2. BACKGROUND TO THE PROPOSED DEVELEOPMENT

2.1 Introduction

This chapter of the Environmental Impact Assessment Report (EIAR) presents information on the Proposed Development site, the strategic planning context for the proposal, the relevant planning history of the site and surrounding area, and the cumulative impact assessment process undertaken as part of this report.

2.2 Development Proposal

2.2.1 Proposed Development

The Proposed Development site EIAR Study Area and application boundary measures approximately 97.5 hectares. The Proposed Development being applied for under this planning application includes for the construction of a soil inspection shed, refuelling area, settlement ponds, road improvements, drainage network and environmental berms. The Proposed Development also includes for the extraction, processing and washing of sand and gravel from an area measuring approximately 16.3 hectares (ha) which will allow for the extraction of approximately 1,428,571 tonnes of material.

The development proposals also include for the infilling and restoration of an existing and future quarry void with inert soil and stone over an area of approximately 38 hectares. There will be a phased restoration of the quarry void working from the base of the void vertically building up soil and stone. The soil and stone will be spread in layers, approximately 1 to 2 metres each, up to ground level. Following completion of the infilling works, the topsoil removed during quarrying will be placed and the soils rolled. Natural colonisation of plant species will occur from the seedbank within the redistributed soil. It is considered that the rate of infilling and restoration will be subject to market conditions and therefore planning permission is being sought for a 20-year operation.

2.2.2 Site Location

The Proposed Development site is within the townlands of Ballyquin More, Leitrim and Woodpark within the Killaloe Municipal District of County Clare. The nearest villages to the site are Bridgetown (1.5 km southeast), O'Briens bridge (4 km southeast) and Kilbane (4.4 km north). The nearest town is Killaloe which is 8 km to the northeast from the subject site (Figure 2-1).

The subject site is located off and accessed via the R466 Regional Road. The site is in a primarily agricultural area, though there are some residential properties in the vicinity of the subject site displayed in in Figure 2-2.

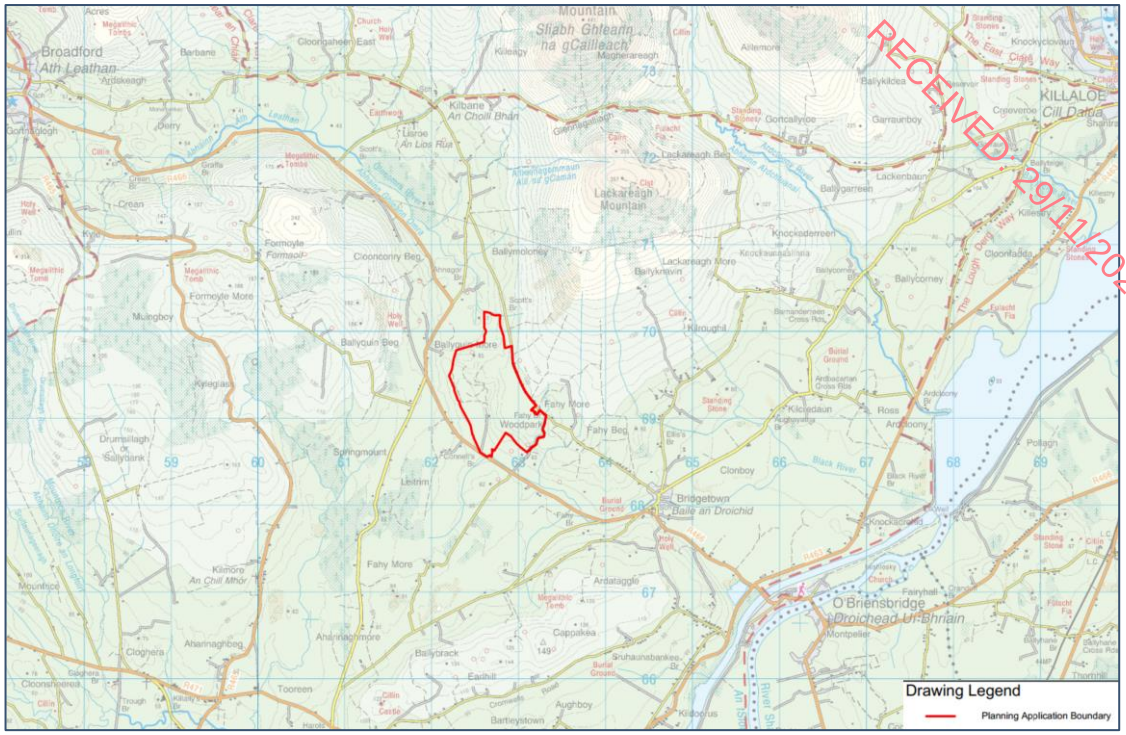

Figure 2-1 - Site Location in Context.

