

2 PROJECT DESCRIPTION

2.1 INTRODUCTION

This Remedial Environmental Impact Assessment Report (rEiAR) has been prepared to accompany a substitute consent application for an existing quarry located in the townlands of Hempstown Commons, Co. Kildare.

The substitute consent application is to be made concurrent with an application for further development of the quarry for extraction under Section 37L of the Planning and Development Act, 2000 as amended that is accompanied by an EiAR.

The lands, the subject of this rEiAR extend to 10.05 ha. and are located within the EIA project boundary for the rEiAR (18.45 ha). The EIA project boundary reflects the Planning Reg. Ref.: 07/443; ABP Ref. PL09.233338 permitted and operational areas and the High Court settlement (dated 17 January 2023), and encloses current workings and proposed future workings. The quarry extraction area that makes up the application for substitute consent planning unit currently extends to approximately 5 ha.

The Site is accessed via a privately-owned lane-way connecting to a local road, the L6030 which itself connects to the N81, national road. The town of Blessington is located ca. 4 km south-west of the Site along the N81 (Figure 2-1). The undulating land surrounding the Site slopes upwards in a north-westerly direction to the north of the Application Site, and away in a south-easterly direction to the south of the Application Site. The north-east boundary of the Application Site lies adjacent to the Kildare-Wicklow county border.

The current quarry void is centrally located within the EIA boundary (see Figure 2-1). Stockpiles are located to the southwest and west of the quarry void space. At the south-west of the current quarry area is the weighbridge and weighbridge office, wheelwash and associated tank and supply borehole, along with staff private vehicle and visitor parking area. The site entrance is located further west. The location of mobile plant has varied over the assessment period (see section 2.3 for detail).

Lateral extents and changes during the assessment period of 29 December 2019 to the present day have been described in this chapter and assessed in the relevant technical chapters of this rEiAR.



Figure 2-1 – Substitute Consent application area and the lands the subject of the EIAR.

2.2 LOCATION OF SUBJECT LANDS

The rEIAR project unit is located in the townlands of Hempstown Commons, Co. Kildare centered at ITM coordinates 53°12'27.4"N 6°30'43.6"W.

The lands are located approximately 1.1 km north-west of the N81. The town of Blessington is located ca. 4 km south-west of the Site along the N81. The Site is bound to the north-east by the Kildare / Wicklow border, see Figure 2-1, above.

2.3 CONTEXT AND LANDSCAPE CHARACTER OF SUBJECT LANDS AND OVERVIEW OF OPERATION

The lands contiguous to the boundaries of the Site are in generally in agricultural use, predominantly pasture lands with light industrial use consisting of a precast concrete manufacturing facility (Stresslite Floors Ltd) immediately adjacent to the west of the Application Site. A rock quarry is located immediately adjacent to the northern boundary of the Application Site. There are scattered residential properties in the vicinity of the Site with primarily ribbon type development concentrated along the Local Road L6030. The boundaries of the lands owned comprise hedgerows with areas of scrub.

The lands surrounding the Site can largely be characterised as rural in nature, with land uses in the area being agricultural, industrial, forestry and single-house residential. In this way, the immediate character of the lands is rural in nature with low density, one off roadside housing and agricultural activities. Moving more south of the lands towards the town of Blessington, the landscape becomes predominantly peri-urban in nature. Land uses in the area have remained consistent during the assessment period (29 December 2019 to present).

The Site is located within a wider area of historical quarrying activities with a number of other aggregate companies operating sand and gravel pits and stone quarries in the wider Blessington area which are a major source of aggregates used in the production of construction products and infrastructure in the Greater Dublin and Mid Leinster regions.

The subject lands have been used for quarrying since the mid 1940's. As such, the quarry and associated uses are an established feature of the landscape and the main feature of the EIA project lands.

As of 21 June 2021, SQL share land ownership of the private site entrance with the adjacent landowner, Stresslite Precast Ltd. A short section of the northern part of the access road located north of the site entrance is owned by an adjacent landowner (Michael Murphy). SQP have an existing right of way agreement in place with that landowner. The remainder of the access road into the Site and the quarried lands, including SQL owned property on the Site, are entirely within the ownership of SQL. Private vehicle parking is on lands owned by a third-party (Michael Murphy) under an existing access agreement. The wheel wash tank currently onsite is on lands owned by SQL.

In terms of the general operation of the quarry since quarrying commenced:

- To date, rock has been extracted within an area of ca. 5 ha through drilling, blasting, and mechanical breaking of greywacke (and shale) rock (Pollaphuca Formation);
- mobile crushing, and screening of the rock into specific aggregate sizes;
- temporary stockpiling of screened aggregate in an area to the south and west of the quarry void space; and,
- loading aggregate materials onto road trucks for sale and distribution.

In terms of the detailed operation of the quarry, periodic drilling and blasting undertaken by a third-party contractor is used as a means to initially extract rock. Secondary rock breaking (excavator attachment) is used to reduce the blasted rock to a more manageable size prior to crushing.

Processing is carried out by a number of methods as described below:

- crushing of blast rock is carried out on the quarry floor by mobile crushers (primary crusher, secondary crusher, and until late 2022, a tertiary crusher was also used occasionally as required). Blasted rock is transported to the crushers via loading shovels. Crushed rock is then transported to a mobile screen on the quarry floor by loading shovels to produce sorted aggregate. Articulated haulers are used to transport sorted aggregate to the stockpile area of the site for transport offsite as product. Where additional screening capacity is required, crushed rock is transported from the quarry floor via articulated haulers to a mobile screen located south of the void space. Articulated haulers are used to transport and temporarily stockpile material either the stockpile areas south west of the Site (see Figure 2-2) or to 1 no.

mobile screen has been operating outside of the quarry floor to the south of the quarry void space throughout the assessment period (see Figure 2-2).

- Tertiary crushing using mobile plant has taken place outside of the quarry floor to the south of the quarry void space since late 2023 (see Figure 2-2). Rock crushed at this location is transported to the mobile screen located at the same location either directly or via excavator.



Figure 2-2 - Stockpile areas and rock haul routes

Aggregate material is loaded onto outbound road haulage trucks (typically 26 tonne) using an excavator. Covered trucks leave the Site via the wheelwash and weighbridge.

Since 29 December 2019 the following plant has been present onsite:

- 1 No. rock breaker.
- 2 No. excavators.
- 1 No. primary crusher.
- 1 No. secondary crusher.
- 1 No. Tertiary crusher.
- 2 No. Screeners 0.5
- 2 No. Wheel loading shovels
- 2 No. 26T Articulated haulers

The type and numbers of mobile plant at the site has decreased over time since 2023.

Blasting is carried out by a third-party contractor generally on a monthly basis under a blast licence. This appointed contractor carries out vibration monitoring at nearby sensitive receptors during the blasting activities (see chapter 9 (Noise and Vibration) for further detail). Materials and equipment used for drilling and blasting are provided and operated by a third-party contractor carrying out those works under licence.

There are a number of groundwater monitoring wells located within the Site, as well as a number of structures relating to quarrying activities (i.e. wheelwash, weighbridge, office, staff facilities, mobile plant and associated infrastructure¹). In addition, a SQL owned property is also located on the wider Site outside of the substitute consent boundary. The quarry is accessed via a private lane through lands owned by the client and over areas where a right of way has been agreed with a third-party landowner. The Client's lands contain the administration/office area for their business permitted under KCC Planning Reference Number 07/443; ABP Ref. PL09.233338. The lands under the carpark are owned by a third-party landowner and an existing agreement is in place for SQL to use the lands for vehicle parking.

The operation of the quarry involves the following:

- extraction of rock at the Site using a variety of methods, including drilling & blasting and rock-breaking;
- mobile crushing, and screening of the rock into various aggregate classes;
- storage of aggregate products;
- loading of aggregate onto road trucks for sale and distribution to market;
- pumping of collected waters from the quarry void space to a soakaways located within the south of the Site; and,
- Periodic extraction of groundwater from an abstraction borehole to provide water for the closed-loop system wheelwash recycling tank and the mobile bowser.

The soakaways onsite comprise 1 no primary soakaway and 1 no smaller soakaway used to manage overflow of surface water from the primary soakaway as required. The larger (primary) soakaway was installed in its current location in August 2020. The smaller (overflow) soakaway was installed in August 2020. Both soakaways have been installed directly over bedrock.

In March 2022 the wheelwash was upgraded by the replacement of the existing tank with a tanker capacity tank and additional dry grate.

It is noted that the carpark facilities at the Site are on third-party lands and used by SQL under an existing agreement with the landowners. During the rEIAR assessment period, the adjacent landowner extended car park facilities on their lands. Those works were undertaken on lands outside of the control of SQL were not undertaken by SQL. Therefore they have been scoped out of this rEIAR.

¹ For clarity, an office container (labelled to as 'office cabin' in the drawings provided to support this substitute consent application) contains the welfare facilities and the weighbridge control room, and site office.

Having regard to the purpose of the rEIAR at Chapter 1, set out below is a summary description of the lands the subject of this rEIAR (subject site) at the current time and at baseline in December 2019 to illustrate development evolution for application for substitute consent.

2.4 DEVELOPMENT OF THE SUBJECT SITE FROM BASELINE TO CURRENT TIME

Section 3.6.1 of the 2022 EPA EIAR Guidance states that together: the description of the proposed project and *'the description of the baseline scenario is the second of the two factual foundations of the EIAR.'*

In this instance an rEIAR is presented and thus relates to development already undertaken. For this reason, the baseline scenario required to be described has passed.

The quarry has been in use since the mid 1940's and has been formally registered under Section 261, Planning & Development Act 2000 (Quarry Ref. No. QR 39) and subsequent planning permission for continuance of quarrying operations was granted under Planning Reg. Ref. 07/443 ABP PL09253338.

The expiry of the of appropriate period Planning Reg. Ref. 07/443 was 29 December 2019 as confirmed by Kildare County Council, and as such the baseline of this rEIAR has been set at that appointed day. Therefore, the drawings submitted in support of the substitute consent application identify the site as it existed circa December 2019 onwards to present time. The rEIAR assessment period has been established as the period of 29 December 2019 to the present day.

The phased restoration of the Applicant's lands located outside of the Application Boundary, and located within the south east of the EIA study area, have been scoped out of this EIAR as they were carried out during restoration works undertaken pursuant to condition 6A of the planning permission (planning permission register reference: 07/433 ABP ref PL09253383) and the High Court settlement term no. 2 (see section 0 for further detail).

2.4.1 SOURCES OF INFORMATION AND METHODOLOGY

To retrospectively build a narrative of the development of the subject lands over the period of 29 December 2019 to the present day we have reviewed and rely upon publicly available resources; mapping and photography; SQL business records; and monitoring records.

Environmental monitoring records (undertaken by Golder Associates Ireland Ltd, (now WSP), WSP, and other contractors) made available by the developer have been utilised alongside site visits and monitoring undertaken specifically for the preparation of this rEIAR and concurrent EIAR to support the S37L planning application. In addition, the developer and associated company employees, running the quarry site provided extraction rates and information on the direction of the phased extraction. The various rEIAR/EIAR contributors have utilised these results, relative to the level and location of extraction and processing to assess the retrospective impact of development during the assessment period.

Information including, maps, raster data and aerial photography in respect of ground levels, ground cover and development is available from Ordnance Survey Ireland [OSI], and from surveys undertaken on the Site. Section 2.4.1.1 is an overlay of the EIA project boundary and planning

application boundaries on Google Earth imagery from 2020² to 2024 and has been produced in order that an independent source of description information for the lands at baseline and during the intervening years could be made. Approximation of average depths during the period in question has been made based on progression of excavations. A topological survey of the lands was carried out in September 2023 and provides a more recent snapshot of the quarry extent.

2.4.1.1 Changes in Quarry Area

The quarry area and surrounding land is presented for available imagery in Figure 2-3 to Figure 2-6 inclusive, with the outline of the quarry depicted. Approximate areas of change have been calculated below. These have occurred within the Substitute Consent application boundary.

Between June 2020 and March 2022 the quarried area increased by approximately 0.4 ha. This increase in area is associated with expansion to the south east and south west of the existing quarry. Between March 2022 and September 2023 the quarried area mainly steady as expansion to the north east of the existing quarry involved the removal of an existing bench located on north east face of the quarry.

Between September 2023 and October 2024 extraction did not significantly alter the existing quarried area extents. The current quarry extent is approximately 5.1 ha.

The figures below shows the approximate active pit extents over the assessment period of extractive site use. Please see Site Layout plans submitted as part of substitute consent application (planning drawing pack) for the quarry that reflect baseline and current site conditions.

² It is noted that arial imagery presented for April 2021 on the web based version of Google Earth appears to be a duplicate of imagery held for June 2000 and has, therefore not been used in this assessment. Data for April 2021 is not available on the Google Earth Pro software.

