policies to protect our natural heritage. The county retains a strong connection with traditional agriculture and the landscape supports a wide range of ecological habitats despite recent rapid growth of its settlements.

The landscapes in County Laois are constantly evolving in response to natural forces and human activity. There have been several phases of history which have left their marks on the landscape, and which are evident today such as the following elements which include passage tombs and pre-Christian earthworks, early Christian ecclesiastical buildings, Norman castles and walled settlements, 17th–18th Century demesnes and field patterns and 18th–19th Century buildings and structures.

In respect of Natural Heritage, it is an objective of the Council to:

- OBJ1** To maintain, protect and where possible enhance the conservation value of existing European and national designated sites (SAC, SPA, NHA) in the county and any additional sites that may be proposed for designation during the period of this Plan.
- OBJ4** Use the Landscape Character Assessment (LCA) to protect parts of the Laois landscape that are of scenic importance and sensitive to change.
- OBJ5** Ensure the protection of terrestrial, aquatic and soil biodiversity throughout the county and protect against invasive species.
- OBJ6** Where the opportunity arises, the Council will seek to create a green network of spaces and corridors in order to provide for richer ecological networks and also amenity areas by linking up existing fragmented green spaces and focusing on linear features such as hedgerows, canal and river banks, railway embankments and walking paths and promote a feasibility study on opportunities for incorporation of green infrastructure;
- OBJ7** Implement the key objectives and associated actions identified in the county Heritage Plan and any revision thereof.

Biodiversity refers to species, habitats and genetic diversity, and includes all plants and animals (including humans), fungi, algae and all other microscopic life forms, as well as their habitats and their interaction with other species within that habitat. Biodiversity forms the basis

of the county's landscapes, provides for food and clean water supplies, opportunities for waste disposal, nutrient recycling and flood storage.

The ecologically rich areas in Laois include hedgerows, drainage ditches, eskers, wetlands, relic woodland and semi-natural woodland. The Council will seek by way of specific policies to enhance biodiversity and create enriched ecological networks. The protection of hedgerows is important to prevent the suburbanisation of rural landscapes, to protect the historic character of rural landscapes and to protect the ecological richness of hedgerows and their function as an ecological highway between rich ecological areas.

It is policy of the Council to:

- BIO1** Comply with the objectives of the National Biodiversity Plan 2011-2016 (and any future National Biodiversity Plan which may be adopted during the period of this plan) as appropriate to County Laois.
- BIO2** Contribute, as appropriate, towards the protection of designated ecological sites including candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs); Ramsar Sites; Wildlife Sites (including Natural Heritage Areas, proposed Natural Heritage Areas and Nature Reserves); Salmonid Waters; Flora Protection Order sites; and Freshwater Pearl Mussel catchments (the River Nore Freshwater Pearl Mussel sub-basin management Plan should be referenced in this regard).

Green infrastructure refers to the network of linked high quality green spaces and other environmental features within both urban and rural settings. This strategically planned and delivered network should be designed and managed as a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. Green infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.

In respect of Green Infrastructure, it is the policy of the Council to:

- NH2** Ensure that the following guidance is taken into account when assessing planning applications for extractive industry "Notice Nature Biodiversity Guidance for Extractive Developments".
- NH3** Ensure that landscaping plans incorporate features or measures to foster biodiversity and enrich ecological networks.
- NH4** Preserve the County's extensive network of hedgerows and eskers which are of landscape and ecological importance.
- NH8** All projects and plans arising from this plan (including any associated improvement works or associated infrastructure) will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:

1. The Plan or project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or
 2. The Plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or

The Plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.
- NH9** Conserve, enhance, manage and protect, facilitate, improve the green infrastructure network, in consultation with relevant stakeholders and develop new Green infrastructure by recognizing the synergies that can be achieved with regard to the protection and management of heritage.

The National Parks and Wildlife Service is responsible for designating areas of special biodiversity interest in the context of national and European legislation. These areas include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs) and Statutory Nature Reserves. "Natura 2000 sites" is the collective name given to Special Areas of Conservation (SACs) and Special Areas of Protection (SPA). These sites contain habitats or species of special European importance.