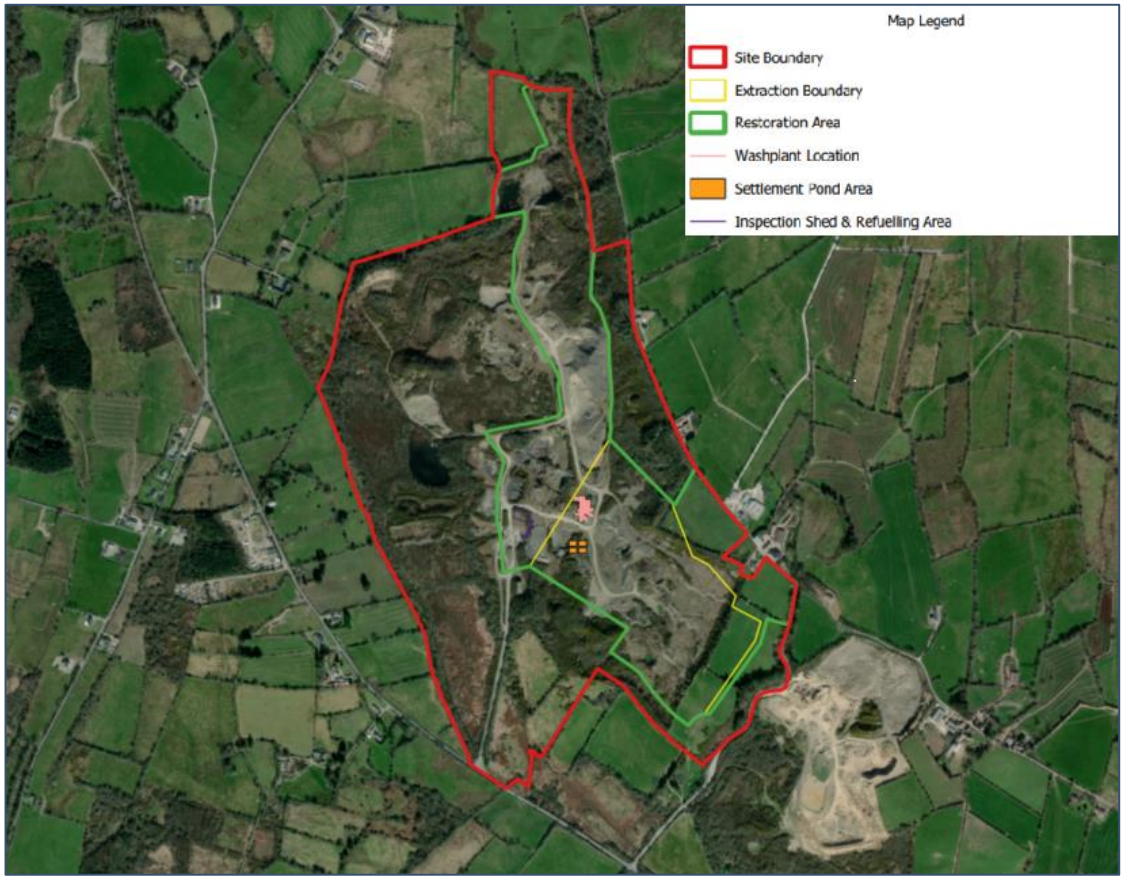

Figure 2-2: Site Detail and Layout

2.2.3 Physical Characteristics of the Site

Existing quarry infrastructure is present on site, including a site office, wheel-wash and weighbridge. A shed is located to the southeast of the site office. A bunded tank used for water storage is located on a hardstanding area to the north of the site office. A sand washing plant is located to the northeast of the site office. A settlement pond area is located to the east of the site. The eastern and western sections of the site are dominated by scrub and vegetation. The site has been previously used for sand and gravel extraction with continued removal of material from existing stockpiles within the pre 1964 area on a campaign basis. An area to the north of the site was permitted by Clare County Council to recover inert excavation spoil comprising natural materials of clay, silt, sand, gravel or stone for the purpose of restoration. This permission is now expired. Stockpiles of sand and gravel were present in the east of the site adjacent to the site access road.

Land-use in the wider landscape comprises agriculture, forestry, quarrying and one-off housing. The site is bounded by agricultural land to the south and the west. A Local Road called 'Fahymore' runs along the eastern boundary of the site. This Local Road provides access to 4 No. farms adjacent to the site. In the southeast, the site is adjacent to another quarry, Jim Bolton Sand & Gravel. The nearest surface water features to the site are the Broadford Stream (EPA Code 27B02) which is located at the northern boundary of the site and the Fahy More Stream (EPA Code 25F17) which is located at the south eastern boundary of the site.

The site is accessed from an existing high quality vehicular entrance on the R466 Regional Road which runs southeast-northwest from the R445 at Birdhill, County Tipperary to the R352 in East Clare.

2.3 Planning History

This section sets out the relevant planning history of the site and its immediate surrounds.

2.3.1 Planning Applications within the Application Boundary

Following a search of the Clare County Council Planning Application Register it was concluded that there is 1 granted planning application for the Proposed Development site, presented in Table 2-1 below. The planning history also includes the registration of the quarry and the subsequent substitute consent requested from An Bord Pleanála.

Table 2-1 – Planning History of the Development site

Section 261 Registration	Development Description	Decision
QY/93	Quarry of 99.132 hectares for sand and gravel extraction. Registered on 26 April 2005 under section 261 of the Planning & Development Act 2000.	2005 Registration
An Bord Pleanála Ref. No.	**Development Description**	**Decision**
SU0040	Substitute consent permission is sought for two discrete areas within a large sand and gravel quarry located north and east of the R466 in the townlands of Ballyquin More, Leitrim and Woodpark, Co. Clare, approximately 2.2 km northwest of the village of Bridgetown. The quarry is within an overall landholding with an area of	Grant substitute consent with 4 no. conditions on 24 February 2015.

	approximately 105.7 ha. Lands have been extracted to a depth of 8-10 m across the site. According to the documentation on file, the quarry has been in operation since approximately 1954. It is not currently in use and parts of the site are quite overgrown. The rEIS states that the site has been operated on a 'campaign' basis in recent years and stockpiles of sand and gravel that remain at the site are sold as required, based on market demand.	
Planning Ref. No.	**Development Description**	**Decision**
17/552	For development which will consist of the importation of inert excavation spoil comprising natural materials of clay, silt, sand, gravel or stone for the purpose of restoration of a previously extracted area (1.08ha) within Ballyquin Pit. The application is accompanied by Environmental Impact Statement (Environmental Impact Assessment Report).	Granted permission in 2018 for 5 no. years. This permission expired on 10 May 2023.
23/148	Fahy Beg Wind Farm - Development of a wind farm together with the development of an underground grid connection cable to the national grid. The development will consist of 8 wind turbines, a permanent meteorological mast, an onsite 38kV electrical substation, and all associated site works	Refused by Clare County Council 03 May 2023
ABP-317227-23	Fahy Beg Wind Farm – First Party Appeal against the decision by Clare County Council to refuse planning permission for the development of a wind farm together with the development of an underground grid connection cable to the national grid. The development will consist of 8 wind turbines, a permanent meteorological mast, an onsite 38kV electrical substation, and all associated site works	Granted by An Bord Pleanála, 06 March 2024

2.3.2 Planning Applications within the Vicinity of the Application Boundary

Planning applications identified on the Planning Applications register for Clare County Council which are within circa 1km radius of the site boundary are included below in Table 2-2. This circa 1km radius has been applied to capture the planning history within the surrounding area of the selected site, which is considered a reasonable distance to capture sufficient information on the active planning of the surrounding area.

The search sought to review planning applications which were granted permission and have not yet expired, applications that are still under consideration by the local authority, and applications in the appeal process with An Bord Pleanála.

Table 2-2 - Planning History within 1km of the Proposed Development site since 2018.