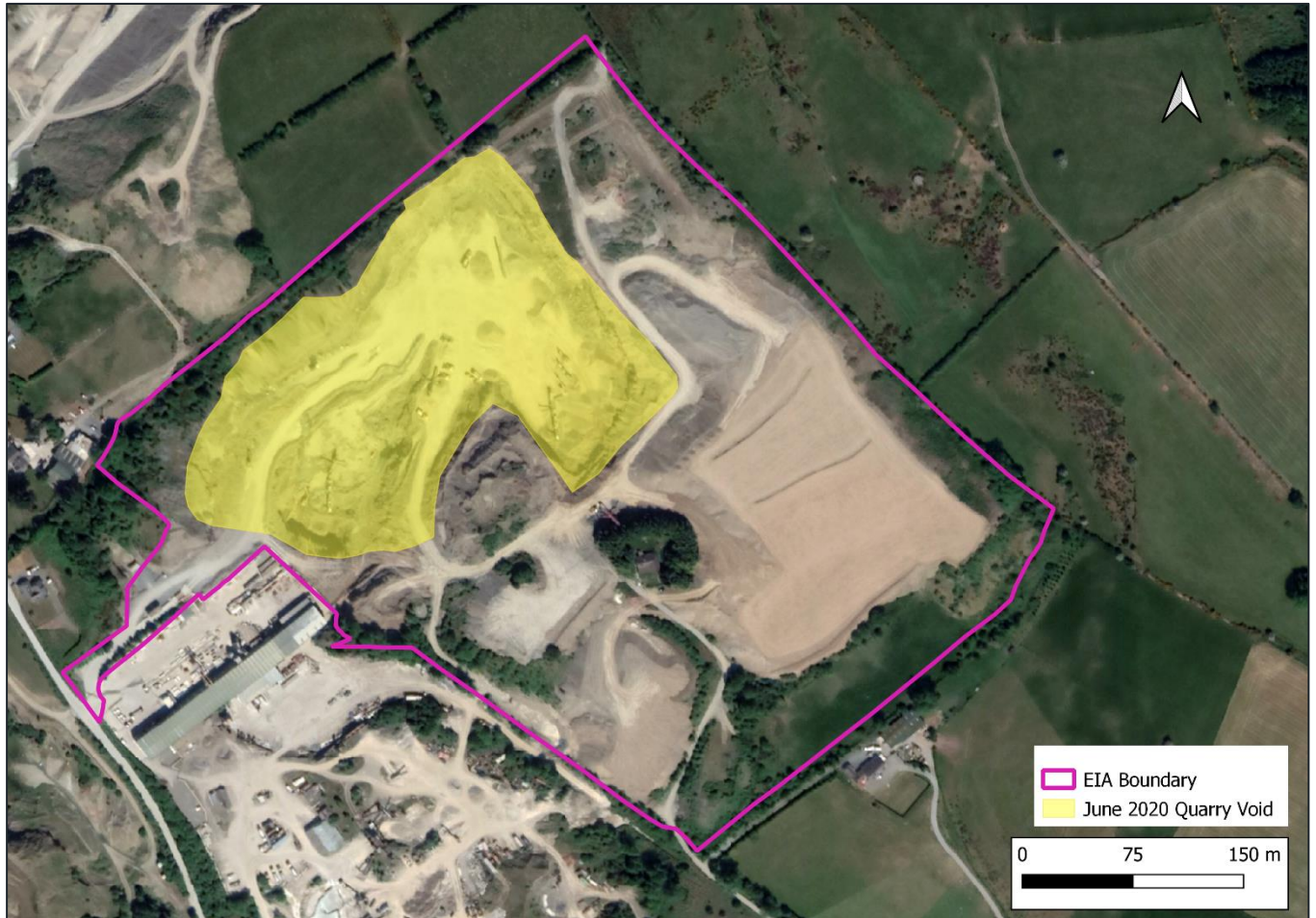


Figure 2-3 - Quarry area during June 2020 from Google Earth Imagery



Figure 2-4 - Quarry area during March 2022 from Google Earth Imagery



Figure 2-5 - Quarry Area During September 2023 from Drone Survey

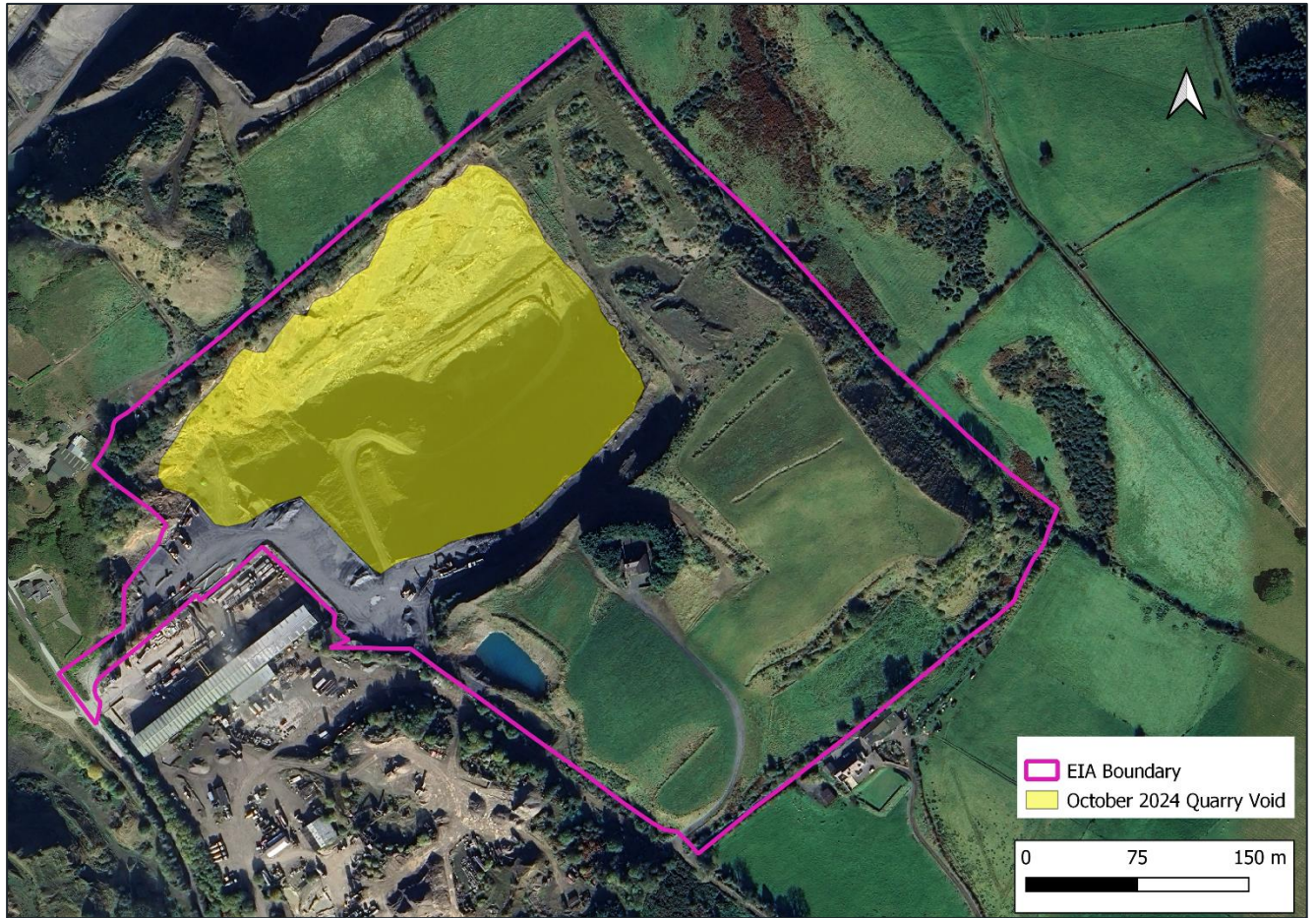


Figure 2-6 - Quarry area during October 2024 from Google Earth Imagery

2.4.1.2 Quarry Elevations

Detailed elevation data from within the quarry is available from surveys undertaken July 2019 and September 2023. The July 2019 and September 2023 surveys are presented in Figure 2-6 and Figure 2-7 respectively. Note that contours for July 2019 are presented against aerial imagery for June 2020 which is the earliest aerial imagery available from within the rEIR assessment period. This has been done to provide the most accurate visual presentation of the Site at baseline conditions, based on the available data.

The elevation contours in February 2019, prior to the review period, show that the deepest part of the quarry was at approximately 235 mAOD, the centre of the quarry and south corner of the quarry excavated into the bedrock.

The elevation contours from the September 2023 survey show that the deepest part of the quarry was at approximately 210 mAOD, in the centre of the quarry.

It is estimated that an average of ca. 115,650 tonnes of rock was excavated from the Site each year over the review period.



Figure 2-7 - Survey contours July 2019 and Imagery and Imagery March 2020

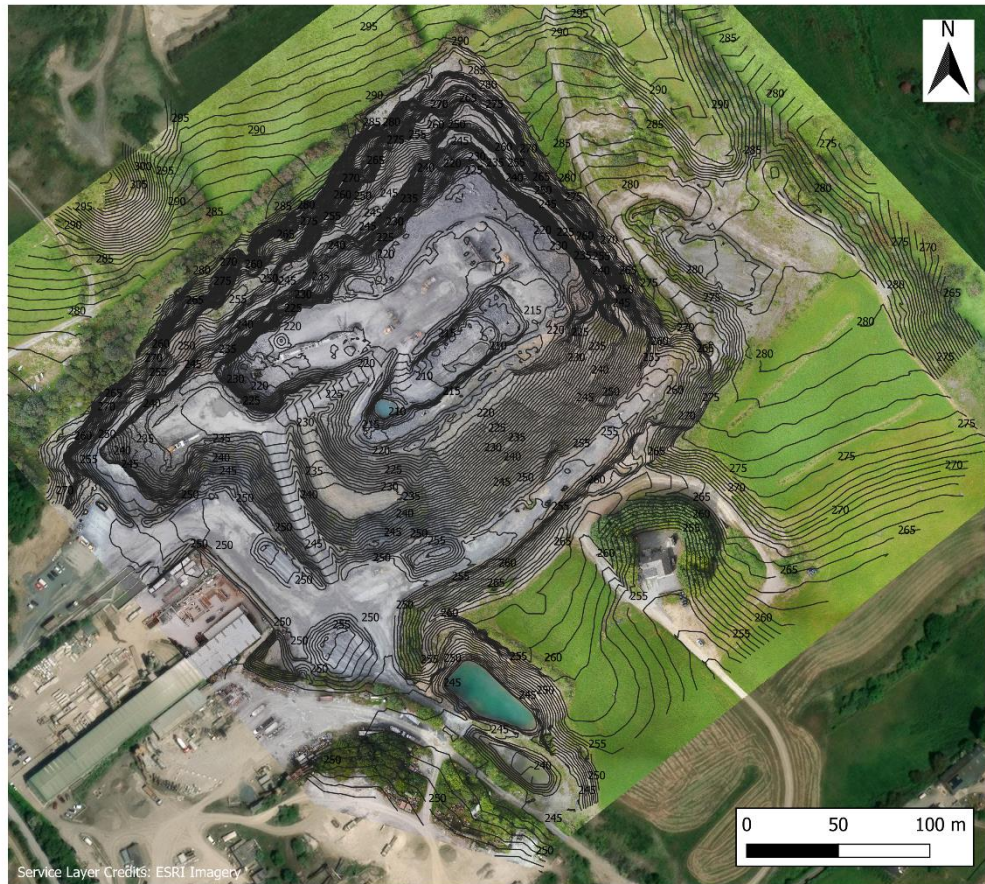


Figure 2-8 - Survey Contours and Imagery September 2023

2.5 SUMMARY OF PROGRESSION OF EXTRACTION FROM BASELINE TO CURRENT TIME

The single most significant feature of the development the subject of this rEIAR is that it consists of a quarry and therefore there has been movement of soils and subsoils and extraction of aggregate from within the void area.

The amalgamation of mapping, business records, surveys and aerial photographs has provided an estimation of total volumes of (rock) extracted and loads exported from the Site from January 2020 to present (Table 2-1). December 2019 is not included in Table 2-1 as the quarry was closed over the public holiday during the assessment period (29, 30 and 31 December 2019).

Table 2-1 - Estimated extraction rate from 2020 to present and estimated number of loads.

Year	Estimated Extracted Material (Tonnes)	Estimated Number of Loads
2020*	133,290	5,651
2021	130,727	5,670

2022	130,085	5,494
2023	109,445	4,777
2024**	45,758	2,024

*2020 was subject to site closures in line with Covid-19 government guidance.

**Data presented for January 2024 through to end of September 2024.

2.5.1 TRAFFIC CONTROL

All traffic occurring within the quarried unit is internal operational traffic using internal haul routes. No pedestrian access is permitted to the active extraction areas of the site. Internal traffic speed limits are also posted to maintain vehicular speeds below 10 kmph. As noted in section 2.3, rock is extracted and processed in separate methods on/off the quarry floor depending on extraction rates which vary over time. Sorted aggregate is stored in stockpiles and loaded onto road trucks for export from the site. The Traffic section of this rEIAR at Chapter 11 (Traffic and Transport), sets down a description and assessment of the traffic arisen on site. Material transported into the public realm is by the only operational entrance / exit to the quarry site located on the L6030, which itself connects to the N81. It is of note that this is the primary entrance for the development and thus caters for all employees, visitors and movement of aggregate products and materials (import/export). Access to the quarry only takes place from the existing main quarry access road off the L6030 as HGVs are required to enter / exit via the weighbridge and wheelwash at that location. No quarry access is utilised through other minor access roads.

2.5.2 HOURS OF OPERATION

The hours of operation are a continuation of those prescribed in KCC Planning Reference Number. 07/443; ABP Ref. PL09.233338, which are:

'Excavation and processing of material shall be carried out between 0800 hours and 1800 hours, Monday to Friday and between 0800 hours and 1400 hours on Saturdays. However, loading and transporting of processed material may be carried out between 0700 hours and 1800 hours, Monday to Friday and between 0700 hours and 1400 hours on Saturdays. No activities shall be permitted on Sundays or public holidays'.

2.5.3 EMPLOYMENT

Direct and indirect employment levels vary in accordance with market demand and associated extraction and processing requirements. Direct employment is in the categories of plant operators (4 No.), and administrative staff at the weighbridge (2 No.).

SQL appoint third-party contractors to undertake drilling and blasting of rock on a periodic basis, to service machinery, and to service the welfare facilities at the Site.

The operations on site are part of a family business, established and led by the owners' / operators' family who have worked on the site since the 2016.

2.5.4 FUEL AND CHEMICAL STORAGE

Fuel and chemical storage does not take place on the Site. Vehicles and plant are refuelled by third-party suppliers using tankers bought to site for the purpose of refuelling. Materials required for

blasting are provided by the third-party supplier on the day blasting activities are carried and no chemicals associated with this process are stored onsite.

2.5.5 WASTE MANAGEMENT

Domestic waste facilities are located at the weighbridge office and services by a licenced waste removal contractor. Occasional metal scrap wastes produced are disposed of by SQL at suitably licenced waste facilities.