Special Areas of Conservation (SACs) are prime wildlife areas, considered to be important on a European as well as Irish level. The legal basis on which SACs are selected and designated is the EU Habitats Directive (92/43/EEC), transposed into Irish law in the European Communities (Birds and Natural Habitats) Regulations 2011-2015. The Directive lists certain habitats and species that must be protected within SACs. Irish habitats include raised bogs, blanket bogs, turloughs, sand dunes, machair, heaths, lakes, rivers, woodlands, estuaries and sea inlets. The species which must be afforded protection under the Habitats Directive include inter alia all our bat species, Salmon, Pearl Mussel, Common Frog, Pine Marten, Mountain Hare and Otter. There are eight SACs to date in County Laois.

Special Protection Areas (SPAs) are sites designated under the EU Birds Directive 79/409/EEC as a result of their importance for birds. There are two SPAs to date in County Laois, the Slieve Bloom Mountains SPA designated for the Hen Harrier, but also important for

Merlin, Peregrine and Red Grouse and the River Nore SPA whose feature of interest is the Kingfisher.

In terms of Natural Heritage Area (NHAs), to date only a selection of raised and blanket bog have been given formal legal protection as NHAs. In County Laois, these sites are:

- 000652-Monaincha Bog / Ballaghmore Bog NHA; and
- 002357-Clonreher Bog NHA.

The remaining 28 proposed NHA (pNHA) sites in County Laois are given limited legal protection in the planning process by their recognition in the Plan.

In respect of Natural Heritage, it is the policy of the Council to:

- NH9** No projects giving rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this plan (either individually or in combination with other plans or projects);
- NH10** Assess, in accordance with the relevant legislation, all proposed developments which are likely to have a significant effect (directly or through indirect or cumulative impact) on designated natural heritage sites, sites proposed for designation and protected species;
- NH11** Protect Natural Heritage Areas (NHA) from developments that would adversely affect their special interests;
- NH12** Recognise and protect the significant geological value of sites in County Laois and safeguard these sites, in consultation with the Geological Survey of Ireland and in accordance with the National Heritage Plan and "Geological Heritage Guidelines for the Extractive Industry";

Laois County Council acknowledges the importance of maintaining and enhancing the quality of the natural environment in its entirety as wildlife heritage is not just confined to designated areas. Most of the county's biodiversity is interwoven throughout the landscape and includes woodlands, hedgerows, earthen banks and ditches, rivers, lakes and wetlands, areas of upland blanket bog, heath and raised bogs and unimproved grasslands, as well as the plant and animal species that are found in these wild places. Rare and protected sites and species cannot survive independently of their surroundings. The wider landscape provides vital links and corridors to allow the movement of plants and animals between protected sites.

In respect of Non-Designated Sites, it is the policy of the Council to:

- NH16** Maintain and enhance the quality of the natural environment in its entirety as wildlife heritage is not just confined to designated areas.
- NH17** Minimise the impact of new development on habitats of natural value that are key features of the County's ecological network. Developments likely to have an adverse effect on recognised sites of local nature conservation importance will be required to demonstrate the impacts on the ecological value of the site and will not be approved

unless it can be clearly demonstrated that there are reasons for the development that outweigh the need to safeguard the nature conservation value of the site.

- NH18** Ensure that proposals for development protect and enhance biodiversity, wherever possible, by minimising adverse impacts on existing habitats and by including mitigation and/or compensation measures, as appropriate, which ensure that biodiversity is enhanced.
- NH19** Apply the precautionary principle in relation to development proposals with potential to impact on County Biodiversity Sites or of local nature conservation interest by requiring an ecological impact assessment to ensure that any proposed development will not affect the integrity and conservation value of the site;
- NH20** Ensure that no ecological networks, or parts thereof which provide significant connectivity between areas of local biodiversity, are lost without remediation as a result of implementation of the Plan.

Trees and woodlands make a positive contribution to the county's landscape biodiversity and townscapes. In addition, they provide wildlife habitats, soften hard urban edges and provide scale and backdrops to streets and buildings. They also filter out noise, dust and pollutants and prevent flooding by retaining moisture. A survey of native woodland areas in Ireland, commissioned by the National Parks and Wildlife Service, was carried out in 2003-2006. A number of the sites in County Laois will be considered for Tree Preservation Orders (TPOs) during the Plan period 2017-2023.