Pl. Ref. No.	Development Address	Development Description (summary)	Decision
18/182	Fahymore Bridgetown, Co. Clare	To construct a slatted shed, cattle crush and associated site works.	Granted conditional permission on 26/05/2018.
18/995	Fahymore North O'Briensbridge, Co. Clare	For the restoration of 3.76 hectares of an extant sand and gravel quarry to agricultural grassland. The development is necessary to comply with condition no. 4 of substitute consent 03.SU.0127 and will include importation of inert material and all associated development works.	Granted conditional permission on 09/03/2019.
20/288	Fahy More (North) O'Briensbridge, Co. Clare	To construct a two bay double slatted shed with creep area.	Granted conditional permission on 23/04/2021.
20/373	Springmount, Kilmore, Co. Clare	To erect a dwelling house, garage, entrance and install an effluent treatment system and percolation area and all associated site works.	Granted conditional permission on 02/11/2020.
21/21	Ballyquin More, Kilbane, Broadford, Co. Clare	To retain alterations to elevations and roof of existing house together with all associated site works.	Granted conditional permission on 23/04/2021.
21/182	Leitrim, O'Briensbridge, Co. Clare	The development will consist of construction of one new single storey dwelling house with wastewater treatment system, bored well, garage, entrance from public road and all associated works.	Granted condition permission on 14/09/2021.
23/148 ABP Ref. No: 317227-23.	Fahy Beg, Fahy More North, Ballymoloney, Ballyknavin, (Ed O'Briensbridge), Ballyquin More, Woodpark, Leitrim, Fahy More South, Ballybrack, Aharinaghmore, Tooreen, (Ed Cloghera), Aharinaghbeg, Roo East, Blackwater, Rosmadda West, Parkroe, Lackyle, (Ed Ballyglass),	For development of a wind farm in the townlands of Fahy Beg, Fahy More North, Ballymoloney, Ballyknavin (Ed O'Briensbridge), Ballyquin More, Woodpark and Leitrim, Co Clare together with the development of an underground grid connection cable to the national grid. Construction of 8 no. wind turbines; Erection of 1 no. permanent meteorological mast; Construction of 1 no. onsite 38kV electrical substation and associated compound including welfare facilities, electrical infrastructure, parking, wastewater holding tank, rainwater harvesting tank, security fencing and all associated infrastructure, services and site works including landscaping; installation of	Refused by Clare County Council. Granted by, An Bord Pleanála 06 March 2024

Pl. Ref. No.	Development Address	Development Description (summary)	Decision
	Castlebank and Ardataglle, Co. Clare	electrical and communication cabling underground between the proposed turbines and the proposed on-site substation and associated ancillary works; Construction of turbine foundations and crane pad hardstanding area; Construction of new site tracks and associated drainage infrastructure; Upgrading of existing tracks and associated drainage infrastructure where necessary; Access to the proposed wind farm site will be from the R466 local road and will consist of the use of an existing quarry entrance in the townland of Leitrim which will be upgraded, as well as the creation of 1 no. new permanent site entrance on the Fahymore local road in the townland of Ballyquin More, and the use of 1 no. existing field entrance which will be upgraded, in the townland of Ballymoloney. The application is seeking a ten-year planning permission and 35 year operational life from the date of commissioning of the wind farm.	
24/60230	Ballymaloney and Ballyquin More, Kilbane, Co. Clare	The phased extraction of 2.9 hectares of sand and gravel over a period of 7 years, on land located in the townland of Ballymaloney. The proposed development includes for the provision of a new site entrance and vehicular access road; on site wheel wash facility; new drainage channel, silt fence and settlement pond; landscaping and buffer planting on the eastern site boundary including a 3m high embankment with hawthorn hedging adjoining the public road; and site restoration works. One passing bay is being developed for vehicular traffic on the public road leading to the site (L3022-8) in the townland of Ballyquin More	Pending (further information requested)

2.4 Planning Policy Context

This section of the Chapter sets out the relevant national, regional and local planning policies of relevance to the Proposed Development. Relevant material considerations are also set out, as appropriate.

2.4.1 National Policy

2.4.1.1 Project Ireland 2040: National Planning Framework

The National Planning Framework (NPF), published in February of 2018, aims to shape and guide the future growth and development of Ireland up to 2040. The Framework notes that while the overall quality of the country's environment is good, it is not without challenges. It notes that the manner in

which we plan for the potential issues is important to challenging them creating a sustainable environment for the future.

> *"While the overall quality of our environment is good, this masks some of the threats we now face. Key national environmental challenges include the need to accelerate action on climate change, health risks to drinking water, treating urban wastewater, protecting important and vulnerable habitats as well as diminishing wild countryside and dealing with air quality problems in urban areas. It is also important to make space for nature into the future, as our population increases."*

The NPF seeks to achieve ten strategic priorities surrounding:

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

Relevant to the Proposed Development, the **National Strategic Outcome 3** (Strengthen Rural Economies and Communities), notes that rural areas, such as the vicinity of the application site, have a key role in driving the nation's economy and our high-quality environment. As part of the strategic development of Ireland to 2040, the NPF states that rural economic development opportunities, including natural resources, must be supported to ensure that these rural areas remain as living and working communities. Rural areas support a mix of businesses of varying sizes and operate in a wide range of sectors from the traditional, such as extractive, agriculture and tourism, to more modern industries. Specific to extractive industries, the NPF acknowledges that these 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. As such, it is further set out that aggregates and minerals extraction will continue to be enabled by the planning process, where this is compatible with the protection of the environment and the quality of life of residents in the vicinity.

The associated **National Policy Objective 23** requires Local Authorities to:

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

A key aspect of the NPF surrounds the long-term sustainability of the environment, it aims to ensure that decisions that are made today to meet our future needs in a sustainable manner.

