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2. DESCRIPTION OF EXISTING DEVELOPMENT AND POLICY CONTEXT

2.1 Site Location and Description

Patton Bros. Quarry Limited is located on the northern side of the local county road L2714, in the townland of Gortlettragh, Stranorlar, Co Dongeal, c2.5km northeast of Stranorlar. The quarry is accessed via the L2714 that connects to the N15, via Ballybofey and Stranorlar Golf Club and The Glebe. The road continues on to meet the N15 approximately half way between Stranorlar and Killygordon.

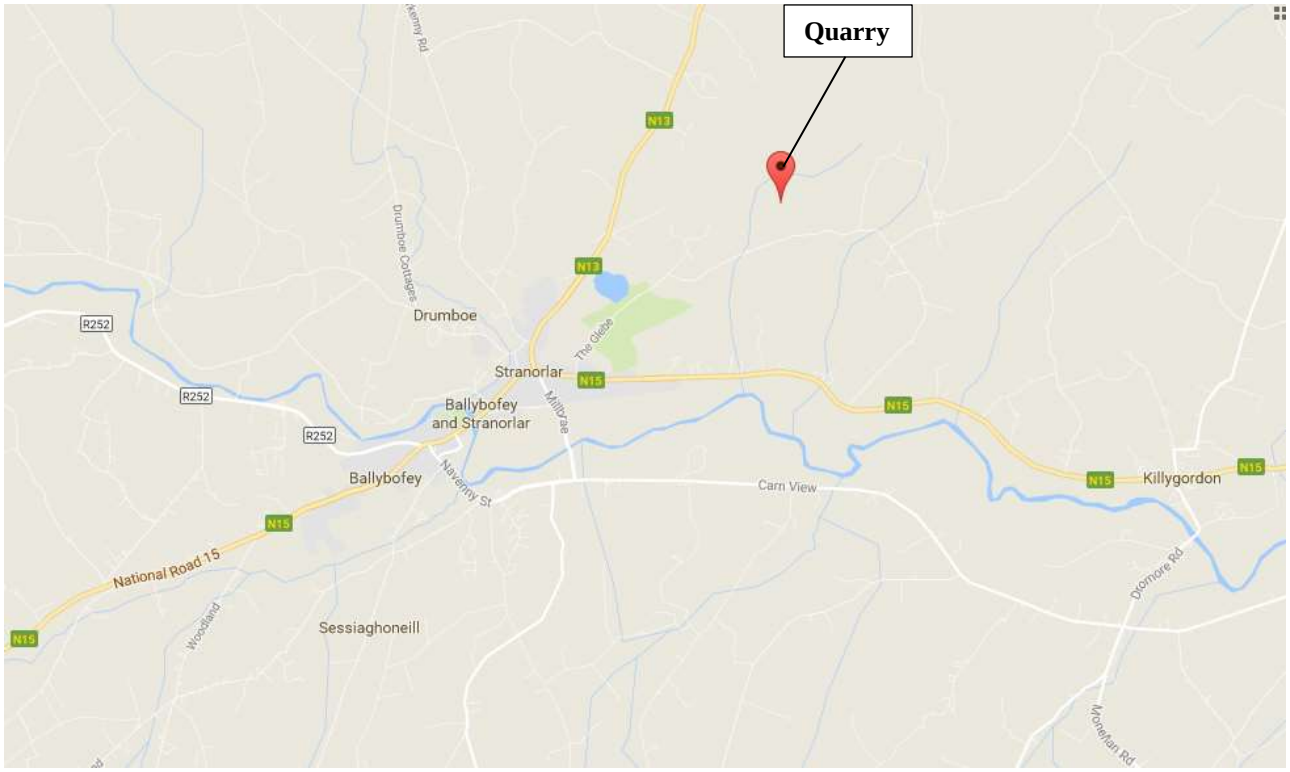

Figure 2.1 Site Location Map **Source** www.googlemaps.com

The site that is the subject of this application for substitute consent covers an area of 8.34 hectares. The site includes the extracted area, the area cleared of overburden, areas where overburden has been stockpiled for later reuse, weighbridge, wheelwash offices, the settlement lagoon area as well as the access road from the local road to the quarry. Other lands within the operator's ownership which have not been cleared of overburden, do not form part of the working quarry, but are outlined in blue on the site location map.

The site, which is irregular in shape, runs generally uphill in a southeast to northwest direction from the adjoining local road..