- NH24** Encourage and use native species of trees within landscaping in private and public developments.
- NH26** Encourage development proposals that enhance the landscape through positive management and additional planting and or sensitive replanting of native tree species.

Hedgerows provide effective farmland barriers and boundaries, as well as vital habitats and landscape corridors for a vast array of native plants and wildlife. Most hedgerows were planted over the last 300 years or so following the enactment of legislation in the 18th century requiring landowners to enclose their land. However, heritage hedgerows, which are considerably older, often have strong links with native woodland that date back thousands of years and are of even greater biodiversity and historical value. There is an extensive network of hedgerows throughout County Laois. There will be a firm presumption against the removal of hedgerows to facilitate development including where sight lines are deficient. In cases where removal is necessary, the planting of an equivalent length of native hedgerow will be required as a condition of planning permission.

In respect of Hedgerows, it is the policy of the Council to:

- NH27** Protect existing hedgerows from unnecessary removal in order to preserve the rural character of the countryside and promote biodiversity.
- NH28** Insist on the use of native species when planting new hedgerows.

The rivers and streams, lakes, wetlands and groundwater occurring within County Laois are home to a variety of habitats and species. Wetlands associated with rivers and streams, such as wet grasslands and marshes, are important in terms of biodiversity, but also reduce the

flow of pollutants to both surface water and groundwater and ease the impacts of flooding by retaining floodwaters and releasing them slowly back into our waterways. Groundwater is important for supplying water and maintaining wetlands and river flows in dry periods.

Wetland habitats are an important source of biodiversity and contain species such as otters (*Lutra lutra*), Salmon (*Salmo salar*), Kingfishers (*Alcedo atthis*), Freshwater crayfish (*Austropotamobius pallipes*) and Lamprey species, all protected under the Wildlife Acts of 1976 and 2000 and/or listed on the annexes of the EC Habitats Directive and Birds Directive. County Laois is particularly important for the Nore Pearl Mussel "*Margaritifera durrovensis*" and the species is protected under the Freshwater Pearl Mussel Nore Sub-Basin Management Plan (2009).

Riparian zones are particularly vulnerable to damage from inappropriate development. While this Plan does not expressly prohibit development in a riparian zone, developments taking place in the zone must ensure the protection of these vulnerable areas. A key requirement of an integrated watercourse protection strategy is the set-aside of sufficient land along the river margin or corridor. Where developments are proposed adjacent to waterways, the Planning Authority will require a setback distance of a minimum of 15 metres from the waterways edge. This requirement may be subject to change depending on the nature and design of the development.

In respect of Riparian Corridors, it is the policy of the Council to:

- NH31** Protect riparian corridors by reserving land along their banks for ecological corridors and maintain them free from inappropriate development.
- NH33** Ensure that no development including clearance and storage of materials takes place within a minimum distance of 10-15 m from each bank of any river, stream or watercourse.

The Nore Freshwater Pearl Mussel Species is protected under the Freshwater Pearl Mussel Nore Sub-Basin Management Plan (2009). The critically endangered status of *Margaritifera durrovensis* of the Nore requires the careful management of land uses and activities in the vicinity of the River Nore. Activities requiring planning permission that may give rise to sedimentation, nutrient enrichment or other adverse environmental effects will be assessed carefully by the Council. Applications will not be accepted unless proposals will have no significant effects on this protected species. Applications may be subject to an Appropriate Assessment pursuant to the Habitats Directive.

In respect of the Nore Freshwater Pearl Mussel, it is the policy of the Council to:

- NH37** Protect the Nore Pearl Mussel through the measures set out in the Freshwater Pearl Mussel Nore Sub-Basin Management Plan (2009).

Invasive non-native plant and animal species represent a major threat to biodiversity in County Laois. They can impact negatively on native species, can transform habitats and threaten whole ecosystems. There is potential for the spread of invasive species during excavation and construction works. To minimise the risk of accidental transfer of non-native species, it will be necessary to adhere to current best practice protocol for avoiding the spread or transfer of all invasive species and plants, in particular Japanese Knotweed, Giant Hogweed and Zebra Mussel.