2.5.6 WASTE WATER

Limited wastewater is produced on the Site. See section 2.5.7 below for details.

2.5.7 POTABLE, SURFACE WATER AND GROUNDWATER

2.5.7.1 Welfare facilities

Welfare facilities are fully serviced by an authorised third party.

2.5.7.2 Wheelwash

A wheelwash is used on the site for cleaning outward bound HGVs and plant. The wheelwash was upgraded in March 2022 to include a dry grate and increase the size of the holding tank. Water is recycled through the concrete lined holding tank. Water for the wheelwash is periodically sourced from a groundwater borehole located near to the weighbridge office in order to maintain suitable water levels in the tank and the bowser.

2.5.7.3 Processing Plant Water Management

Dry processes are used in the processing of blast rock on the Site, therefore no process plant water management is required.

Collected waters from the quarry floor are pumped to soakaway(s) located on the south of the Site (see detail in section 2.3).

2.5.7.4 Dust suppression

A mobile water tank is used for dust suppression on haul roads, stockpile areas and on the quarry floor, when required

2.5.8 POWER SUPPLY AND TELECOMMUNICATIONS

Power is supplied to the site facilities (weighbridge office) by ESB connection.

The pump (model: Xylem Flygt BIBO 2870 50hz) located on the quarry floor is powered by diesel generator (model: FG Wilson XP150E).

A landline telephone is available at the weighbridge station office.

2.5.9 SAFETY AND SECURITY

A perimeter stockproof fence is maintained along the length of the Application Site boundary adjacent to native hedging. A security gate is located at the site entrance to the quarry access road.

2.5.10 CONCEPTUAL RESTORATION

This rEIAR has been prepared for a substitute consent application for quarrying under S.261A of the Planning and Development Act, 2000 as amended.

Restoration was not undertaken across areas within the substitute consent boundary after the expiry of planning permission register reference 07/433; ABP ref PL09253383.

The concept restoration plan provided, (see Appendix 2A), seeks to incorporate restoration proposals for the 07/267 permission that has expired and the restoration required for works and activities that have occurred since December 2019 to the current day.

Phased restoration of sections of the wider Site outside of the substitute consent boundary have been scoped out of this EIAR as they were carried out during restoration works undertaken pursuant to condition 6A of the planning permission (planning permission register reference 07/433 ABP ref PL09253383).

2.6 PLANNING HISTORY

The existing quarry at the site has been operational since pre-1964. The quarry has been registered in accordance with Section 261, Planning & Development Act 2000 with Quarry Ref. No. QR39. Planning permission was granted to Stresslite Tanks Ltd to continue the quarrying activities at the site under Kildare County Council (KCC) Planning Reference Number. 07/443; ABP Ref. PL09.233338. Under this planning grant, fifty-one planning conditions³ were imposed by KCC on 2 October 2009. Condition No. 4 stated that “[t]his permission is for a period of 10 years from the date of this decision unless at the end of this period a further period has been granted for its continuance on the site”.

On 21 December 2018 an application was made to the KCC by Stresslite Tanks Limited to extend the duration of the planning permission and on 22 February 2019, KCC made an Order refusing to extend the duration of the Planning Permission (planning register number 18/1584). The reasons for such refusal provided was that it would materially contravene Condition 4 of the planning permission and that such an application was precluded by s.40 of the 2000 Act. 2. Pursuant to the terms of the planning permission and s.251 of the Planning and Development Act 2000 (as amended), the period provided for under condition 4 of the planning permission expired on 29 December 2019.

A warning letter was issued to Stresslite Floors Ltd on 10 January 2019 regarding non-compliance with conditions No. 1,2,3,12,13,15,19,21,29,31,34,39,47 and 48 of planning Reg. Ref.: 07/443. Quarry Plan Ltd on behalf of Stresslite floors Ltd responded to the warning letter on the 21 February 2019. It is understood that non-compliances from this letter were resolved.

The site has been operated by Shillelagh Quarries Ltd since 2018 and they subsequently purchased the site from Stresslite Precast Ltd in June 2019 and undertook development on the lands pursuant to the planning permission.

Planning application Reg. Ref: 07/443 expired on 29 December 2019, which is a period of 10 years from the grant of permission in 2009. Prior to the expiry of this permission, Shillelagh Quarries Ltd applied for permission for the continuation of use and expansion of the quarry on 23 December 2019 (KCC Reg. Ref.: 19/1438). Further information was requested by KCC in relation to the planning

application submitted and this information was submitted to KCC on 24 November 2020. The application was subsequently invalidated on 26 January 2021 for the following reasons:

‘The application for the continuance of use of an extraction facility located within the townland of Hempstown Commons, Blessington, Co. Kildare, which is accompanied by an EIAR and NIS (Reg. Ref.: 19/1438), cannot be considered by the planning authority as it includes the retention of unauthorised development(s) which would have required one or more of the following:

- a) *an environmental impact assessment,*
 - b) *a determination as to whether an environmental impact assessment (EIA) is required,*
 - *Or*
 - c) *an appropriate assessment.*
 -
- *‘As impacts to Red Bog Special Area of Conservation cannot be excluded on the basis of objective scientific information, an Appropriate Assessment is required to outline compensatory measures protecting the integrity of conservation objectives at the site.*
- *In this regard the provisions of Section 34(12) of the Planning and Development Act 2000 (as amended) apply which states:*
- *“A planning authority shall refuse to consider an application to retain unauthorised development of land where the authority decides that if an application for permission has been made in respect of the development concerned before it was commenced the application would have required that one or more of the following was carried out –*
 - a) *an environmental impact assessment*
 - b) *a determination as to whether an environmental impact assessment (EIA) is required,*
 - *Or*
 - c) *an appropriate assessment.”*
- *‘Development at the site, comprising continuance of use of an existing extraction facility, is unauthorised and retention permission is required for the following reason:*
 - a) *Development, including specifically extractive operations including rock blasting, 2 no. mobile crushing plants, mobile screen, settlement lagoon, continued on site in breach of a number of conditions set out in Reg. Ref. 07/443, namely condition no. 4 which requires all activities associated with Reg. Ref. 07/443 to cease following expiry of the appropriate period on 29 December 2019.’*

Subsequently, Shillelagh Quarries Ltd successfully sought a Judicial Review to challenge the planning authority’s decision under Section 50 of the Planning and Development Act, 2000, on a number of grounds. Notably that the conclusion of the planning authority that the 2019 application included the retention of unauthorised development was irrational and erroneous in circumstances where the planning application that was made to the planning authority was not made pursuant to s.34(12) of the 2000 Act and the application was made for continued operation of the quarry and not for the purpose of retrospectively regularising any unauthorised development.

A settlement was reached between SQP and the planning authority on 17 January 2023 with the following terms:

1. *Applicant agrees to an Order withdrawing the within proceedings.*
2. *Applicant undertakes to the Court to bring an application pursuant to S.177C of the Planning and Development Act, 2000, as amended, for leave to apply for substitute*

consent in respect of all development carried out on the lands, since the expiration of planning permission register reference 07/443 ABP ref.PL09253338 on the 29th December, 2019, other than the remediation works carried out pursuant to Condition 6A thereof, within 6 months of today's date.

3. *The Respondent shall be at liberty to bring, if it so deems necessary, s.160 proceedings, pursuant to the PDA 2000, in respect of any unauthorised development carried out on the lands, the subject matter of the within proceedings.*
4. *For the avoidance of doubt, in the event that the Council commences s.160 Injunction proceedings referenced at paragraph 3 herein, the Respondent confirms that it will adopt a neutral position to any application by the Applicant to adjourn such s.160 proceedings commenced against the Applicant pending determination by the Bord of it's application for leave to apply for Substitute consent, conditional upon the Applicant limiting any further extraction to the extraction area outlined in the Applicant's letter dated 16th November, 2020.*
5. *Liberty to apply.*
6. *Legislative refereces herein shall be deemed to include any successor legislative provisions.*

The court order (dated 31 January 2023, Record No: 2021/228JR) and states:

'The Court notes the undertaking given on behalf of the Applicant⁴, that the Applicant will make an application to An Bord Pleanála, for leave to apply for substitute consent pursuant to section 177C of the Planning and Development Act 2000 (as amended), within 6 months of today's date in respect of all development carried out on the lands, the subject matter of the within proceedings, since the expiry of planning permission register reference 07/443 ABP ref. PI09253338 on 29th December 2019, other than remediation works carried out pursuant to Condition 6A of the said planning permission.'

- 2.6.1 SQL subsequently submitted an application to the board for leave to apply for substitute consent pursuant to section 177C of the Planning and Development Act 2000 (as amended) on 25 July 2023 (Bord Pleanála Case reference: LS09.317649).

A decision on the application had not been made by the board by the 16 December 2023, which was the date that Planning and Development, Maritime and Valuation (Amendment) Act 2022 (Commencement of Certain Provisions) (No.2) Order 2023 (S.I. 645 of 2023) came into effect. This Act include provisions which provide for a single-stage application process for substitute consent and so removed the requirement for SQL to seek leave to apply for substitute consent from An Bord Pleanála (ABP). ABP returned SQL's application for leave to apply for substitute consent and deemed it withdrawn on 15 January 2024.

⁴ Applicant refers to SQL

2.7 PLANNING AND GUIDANCE POLICY

2.7.1 NATIONAL PLANNING FRAMEWORK (PROJECT IRELAND 2040) AND NATIONAL DEVELOPMENT PLAN 2018-2027

These joint documents set out a vision for the future development of the State and support the sustainable development of rural areas by encouraging growth. National Policy Objective 23 seeks to *‘Facilitate the development of the rural economy through supporting, amongst other sectors, a sustainable and economically efficient extractive industry sector, whilst at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.’*

On page 78 under the heading ‘Aggregates and Minerals’ the importance of the aggregates and minerals sector to the Irish economy and to development in general is recognised where it stated in the NPF that:

‘Extractive industries are important for the supply of aggregates and construction materials and minerals to a variety of sectors, for both domestic requirements and for export. The planning process will play a key role in realising the potential of the extractive industries sector by identifying and protecting important reserves of aggregates and minerals from development that might prejudice their utilisation.’

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

2.7.2 QUARRIES AND ANCILLARY ACTIVITIES GUIDELINES FOR PLANNING AUTHORITIES 2004

In light of the commencement of Section 261 of the Planning and Development Act 2000 the Department of the Environment, Heritage and Local Government (DoEHLG) published the Quarries and Ancillary Activities Guidelines for Planning Authorities (2004). The Guidelines are intended as a practical guide to the implementation of Section 261 and to offer guidance to planning authorities in determining applications for planning permission for quarrying and ancillary activities and to land use strategies for same.

Section 1.3 of the Guidelines states that:

‘aggregates are an essential input to the construction industry, worth about €20 billion to the Irish Economy each year’ and ‘there will be a continuing need for some new or expanded aggregate quarrying operations on land to meet regional and local requirements’.

The Guidelines further recognise that there is a:

‘continuing need for some new or expanded aggregate quarrying operations on land to meet regional and local requirements. There is thus a need to identify and protect aggregate resource areas through the planning system, to ensure an adequate supply of aggregates to meet the likely scale of future demand, while at the same time protecting Irelands natural and cultural heritage.’

The Guidelines set out the potential environmental effects of quarries and, sand and gravel pits thereby providing guidance on appropriate mitigation measures for each identified effect. Guidance

is also provided on matters such as restoration and after-use. It is the intention of this EIAR document to meet these Guidelines where practicable.

2.7.3 ENVIRONMENTAL MANAGEMENT GUIDELINES – ENVIRONMENTAL MANAGEMENT IN THE EXTRACTIVE INDUSTRY (NON – SCHEDULED MINERALS) 2006

These guidelines were published by the Environmental Protection Agency (EPA) and are intended to further compliment the Guidelines which were published by the DoEHLG.

The EPA Guidelines go further than those of the DoEHLG in that they identify, in so far as is possible, all potential environmental effects of extractive industries and suggest mitigation measures for these effects. Suggestions on mitigation measures include advice on monitoring limits and methods of identifying and measuring environmental effects. These guidelines are aimed at practitioners and officers of the Council alike as they outline best practice measures and are considered in Chapters 3 to 13 of this EIAR. It is the intention of this EIAR document to meet these Guidelines where practicable.

2.7.4 REGIONAL PLANNING GUIDANCE

2.7.4.1 Eastern and Midlands Regional Assembly Regional Spatial and Economic Strategy

The Eastern and Midlands Regional Assembly (EMRA) Regional Spatial and Economic Strategy (RSES) 2019-2031 sets out regional goals and objectives deriving from the NPF.

Under the title 'Enabling and Sustaining the Rural Economy' the RSES states that '*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 [other] sectors*'. There is an explicit recognition of the need to accommodate and maintain extractive industries in the countryside.

Regional Policy Objective 6.7 also encourages extractive industry development where it states that the regional authority will:

'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.'

The need to reconcile rural based employment and activity with the needs of tourism and protecting the environment is recognised in these guidelines such as building on strengths to sustain a strong economy and support the creation of jobs and to ensure a good standard of living for all.

It is interesting to note that page 94 of the RSES indicates that Blessington is one of those towns recording the highest growth rate in the country over the 10 years prior to the adoption of the RSES at >32% but with lower levels of employment provision.

2.7.5 KILDARE COUNTY DEVELOPMENT PLAN 2017-2023

The period covering this substitute consent is that from 29 December 2019 (i.e., the expiry of the 2009 consent on 29 December 2019 to the date of determination of that same application). The S37L application covers the period from that date of S261A determination into the future and the 15 years to be sought under that S37L planning permission.

The following are the key requirements of the 2017-2023 County Plan which covers the period 2019 to 2023 of the substitute consent and prior to the adoption, and taking effect, of the current 2023 CDP.

Section 10.4.9 of the 2017 CDP recognises that mineral extraction is generally located within rural areas and that the **nature of the extractive industry is such that the industry must be developed where resources occur**. The 2017 CDP also recognises that the industry can have damaging environmental effects and states that planning permission will only be granted where the County Council is satisfied that residential and natural amenities are protected, pollution will be prevented, and aquifers and groundwater safeguarded.