Low lying agricultural land lies to the south, east and west of the quarry while an area of commercial forest is located on more elevation lands to the north and east providing a backdrop to the quarry and limiting the visual impact thereof.

The operational quarry is accessed via recessed and splayed vehicular entrance, with gates setback a sufficient distance to permit HGV's to drive completely off the road without interfering with traffic and is signposted. Two commercial freight containers are used as a canteen and storage facility while a small porta-cabin is used as the site office. They are located in front of a weigh bridge on the western side of the access road into the quarry. A number of vehicles including trucks, tractors, lorries and quarry equipment for breaking, crushing and grading of stone are located within the site.

A private access track leading from the entrance area runs along the western boundary and leads to the forested lands to the north while a flat area with agricultural sheds is also located proximate to the northern face of the quarry.

A number of one off houses are located along the local road, both to the northeast and southeast of the quarry, the nearest of which is located c300m northeast of the nearest part of the working quarry.

The impact that the quarry has had on these houses will be examined in other sections of the rEIS.

2.2 Chronological Planning History of the Patton Bros. Quarry Limited

Part of the planning history of the quarry is set out in Chapter 1 introduction, while this section sets out in chronological order, the pre 1964 planning status of the lands and briefly reviews the planning application submitted to the planning authority since the quarry reopened in 1999.

2.2.1 Planning History - Pre 1964, Pre EIA Directive

Quarrying had been carried out on the subject lands as far back as the 1840's and while historic mapping indicates that there was a quarry on the site in 1909, 1930's mapping indicated that the quarry was 'disused'. Extraction from the quarry did not recommence from the 1930's until after permission was granted in 2000 under planning reg. ref. 99/2647. During this first life of the quarry, a total area of 0.33ha was extracted. This 0.33ha had already been excavated on the date of coming into effect of the 1963 Planning Act (1st October 1964), the EIA Directive (1st February 1990) and the Habitats Directive (26th February 1997). Figure 2.2 showing the 0.33ha area has been taken from the S261A report prepared by Donegal County Council in 2012 and is based on an OSI aerial photograph.

2.2.2 Planning Reg. Ref. 99/2647

Patton Bros. Quarry Limited applied for planning permission on 26th July 1999 for the '*re-opening of a disused quarry and extraction* of materials *on land*'. The total area of the proposed quarry was stated to be 1.2082ha (all areas - not just the extraction area). Permission was granted on 10th January 2000 subject to conditions. The reopened quarry included the previously quarried area of 0.33ha.