In respect of Invasive Species, it is the policy of the Council to:

NH38 Prevent the spread of invasive species within the Plan area, including requiring landowners and developers to adhere to best practice guidance in relation to the control of invasive species.

1.2.2.3.14 Landscape & Amenity

Landscape Laois County Council has prepared a Landscape Character Assessment of County Laois, which is incorporated into the CDP 2017-2023 (See Appendix 6 of Laois County Council 2017), and identifies and describes the landscape character of the entire county. The key objectives of the LCA were to:

1. Improve the understanding of the landscape in the county in terms of its inherent and unique character and to identify the key elements that should be preserved, conserved or enhanced;
2. Devise policies and objectives as guidance to planners and other parties to ensure that change is complimentary to landscape character. Sensitivity and capacity should be given due consideration in all aspects of decision-making;
3. Assist in the achievement of sustainable development by promoting a unified approach to landscape planning which links policies and recommendations for landscape character to planning policies.

Landscape Character Assessment (LCA) is a process that describes, maps and classifies landscapes objectively. Defining landscape character enables an understanding to be formed of the inherent value and importance of individual landscape elements and the processes that may alter landscape character into the future.

The LCA is focused on characterisation (i.e., the discernment of the character) of the landscape based on: (1) physical elements - landform, land cover, geology, vegetation cover, hydrology and ecology; (2) visual characteristics - type and extent of views, enclosure and patterns formed by physical elements; and (3) less tangible aspects such as historical and cultural associations, archaeology, remoteness, tranquility and aesthetic quality. The LCA assists in identifying specific areas that are characterised by sensitive landscapes. Sensitive areas include upland areas, visually open and expansive areas and areas in the vicinity of natural heritage or built heritage assets or scenic views.

In terms of the landscapes within the County, the interplay between solid geology, glacial processes, soil formation, hydrology and ecology has formed the basic materials upon which human activities have impacted. This is an ongoing inter-relationship with topography, access to water and soil conditions influencing the spatial distribution and types of human activities practiced within the county over the past several millennia. Although human habitation has been the most recent landscape influence, in many ways it has been the most profound. Patterns of land ownership, settlement development, agricultural and ritual activities have all been modified in response to local variations of biotic and abiotic elements and constraints.

Mineral extraction is a significant industry and demand for aggregates is certain to continue. Large areas in the County Laois are identified as having high aggregate potential, particularly

in the south of the county. Any future development must be carefully planned to avoid unnecessary adverse landscape impacts.

The LCA established 7 Landscape Character Types (LCT) that are relatively homogeneous in character and share similar combinations of geology, topography, land cover and historical land use. The LCA evaluated the capacity of the different types to accept change without disproportionate effects, and proposed a series of recommendations to guide developments in each type of landscape (Refer to Figure 11-3).

Spink quarry lies in LCT1: Hills and Upland Areas (Refer Appendix 6 of CDP). Although lacking in terms of dramatic peaks, the Hills and Uplands LCT (LCT1) are a prominent feature of the county, particularly in the northwest and southeast. Panoramic views of the lowland landscapes of Laois and adjacent counties are gained from the tops of these hills. The hills and uplands form important historic features with an abundance of archaeological features and contain evidence of human settlement extending back 9,000 years.

There is extensive mono-type afforestation and marginal agriculture in these areas. Field systems and the enclosures associated with them are generally absent in this landscape. New dwellings are comparatively few with much of the older stock abandoned and derelict.

These hills and uplands represent some potential in terms of tourism development, although they are currently somewhat isolated as separate entities. Linking the most important sites by way-marked trails would be a valuable addition allowing further appreciation of the landscape in a sensitive manner.

Relevant Recommendations

1. To preserve and enhance the rich heritage assets of these LCT's which provide visible evidence of all four key phases of the County's history;
2. To have due regard to the positive contribution that views across adjacent lowland areas and landmarks within the landscape make to the overall landscape character; To respect the remote character and existing low-density development in these LCTs; and
3. To continue and encourage the improved management of field boundaries such as hedgerows and stone walls and hunting copses/ wooded copses.