> *"The manner in which we plan is important for the sustainability of our environment. Our planning system has influence across a wide range of sectors, both directly and indirectly and interacts with many common issues related to effective environmental management, including water services, landscape, flood risk planning, protection of designated sites and species, coastal and marine management, climate mitigation and adaptation, and land use change."*

The Government will address environmental and climate challenges through the following overarching aims as listed under 'Resource Efficiency and Transition to a Low Carbon Economy':

- Sustainable Land Management and Resource Efficiency
- Low Carbon Economy
- Renewable Energy
- Managing Waste

As described in the NPF, Ireland is advancing its development as a circular economy and bio-economy where the value of all products, materials and resources is maintained for as long as possible and waste is significantly reduced, or even eliminated. Further development of the circular economy will require greater efficiency with raw materials, energy, water, space and food by constantly reusing natural resources. Specifically, it is noted that additional investment in waste management infrastructure, and in particular different types of waste treatment, will be required, as exemplified by the proposed extension of the subject quarry. This is emphasised in **National Policy Objective 52 and National Policy Objective 56 which state:**

- ***NPO 52:*** *The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.*
- ***NPO 56:*** *Sustainably manage waste generation, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.*

2.4.2 Regional Policy

2.4.2.1 Regional Spatial and Economic Strategy: Northern and Western Regional Assembly 2020-2032

The Southern Regional Assembly (SRA) was established in 2015 published the Regional Spatial and Economic Strategy (RSES) came into effect on 31st January 2020. The RSES provides a long-term, strategic development framework for the future physical, economic and social development of the Southern Region. The RSES seeks to achieve balanced regional development and full implementation of Project Ireland 2040 – the National Planning Framework.

The vision of the RSES is to –

- '*Nurture all our places to realise their full potential;*
- *Protect and enhance our environment;*
- *Successfully combat climate change;*
- *Achieve economic prosperity and improved quality of life for all our citizens;*
- *Accommodate expanded growth and development in suitable locations; and*
- *Make the Southern Region one of Europe's most creative, innovative, greenest and liveable regions.'*

In the RSES, the vision's focus on economic prosperity and expanded growth and development emphasises compact growth, sustainable development, and the efficient use of resources. In that vein, the proposal to continue extraction at an existing quarry provides materials facilitates job creation in this sector and in this location of the Region.

2.4.3 Local Policy

2.4.3.1 Clare County Development Plan 2023-2029

The Clare County Development Plan 2023-2029 (CDP) was adopted on the 9th of March 2023 and came into effect on the 20th of April 2023. County Clare generally has a strong extractive industry

sector which benefits from the reserves of stone, sand, gravel, and peat throughout the County. The Council recognises the importance of the extractive industry throughout the County as the quarrying industry contributes to the construction sector, employment generation and economic life. In the CDP the Council commits to facilitate the harnessing of the area's natural resources whilst also ensuring that the receiving environment amenities are appropriately protected.

2.4.3.1.1 Relevant Policies & Objectives

The CCDP sets out guidance, policies and aims relevant to the quarrying industry which are set out below.

Table 2-3 - General Policies and Objectives

Policy item	Heading	Wording
CDP8.14	Minerals, Mining and Quarrying	*It is an objective of Clare County Council:* *a) To promote the extraction of minerals and aggregates and their associated processes where such activities do not have a significant negative impact on the environment, landscape, public health, archaeology, County Geological sites and/or sites of geological importance or residential amenities of the receiving environment and where such operations are in compliance with all national regulations and guidelines applicable to quarrying and mining activities.* *b) To avoid an unreasonable risk of environmental harm due to the toxicity of chemicals and their demonstrated potential to cause damage to the environment, the use of the following chemicals as a processing agent shall be prohibited from use in any proposed processing operation located above or adjacent to surface or groundwater or which could potentially impact such waters regardless of their location – mercury, cyanide or cyanide compounds, breakdown products of cyanide or sulfuric acid.* *c) To support the satisfactory and sensitive re-instatement and/or re-use of disused quarries and extraction facilities, where active extraction use has ceased. Future uses should include amenity, recreation and biodiversity areas and shall be informed by an assessment of the specific site/lands in accordance with the restoration plan under the facility's EPA licence.*
CPD11.38	Construction and Demolition Waste	*It is an objective of Clare County Council:* *a) To require that C&D Waste Management Plan is prepared by the developer having regard to the 'Best Practice Guidelines for the Preparation of Resource management Plans for Construction & Demolition Projects' (EPA 2021) and any subsequent guidelines for new construction or demolition projects and to require that where appropriate the maximum amount of waste material generated on site is reused and recycled;* *b) To promote the production and reuse of aggregates from C&D waste and their use in construction projects in the Region; and*

Policy item	Heading	Wording
		c) *To encourage the development of C&D waste recycling facilities at suitable sites, including quarries, subject to normal planning and environmental considerations.*
8.1	Strategic Aims	*To ensure that key assets of rural areas such as the natural and built environment are protected and enhance, and that rural areas with resources such as renewable energy, water sources, and aggregates are sustainably developed.*
8.3.6	Extractive Industry	*County Clare benefits from reserves of stone, sand, gravel and peat which are worked at many locations across the County. There is also potential for the extraction of precious and base minerals in the County. The Council recognises the importance of the extractive industry in the County and the contribution the industry makes to the construction sector, employment generation and economic life. The extraction and processing of these materials and minerals, together with the decommissioning and restoration of all sites, requires appropriate management in order to minimise the potential impact of the environment. The Council will facilitate the harnessing of the area's natural resources whilst ensuring that the receiving environments amenities are appropriately protected.*

2.4.4 Ministerial Guidance & Other Relevant Guidance

2.4.4.1 Quarries and Ancillary Activities – Guidelines for Planning Authorities (2004)

The Guidelines, issued by the Department of the Environment, Heritage and Local Government, are intended to in part offer –

> *'Guidance to planning authorities on planning for the quarrying industry through the development plan and determining applications for planning permission for quarrying and ancillary activities'.*

It is recognised that the landscape, both built and natural is highly valuable. As such, any impact will be minimised and mitigated as part of the development process. A restoration proposal is also submitted with this application to demonstrate how it is intended to bring the lands back to their natural state once extraction is complete.

The guidelines highlight the economic importance of quarries, stating that the materials won from the extractive industry are provided directly to the construction industry. The cyclical nature of quarries and their direct relationship with construction and housing must not be underestimated when considering applications such as this.