Section 10.7 of the 2017 CDP states that the local authority's aim regarding mineral extraction is '*To ensure that adequate supplies of aggregates are available to meet the future needs of the county and region in line with the principles of sustainable development and environmental management.*'

The following policies contained within the 2017 CDP are considered relevant in the context of this **substitute consent application**.

Policy EI 1 Have regard to Section 261A of the Planning and Development Act 2000 (as amended) and related provisions, Guidelines for Planning Authorities, DECLG (2012) and Quarries and Ancillary Activities Guidelines for Planning Authorities (2004).

Policy EI 2 Recognise the role and facilitate the exploitation of County Kildare's natural aggregate resources in a manner which does not duly impinge on the environmental quality and the visual and residential amenity of an area, while continuing to regulate the extraction of aggregates and to seek the delivery of environmental benefits in the form of sustainable habitat creation in conjunction with the restoration phases of development.

Policy EI 3 Facilitate the sourcing of aggregates for and the operation of the extractive industry in suitable locations, subject to the protection of landscape, environment, road network, heritage, visual quality and amenity of the area.

Policy EI 4 Ensure that extraction activities address key environmental, amenity, traffic and social impacts and details of rehabilitation. In the assessment of planning applications for new development, intensification of use or diversification of activity, the Council will have regard to the nature of the proposal, the scale of activity proposed, the impact on the adjoining road network, the effect on the environment including important groundwater and aquifer sources, natural drainage patterns and surface water systems and the likely effects that any proposed extractive industry may have on the existing landscape and amenities of the county, including public rights of way and walking routes.

Policy EI 5 Ensure that development for aggregate extraction, processing and associated concrete production does not significantly impact the following:

- Special Areas of Conservation (SACs) – Special Protection Areas (SPAs).*
- Natural Heritage Area (NHAs).*
- Other areas of importance for the conservation of flora and fauna.*
- Zones of Archaeological Potential.*
- The vicinity of a recorded monument.*

- Sensitive landscape areas identified in Chapter 14 of the Development Plan.
- Scenic views and prospects.
- Protected Structures.
- Established rights of way and walking routes.

Policy EI 6 Consult with the Geological Survey of Ireland (GSI) with regard to any developments likely to have an impact on Sites of Geological Importance listed in the County Development Plan (Chapter 12).

Policy EI 7 Require submission of an Appropriate Assessment under Article 6 of the Habitats Directive where any quarry/sand and gravel extraction is likely to have an impact on a Natura 2000 site (see Chapter 13.)

Policy EI 8 Require relevant planning applications to be accompanied by an Environmental Impact Statement. An Ecological Impact Assessment (EclA) may also be required for sub-threshold development to evaluate the existence of any protected species/habitats on site.

Policy EI 9 Require a detailed landscaping plan to be submitted with a planning application indicating proposed screening for the operational life of the site. The predominant use of native plant species in the proposed landscaping plan is encouraged.

Policy EI 10 Require detailed landscaping and quarry restoration plans to be submitted with each application. Habitats and species surveying shall be carried out and shall influence the restoration plan for the site.

Policy EI 11 Ensure that the full cost of road improvements including during operations and at time of closure, which are necessary for the quarrying of sand and gravel, shall be borne by the industry itself and that the industry shall also contribute to the recreation and amenity of the county.

Policy EI 12 Ensure that all existing workings are rehabilitated to suitable land-uses and that extraction activities allow for future rehabilitation and proper land-use management.

Policy EI 13 Require, where permission is granted for quarrying/extraction of aggregates, the submission by the developer of a bond (cash deposit, bond from an insurance company or other security acceptable to the planning authority) for the satisfactory completion and restoration of the site.

Policy EI 14 Consider, in certain circumstances, granting planning permission for quarrying/sand and gravel extraction for a temporary period. Such a period to be decided by the planning authority depending on the merits of the application.

Policy EI 15 Protect and safeguard the county's natural aggregate resources from inappropriate development, by seeking to prevent incompatible land-uses that could be located elsewhere from being located in the vicinity of the resource, since the extraction of minerals and aggregates is resource based.

Policy EI 16 Has regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:

- Quarries and Ancillary Activities: Guidelines for Planning Authorities DEHLG (2004).
- Environmental Management Guidelines: Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA 2006.

- Archaeological Code of Practice between the DEHLG and ICF (2009).
- Geological Heritage Guidelines for the Extractive Industry (2008).
- Wildlife, Habitats and the Extractive Industry - Guidelines for the protection of biodiversity within the extractive industry, NPWS (2006).'

The above policies in the 2017 CDP in relation to aggregate extraction and quarrying are broadly consistent with the policies and objectives of the current 2023 CDP. The following objectives are contained within the 2017 CDP and are considered relevant.

Objective EO 1 Continue to implement the provisions of S261A of the Planning and Development Act 2000 (as amended), including taking enforcement action against quarry owners/operators who do not comply with the requirements of the Act.

Objective EO 2 Support regional policy for the adequate supply of aggregate resources to ensure continued growth of the county and region.

Objective EO 3 Ensure that the extractive industry minimises and/or mitigates any adverse visual and/or environmental impacts on the built or natural environments through adherence to the EPA publication Environmental Management in the Extractive Industry (Non-scheduled minerals) (2006) and any subsequent revisions and the requirements of the Programme of Measures from the River Basin Management Plans.

The 2017 CDP recognises the requirement for the mainly upland or elevated location of quarries which it also acknowledges has the potential for significantly affecting the local landscape by visual intrusion, especially when the development reaches primary ridgelines. The 2017 CDP goes on to state that 'Major ridgelines (i.e. skylines) are visible over a wide area and consequently are vulnerable features because any development on or in the vicinity of skylines has the potential to affect the visual integrity of a wide area.' It is also stated that 'In some cases, visibility can be partially screened by occurring topography (i.e. the quarry will only be visible on one side of the hill, or screened by undulating lands) and vegetation (i.e. forestry and planting will screen the lower quarry faces). Nevertheless, the visual impact of quarry works is likely to be significant on the local landscape'.

In response to the above recognised potential concerns with quarries and the extractive industry generally, section 10.7.2 (Layout and Design of Extractive Industries) sets out the practical means by which visibility of such operations including overburden (topsoil, subsoil and waste) may be minimised by being located to enclose and screen the proposed development from the surrounding countryside. Section 10.7.2 states that this objective must take account of the operation's reasonable requirement to minimise the length of haulage routes and to avoid double handling of material within the site.

Section 13.2 prioritises the protection and conservation of nationally important and EU designated sites including Special Protection Areas, candidate Special Areas of Conservation and proposed Natural Heritage Areas; to promote conservation and development measures while promoting the orderly and sustainable development of County Kildare; to avoid undue negative impacts upon the natural environment; to promote appropriate enhancement of the natural environment as an integral part of future development; to mitigate the effects of harm where it cannot be avoided.

Section 13.3 seeks to protect and enhance national heritage and promote the enhancement of biodiversity.

In terms of **general natural heritage** the following policies are relevant:

Policy NH 1 Facilitate, maintain and enhance as far as is practicable the natural heritage and amenity of the county by seeking to encourage the preservation and retention of woodlands, hedgerows, stonewalls, rivers, streams and wetlands. Where the removal of such features is unavoidable, appropriate measures to replace like with like should be considered, subject to safety considerations.

Policy NH 2 Promote the carrying out of basic habitat assessments to inform the design of new developments in order to ensure that proposals for development integrate the protection and enhancement of biodiversity and landscape features wherever possible, by minimising adverse impacts on existing habitats (whether designated or not) and by including mitigation and/or compensation measures, as appropriate.

Policy NH 3 Require compliance with Article 10 of the Habitats Directive with regard to encouraging the management of features in the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.

It is an objective of the Council to:

Objective NHO 1 Identify and protect, in co-operation with the relevant statutory agencies and other relevant groups, sites of local biodiversity importance (Local Biodiversity Areas), not otherwise protected by legislation.

Objective NHO 2 Implement the actions contained in the County Biodiversity Plan through the identification of priority actions subject to the availability of funding.

Objective NHO 3 Integrate biodiversity considerations into Local Area Plans, programmes and activities.

Objective NHO 4 Identify, conserve and provide guidance on development in important local biodiversity sites.

Objective NHO 5 Carry out habitat mapping on a phased basis (including wetlands) within the plan area. This habitat mapping will identify Local Important Biodiversity areas in cooperation with NPWS, DAHG and Inland Fisheries Ireland.

Table 13.1 of the 2017 CDP identifies Natura 2000 Sites in Co Kildare include Red Bog SAC/NHA and Poulaphuca Reservoir SPA and NHA.

Under the 2017 CDP the Council will: support the conservation and enhancement of Natura 2000 Sites and to protect the Natura 2000 network from any plans/projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site under NH4; prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the county and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive under NH 5; ensure Appropriate Assessment under Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2009) in terms of assessing whether there will be a significant effect on a Natura 2000 site, either individually or in combination with other plans or

projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest under NH 6.

In respect of **NHAs** it is the policy of the Council to: contribute towards the protection of the ecological, visual, recreational, environmental and amenity value of the county's Natural Heritage Areas and associated habitats under NH 7; ensure that any proposal for development within or adjacent to a Natural Heritage Area (NHA), Ramsar Sites and Nature Reserves is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts and the Habitats and Birds Directive including their habitats under NH 8; ensure the impact of development within or adjacent to national designated sites Natural Heritage Areas, Ramsar Sites and Nature Reserves that is likely to result in significant adverse effects on the designated site is assessed by requiring the submission of an Ecological Impact Assessment (EclA) prepared by a suitably qualified professional, which should accompany planning applications and council developments, as not all developments are likely to result in adverse effects under NH 9.

Protected Habitats and Species are protected under Policy NH 11 ensuring no significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2012, the Birds Directive 1979, the Habitats Directive 1992, and the Flora Protection Order species; under NH 12 ensure that, where evidence of species that are protected under the Wildlife Acts 1976-2012, the Birds Directive 1979 and the Habitats Directive 1992 exists, appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment. Under Policy NH 12 in the event of a proposed development impacting on a site known to be a breeding or resting site of species listed in the Habitats Regulations or the Wildlife Acts 1976 -2012 a derogation licence, issued by DAHRRGA, may be required.

In terms of **geology** Policy NH 16 maintains the conservation value and seeks the sustainable management of the county's geological heritage resource. Objective NHO 9 seeks to protect Geological Natural Heritage Areas that become designated during the life-time of the plan from inappropriate development.

It is a **green infrastructure** policy of the Council under GI 1 to ensure the protection, enhancement and maintenance of Green Infrastructure and recognise the health benefits as well as the economic, social, environmental and physical value of green spaces through the integration of Green Infrastructure (GI) planning and development in the planning process and through GI 2 to develop and support the implementation of a Green Infrastructure Strategy for County Kildare.

Trees, woodlands and hedgerows are protected through Policy GI 8 where they are of amenity or biodiversity value and/or contribute to landscape character and where they strengthen local networks. Policy GI 9 seeks to ensure that proper provision is made for the consideration, protection and management of existing networks of woodlands, trees and hedgerows when undertaking, approving or authorising development. Policy GI 10 seeks to ensure that a Tree Management Plan is provided to ensure that trees are adequately protected during development and incorporated into the design of new developments. Policy GI 11 seeks to ensure that hedgerow removal to facilitate development is kept to an absolute minimum and, where unavoidable, a requirement for mitigation planting will be required comprising a hedge of similar length and species composition to the original, established as close as is practicable to the original and where possible linking in to existing

adjacent hedges. Native plants of a local provenance should be used for any such planting. Policy GI 12 restricts the period of the cutting of hedges during the bird-nesting season.

Policy GI 15 encourages the protection of historic hedgerows or significant hedgerows which serve to link habitat areas to each other and the surrounding countryside.

Policy GI 16 encourages the planting of woodlands, trees and hedgerows as part of new developments using native plants of local provenance.

Table 14.1 **Landscape Sensitivity** Classification, Landscape Character Areas, and Table 14.2 Landscape Sensitivity Areas are the same as the current 2023 CDP. Table 14.3 Likely compatibility between a range of land-uses and Principal Landscape Areas also replicate what is in the current 2023 CDP as does Table 14.4 Likely Compatibility between a range of land-uses and proximity to Principal Landscape Sensitivity Factors.

Section 14.5.5 repeats section 13.4.2 of the 2023 CDP regarding the characteristics of the East Kildare Uplands.

Section 14.6 (**Scenic Routes and Protected Views**) of the 2017 CDP indicates that scenic routes and protected views consist of important and valued views and prospects within the county. Table 14.5 of the 2017 CDP lists the specific scenic routes which provide views of the landscape of the county and many built and archaeological features. Maps 14.2 and 14.3 of the previous CDP also outline the scenic routes within the county. In addition to scenic routes there are a number of protected views throughout the county. These are located particularly along water corridors and to and from the hills in the countryside. The Council recognises the need to protect the character of the county by protecting views and scenic routes. However, it is acknowledged that in certain circumstances, some development may be necessary.

Scenic Routes and Viewpoints are shown on a countywide map on Page 325 (Chapter 14 – Landscape, Recreation & Amenity) of the CDP. . Those that are relevant are View 33 and View 34, neither of which is orientated in the general direction of the site. Scenic Route no. 33 ‘Views to and from the Ridgeline on the East Kildare Uplands and Views of the Central Plains’ includes the L6030 from which the Site is accessed.

Section 14.8 contains the following landscape policies:

Policy LA 1 Ensure that consideration of landscape sensitivity is an important factor in determining development uses. In areas of high landscape sensitivity, the design, type and the choice of location of proposed development in the landscape will also be critical considerations.

Policy LA 2 Protect and enhance the county’s landscape, by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the existing local landscape.

Policy LA 3 Require a Landscape/Visual Impact Assessment to accompany significant proposals that are likely to significantly affect:

- – Landscape Sensitivity Factors;
- – A Class 4 or 5 Sensitivity Landscape (i.e. within 500m of the boundary);
- – A route or view identified in maps 14.2 and 14.3 (i.e. within 500m of the boundary).