It is the aim of the Laois County Development Plan "To provide for the protection, management and enhancement of the landscape of the county and to ensure that development does not disproportionately impact on the landscape character areas, scenic routes, or protected views through the implementation of appropriate policies and objectives to ensure the proper planning and sustainable development of the area" (Refer to CDP Chapter 7).

The following development plan policies and objectives are considered relevant with respect to the landscape, and views and prospects:

In respect of LCT1 Hills and Uplands, it is the policy of the Council to:

- LS01** Preserve and enhance the rich heritage assets of these LCTs which provide visible evidence of all four key phases of the County's history;
- LS02** Protect the positive contribution that views across adjacent lowland areas and landmarks within the landscape make to the overall landscape character;

LS03 Respect the remote character and existing low-density development in these LCTs;

LS06 Continue to encourage the improved management of field boundaries such as hedgerows and stone walls and hunting copses/ wooded copses.

County Laois contains a number of valuable views and prospects which offer a very attractive view and overall impression of the differing landscapes in the county. The protection of these views and prospects will be done on a case by case basis through the development management process when considering individual planning applications. Development that would seriously hinder or obstruct such views and prospects will not be allowed.

Because the site is potentially visible from Amenity Views and Prospects, it is important to also note that it is the policy of the Council to:

AV1 Protect the views and prospects as indicated in the table above (Table 27 of CDP).

AV2 Discourage development which would materially affect these amenity views and prospects.

AV3 Ensure that appropriate standards of location, siting, design, finishing and landscaping are achieved.

Like all Midland counties, much of the natural heritage of Laois traverses the county boundaries, such as the River Nore with County Kilkenny and the River Barrow with County Offaly, County Kildare and County Carlow. It is important therefore to ensure that developments that may benefit one county are not permitted to go ahead to the detriment of another.

It is the policy of the Council to:

CBS1 Co-operate with adjoining local authorities and other agencies in relation to cross border sites such as the Slieve Blooms and waterways and ensure a coherent and strategic approach to their sustainable development and conservation.

In this regard, it is noteworthy that the southeastern boundary of the landholding is located c. 200 m from the Laois-Kilkenny border, and that a tributary of the Clogh River rises on the landholding and flows southeastwards into County Kilkenny.

1.2.2.3.15 Geological Heritage

The Geological Survey of Ireland established the Irish Geological Heritage Programme, which is a partnership between the GSI and NPWS, in 1998. The programme identifies and selects the very best national geological sites for NHA designation, to represent the country's geology. It also identifies sites of national or local geological heritage importance, which are classed as County Geological Sites (CGS). These sites will be protected primarily through their inclusion in the County Development Plan.

The Council recognises that Geology is an intrinsic component of natural heritage and should be protected and promoted for its heritage value and for its potential for recreational and geo-tourism initiatives. The Council must also ensure that geological heritage is adequately addressed in the Development Plans.

While the most important geological sites and geomorphological scientific sites will be designated as NHAs, the National Heritage Plan (2002) has recommended the recognition and protection of other important sites known as County Geological Sites (CGSs). The Irish Geological Programme identifies CGSs that, although of national, regional and local importance, will not receive the statutory protection of NHA sites.

In respect of Geology, it is the policy of the Council to:

GEOL1 Work with stakeholders to protect, preserve, enhance, maintain, manage, conserve, recognise and, where appropriate, restore the character conservation value and integrity of these sites for their amenity, scientific, heritage and historic values (including County Geological Sites listed in Table 28 (of CDP), proposed NHA's, areas near site and areas of geomorphological interest).

GEOL2 Protect geological NHAs as they become designated and notified to the Local Authority, during the lifetime of the Plan.

GEOL3 Encourage, where practicable and when not in conflict with ownership rights, access to geological and geomorphological features.

GEOL4 Encourage and facilitate the development of geo-tourism by conserving and managing geological resources, and by the development of a Rock Trail (named), Geoparks or other similar geo-tourism initiatives.