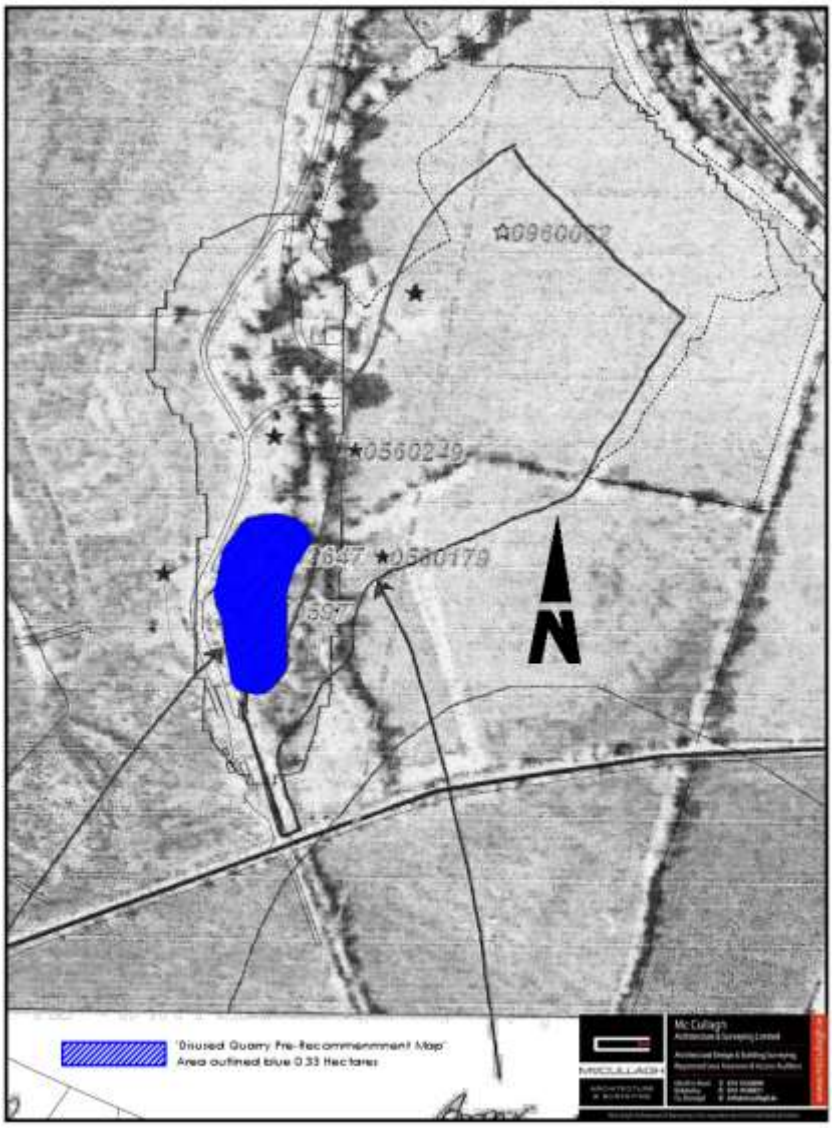

Figure 2.2 Area of disused pre EIA and Habitats Directive Quarry

Figure 2.3 Site Location Map of 99/2647 (site area 1.2082ha)

2.2.3 Section 261 Registration

Notwithstanding the fact that Patton Bros. Quarry Limited has secured a grant of permission from Donegal County Council in January 2000, which was less than 5 years before the coming into effect of S261 and were not required to register their quarry, they nevertheless sought to register the quarry prior to April 2005, the registration was accepted by Donegal County Council and it is recorded as quarry QY31 on Donegal County Council's official register of quarries, which contains 186 quarries.

The total quarry area registered was stated to be 4.906ha while the area of extraction area was stated to be 1.315ha.

2.2.4 05/60249

Shortly after registering the quarry, on 14th November 2005, Patton Bros. Quarry Limited applied for permission (reg. ref. 05/60249) for the *'retention of continuation of works to include the extraction of stone, including blasting, crushing, washing and ancillary site works, retention of site office and canteen and construction of a septic tank*.

The grant of permission issued by Donegal County Council on 20th February 2006 was for a period of 3 years from the date of the final grant. The total site area was stated to be 2.6134ha, which included the access road, porta-cabin office area etc, which is a smaller area than the 4.609ha registered under S261. The overall site area is shown on Figure 2.4 below while the site layout plan is shown on Figure 2.5.

The area of extraction at the time has been measured to be c1.26ha (blue in figure 2.5 below) excluding the area at the front of the site where the septic tank and access are located.

Figure 2.4 Site Location Map of 05/60249 (site area 2.6134ha)