Policy LA 4 Seek to ensure that local landscape features, including historic features and buildings, hedgerows, shelter belts and stone walls, are retained, protected and enhanced where appropriate,

so as to preserve the local landscape and character of an area, whilst providing for future development.

Policy LA 5 Prohibit advertising structures and hoardings in the open countryside. The Council will use its enforcement powers under the Planning Acts to secure the removal of unauthorised advertising signs and hoardings including those that are affixed to trailers, wheeled vehicles etc.

Policy LA 7 Be informed by consideration of the County Landscape Character Appraisal.

There is also a suite of **landscape based policies** within Section 14.8.3 of the 2017 CDP entitled Upland Character Areas including East Kildare Uplands (Area of High Amenity) where it is stated that it is policy to:

Policy LU 1 Ensure that development will not have a disproportionate visual impact (due to excessive bulk, scale or inappropriate siting) and will not significantly interfere with or detract from scenic upland vistas, when viewed from areas nearby, scenic routes, viewpoints and settlements.

Policy LU 2 Ensure that developments on steep slopes (i.e. >10%) will not be conspicuous or have a disproportionate visual impact on the surrounding environment as seen from relevant scenic routes, viewpoints and settlements.

Policy LU 3 Facilitate, where appropriate, developments that have a functional and locational requirement to be situated on steep or elevated sites (e.g. reservoirs, telecommunication masts or wind energy structures) where residual adverse visual impacts are minimised or mitigated.

Policy LU 4 Maintain the visual integrity of areas which have retained a largely undisturbed upland character.

Policy LU 5 Have regard to the potential for screening vegetation when evaluating proposals for development within the uplands.

The following objectives contained within section 14.10 also apply to high amenity areas:

Objective LO 1 Have regard to the Landscape Sensitivity Factors in the vicinity of sites in the consideration of any significant development proposals.

Objective LO 2 Ensure landscape assessment will be an important factor in all land-use proposals.

Objective LO 4 Protect the visual and scenic amenities of County Kildare's built and natural environment.

Objective LO 5 Preserve the character of all important views and prospects, particularly upland, river, canal views, views across the Curragh, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty.

Objective LO 6 Preserve and protect the character of those views and prospects obtainable from scenic routes identified in this Plan, listed in Table 14.5 and identified on Map 14.3.

Objective LO 7 Encourage appropriate landscaping and screen planting of developments along scenic routes. Where scenic routes run through settlements, street trees and ornamental landscaping may also be required.

Section 14.11 (Recreation and Amenities) seeks to develop **recreation areas and the amenities of County Kildare** in an equitable, environmentally sensitive and sustainable way. Objective CR 1

supports the diversification of the rural economy through the development of the recreational potential of the countryside in accordance with the National Countryside Recreation Strategy.

2.7.6 KILDARE COUNTY DEVELOPMENT PLAN 2023 – 2029

This is the current development plan covering the application Site. Chapter 9 of the Kildare County Development Plan 2023-2029 indicates that extractive industries require sensitive management. Section 9.9 (Mineral Resources and Extractive Industry) identifies the following:

- The extractive industry can only be developed where the required resources occur;
- Residential and natural amenities will be protected, pollution will be prevented, and aquifers and ground water safeguarded;
- Principles of sustainable development and environmental management;
- Aggregate resources are important to the general economy;
- The industry provides a valuable source of employment in some areas of the county;
- Environmental and landscape impact must be managed or minimised insofar as siting is based on resource locations, and the Council will protect high amenity/special/unique sensitivity areas and limit new and/or extending existing extractive industries in this area;
- Rehabilitating ecology and biodiversity and restoration plans will provide for a mosaic of habitats. Infilling may be considered preferable to reverting to agricultural grassland for ecological and biodiversity purposes.

The proposal is consistent with Policy RD P8 which supports and manages appropriate future development of Kildare's natural aggregate resources in appropriate locations to ensure that there are adequate supplies to meet future needs of the county and the region consistent with the principles of sustainable development and environmental management.

The following **extractive industry specific objectives** are met:

RD O42 which seeks to ensure that there is no significant impact on any Designated Site;

RD O43 that there shall be no impact on any site of Geological Importance and that the planning authority shall consult with the Geological Survey of Ireland;

RD O44 requiring AA Screening; EIAR; EclA; detailed landscape plans indicating proposed screening for the operational life of the site; the predominant use of native plant species in proposed landscaping; detailed landscape ad quarry restoration plans; habitats and species surveys will be carried out; comprehensive site restoration plan and /or after use strategy having regard to the principles of 'Rehabilitation Ecology; and finally a transport impact assessment.

RD O45 submission of a bond (cash deposit, bond from an insurance company or other security acceptable to the planning authority) to ensure satisfactory completion and restoration of the site.

RD O46 requiring road re-instatement work to be on-going during operations in the interests of road and traffic safety;

RD O47 protecting and safeguarding the county's natural aggregate resources from inappropriate development;

RD O48 managing the finite aggregate resources being mined to supply the future needs of the region while working to reach climate change targets;

RD 049 be consistent with the Guidelines on Quarries and Ancillary Activities; Environmental Management Guidelines, Environment Management in the Extractive Industry (non-scheduled minerals); the Archaeological Code of Practice between the DEHLG and ICF; Geological Heritage Guidelines for the Extractive Industry; and Wildlife, Habitats and the Extractive Industry Guidelines for the protection of biodiversity within the extractive industry.

RD 050 ensuring the satisfactory and sensitive re-instatement and/or re-use of disused quarries and extraction facilities where extraction has ceased and seeking consistency with the criteria set out in Section 15.9.6 of that CDP and where there is no significant or unnecessary alteration of the natural landscape and topography unless it can be demonstrated that significant landscape remodelling would enhance the landscape and/or not give rise to adverse impacts.

RD 051 requiring that quarry remediation plans provide for environmental benefit, biodiversity and re-wilding in all instances. It is noted that the 80% requirement for environmental/biodiversity may be waived at sites closer to urban areas where a significant portion of the site is being provided for sports, recreation and amenity.

The aforementioned Section 15.9.6 sets out the requirements for assessing planning applications under Section 261A of the PDA and in particular accordance with the previously cited guidelines as well as the requirements for impact assessment including the environmental baseline of the area in which extraction is imposed, the likely impacts and proposed mitigation measures in relation to: human health; groundwater; Natura 2000 sites, Natural Heritage Areas, proposed Natural Heritage Areas and other sites for environmental or ecological protection; flora and fauna; sensitive local receptors including residences, Areas of High Amenity, Landscape Sensitivity Areas, Key Scenic Views and Prospects, and Key Amenity Routes, all of which have been assessed in this application; landscaping, berms and screening proposals; local transport networks including haul routes, trip movements and articulated lorry heights; noise, vibration and dust emissions; and archaeological and architectural heritage of the area.

The current CDP also sets out the technical requirements of planning applications including necessary details of the of the subject development, all of which are provided in this application.

There are several **economic based policies** all of which support the subject development as an existing quarry.

RE P1 seeking to facilitate employment creation;

RE P2 supporting economic development in the county;

In terms of access and transport the following is noted by the applicants:

Objective TM A24 which seeks to upgrade the N81 National Secondary Road.

In terms of biodiversity the subject proposal is consistent with the following biodiversity based policies and objectives:

BI P1 requiring the protection and enhancement of biodiversity and landscape features by applying the mitigation hierarchy to potential adverse impacts on important ecological feature, where mitigation and/or compensation measures as appropriate. The applicant notes that opportunities for biodiversity net gain are encouraged.

BI O6 which applies the precautionary principle in relation to developments in environmentally sensitive areas, and which seeks to ensure that all potential impacts on a designated NHA or Natura 2000 site can be avoided, remedied or mitigated.

BI O7 seeking insofar as possible a biodiversity nett gain.

BI P2 seeking the maintaining or restoration of the conservation status of all designated or proposed designated sites.

BI O9 avoid development that would adversely affect the integrity of any Natura 2000 site.

BI O10 ensuring that Appropriate Assessment Screening is carried out to determine the likelihood of having any significant effect on a Natura 2000 site either individually or in combination with other plans or projects.

In respect of natural heritage areas, including Red Bog NHA, and Poulaphouca Reservoir, the subject development is consistent with the following:

BI P3 ensuring that any proposal within or adjacent to any NHA is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts and the Habitats and Birds Directive including their habitats.

BI O12 requiring ecological impact assessment in accordance with the appropriate guidance by a suitably qualified for proposals within or adjacent to a NHA or proposed NHA to ensure that development is designed and sited to minimise impact on biodiversity, ecological, geological and landscape value of the site and particularly plant and animal species listed under the Wildlife Acts.

BI O14 minimising impact on ecological and landscape values on sites under National and European legislation and International Agreements.

In respect of **protected habitats and species** the subject development lines up with the following:

BI P4 ensuring development does not have a significant adverse impact, is not incapable of satisfactory mitigation on plant, animal or bird species which are protected by law.

BI O15 ensuring that there is no significant adverse impact on rare and threatened species.

BI O16 ensuring that appropriate species and habit avoidance and mitigation measures are incorporated into all new development proposals.

BI O17 requiring a derogation licence where necessary.

BI O18 requiring developments to identify, protect and sensitively enhance the most ecological features and habitats and incorporate these into the overall open space network and making provision of local diversity.

BI O22 identifying and protecting areas of high nature conservation value (including but not limited to SAC, SPA, pNHA) and supporting landscape features which act as ecological corridors/networks and stepping-stones such as river corridors, hedgerows etc so as to minimise loss of habitats and features of wider countryside which are of major importance for wild fauna and flora.

In respect of ecologically important sites the following policy requirements are met:

BI P8 ensuring that Kildare's wetlands and watercourses are retained.

BI O49 requiring that any development within the zone of influence of listed wetland sites should be subject to EclA and where appropriate hydrological assessment.

BO O50 protecting and conserving wetlands and resisting development that would destroy, fragment or degrade any identified wetland in the county.

BI O52 requiring preparation and submission of a hydrological report/assessment for significant developments within and in close proximity to protected raised bogs and the assessment of impact on the integrity of peatland ecosystems.

BI O55 protecting conserving and managing the character and appearance of ecological and archaeological heritage.

BI O56 preventing impact on sensitive water habitats without mitigation measures.

In the terms of geology the subject development complies with the following on geology as follows:

BI P10 maintaining and protecting the conservation of value of geological sites of national or local importance and seek sustainable management of the county's geological heritage resource.

BI O60 consulting with Geological Survey of Ireland regarding development likely to impact on Sites of Geological Importance.

BI O62 promoting, encouraging and supporting provision of access to geological and geomorphological features of interest in co-operation/consultation with landowners where practicable.

BI O63 Where appropriate support the restoration of Sites of Geological Importance (identified in Table 12.7).

BI O74 Strengthen ecological networks between urban areas to create greater linkages to Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network.

In respect of **green infrastructure** the subject development is consistent with the following:

BI O77 which seeks to integrate nature-based solutions and climate change considerations into the design, planning and implementation of development proposals at the earliest possible stage of the design process.

BI O78 which actively promotes and encourages nature-based approaches and green infrastructure solutions as viable mitigation and adaptation measures to surface water management.

In terms of landscape character and landscape and visual impact the subject site is located within an area of high landscape sensitivity where extraction of sand, gravel and rock is shown of medium appropriateness and is 'likely to be compatible with great care.

The subject development is consistent with the following:

LR P1 which seeks to protect and enhance the county's landscape.

LR O2 which requires a landscape/visual impact assessment where proposals may affect landscape sensitivity factors or may affect a route or view contained within 500m of the site boundary.

LR O4 requiring retention of local landscape features.

LR 07 restricting the quarrying of sensitive sites within Landscape Character Areas and protecting and conserving ecological, archaeological, biodiversity and visual amenity surrounding quarry.

LR 08 requiring all quarrying activities and projects associated with the extractive industry comply with the relevant guidelines and legislation.

LR 012 requiring appropriate environmental assessment for any development that may impact on boglands.

LR 014 maintaining the visual integrity of the Eastern Transition Lands which have retained an upland character.

LR 015 continuing to facilitate appropriate development in the Eastern Transition Lands in an incremental and clustered manner, where feasible, that respects the scale, character and sensitivities of the local landscape, and recognising the need for sustainable economic activity within the county.

In respect of assessing impact on designated high amenity areas the subject development, although not within such a defined area, is consistent with the following:

LR P2 protecting High Amenity Areas from inappropriate development and reinforcement of their character, distinctiveness and sense of place in so far as this is a well-established use, and a key or determining feature of the existing and well-established landscape.

LR 017 controlling development that will adversely affect the visual integrity of Areas of High Amenity by restricting incongruous structures out of scale with the landscape within the Areas of High Amenity and where they will disrupt the open nature of these areas.

LR 030 facilitating the utilisation of existing structures taking account the visual absorption opportunities provided by existing topography and vegetation.

LR 030 considering the need for activities that have a functional and locational requirement to be situated on elevated sites where it can be explicitly demonstrated that residual adverse visual impacts are minimised or mitigated.

LR 031 having regard to potential for screening vegetation when evaluating proposals for development within Upland Character Areas including the East Kildare Uplands.

In respect of protected **views and prospects** the following policy requirements are met in this instance:

LR P3 protecting, sustaining and enhancing the established appearance and character of all important views and prospects.

LR 032 avoiding any development that could disrupt the vistas or have a disproportionate impact on the landscape character of the area, particularly upland views and listed views. Listed views that may be affected by the subject development are not affected.

LR 033 ensuring no disproportionate visual impact or significantly interfere with or detract from scenic upland vistas when viewed from nearby areas, scenic routes, viewpoints and settlements.

LR 035 encouraging appropriate landscaping and screen planting along scenic routes.

In terms of **recreation** the following is complied with:

LR P4 protecting and maintaining existing recreation infrastructure in the county and supporting diversification of the rural economy.