1.2.2.3.16 Development Management Standards

Development Management Standards are presented in Table 32 of the Plan, and those relevant to the current proposal are given below:

DM26 Industrial activities

Where proposed industrial facilities, waste disposal facilities, mineral extraction developments, or other developments that may have a significant impact on surface water quality, ground water quality, or on the water table, the developer will be required (whether as part of an EIS (now EIAR) or an Environmental Report) to:

1. Submit an assessment of the impact of the development on water quality and the water table; mitigatory and monitoring measures should also be included, as appropriate; and
2. Development proposals that could cause pollution, a reduction in biological or chemical water quality or changes in the water table will not be accepted unless appropriate mitigatory measures are proposed, such as settlement ponds, oil and chemical interceptors, bunding of storage tanks and refueling areas, capping where ground water is exposed as a result of extraction etc.

DM22 General consideration

In assessing planning applications for commercial development a number of considerations will be taken into account:

1. Conformity with the land use policies in respect of commercial development;

2. The design, quality and mix of uses being proposed particularly in town centres where redevelopment and changes of use need to be orientated towards creating a vibrant and lively, quality directed commercial core;
3. The requirement that design quality protects but also enhances the architectural character of the town, particularly in relation to landmark structures and viewpoints;
4. The potential impact of traffic generation, parking provision and desirability thereof and whether or not consideration has been given to access and commuter movements;
5. Potential impact on the amenities of the surrounding areas;
6. The energy efficiency and overall sustainability of the development which includes practical considerations, such as servicing, deliveries, waste/recycling and overall management thereof;
7. Whether or not a land contamination assessment is necessary and is required as part of the Planning Authority requirements;
8. Whether or not an E.I.S. and/or N.I.S or AA has been deemed necessary and provided as part of the Planning Authority requirements;
9. The requirements for bring banks in line with council requirements; and
10. Demolition within town centres will not normally be permitted unless fully justified by structural assessment and positive redevelopment proposals within the context of preceding objectives outlined above.

DM44 Roadway standards: Sightlines on the road network

All applications with access onto the public road network shall have regard to the technical criteria contained in the Council's Roads and Parking Standards (2007) document or any subsequent document.

DM45 Measuring sightlines

Sightlines shall be measured from a point 3 m back from the edge of the public road at the centre point of the proposed access/egress to points on the nearside of the public road in both directions.

DM46 Set back distances from the roadways

All applications with access onto the public road network shall have regard to the technical criteria contained in the Council's Roads and Parking Standards (2007) document or any subsequent document with regards to the setback distances from roadways.

DM52 Road assessments

The Council will require that a Road Safety Audit (RSA) is submitted for development proposals which give rise to potentially significant new traffic levels where those developments require a new access/egress, or significant changes to an existing access/egress, to a national road.

Traffic Impact Statements will be required for all major traffic generating development as defined by Transport Assessment Guidelines (2014) published by the NRA/TII. The Planning

Authority may also require such assessments where a particular development may have a significant impact on the county road network. All such statements should be prepared in accordance with the Traffic and Transport Assessment Guidelines (2014).

A Workplace Travel Plan or Mobility Management Plan outlines a series of measures to encourage sustainable travel modes and reduce car borne traffic within a development. Initiatives might include proposals to encourage cycling and walking, car sharing (including car clubs), carpooling, flexible working hours, cycling and public transport use. Workplace Travel Plans are required for larger sized developments as defined in Chapter 2 of the Achieving Effective Workplace Travel Plans - Guidance for Local Authorities (NTA 2013). Travel plans should be prepared in accordance with this document.

DM53 Landscaping plans

A detailed landscaping plan for hard and soft landscaping will generally be required for each development.

Landscaping Plans should provide for:

1. The creation of a coherent landscaping scheme appropriate to the type and scale of development and its surroundings;
2. The creation of paths through significant areas of open space;
3. The retention of any existing valuable features including trees, hedgerows, ponds, and areas of wildlife or ecological value;
4. The use of native trees, shrubs and plants in the planting schedules, planting schedules which include invasive species will not be accepted (a schedule of invasive species and native plants are included in Appendix 8). Preferred native deciduous tree species to be used are hawthorn, whitethorn, rowan, ash, oak, hazel, sycamore and holly. Beech (*fagus sylvatica*) shall not be used;
5. The linking up of site landscaping with adjacent open spaces, green spaces, foot or cycle paths; or linking up site landscaping with adjacent linear landscape features such as lines of trees or hedgerows;
6. The use of planting belts to absorb developments into the landscape, taking account of important views;
7. The creation of a pleasant environment for users, including sunny and shady areas;
8. The screening of development from neighbouring properties and from public roads for privacy; and
9. Earthen berms in combination with planting belts are favoured to screen commercial developments such as quarries, waste disposal facilities or other large developments from the surrounding landscape.