The guidelines highlight the provisions within the Planning & Development, 2000 (as amended) which contains both mandatory and discretionary development plan objectives as stated below:

> *"Mandatory objectives most relevant to quarries include:*
>
> 1. *The conservation and protection of the environment including, in particular, the archaeological and natural heritage and the conservation and protection of European*

sites and any other sites (such as Natural Heritage Areas - NHAs) which may be prescribed;

2. *The preservation of the character of the landscape where and to the extent that, in the opinion of the planning authority, the proper planning and sustainable development of the area requires it, including the preservation of views and prospects and the amenities of places and features of natural beauty or interest.*

Relevant discretionary objectives in the First Schedule of the Act include:

1. *Regulating, promoting or controlling the exploitation of natural resources;*
2. *Protecting and preserving the quality of the environment, including the prevention, limitation, elimination, abatement or reduction of environmental pollution and the protection of waters, groundwater, the seashore and the atmosphere;*
3. *Securing the reduction or prevention of noise emissions or vibrations;*
4. *Preventing, remedying or removing injury to amenities arising from the ruinous or neglected condition of any structure or from the objectionable or neglected condition of any land."*

All of the above objectives have been incorporated into the proposal and ministerial guidelines have been followed. In summary, the Proposed Development accords with the relevant policies and objectives set out in this document.

2.4.5 Summary

The Proposed Development will utilise existing infrastructure within the site, as well as the existing access from the regional road. The works proposed will ensure the site continues to generate employment in the local rural area. The Proposed Development will also facilitate the restoration of the quarry void and therefore gives rise to environmental and ecological benefits for the site and wider area. It is held therefore that the principle of operations associated with quarrying activities is already established at the site, the Proposed Development represents proper planning and development and is in line with the policy framework at national, regional and local level.

2.5 Scoping and Consultations

An informal EIAR scoping exercise was undertaken as part of the EIAR process. Scoping is the process of determining the content, depth, and extent of topics to be covered in the environmental information to be submitted to a competent authority for projects that are subject to an Environmental Impact Assessment (EIA). This process is conducted by contacting the relevant authorities and Non-Governmental Organisations (NGOs) with interest in the specific aspects of the environment likely to be affected by the proposal. These organisations are invited to submit comments on the scope of the EIAR and the specific standards of information they require. Comprehensive and timely scoping helps ensure that the EIAR refers to all relevant aspects of the Proposed Development and its potential effects on the environment. In this way, scoping not only informs the content and scope of the EIAR, it also provides a feedback mechanism for the proposed design itself.

A scoping document providing details of the application site and the Proposed Development, was prepared by MKO, and circulated on 4th April 2023 to the agencies, NGOs and other relevant parties listed in Table 2-4 below. Copies of all scoping responses received are included in Appendix 2-1 of this EIAR.

MKO requested the comments of the relevant personnel/bodies in their respective capacities as consultees with regards to the EIAR process.

2.5.1 Scoping Responses

Table 2-4 below sets out the list of all bodies scoped with and summarises any response received to date.

Table 2-4: Scoping Consultees and Responses

No.	Consultee	Summary Response
1	An Taisce	Acknowledgement of receipt.
2	Bat Conservation Ireland	No response
3	BirdWatch Ireland	No response
4	Clare County Council – Roads and Transportation Department	No response
5	Clare County Council – Heritage Department	No response
6	Department of Agriculture, Food and the Marine	No response
7	Department of the Environment, Climate and Communications	No response
8	Department of Transport	The Department of Transport noted that they had no observations to make at this point in time.
9	Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media	No response
10	Department of Housing, Local Government and Heritage	The response from the Department of Housing, Local Government and Heritage noted the following: › The information provided was not sufficiently detailed to allow for a full assessment of the archaeological implications of this proposal, however this Department notes that an Archaeological Impact Assessment (AIA) is scoped into the proposed EIA process as part of the overall Cultural Heritage Impact Assessment of the proposed development. The supplied methodology indicates that this will incorporate a detailed desktop study and field inspection and will be conducted by a suitably qualified Consultant Archaeologist (Tobar Archaeological Services). In this regard, the Department awaits the results of the Cultural Heritage Impact Assessment (CHIA) and full EIAR for the scheme before commenting further. › The CHIA should include an assessment of the possible effects of the proposal on the wider archaeological landscape. It is of importance that the study area for the CHIA should be of sufficient size and extent to support this. The proposed Fahybeg windfarm (live planning application 23148) should be considered in the preparation of the EIAR for the proposed Roadstone quarry extension at Ballyquin. › The proposed quarry site extension is not covered by any nature conservation designations. However, consideration will have to be given to potential indirect or cumulative effects on nearby and more distant nature conservation sites. The focus should be on realistic impacts arising from construction and operation of the quarry over its lifetime including, for

No.	Consultee	Summary Response
		example, from impacts on or emissions to surface water, groundwater or air. › The Department notes the scope of surveys outlined in the Environmental Impact Assessment Scoping Document. In undertaking surveys and assessments, the receiving environment should be defined to include all areas that will be impacted directly or indirectly by all parts of the project at all stages and including any ancillary and associated works. The likely effects on sites, habitats and species should be assessed in the light of all aspects of project development and operation at the various stages. › Any necessary mitigation measures should be devised and specified in detail at the application stage, and shown in drawings, as relevant. › The presence and potential for invasive non-native plant species at the site, and hence the potential for spread with material leaving the quarry, should be addressed in the EIAR. › Specific reference should be made to the National Biodiversity Action Plan. Any losses of biodiversity habitat associated with this proposed development should be mitigated and compensated for. In addition, Annex 1 habitats which occur outside the Natura 2000 network are also important in terms of biodiversity conservation. The presence of any Annex I habitats outside the network should be given due consideration as part of the consideration of biodiversity matters generally for the proposed development. Addressed in Chapter 5 – Biodiversity.
11	Fáilte Ireland	Issued the updated copy of Fáilte Ireland's Guidelines for the Treatment of Tourism in an EIA, which may be useful in the preparation of the Environmental Impact Assessment for the proposed project. These guidelines are non-statutory and act as supplementary advice to the EPA EIAR Guidelines outlined in section 2. Addressed in Chapter 4 – Population and Human Health.
12	Geological Survey of Ireland	GSI provided details on their datasets which should be utilised as part of the assessment. <u>Geoheritage</u> The response notes that County Geological Sites (CGS) are being recognised and adopted under the National Heritage Plan and are now included in County Development Plans to ensure the recognition and appropriate protection of geological heritage within the planning system. The records show that there are no CGSs in the vicinity of the proposed quarry extension. <u>Groundwater</u> "The Groundwater Data Viewer indicates aquifers classed as a 'Locally Important Aquifer - Bedrock which is Moderately Productive only in Local Zones' and a 'Locally important gravel aquifer' underlie the proposed quarry extension. The Groundwater Vulnerability map indicates the area covered is classed as 'High' Vulnerability. <u>Geological Mapping</u>