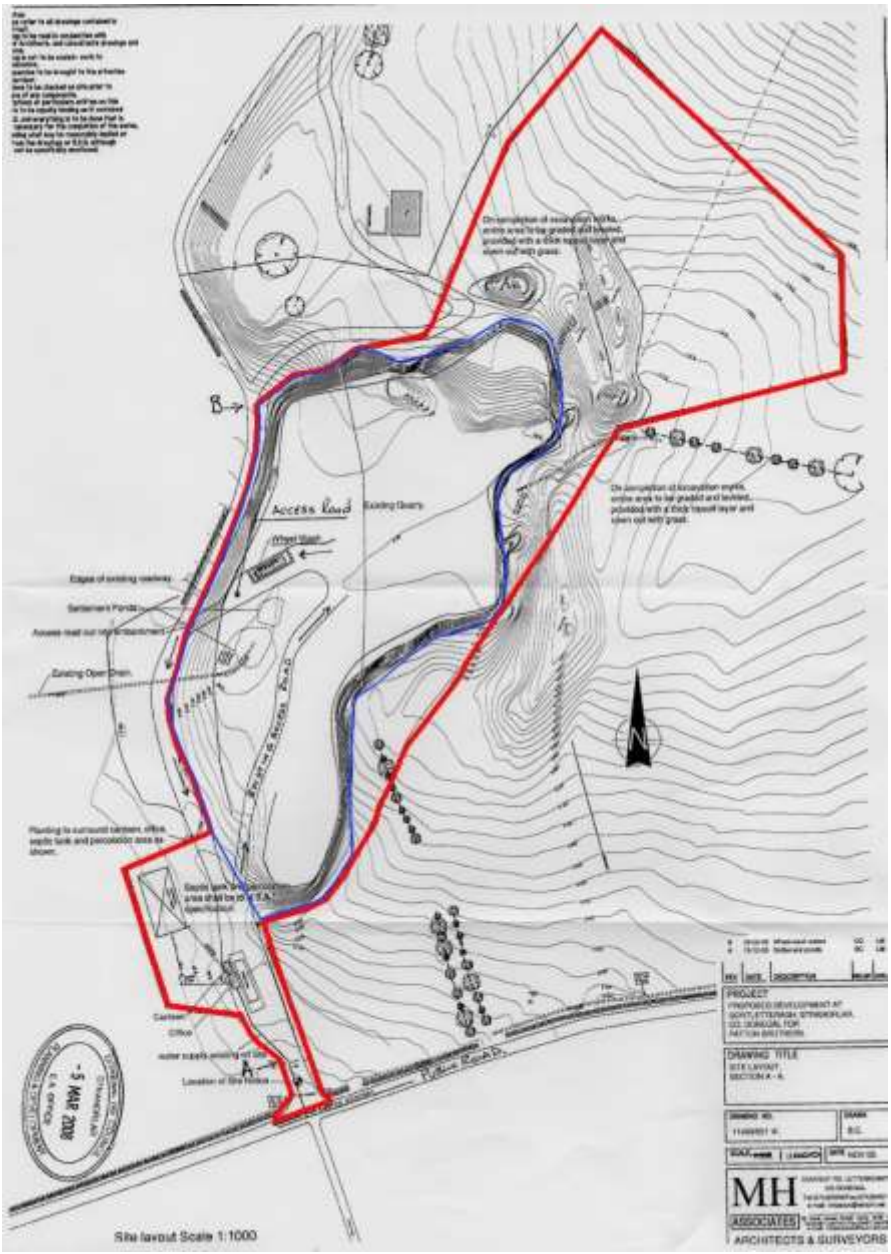

Figure 2.5 Site Layout Map of 05/60249 (total site area 2.6134ha)

2.2.5 09/60062

On 23rd March 2009 Patton Bros. Quarry Limited submitted an application for the following development: -

We, Patton Bros. Quarry are applying for Planning Permission / Retention Permission… The development consists of the following (1) continuation of use of quarry and associated works to include the extraction of stone including blasting, crushing and ancillary site works (2) erection of a plant for the manufacture of ready mix concrete including storage silo, aggregrate storage and associated works (3) retention of existing quarry including weighbridge, wheel wash, lagoons and all associated works (4) retention of fill within site area (5) retention of site office, canteen and associated structures.

As per the planning application form the total site area was stated to be 5.44ha and consisted of: -

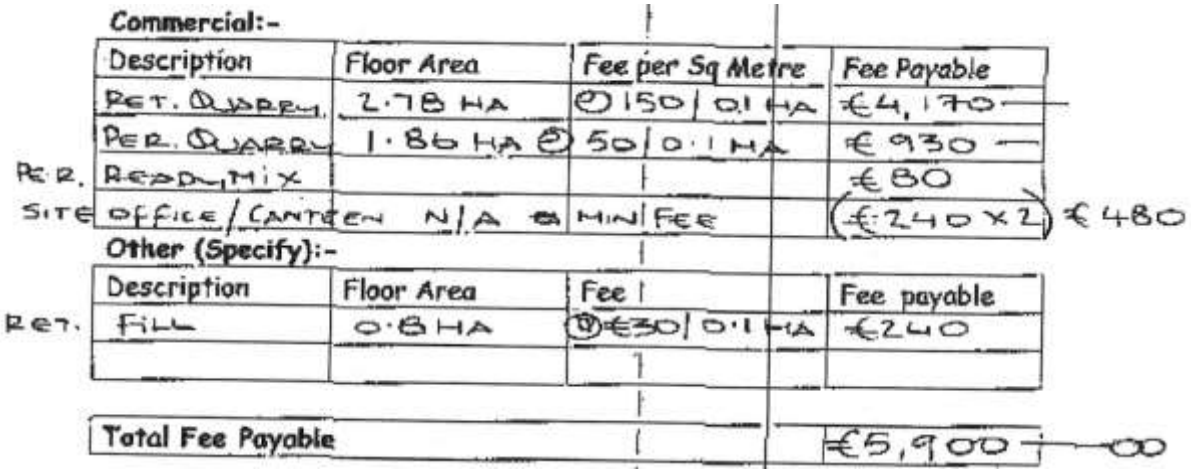

Figure 2.6 **Extract from fee addendum sheet on application 09/60062**

Together the three areas stated above at 2.78ha, 1.86ha and 0.8ha equal 5.44ha.