DM54 Hedgerows

Hedgerows define rural landscapes and are valuable for terrestrial forms of wildlife. They are particularly important for birds and woodland plants. They provide commuting and feeding

corridors for bats. Where they are found in settlements they are significant habitats and corridors for biodiversity.

Good hedgerows can easily be identified by their structure and location in the landscape. Best quality hedgerows will have all the following characteristics:

1. A few mature trees;
2. A three tier structure (with trees, shrubs and herbs);
3. Few gaps;
4. Will not have been cut into a box shape. Shrubs (almost always) include hawthorn, blackthorn or and possibly dog rose; and
5. The herb layer is found under the shrub layer. It should form a strip of tall grassland along the margin of the hedgerow.

In dealing with applications for new developments, the Planning Authority will have regard to the following:

1. Retention of a connected network of good quality hedgerows;
2. The value of hedgerows as green infrastructure (landscape, biodiversity, shelter, supporting services to agriculture/horticulture);
3. The avoidance of the unnecessary removal of hedgerows;
4. If it is necessary to remove a hedgerow, developers should be reminded of their obligations under the Wildlife Acts not to remove or interfere with them during the bird nesting season, between March 1st and 31st August. Also, replacement or compensatory planting of hedgerows using indigenous species such as whitethorn or blackthorn only will be required;
5. Proposals to integrate hedgerows into the layout of a new linear feature such as a road/ pedestrian/ cycle track;
6. Depending on the potential risks of anti-social activity or requirements for a more garden look the margins of these new hedgerows/woodlands/new shrubberies could be planted with colourful non-natives (for amenity) or spiny shrubs to deter vandals.
7. By occasionally mowing the grass margin of hedgerows (or part of it), they will look managed. As litter will accumulate in long grass along their margins arrangements will have to be made to carry out regular clean ups;
8. Encouragement should be given to develop a new linear feature of biodiversity value such as a hedgerow or dry stone wall, particularly if this type of habitat is found adjacent to the development site;
9. The use of native tree and shrub species similar to those found in adjacent hedgerows in new or replacement hedgerows; and
10. The wholesale removal of hedgerows to facilitate the achievement of adequate sightline visibility for one-off houses in the countryside will not be encouraged.

DM55 Flood Risk Assessments

Flood risk management will be carried out in accordance with the Flood Risk Management Guidelines for Planning Authorities, Department of Environment, Community and Local Government (2009). Development proposals on lands that may be at risk of flooding should be subject to a flood risk assessment, prepared by a suitably qualified person, in accordance with the guidelines.

Proposals for minor development to existing buildings in areas of flood risk (e.g. extensions or change of use) should include a flood risk assessment of appropriate detail.

DM56 Sustainable Drainage Systems

Detailed proposals for Sustainable Drainage Systems (SuDS) should be submitted which demonstrate that the development would not result in surface water discharges affecting neighbouring lands without agreement and/or the public road.

The following should be taken into consideration:

1. Store rainwater for later use (rainwater harvesting);
2. Use infiltration techniques such as porous hard surfaces, soft landscaping and green roofs;
3. Attenuate rainwater in ponds, swales or open water features for gradual release;
4. Attenuate rainwater by storing in tanks or sealed water features for gradual release;
5. Discharge into storm water collection system or watercourse (subject to license) having regard to capacity and quality of discharge; and
6. Soakaways are suitable for single family dwelling houses but are not suitable for urban areas.