There is one policy relating specifically to quarries, LR 08, which states;

“LR 08 -Ensure that all quarrying activities and projects associated with the extractive industry comply with all relevant Planning and Environmental Legislation and the Guidelines for the Protection of Biodiversity within the Extractive Industry document ‘Wildlife, Habitats & the Extractive Industry’.”

2.7.7 CIRCULAR LETTER EUIPR 02/2023

This circular letter follows the enactment of the Planning and Development, Maritime and Valuation (Amendment) Act 2022 (Commencement of Certain Provisions) (no.2) Order 2023 (SI 645 of 2023) which was signed onto law on 15 December 2023 and came into effect on 16 December 2023. This letter set out the amendments to the PDA and PDR to facilitate a more streamlined substitute consent process providing for a single-stage application process without the need for seeking leave to apply for substitute consent to the Board.

In this case that seeking leave process has been discussed in section 2.6.

SI 645 now indicates that the criteria previously under S177D (2) are contained within S177K(1J) and are the exceptionality criteria which the Board must have regard to, in being satisfied that whether exceptional circumstances exist in order to justify a grant of substitute consent.

2.8 REFERENCES

Kildare County Development Plan 2023 – 2029.

Environmental Impact Assessments of Projects Guidance on the Preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014/52/EU). European Commission 2018.

Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, Department of Environment, Community and Local Government, 2018.

Guidelines on the Information to be contained in Environmental Impact Assessment Reports (EIAR) 2023.

Circular Letter PL 1/2017 - Implementation of Directive 2014/52/EU on the Effects of Certain Public and Private Projects on the Environment (EIA Directive).

Circular Letter EUIPR 02/2023 - Following the enactment of the Planning and Development, Maritime and Valuation (Amendment) Act 2022 (Commencement of Certain Provisions) (no.2) Order 2023 (SI 645 of 2023).

Guidelines on the Information to be contained in Environmental Impact Assessment Reports.

Key Issues Consultation Paper - Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems, 2017.

EU Environmental Impact Assessment Directive (Council Directive 2014/52/EU).

Guidelines for the Preparation of Soils, Geology and Hydrogeology Chapters of Environmental Impact Statements. Institute of Geologist of Ireland, 2013.



Archaeological Code of Practice²⁰ (Irish Concrete Federation, 2009);

Geological Heritage Guidelines for the Extractive Industry (Irish Concrete Federation, 2008).

HSA's 'Guidelines to the Safety, Health and Welfare at Work (Quarries) Regulations 2008.

Environmental Management in the Extractive Industry: Guidelines for Regulators 2006.

Environmental Code (Irish Concrete Federation, 2005).

Department of the Environment, Quarries and Ancillary Activities, Guidelines for Planning Authorities 2004.

Appendix 2A

RESTORATION PLAN







Shillelagh Quarries Limited

HEMPSTOWN QUARRY SUBSTITUTE CONSENT APPLICATION

RESTORATION AND HABITAT MANAGEMENT PLAN





Shillelagh Quarries Limited

HEMPSTOWN QUARRY SUBSTITUTE CONSENT APPLICATION

RESTORATION AND HABITAT MANAGEMENT PLAN

TYPE OF DOCUMENT (VERSION) PUBLIC

PROJECT NO. IE0037007.4788

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DATE: DECEMBER 2024



Shillelagh Quarries Limited

HEMPSTOWN QUARRY SUBSTITUTE CONSENT APPLICATION

RESTORATION AND HABITAT MANAGEMENT PLAN

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QUALITY CONTROL

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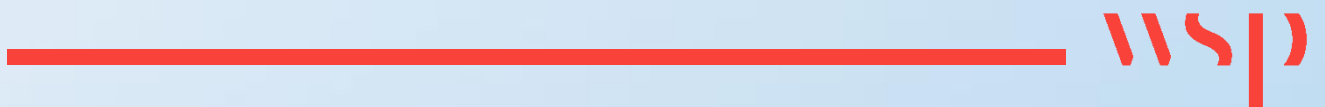
APPENDIX A

RESTORATION PLAN



4

RESTORATION AND HABITAT MANAGEMENT PLAN



1 RESTORATION AND HABITAT MANAGEMENT PLAN

1.1 INTRODUCTION

Restoration proposals have been developed on the basis of the following key objectives:

- To allow for an end use that is appropriate to the site's location;
- To integrate the final landform into the local landscape;
- To improve the visual quality of the existing site for surrounding sensitive visual receptors;
- To maximise ecological diversity of the site and its value for wildlife; and
- To deliver a high quality planting scheme of lasting benefit.

Shillelagh Quarries Limited are committed to ensuring that, as far as practicable, the decommissioning returns the site to a neutral condition and it is carried out in a manner that minimises any impact to the environment.

Shillelagh Quarries Limited recognise that aggregates are a non-renewable resource. Their extraction results in long-term change of the landscape. As a result, once a recoverable resource is exhausted, all modern extraction sites are required to be reinstated through conditions on planning permissions or permits.

Restoration is an intrinsic responsibility with an associated cost that, in common with labour and plant for example, is correctly accounted for as a contribution cost during the active extractive life of a site.

The purpose of the plan is to set objectives for, and guide the establishment of, biodiversity features at the Site covering all important habitats and species. This plan also defines the positive management and monitoring required to maintain these features at a favourable conservation status.

1.1.1 OBJECTIVES

The objectives of the HMP are:

- To present a general description of the Site and any associated features of biodiversity value;
- To compile a schedule of Biodiversity Management Features to be developed through phased restoration; and
- To describe in detail any Biodiversity Management Features identified, and to outline achievable management targets and realistic management activities for each. These management activities are derived from the results of the Biodiversity impact assessment (Chapter 4, EIAR) and have been developed in alignment with the agreed design for the accompanying restoration plan.

1.1.2 GEOGRAPHICAL AND TEMPORAL SCOPE

The anticipated roles and general responsibilities of the key parties involved in the performance of this plan are set out in Table 1-1 below. However, it should be noted that all members of staff are responsible for ensuring the requirements of the plan are followed.

Any changes in roles and responsibilities identified will be clearly communicated to those affected and the plan updated and amended during the annual review process.

Due to the level of skill required to implement biodiversity management, the delivery of management tasks defined within this plan will be directed by an appointed Ecological Clerk of Works (ECoW). The ECoW will be the central point of contact for all biodiversity issues, liaising as appropriate with the Project Manager, an appointed biodiversity champion (e.g. the Environmental Officer) and the local planning authority's ecologist (i.e. KCC's ecologist/heritage officer) as required.

Table 1-1 - Roles and Responsibilities.

Position	Role/Responsibilities	Name
Project Manager	Responsible for: <ul style="list-style-type: none"> Compliance with legal consents relating to biodiversity if applicable e.g. species licences as applicable; Compliance with planning conditions relating to biodiversity (post planning determination); Managing and co-ordinating the biodiversity aspects of the project, including the biodiversity design; and Coordinating and overseeing the implementation of the environmental project works (including the HMP). 	Shillelagh Quarries Limited (SQL) Staff
Environmental Clerk of Works (ECoW)	Responsible for: <ul style="list-style-type: none"> Monitoring compliance with the plan through restoration works; The ECoW frequency of visits will be defined by the complexity of the task and the potential for disturbance to existing sensitive features. Only once the ECoW is satisfied with the outcome of each item will they be considered as a completed action; Manage site activities of biodiversity specialists, if required; Liaison with consultees; Liaison and incident reporting to the Biodiversity Champion (see role below); Liaison and incident reporting to the Project Manager; Site inspections and reporting; and Provide training and information about the importance of ecologically sensitive receptors to all personnel on Site (including relevant sub-contractors) through delivery of 'Toolbox Talks'. 	TBC
Biodiversity Champion (e.g. Environmental Manager)	Responsible for: <ul style="list-style-type: none"> Implementation of the biodiversity mitigation including the creation of the flood plain attenuation features; Ensuring the plan is adhered to on-site; 	Shillelagh Quarries Limited (SQL) Staff

	<ul style="list-style-type: none"> Ensuring the implementation of environmentally sensitive working practices; Delivering site inductions; Responding to environmental incidents, and ensuring all reporting is carried out correctly; Reviewing incidents with colleagues to prevent repeat occurrences; and Liaising with environmental/biodiversity stakeholders as required. 	
Local Authority Ecologist (KCC) and NPWS officer	Overarching compliance management of the plan.	TBC

1.2 LEGAL COMPLIANCE

This restoration and HMP has been developed to establish good biodiversity management practice, including compliance with specific species and habitat protection legislation.

1.3 SPECIES AND HABITAT PROTECTION

This section addresses the legislation and guidance that has been considered when preparing this HMP, and the key policy context relevant to biodiversity.

1.3.1 LEGISLATION

- The Planning & Development Act 2000 & the Planning and Development (Amendment) Act, 2010 (as amended) hereafter referred to as the Planning Acts;
- The Wildlife Act 1976 as amended by the Wildlife (Amendment) Act, 2000 (as amended) hereafter referred to as the Wildlife Acts;
- The EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU), the Planning and Development Acts 2000-2018, and the Planning and Development Regulations, 2001-2018;
- European Communities (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018);
- European Commission (EC) Habitats Directive 92/43/EEC (as amended);
- EC Birds Directive 2009/147/EC;
- European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) hereafter referred to as the Birds and Habitats Regulations;
- Flora (Protection) Order, 2015;
- Environment (Miscellaneous Provisions) Act 2011;
- The Fisheries (Consolidation) Act 1959;
- The Local Government (Water Pollution) Act, 1977 (as amended by Sections 3 and 24 of the 1990 Act.); and
- S.I. No. 356/2015 - Flora (Protection) Order, 2022.

1.3.2 RELEVANT POLICIES AND PLANS

- Ireland's National Strategy for Plant Conservation;
- County Kildare Biodiversity Plan 2009 – 2014;

- Ireland's 4th National Biodiversity Action Plan 2023–2030;
- Ireland's National Strategy for Plant Conservation;
- The Kildare County Development Plan 2023–2029;
- All Ireland Pollinator Plan 2021–2025; and
- County Kildare Heritage Plan 2019–2025.

1.4 SITE DESCRIPTION AND EXISTING BIODIVERSITY FEATURES

1.4.1 LANDFORM AND SITE PROCESSES

Following cessation of extraction, dewatering of the Site will cease, allowing collected waters to form a waterbody within the quarry void space. No reprofiling of lands is proposed, beyond rounding of the existing bench to create a profile more hospitable to marginal habitat development within the quarry void space.

In addition, the Site will undergo planting of grassland, native tree and shrub species. Indigenous plant species will be encouraged to re-colonize worked out areas (benches) to develop unique habitats and provide for increased biodiversity in the area.

Inter-mixed with the planting of native trees and scrubs, restoration surfaces will be seeded with native grasses and wildflowers to provide increased biodiversity.

Vertical faces which remain along the north-western part of the Site will be maintained and enhanced to promote biodiversity in terms of nesting birds.

All plant, equipment and temporary structures shall be decommissioned and removed from the Site.

1.4.2 OVERVIEW OF PHASING AND RESTORATION TASKS

Restoration of lands in the east and south of the Site have been already undertaken. The phased restoration of the Applicant's lands located outside of the Application Boundary, and located within the south east of the EIA study area, have been scoped out of this Restoration Plan as they were carried out during restoration works undertaken pursuant to condition 6A of the planning permission (planning permission register reference: 07/433 ABP ref PL09253383) and the High Court settlement term no. 2 (see section 2.6 of Chapter 2 (Project Description) for further detail).

Restoration activities within the Application Boundary will follow the cessation of aggregate extraction. Following the overall cessation of the extraction activities at the Site it is envisaged that the final restoration and closure will take approximately 2 years.

Upon decommissioning, dewatering of the Site will also cease, allowing a waterbody to be formed from collected waters in the base of the quarry. The final proposals will be completed in accordance with this plan, (refer also to Restoration Drawing in Appendix A.1) subject to agreement with the planning authority.

1.4.3 DECOMMISSIONING OF ACTIVITIES

Mobile plant and equipment will be removed from Site. However, staff facilities such as the office and toilets will still be required for the post-extraction restoration phases and will be removed upon completion of these.

Waste materials produced as a result of the decommissioning of the Site may include:

- Metal framing;

- Concrete;
- Plastics;
- Wood; and
- Glass.

Wheelwash tank will be removed during the restoration phase. The tank will be emptied by the appropriate licenced contractors/hauliers and the contents removed off-site to appropriately licenced disposal facilities. The unit itself will then be removed and disposed of through the appropriate channels. Any non-inert construction and demolition waste (principally scrap metal, plastic and timber) will be removed off-site by permitted waste collectors and will be brought to appropriately licenced recovery or disposal facilities.

It is noted that the carpark area is located on third-party lands and access will be maintained to facilitate continued use of those lands by their owner.

1.5 ENVIRONMENTAL INFORMATION

1.5.1 HABITATS

A walkover survey of the area was conducted by WSP on the 15 August, 2024 and 21 October 2024 to record the habitats and flora in the area within the Development Site, and to detect the presence or likely presence of protected species, and the presence of suitable habitat for those species. The study was also concerned with identifying the need for further, more specialist surveys as applicable.

Ecological Survey methods were in general accordance with those outlined in the following documents:

- Heritage Council (2011). Best Practice Guidance for Habitat Survey and Mapping;
- Phase 1 Habitat Survey methodology (Joint Nature Conservation Committee (JNCC), 1990, revised 2010); and,
- Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes (NRA, 2009).

Aerial photographs and site maps assisted the habitat survey. Habitats have been named and described following Fossitt (2000).

The survey also aimed to identify any invasive species which may occur on the site. However, this type of survey is not designed to replace specialist knowledge of invasive species recognition or eradication which should be undertaken by specialist contractors.