Donegal County Council decided to grant permission subject to 11 conditions and included a condition restricting the life of the permission to 5 years.

A third party lodged an appeal in respect of land ownership but it was dismissed by An Bord Pleanala on the grounds of *'nature of appeal/any previous permission S.138(1)(b)'*

The final grant issued on 27th October 2009 and the life of the permission expired on 11th December 2014.

Figure 2.7 below shows the site location map as taken from www.donegalcoco.ie and Figure 2.8 is a copy of the Site Layout Plan showing the relevant areas referred to in Figure 2.6 above. The area for the 'retention of fill' is evident at the bottom of Figure 2.6 and was not included in any other applications relating to the quarry.

The areas highlighted in Figure 2.8 are: -

- 2.78ha in green which has already been worked out by 2009,
- 1.86ha of a proposed extended quarry and
- 0.80ha of an area that had been filled.

The green area was considered to be the area of extraction as per image 7, however the non-extraction areas including the entrance, weighbridge, settlement ponds etc, measures 0.42ha leaving a balance of the quarried area at 2.36ha as shown in image 8.

Figure 2.7 **Site of 09/60062 from www.donegalcoco.ie**

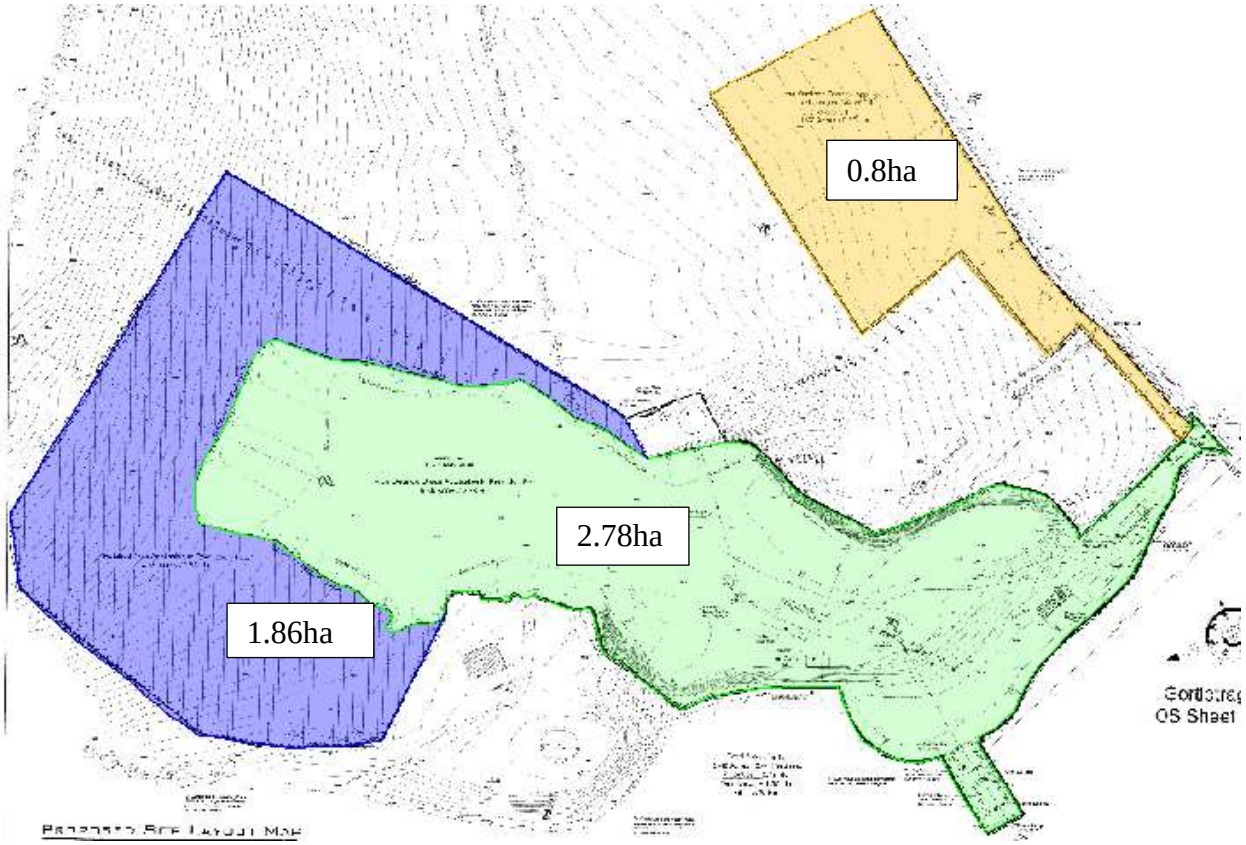

Figure 2.8 **Areas subject to application 09/60062** **www.donegalcoco.ie**

2.2.6 Application for Leave to Apply for Substitute Consent (March 2016)

An application was submitted to An Bord Pleanala in March 2016 for leave to apply for Substitute Consent in accordance with Section 177C (Part XA) of the Planning and Development Act 2000 (as amended) (where notice not served by Planning Authority).

On 23rd February 2017, the Board granted leave to apply for substitute consent. The reasons and considerations set out by the Board for deciding to grant permission included that: -

> *Having regard to Section 177D(1) of the Planning and Development Acts, 2000, as amended, and to the conclusions reached by the Board in its review of the determination made by the Planning Authority under Section 261A of that Act with respect to the quarry on the site (reference number 05. QV.0012), the Board is satisfied that an Environmental Impact Assessment was required for the development upon the site and that one was not carried out.*
>
> *and considered that it would be appropriate to consider an application for the regularisation of the development by means of an application for substitute consent.*

2.3 Description of Operation

2.3.1 Overburden Removal

Since the quarry reopened in 2000, the topsoil and subsoil layers that have been progressively cleared from the surface to reveal the stone layers beneath, has all be retained within the applicants overall landholding in the area identified in Figures 2.6 and 2.8 above as an area of fill while additional soil was used to construct the soil embankment around the western perimeter, and trees and hedging was set to provide a visual buffer for the quarry. The mound has been in situ for an extended duration, which is evident by the amount of trees and hedgerow growth.