No.	Consultee	Summary Response
		The response encourages the use of Geological Survey Ireland online datasets of bedrock and subsoils geological mapping. Geotechnical Database Resources The response encourages "the use of this database as part of any baseline geological assessment of the Proposed Development as it can provide invaluable baseline data for the region or vicinity of Proposed Development areas." Geohazards Landslides are common in areas of peat, rock near surface and in fine to coarse range materials (such as glacial tills), areas which are found within the proposed quarry extension area. GSI recommend that the potential for landslides are considered and assessed. Addressed in Chapter 6 - Land, Soils & Geology and Chapter 7 - Hydrology & Hydrogeology
13	Health Service Executive	The response from the Health Service Executive noted the following: › Recommended documents to be considered when preparing the EIAR. › Potential health impacts arising from the proposed quarry extension should be considered under the EIAR chapters on Water, Land, Soils and Geology, Air Quality and Climate and Acoustics. › The EIAR should identify the nearest sensitive receptors and consider the impact of the existing and proposed development on them. › The Environmental Health Service (EHS) considers the following should be assessed in the Environmental Impact Assessment (EIA) › Any potentially significant emissions to surface water. › Any potentially significant emissions to ground water, in particular to any watercourses or waterbodies used for the supply of drinking water (private wells, Public Water Supplies, Group Water Schemes). › Potential impacts on groundwater resulting from blasting activities, if undertaken, should also be considered. › Any potentially significant emissions to air, including noise, vibration and dust. › Public consultation, in addition to consultation with statutory and non-statutory agencies. › Details of site restoration which should be provided in a Site Decommissioning and Restoration Plan. A timescale for the proposed quarry restoration should be included. › Potential for future health gain from the restoration of the proposed development. › Cumulative impacts of developments in the locality including any impacts from the existing quarry and any additional quarries and other developments in the area. Addressed in various chapters of the EIAR.

No.	Consultee	Summary Response
14	Inland Fisheries Ireland	The response from the IFI noted the following: › Our main concerns in relation to this development will be the protection of the aquatic resource and the associated riparian habitat. In particular, IFI are concerned about the protection of streams flowing at the southeast of the site into the Black river and flowing north into the Glenomra/Broadford rivers, both of which are salmonid rivers. Current flow regimes must not be changed due to the windfarm construction. › Silt Deposition - Full details of the design, layout and capacity of the silt treatment system should be included in the EIAR › Overburden - We recommend that a minimum 30m wide undisturbed riparian strip of land along the full length of the site boundary adjoining adjacent watercourses should be preserved at all times. › Storm Events and Surface Water Throughput - IFI should be satisfied that settlement lagoons/surface water treatment facilities such as oil interceptors are sufficient to cater for storm events and resulting surface water throughput from the site. › Fuel/Oil Storage and Refuelling Areas - IFI is of the view that refuelling should only take place in a designated area and that fuel/oil (including waste oils) storage areas should be adequately bunded and hydrocarbon interceptors placed in locations to contain potential spillages on refuelling/working areas. › Hydrological Regime - Any changes to the current discharge regime should be fully quantified including expected changes to volumes and flows of water discharges to ground or surface waters. Details of monitoring undertaken in compliance with the Section 4 discharge licence should be included with test result certificates also included. Addressed in Chapter 6 - Land, Soils & Geology and Chapter 7 - Hydrology & Hydrogeology.
15	Irish Water	No response
16	Irish Wildlife Trust	No response.
17	Office of Public Works	The OPW noted they have no comment to make regarding the initial Scoping Request issued Tuesday, April 4, 2023, regarding Ballyquin Quarry Extension, Co. Clare.
18	The Heritage Council	No response
19	Transport Infrastructure Ireland	The TII response provides general guidance for the preparation of EIAR. Addressed in Chapter 13 Material Assets.

2.5.2 Consultation with the Planning Authority

MKO, on behalf of the applicant Roadstone Ltd, issued a pre-planning request to Clare County Council on the 21st of April 2023 in respect of the Proposed Development site. Following this request a pre-planning meeting took place on Microsoft Teams on the 13th of July 2023 under reference number PPI 23-72. Representatives from Clare County Council, the prospective applicant and MKO were

present for this meeting. A PowerPoint presentation from MKO and the prospective applicant was prepared. It outlined the nature and scale of the development, relation of the scheme in terms of local, regional, and national planning policy. Key issues from the scoping exercise were highlighted and the contents of the EIAR were outlined and explained.

The main points of discussion at this pre-planning meeting with Clare County Council are summarised below:

1. Discussion of the ownership of the subject site and surrounding lands;
2. Cumulative Impact Assessment to consider quarry and potential wind farm activity in the area & potential impact on traffic; and
3. Consideration should be given to community engagement.

Following the pre-planning meeting there were no meeting minutes provided by Clare County Council to the Applicant or MKO.

2.5.3 Community Engagement

The applicant has in place a transparent community engagement process which lies at the heart of their plans for the subject site. The applicants believe that meaningful consultation with members of the local community is crucial to ensuring that the voices of residents are heard and respected. A Public Information Event (PIE) was held in advance of lodgement of the planning application, to allow time for the feedback to be considered and communicated to the wider team, and to allow time for any modifications to the design arising from the consultation process. The event was held in the Clonlara Community Sports and Leisure Centre on the 13th of March 2024, from 4pm – 8pm. The event was advertised in the Clare Champion and a leaflet drop to near neighbours to the site took place. Feedback received during the consultation related to:

- Noise
- Ecological concerns
- Traffic concerns
- Nearby developments

Full details of the event and its format can be found in Appendix 2-3 of the EIAR which contains a dedicated Community Engagement Report.

2.6 Cumulative Impact Assessment

The EIA Directive and associated guidance documents state that as well as considering any indirect, secondary, transboundary, short-, medium-, and long-term, permanent, and temporary, positive and negative effects of the project (all of which are considered in the various chapters of this Report), the description of likely significant effects should include an assessment of cumulative impacts that may arise. The factors to be considered in relation to cumulative effects include population and human health, biodiversity, land, soil, water, air, climate, material assets, landscape, and cultural heritage as well as the interactions between these factors.