1.5.1.1 Fauna

The ecological impact assessment process in the rEIAR (WSP, 2024) identified a number of fauna features that are relevant to the HMP as features requiring habitat maintenance and enhancement. These are detailed within Table 1-2 below:

Table 1-2 - Fauna Features Identified

Fauna	Location	Faunal Feature
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Bats	Local	There is suitable foraging habitat available for bats in trees, scrub and hedgerows.
Badger	Local	The Site provides suitable foraging and sett-building habitat. Two potential setts have been recorded. Badgers are mobile animals and their use of the Site could change rapidly.
Herpetofauna	Site	The Site provides suitable basking habitat and shelter for common lizard. The overflow soakaway may also provide suitable habitat for breeding amphibians as it was partially vegetated at the time of the survey.
Breeding Birds	Local	The walls of the quarry pit were said to have suitability for breeding peregrine and kestrel. A sand martin nesting colony was recorded on a north sandy face adjacent to the primary soakaway. Scrub and hedgerow along the Site periphery, and recolonising bare ground mostly in the north/northeast, provides suitable breeding habitat for a range of bird species.

1.5.2 STATUTORY AND NON-STATUTORY DESIGNATED SITES

1.5.2.1 Designated Nature Conservation Sites

A map displaying the designated nature conservation sites in the vicinity of the Site is shown at Figure 1-1.

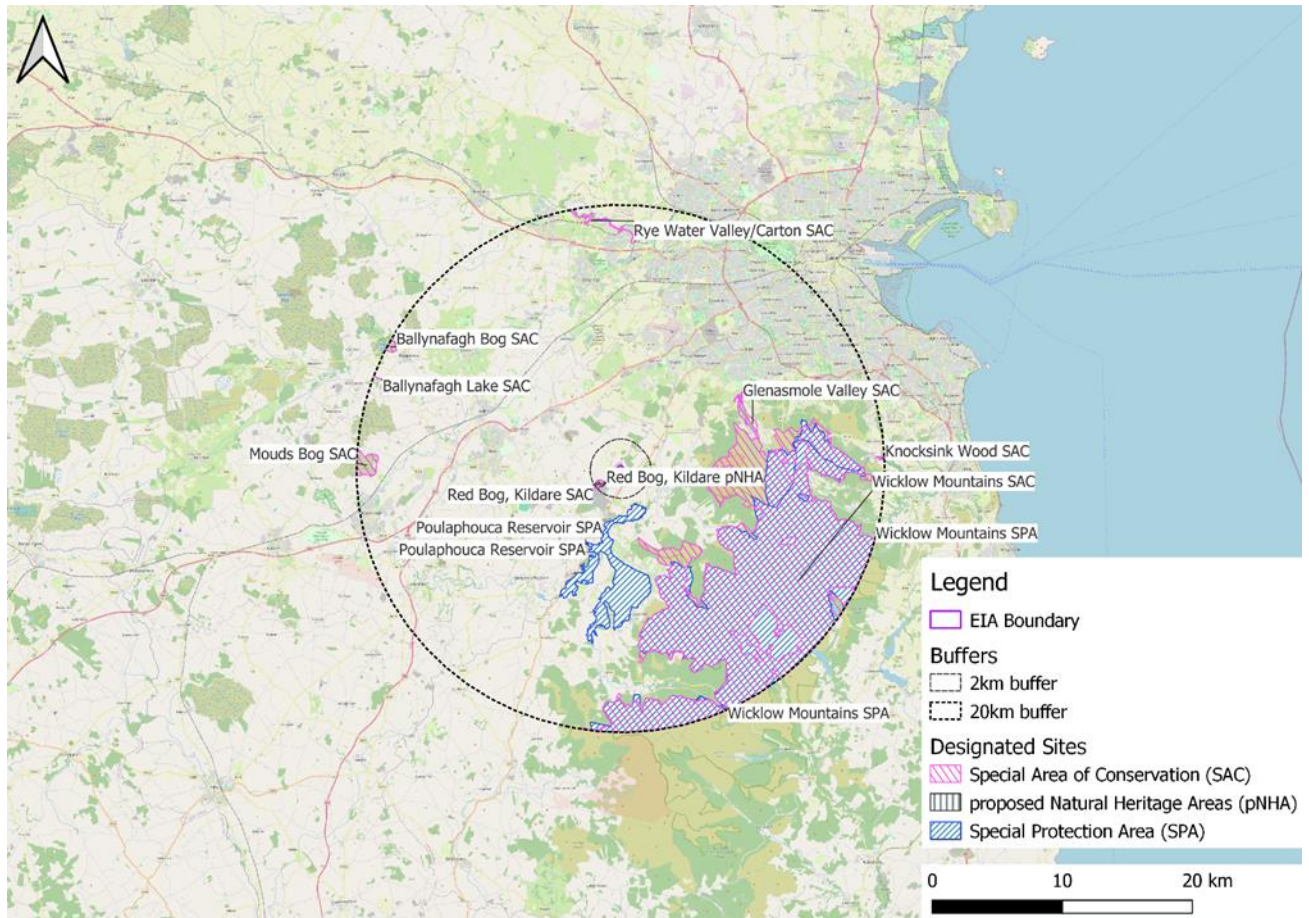


Figure 1-1 - Designations surrounding the site, including 2 and 20 km buffers.

There are 10 European sites of nature conservation importance located within the 20 km ecological zone of influence of the Application Site boundary. There are four non-statutory designated sites, in this case pNHAs, within 5 km of the Development. The nearest is Red Bog, Kildare pNHA which is 1.4 km southwest of the Site. There are no NHAs located within 5km of the Application Site, with the closest being Hodgestown Bog NHA, located approximately 21.8km northwest of the Application Site.

The Designated Sites are listed below:

- Red Bog, Kildare SAC (000397)
- Red Bog, Kildare pNHA (000397)
- Poulaphouca Reservoir SPA (004063)
- Poulaphouca Reservoir pNHA (000731)
- Killeel Wood pNHA (1394)
- Slade Of Saggart and Crooksling Glen pNHA (000211)
- Wicklow Mountains SAC (002122)
- Wicklow Mountains SPA (004040)
- Glesamole Valley SAC (001209)
- Rye Water Valley/Carton SAC (001398)
- Mouds Bog SAC

- Ballynafagh Bog SAC
- Ballynafagh Lake SAC
- Knocksink Wood SAC

For internationally designated sites with an acknowledged impact source and ecological pathway to the Site a Natura Impact Statement accompanies this planning application, and includes citations for such designations, and details on their exact proximity to the proposed development footprint.

1.6 PROPOSED BIODIVERSITY FEATURES

The proposed biodiversity features to effectively restore the Site are habitat based and designed to enhance biodiversity. The restoration will be phased to maximise biodiversity value in the shortest time possible. Habitats will be managed in adherence to the biodiversity mitigation hierarchy, as follows:

- **Avoidance:** The first step of the mitigation hierarchy comprises measures taken to avoid creating impacts from the outset;
- **Minimisation:** Measures taken to reduce the duration, intensity and/or extent of impacts that cannot be completely avoided;
- **Rehabilitation/restoration:** Measures taken to improve degraded or removed ecosystems following exposure to impacts that cannot be completely avoided or minimised; and
- **Offset:** Measures taken to compensate for any residual, adverse impacts after full implementation of the previous three steps of the mitigation hierarchy.

In real terms, the mitigation strategy is to enhance retained on-site habitats and create new habitats by:

- Creating native species-rich hedgerows in what are presently areas of species-poor or defunct hedgerow;
- Creation and enhancement of woodland and scrub mosaic;
- The creation of areas of naturally recolonising bare ground ; and
- The creation of aquatic habitat for birds and riparian mammals.

1.7 MANAGEMENT FEATURES

Existing and Proposed Features

In line with the guidance provided in the Conservation Management System (CMS) guidelines (Alexander, 2005), the existing and proposed biodiversity features at the Site are consolidated into a list of Management Features:

‘Management planning for nature conservation requires a focus. In theory, it might be possible to write a single, all-encompassing objective for an entire site. In practice, this would be an unwieldy statement, so complex that it is unlikely we would be able to recognise, or deal with, the detail.’

‘The approach adopted is to identify a range of the most important features and use these as a focus for the entire plan (Alexander, 2005).’

The existing and proposed biodiversity features at the Site comprise the following (shown on the accompanying Restoration Plan Drawing, provided in Appendix A):

- Hedgerow – mostly existing hedgerows to be managed/enhanced,
- Woodland and Scrub Mosaic - Protection of existing and creation additional habitat;

- Naturally recolonising bare ground – Protection of existing habitat to be managed to promote natural recolonisation by flora species preset at the site; and
- Aquatic and Marginal Habitat to be created.

These comprise the four management features that are the focus of this HMP.

1.8 MANAGEMENT VISION

In line with the guidance provided in the Conservation Management System guidelines (Alexander, 2005) the following management vision has been produced by WSP. It provides a desired outcome for the habitat creation and enhancements set out in this HMP:


The diversity of habitats within the Site include connecting species-rich hedgerows, scrub, woodland and aquatic margins. Singing skylarks are abundant and barn owl hunt vole in the rank grassland margins. Smooth newt have colonised the aquatic marginal habitat and Irish hare traverse the Site.


1.8.1 SPECIFIC MANAGEMENT MEASURES


Table 1-1 presents the specific targets and measures for each Management Feature. Importantly, all habitat to be created will firstly be surveyed by the appointed ECoW to establish the latest baseline conditions. This will ensure that management prescriptions can be specifically tailored for biodiversity gain and that any existing features of biodiversity value can be protected.


Table 1-3 - Management Targets and Tasks - Action Plan

Management Feature	Location Drawing Ref. No.	Existing Baseline Conditions in 2024 Prior to the Implementation of Management Measures	Management Target	Guiding Documents & Principals	Management Tasks	Task Timings	Progress in Delivering the Measurement Target and Annual Review of Success in Delivering Biodiversity Gain(s)
		Existing baseline conditions in the area of proposed enhancement to be assessed and recorded. Dated observations inserted in this column by the appointed ECoW.	The end result against which progress will be regularly measured by the appointed ECoW.	Technical references to guide the appointed ECoW in implementing the management targets.		Date(s) when habitat creation is required to commence to meet the objectives of the EIAR mitigation strategy, and date(s) when subsequent habitat management measures are required.	<p>Not yet started (0%)</p> <p>In progress (1-50%)</p> <p>In progress (51-99%)</p> <p>Completed (100%)</p> <p>Review by the appointed ECoW.</p>

Hedgerows	Restoration Drawing	<p>Date:</p> <p>Existing Baseline Conditions:</p> <p>.....</p> <p>Date:</p> <p>Existing Baseline Conditions:</p> <p>.....</p>	<p>See section 1.9 below.</p> <p>Targets to be agreed with Kildare County Council.</p>	Countryside Stewardship BE3: Management of hedgerows.	The on-Site creation of native species-rich hedgerow is prescribed and committed as part of the EIAR. The scope of this task as defined will be delivered by the Applicant under the stewardship of the ECoW.	<p>Hedgerow creation:</p> <p>The be carried out between Nov– Mar (inclusive) 2026.</p> <p>Hedgerow management:</p> <p>Sept to Feb (inclusive), 2026, then every 2 years.</p>	<p>Progress Review Date:</p> <p>Progress in delivering the management target:</p>  <p>Progress Review Comments:</p> <p>.....</p> <p>Annual Review of Success in Delivering Biodiversity Gain(s) compared to 2020 Baseline:</p> <p>.....</p>
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Woodland and scrub mosaic	Restoration Drawing	<p>Date:</p> <p>Existing Baseline Conditions:</p> <p>.....</p>	<p>See section 1.10 below.</p> <p>Targets to be agreed with Kildare County Council.</p>	<p>BS 8545:2014 Trees: From Nursery to Independence in the Landscape.</p>	<p>Creation of native woodland and scrub is prescribed and committed as part of the EIAR. The scope of this task will be delivered by the Applicant under the stewardship of the ECoW. Native tree and scrub species to be planted as detailed in Section 1.10 below.</p>	<p>Pre-creation survey:</p> <p>November 2026 to March 2027 (inclusive).</p> <p>Woodland and scrub creation:</p> <p>2026 forward in accordance with phased restoration.</p> <p>Monitoring:</p> <p>Annual monitoring, starting in 2026, of the native woodland planting by the ECoW. Any plant failures through disease, weather exposure, neglect or damage to be replaced with equivalent species within one year of such failure.</p>	<p>Progress Review Date:</p> <p>Progress in delivering the management target:</p>  <p>Progress Review Comments:</p> <p>.....</p> <p>Annual Review of Success in Delivering Biodiversity Gain(s) compared to 2020 Baseline:</p> <p>.....</p>
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Recolonising Bare Ground	Restoration Drawing	<p>Date:</p> <p>Existing Baseline Conditions:</p> <p>.....</p>	<p>See section 1.10 below.</p> <p>Targets to be agreed with Kildare County Council.</p>	-	Details provided in section 1.11.	Throughout the year, starting in March 2026; ECoW to monitor for floral invasive species and to advise accordingly.	<p>Progress Review Date:</p> <p>Progress in delivering the management target:</p>  <p>Progress Review Comments:</p> <p>.....</p> <p>Annual Review of Success in Delivering Biodiversity Gain(s) compared to 2024 conditions applicable:</p> <p>.....</p>
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Aquatic and marginal habitat.	Restoration Drawing	<p>Date:</p> <p>Existing Baseline Conditions:</p> <p>.....</p>	<p>The aquatic and marginal habitat, are designed for biodiversity benefit where possible. The design allows for significant seasonal variation in water levels creating a shallow gradient draw down zone benefitting a diverse flora and fauna. Further details in section 1.12 below.</p>	<p>Farm Advisory Service TN688 Management and Conservation for Farmland Waders</p> <p>Natural England Technical Guidance Note TIN079.</p> <p>RSPB – Farming for Wildlife: Scrape creation for wildlife.</p> <p>RSPB – Farming and Crofting for Wildlife: Scrape creation for waders.</p>	Aquatic and marginal establishment. Further details provided in section 1.12.	<p>Aquatic and marginal establishment:</p> <p>2026.</p> <p>Monitoring:</p> <p>Annual monitoring, starting in 2026, by the ECoW.</p>	<p>Progress Review Date:</p> <p>Progress in delivering the management target:</p>  <p>Progress Review Comments:</p> <p>.....</p> <p>Annual Review of Success in Delivering Biodiversity Gain(s) compared to 2024 conditions Baseline:</p> <p>.....</p>
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1.9 HEDGEROW CREATION

The Restoration Plan drawing (Appendix A) illustrates the hedgerows that will be created and/or enhanced as part of the HMP works.