DM59 Archaeological investigations

In general, the following guidelines will apply where developments may have an impact on the county's archaeological record:

1. The archaeological remains of potentially significant sites within the Zone of Archaeological Potential will be preserved or investigated;
2. Outside of the Zone of Archaeological Potential where in the opinion of the Planning Authority developments involve major ground disturbances, particularly in the vicinity of known monuments, planning conditions in relation to archaeology may also be applied;
3. The Council will require that archaeological investigation be undertaken prior to the commencement of development. All such investigations must be undertaken by a qualified archaeologist in consultation with Laois County Council and the Office of Public Works;
4. When deciding to grant permission for developments within the Zone of Archaeological Potential, the Council may impose conditions which render the developer liable for the cost of the archaeological investigation or the preservation of the archaeological record; and

5. Such development shall be assessed in the context of the following documents:-
- Accord with the Framework and Principles for the Protection of Archaeological Heritage (DoAHG 1999).
 - The National Monuments Acts 1934-1994.
 - Have regard to Heritage Council's Archaeology and Archaeology and Development Guidelines for Good Practice for Developers (2000).

DM61 Environmental Impact

Certain developments may require the submission of an Environmental Impact Statement (EIS) (Now Environmental Impact Assessment Report (EIAR)) in accordance with the provision of Schedule 5 and 7 of the Planning and Development Regulations 2001 (as amended).

The assessment must include an examination, analysis and evaluation and it must identify, describe and assess in an appropriate manner, in light of each individual case and in accordance with Articles 4 to 11 of the EIA Directive, the direct and indirect effects of a proposed development on the following:

1. human beings, flora and fauna;
2. soil, water, air, climate and the landscape;
3. material assets and the cultural heritage, and
4. the interaction between the factors mentioned in paragraphs (a), (b) and (c).

The Planning Authority will have regard to the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessments (DECLG 2013) and any updated version of these Guidelines when assessing relevant cases.

DM62 Natura 2000 sites

The Council will ensure that any plan or project and any associated works, individually or in combination with other plans or projects, are subject to Appropriate Assessment Screening to ensure there are no likely significant effects on the integrity (defined by the structure and function) of any Natura 2000 site(s) and that the requirements of Article 6(3) and 6(4) of the EU Habitats Directive are fully satisfied.

Where this plan or project is likely to have a significant effect on a Natura 2000 site it shall be subject to Appropriate Assessment.

The plan or project will proceed only after it has been ascertained that it will not adversely affect the integrity of the site or where in the absence of alternative solutions, the plan/project is deemed imperative for reasons of overriding public interest, all in accordance with the provisions of article 6(3) and 6(4) of the EU Habitats Directive.

DM63 Development contributions for parking, sanitary services and amenity

The details and basis for the determination of the contributions are set out in a Development Contribution Scheme 2017-2023 or any subsequent schemes adopted thereafter in

accordance with the provision of section 48 of the Planning and Development Act 2000 (as amended).

DM64 Bond/financial security

Depending on the nature of the development, the Council may require, as a condition of planning permission, the lodgement of financial security to ensure that the permitted development is satisfactorily completed. The amount of the security will be determined by the Council. The security will be held by the Council until all works are satisfactorily completed to the exacting standards of the Council, or until the development is taken in charge by the Council.

DM69 Aggregate extraction, processing and associated processes

Applications for new development for aggregate extraction, processing and associated processes shall:

1. Have regard to the Landscape Character Assessment / Sensitivity Rating and its recommendations;
2. Include screening proposals;
3. Submit a detailed landscape and visual assessment must be submitted with proposals and will be used to determine the extent of the area of visual influence. The Planning Authority will impose strict conditions on planning permissions requiring appropriate mitigation measures to reduce impacts on the surrounding area;
4. Require that development is phased and each phase is rehabilitated to the highest possible standards before the next phase is commenced and the applicant must submit a detailed restoration programme on the manner and timing of restoration and after care/re-use;
5. Carry out processing and storage of extractive aggregates in a manner which minimises the impact on the natural environment;
6. Recognise that the aggregates and concrete products industry have a particularly sensitive role in relation to the environment and any development of aggregate extraction, processing, delivery and associated concrete production must be carried out in a manner which minimizes adverse effects on the environment and has due regard for visual amenities; and
7. Provide details and plans of any other buildings, plant and structures to be erected.

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