This section of the report provides an overview of other projects located within the wider area that have been considered within the cumulative impact assessments.

2.6.1 Methodology for the Cumulative Impact of Projects

To gather a comprehensive view of cumulative impacts on the above environmental considerations and to inform the application process being undertaken by the consenting authority, each relevant chapter within the EIAR addresses the potential for cumulative effects to arise, where appropriate.

The potential cumulative impact of the Proposed Development has been carried out with the purpose of identifying what influence the Proposed Development will have on the surrounding environment when considered cumulatively, and in combination with relevant permitted, proposed and constructed projects in the vicinity of the proposed site.

The cumulative impact assessment of projects has four principle aims:

1. To establish the range and nature of existing projects within the cumulative impact study area of the Proposed Development.
2. To summarise the relevant projects which have a potential to create cumulative impacts.
3. To establish anticipated cumulative impact findings from expert opinions within each relevant field. Detailed cumulative impact assessments are included in each relevant section of the EIAR.
4. To identify the projects that hold the potential for cumulative interaction within the context of the Proposed Development and discard projects that will neither directly or indirectly contribute to cumulative impacts.

Assessment material for this cumulative impact assessment was compiled on the relevant developments within the vicinity of the Proposed Development. The material was gathered through a search of the relevant online Planning Register, reviews of relevant documents and planning application details, and served to identify past and future projects, their activities and their environmental impacts.

The projects considered in relation to the potential for cumulative impacts and for which all relevant data was reviewed include those listed below.

2.6.2 Cumulative Study Area

The geographical boundaries of the various zones of sensitivity of and to the Proposed Development from which there may be potential for cumulative impacts to arise relative to each individual EIAR topic, i.e. each chapter, is presented below in Table 2-5. Following consultation with the EIAR team on each individual topic, the maximum geographical extent and justification for this extent was established and is presented below.

Table 2-5 Cumulative Assessment Study Areas

Topic	Maximum Extent	Justification
Population and Human Health	Electoral Divisions	The Study Area for the Population section of this EIAR was defined in terms of the Electoral Divisions (EDs) where the Proposed Development is located.
Biodiversity	1 km	Using the precautionary approach and given the nature and scale of the Proposed Development, the geographical boundary for terrestrial ecological aspects, i.e. habitats, is 1km for cumulative assessment. In addition due to the presence of badger feeding and marking signs throughout the EIAR site boundary a boundary of 1km will be used for cumulative effects to badger as this aligns with the home range of Badger in Ireland (i.e. 15ha-300ha).
Bats	10 km	On a precautionary basis, a 10km buffer was considered for potential effects on bats as this is the buffer generally considered for desktop studies. As bats are very mobile animals which can cover large distances during foraging trips and can opportunistically roost at many different locations

Topic	Maximum Extent	Justification
		around the landscape, we think considering the full 10km will be necessary to cover any potential cumulative effects brought by significant changes in the wider landscape. This being said, the loss of treelines we are expecting from this project, once mitigated, is unlikely to arise in any significant effects, at any scale.
Birds	6 km	A geographical boundary of 6km from the proposed EIAR Site Boundary was considered an appropriate regional scale given the home range of the key ornithological receptors identified within the Proposed Development area.
Land, Soils and Geology	Site Boundary	As there is no pathway for offsite cumulative impacts for Land, Soils and Geology, the geographical boundary for the cumulative assessment is the site boundary.
Water	River Sub Basins Approximately 4 – 5 km from the site boundary.	The boundary is essentially the catchments of the local Surface Water sub-basins which is a radial distance of approximately 4 – 5km from the application site. Given there are no proposed Surface Water or Groundwater discharges and the fact that all runoff will be contained within the site, this catchment area is sufficient. › The site is located on the Bridgetown (Clare)_010 and Broadford_010 WFD River Sub Basins. › The site is located on the Shannon [Lower]_SC_080 and Owenogarney_SC_010 WFD Sub Catchments. › The Glenomra Wood Sream_010 River Sub Basin and the Shannon[Lower]_SC_100 WFD Sub Catchment are within the 500m buffer of the site to the West.
Air	1 km	Given dust particles do not generally travel greater than 500m from source (Guidance on the Assessment of Mineral Dust Impacts for Planning, IAQM 2016) the geographical boundary for the cumulative dust impact is 500m. In line with the TII Publication Air Quality Assessment of Proposed National Roads – Standard PE-ENV-01107, December 2022, a geographical boundary of 1km was used for cumulative air quality assessment.
Climate	The Climate assessment has been considered on a national basis and not confined to a specific study area.	The Climate assessment has considered the cumulative effects of the Proposed Developments with other developments on a national basis.
Noise	350 m	Construction Phase

Topic	Maximum Extent	Justification
		During the construction phase the expected noise impacts at 250m and beyond will below well below the significant thresholds for construction noise such that any cumulative impacts will not be significant. Operational Phase During the operational phase, the noise impacts will be assessed against fixed noise limits as per NG4. At a distance of 350m operational noise is expected to be well below the fixed noise limits and unlikely to exceed the baseline noise at noise sensitive locations. Any noise from existing developments is captured in the baseline and any noise from any future developments is likely to increase the baseline noise environment assessing the existing baseline environment is considered worst case. At this stage applying a fixed geographical boundary for the assessment of cumulative noise and vibration is a conservative estimate; to define an accurate boundary would require detailed information on the noise emissions from the Proposed Development and other proposed developments. In the absence of this information, and based on the information received to date we are satisfied that 350m is sufficient. All potential cumulative impacts will be considered in our assessment.
Cultural Heritage	1 km	Given the nature and scale of the Proposed Development, the geographical boundary for cultural heritage 1km for cumulative assessment.
Landscape	3.5 km	The study area was set at 3.5 km to include the village of O'Briens bridge. For the purposes of this LVIA, where the 'Proposed Development Site' or 'the site' is referred to in this chapter, this relates to the primary study area for the Proposed Development, as delineated in (colour) as the 'EIAR Site Boundary' within mapping figures in this report and EIAR. However, the landscape and visual baseline mapping and viewpoint selection are based on a wider study area. In this case, the wider study area constitutes all the areas within 3.5 kilometres from the Proposed Development Site. This area is referred to as the Landscape and Visual Impact Assessment (LVIA) Study Area or 'LVIA Study Area'. Considering the scope and scale of the Proposed Development and its existing landscape setting it is considered that landscape and visual effects will not be significant beyond the 3.5 km LVIA Study Area, therefore assessment of landscape and visual effects from