The following management prescription must be followed for new hedgerow creation¹:

- Carry out work between 1st November and 31st March only in any one season of planting;
- Prepare the ground along a 1.5 m wide strip within which the hedgerow will be created to provide good soil conditions and as little competition from other vegetation as possible;
- Apply any herbicide to the 1.5 m strip in August or September (prior to planting);
- Plants must be:
 - 2-year-old transplants;
 - At least 450 mm to 600 mm high;
 - Native species, with no one species making up more than 70% of the total;
 - Planted in a staggered double row 40 cm apart with a minimum of 6 plants per metre; and
 - Kept clear of weeds until they are established.
- Remove individual guards and tree shelters once the plants are established;
- Replace all failures in the following planting season;
- Trim the newly planted hedge in at least the first 2 years to encourage bushy growth, allowing the hedge to become taller and wider at each cut; and
- Prevent livestock and grazing animals from damaging the hedge by setting fencing at least 1.2 m from the centre of the hedge, or, if there is a bank, as close to the base of the bank as possible.

All existing hedges illustrated in the restoration drawing as requiring enhancement will be enhanced as follows:

- Carry out work between 1 November and 31 March each year;
- Prepare the ground along a 0.75 m wide strip adjacent to the existing hedge on one side only to provide good soil conditions and as little competition from other vegetation as possible;
- Apply any herbicide to the 0.75 m strip in August or September prior to planting and respecting the existing hedge;
- Plants must be:
 - 2-year-old transplants;
 - At least 450 mm to 600 mm high;
 - Native species, with no one species making up more than 70% of the total;
 - Planted in a single row 30 cm apart with a minimum of 3 plants per linear metre; and
 - Kept clear of weeds until they are established.
- Remove individual guards and tree shelters once the plants are established;
- Replace all failures in the following planting season;
- Trim the newly planted hedge in at least the first 2 years to encourage bushy growth, allowing the hedge to become taller and wider at each cut; and

¹ <https://www.gov.uk/countryside-stewardship-grants/planting-new-hedges-bn11>

- Prevent livestock and grazing animals from damaging the hedge by setting fencing at least 1.2 m from the centre of the hedge, or, if there is a bank, as close to the base of the bank as possible.

The appointed ECoW will oversee all advanced ground preparation and hedgerow planting to ensure hedgerow establishment and minimise failure of whips.

1.9.1 HEDGEROW MANAGEMENT

The most effective way to manage existing hedgerows is by flail trimming. If used with care, this machine is considered to be the best way of trimming hedgerows as it is cost-effective and does an effective pruning job. Conservation best practice recommends the cutting of hedgerows only in alternate years. This is better for wildlife, and it reduces time and expense. Some species only flower on second year growth, so annual cutting reduces the flowering and subsequent berry crop.

1.10 WOODLAND AND SCRUB MOSAIC CREATION

In advance of woodland creation, the proposed creation footprint will be surveyed by the appointed ECoW. This will ensure that the woodland footprint does not impinge on any features of residual ecological value. Tree planting is proposed at locations to afford biodiversity enhancement and screening. Tree planting will occur in winter (November – February).

Any plant failures through disease, weather exposure, neglect or damage shall be replaced with equivalent species within one year of such failure, all to the satisfaction of KCC. The implementation of these protection measures will be monitored by the Environmental Manager. All tree planting will be implemented in accordance with BS 8545:2014 Trees: From Nursery to Independence in the Landscape.

The native tree species to be used will comprise:

- *Alnus glutinosa*;
- *Betula pendula*;
- *Betula pubescens*;
- *Corylus avellana*;
- *Crataegus monoygna*;
- *Ilex aquifolium*; and
- *Quercus robur*.

The establishment of woodland will be monitored by the appointed ECoW and updates to the management strategy will be provided as required.

A potential badger sett with 4 No. entrances and sandy bank containing sand martin burrows are present on the northwestern edge of the primary soakaway. As a precautionary approach, planting is not proposed within 10 m of these features on the basis Smal (2006) states '*Badger sett tunnel systems can extend up to c. 20m from sett entrances. Therefore, no heavy machinery should be used within 30m of badger setts (unless carried out under licence); lighter machinery (generally wheeled vehicles) should not be used within 20m of a sett entrance; light work, such as digging by hand or scrub clearance should not take place within 10m of sett entrances.*'

1.11 RECOLONISING BARE GROUND

This section of the plan is designed to allow for natural regeneration of flora species onsite in order to promote local genetic plant stocks, and avoid negative impacts to genetic diversity in the local area

by introduction of low genetic diversity seed mixes. If successful, and subject to pre-creation monitoring by the ECoW (April to September inclusive within the creation year), there will be:

- More flowering grass and wildflower species;
- Varied grass structure and height offering nectar and shelter for invertebrates; and
- Increased food supply for birds and shelter for small mammals.

Requirements:

- Lands will be fenced so as to avoid grazing.
- Tracking of vehicles or plant to be minimised in areas of recolonising bare ground, and avoided where possible.
- **Do not:**
 - Plough, cultivate or re-seed the recolonising bare ground.
 - Use pesticides, except for herbicides to spot-treat or weed-wipe to control nettles or docks.

The appointed ECoW will oversee any advanced ground preparation works or management to ensure the successful creation of this feature.

The appointed ECoW will assess the pre-existing ground conditions to ensure that any residual features of biodiversity interest are retained where possible.

1.12 AQUATIC AND MARGINAL HABITAT

Aquatic, semi-aquatic and ephemeral habitat features can provide important feeding areas for breeding wading birds such as lapwings and redshanks, and their chicks, which find invertebrate food in and around the wet muddy edges. Other farmland birds such as tree sparrows and yellow wagtails may also benefit from these insect-rich areas.

The Restoration Plan drawing (Appendix A) illustrates where aquatic habitat will be created and managed for biodiversity gain. The specific design of this wetland area will allow for maximal seasonal variation in water levels creating a shallow gradient draw down zone in the southern extent of the lake that will benefit a diverse flora and fauna. Aquatic habitat will extend naturally toward large expanses of recolonising bare ground (refer Restoration Plan drawing; Appendix A). This wetland habitat will be left to colonise naturally and will provide quality habitat for invertebrates and also wading and ground nesting birds. In addition, this area will provide key ecological connectivity at the Site and local level.

The design of this feature including the provision of wetland scrapes has been steered by good practice, documented by Farm Advisory Service (2017) in their Technical Note TN688 'Management and Conservation for Farmland Waders'

The aquatic marginal habitat will be planted, following wetland feature creation, with the following pre-established coir pallets to aid rapid establishment:

- Common reed;
- Branched bur-reed;
- Reed canary-grass;
- Greater and Lesser pond sedge;
- Reed sweet-grass;
- Meadowsweet; and
- Purple loosestrife.

The ECoW will monitor the establishment of this feature, including the presence of established marginal plants detailed above as part of the regular Site monitoring.

1.13 OTHER RESTORATION ISSUES

1.13.1 HEALTH AND SAFETY

The Applicant's Health and Safety policy applies to all sites. Required Health and Safety standards will be maintained by training and sign posting of safety information on site during restoration and landscaping activities. The site manager for the proposed facility will be responsible for safety management on site.

Following restoration, it is not proposed to allow public access to the site and the site boundary will be fenced off and warning signs indicating steep ground placed where appropriate. In addition, the ECoW will be tasked with monitoring restoration to ensure that non-native or invasive species are not colonising the site.

1.13.2 FENCING AND SECURING THE WATERBODY

A protective post & wire fence, 1.8 m high will be erected (complying with BS1722: Part 4 and erected in accordance with BS5837: 1991) around the Site perimeter. Rabbit proof netting shall be erected where required. New scrub and woodland planting will be protected from livestock grazing via suitable stock fencing.

The waterbody in the base of the pit will also be fenced for safety and security. The use of the waterbody at the quarry for recreation or bathing will be prevented as far as is reasonably practicable by restricting access and the placement of appropriate warning signs. The landowner will be responsible for ensuring the fencing is maintained and secure.

Other fencing may be required as appropriate to protect habitats during establishment.

1.13.3 ROOST CREATION - BAT, INVERTEBRATE AND BIRD BOXES

Commitments are provided as described which will increase the number of roosting opportunities for bats, invertebrates and birds on Site. Accordingly, eight bat boxes (the 2F Schwegler² generalist bat box, or similar) will be erected on suitable retained trees in the vicinity of the Site as indicated on the Restoration Drawing. The boxes will be placed at a height of between 3 – 6 m in sheltered sunny locations and will be placed with clear flight-lines to the box. Six invertebrate boxes³ will also be placed in sheltered areas of the site as indicated on the Restoration Drawing.

In addition, six bird boxes (the 2GR Schwegler⁴ nest box, or similar) will be erected on suitable retained trees in the vicinity of the Site as indicated on the Restoration Drawing. The boxes will be placed at least 2 m above the ground, in locations sheltered from prevailing wind, rain, and strong sunlight, ensuring birds have unobstructed access to the box. The measures detailed above will be

² https://www.arkwildlife.co.uk/products/schwegler-2f-bat-box?gclid=EAlaIqobChMxpHo9vKL7QIVWbvVCh36lwT7EAAYASAAEgIDE_D_BwE

³ https://www.arkwildlife.co.uk/products/mason-bee-eco-nest-box?_pos=7&_sid=e2b1bb071&_ss=r

⁴ <https://www.nhbs.com/2gr-schwegler-nest-box>

signed off as complete by the ECoW and will form part of the reporting process (refer to section 1.14 below).

1.13.4 LIGHTING

No external lighting is proposed to be installed at the Site post-restoration. Any lighting used during the ongoing operation of the Site will be monitored by the ECoW to ensure that the lighting maintains suitable conditions around the Site for nocturnal and crepuscular species by using timers, cowls and hoods to maintain dark skies and avoid illuminating features such as the woodland and hedgerow habitat.

1.14 REPORTING

For each of the four management features there are requirements for monitoring by the ECoW, since it is only by regular monitoring that management can be appropriately reviewed and suggestions for improvements made. To provide documentary evidence of this monitoring and circulate the results to interested parties, regular reporting will be necessary.

It is recommended that this reporting is completed annually commencing in 2026. The contents of this report will vary from year-to-year, depending upon the monitoring programme for each of the features concerned.

1.14.1 DEROGATION LICENCES

Although not envisaged, should any derogation licences for disturbing protected species be required, the need for these will be identified by, and sought by, the ECoW.

1.14.2 RECORD KEEPING

An up to date copy of the Restoration Plan including HMP will be maintained at the main Site office. Associated records will be held in the contractor's files.

1.14.3 AUDITING AND REVIEW

Audits of the plan will be undertaken by the Environmental Manager. The plan will be reviewed annually and updated as appropriate. Details of the review and any updates will be recorded.

The audit will check that all necessary current documentation is held in both electronic and hard copy. An audit schedule will be arranged but will include an annual review and a five-year audit commencing in 2026, as a minimum requirement.

To ensure the plan remains 'fit for purpose' for the duration of the project it will be regularly reviewed and updated to facilitate efficient and effective delivery of the project legal and environmental commitments.

A log will be kept including a summary of the update and a record of the review. A formal review of the plan will be undertaken every 12 months. The review will identify if the document is still fit for purpose and following current best practice. The review will also consider past performance from inspections, audit reports and monitoring data, plan actions required to mitigate forthcoming risks and disseminate best practice.

Reviews of the plan will be undertaken and recorded by the ECoW with the findings of the reviews reported to the Biodiversity Champion and Project Manager and other staff members as required.

The ECoW will undertake a detailed Site Inspection to measure environmental compliance with the plan. The inspection frequency will be determined by the occurrence of critical works at times of the year when disturbance to sensitive environmental receptors is likely to be greatest or when habitat creation occurs. For the operational phase of the project, bi-annual inspections would usually be appropriate.

All environmental non-conformances will be recorded on an Environment Incident Investigation and Report form generated by the ECoW or the Biodiversity Champion. Dependent on the severity of the non-conformity differing actions may be required. These range from the adaptation of different working practices, additional Tool Box Talks being required or in a severe case the involvement of statutory bodies.

1.14.4 STAFF TRAINING

Environmental training will be delivered and assessed throughout the project, to ensure the relevant aspects of the plan are communicated to the project team and front-line staff (including relevant sub-contractors). This will include:

- Site Environment Induction;
- Daily Pre-Start Meetings;
- Environmental Toolbox Talks;
- Incident and Near Miss bulletins; and
- Sub-contractors kick-off meetings.

1.14.5 LESSONS LEARNT

Procedures will be put in place to record and learn from the restoration works. Where relevant any learnings which improve efficiency, quality of the works or increased protection of the landscape will be incorporated into future phases of the operation and restoration.

Details of the recording/feedback procedures will be set out in subsequent versions of the plan.

1.14.6 HABITAT MANAGEMENT PLAN REVIEW & VERSION UPDATES

This Restoration and HMP will be reviewed and updated by the Biodiversity Champion (e.g. Environmental Manager) no less than every 12 months during the course of the operational and restoration phases. Details of the review dates and version updates are provided in Table 1-4.

Table 1-4 - Restoration and Habitat Management Plan Review and Version Updates.

Version	Review Date	Review Comments and Changes Made to HMP	Date of Next Review
HMP_1			

1.15 REFERENCES

Alexander, M. (2005) The CMS Guide to Management Planning. Talgarth: CMS Consortium.

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Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit. Joint Nature Conservation Committee, revised reprint 2010

Smal (2006) Guidelines for the treatment of badgers prior to the construction of national road schemes.

Farm Advisory Service (2017) Technical Note TN688, Management and Conservation for Farmland Waders. Available at: www.fas.scot/downloads/tn688-management-conservation-farmland-waders/

Appendix A

RESTORATION PLAN