Topic	Maximum Extent	Justification
		locations beyond 3.5 km are scoped out of this assessment.
Traffic	Extraction / Delivery routes where the traffic generated by the development increases traffic flows by 10% or more.	For developments where traffic impacts are medium to long term, the extent of the network assessed with respect to traffic generated by the subject development includes the extraction / delivery routes to an extent where the traffic generated by the development increases traffic flows by 10% or more, in accordance with TII Guidelines. The assessment is generally undertaken at a link-based level with a detailed junction capacity test undertaken at one or two junctions on the route where the 10% is exceeded. Developments to be included in the cumulative impact assessment should therefore include all committed or proposed developments that may generate traffic on the extraction / delivery routes of the Ballquin Quarry site. (The boundary shown in the plan is based on the above and may require to be changed once the trip generation data is available).

2.6.3 Projects considered in the Cumulative Assessment

A comprehensive review of the relevant planning applications within the designated buffer zones noted above has been undertaken and is contained in Appendix 2-2 to this Chapter.

The potential for cumulative impacts arising from the Proposed Development in tandem with the above projects have been set out in full in the relevant chapters of this report, where appropriate. Detailed consideration of all potential cumulative impacts can therefore be found in the relevant sections of this EIAR. It is concluded however, that no cumulative impacts will arise from the Proposed Development when considered in combination with development in the vicinity.

2.7 Reasonable Alternatives

2.7.1 Introduction

A critical requirement of the EIAR process is the consideration and presentation of reasonable alternatives proposals which are relevant to the key project decisions in the context of environmental impact. An EIAR should include an outline of the main alternatives studied by the developer and an indication of the main reasons for the final choice, taking in account the environmental effects.

EIA guidance and legislation requires that consideration of these alternatives should include, where relevant; design, technology, location, size, and scale.

To satisfy this requirement, this section sets out the justification for:

- 'Do Nothing' Option;
- Alternative Locations;
- Alternative Site layout and project design.

The consideration of alternatives is an effective means of avoiding environmental impacts. As set out in the '*Guidelines on The Information to be Contained in Environmental Impact Assessment Reports'* (Environmental Protection Agency, 2022), the presentation and consideration of reasonable alternatives investigated is an important part of the overall EIA process.

It is important to acknowledge that although the consideration of alternatives is an effective means of avoiding environmental impacts, there are the existence of difficulties and limitations when considering alternatives. These include hierarchy, non-environmental factors and site-specific issues as outlined below.

2.7.1.1 Hierarchy

EIA is only concerned with projects. The EPA guidelines state that in some instances neither the applicant nor the competent authority can be realistically expected to examine options that have already been previously determined by a higher authority, such as a national plan or regional programme for infrastructure.

2.7.1.2 Non-Environmental Factors

EIA is confined to the environmental effects that influence consideration of alternatives. However, other non-environmental factors may have equal or overriding importance to the developer of a project, for example project economics, resource and land availability, engineering feasibility or planning considerations.

2.7.1.3 Site-Specific Issues

The EPA guidelines state that the consideration of alternatives also needs to be set within the parameters of the availability of the land, i.e., the site may be the only suitable land available to the developer, or the need for the project to accommodate demands or opportunities that are site-specific. Such considerations should be on the basis of alternatives within a site, for example design and layout.

2.7.2 'Do Nothing' Alternative

If the Proposed Development is not permitted, the site will remain as an excavated open pit void. The site would remain largely unaltered as a result of the Do-Nothing Scenario. The potential for additional investment and employment in the area in relation to the operation of the quarry would be lost.

2.7.3 Alternatives Locations

There is no alternative to the current location as the Proposed Development in this instance is site specific, is located within an active quarry setting and will restore quarried land back to beneficial use. The site is also well placed to serve local markets and the needs of local construction markets and those of neighbouring authorities.

It should also be noted that given that the Proposed Development site is located within an existing quarry operation, the extraction and restoration works will make use of the existing access road, equipment/machinery, site office, weighbridge and wheel wash for the site operations.

Further to this, the environmental assessments undertaken as part of this EIAR have proved that there will be no demonstratable harm to the environment, built or archaeological heritage or human health that cannot be prevented or controlled by mitigation measures. The selection of the existing site for the Proposed Development minimises the environmental impact associated with developing a new facility on a new site. Developing on a new site would require the acquisition of new land, potentially constructing supporting infrastructure and the provision of new services.

In conclusion, the Proposed Development location is the preferred/optimum site based on the following considerations:

Environmental

- Avoidance of the use of a greenfield site;
- Capacity to minimize visual impact of the infrastructure;
- Capacity to minimize potential impacts to sensitive receptors; and
- Existing ground conditions.

Development

- Good site access and local and regional road network capacity;
- Located within a quarry setting.

Infrastructure

- Access to quarry infrastructure;
- Existing site services that can accommodate Proposed Development; and
- Proximity to local markets.

2.7.4 Alternative Site Layout and Project Design

The Proposed Development being applied for under this planning application includes for the extraction, processing and washing of sand and gravel and the infilling and restoration of the existing and future quarry void. There are no possible alternatives to this.

In respect of the project design, a specific and considered phased extraction and restoration programme has been designed to protect environmental receptors.

It is intended to extend the extraction area of the existing quarry horizontally and vertically using mechanical excavation techniques. The depth of sand varies across the extraction area, as a result levels of excavation will vary from approximately 76mAOD in the north of the site to 57.5mAOD in the south of the site. The zone of sand ranges from 7 to 14m in thickness. Extraction of sand will stop when rock is met. There will be no extraction of rock. Extraction will be by dry working above the water table.

There will be a phased restoration of the quarry void working from the base of the void vertically building up soil and stone. The material will be spread in layers, approximately 1 to 2m each, up to ground level. If required, the layers will be compacted using the dozer which is spreading the material.

Following completion of the infilling works, the berms which contain a pre-existing natural seedbank from the topsoil, will be spread back over the regraded and re-profiled quarry voids. Additional species are recommended to be sown into the new swards, these species will create tussocky grasslands with a rich litter layer, under grassland management provisions, which will create rodent and small mammal habitat and shelter which will provide foraging opportunities for barn owl post quarry operations and restoration.