2.3.2 Type of Stone Extracted

The products extracted from the quarry is quartz rock and gravel which is extracted by means of blasting, which was carried out approximately once every six months since the quarry commenced operations..

All stone products are removed from the site using two trucks owned by the quarry operators.

2.3.3 Plant and Machinery and Duration of Use

The following is a list of all machinery, both mobile and fixed, that is used in the quarry and the maximum number of hours that they may be in use on any given day. Not all machinery is used simultaneously or for the duration stated.

Machinery on quarry floor

The following machinery is used in the quarry operation: -

- 1 Crusher, 2 screeners, 1 Loading Shovel, 2 Lorries

2.4. Existing Environmental Management

2.4.1 Trade Emissions

Bi Annual monitoring for the Discharge of Trade Emission (License No. LWat63), in the Annual reports by the DCC Chemistry Lab, shows that the quarry has operated the treatment of trade discharge in compliance with parameters as set by the local authority Donegal County Council and EPA.

While discharge of trade emission to waters after treatment, is via a small stream and tributary of the River Finn, An Bord Pleanala has determined that due to the limited quantum of trade emission water discharge, this application does not require a Natura Impact Statement.

2.4.2 Dust Monitoring

Dust monitoring was introduced to measure dust discharge from the operational quarry, sampling has been carried out in accordance with VDI219 using Bergerhoff dust deposition monitors located (3 monitors) at specific locations close to the site perimeter. Sampling was undertaken initially from 2008 by BHP, Limerick and from 2014 to 2015 by Catherine Storey as part of EIA assessment on a monthly basis. Results are presented in Chapter 6 of this rEIS.

Plate 2.1 **Existing Dust monitoring locations**

2.4.3 Wheel Washes

Two wheel washes have been installed and operational at this quarry site. Immediately opposite the entrance to the site is the main wheelwash with an overhead sprinkler system. The present quarry operational area is located to the north-east of the site entrance while the working area is hidden behind earth embankments.

Plate 2.2 shows wheel wash locations (WW1/ WW2 located within the QMA Quarry Management Area. Aerial map also shows settlement pond location.

2.5 Land Drainage Regime

2.5.1 Surface Water Collection and Disposal

Surface water from the quarry floor is drained into settlement ponds. The settlement ponds filter levels of siltation through two graded settlement ponds before entering the local drainage system. Care has taken to avoid flooding within the area, by maintaining the existing drainage channels along the roadside track.

2.5.2 Silt

Silt consist of small sand particles <75 microns. Silt material is suitable as a growing medium, and has been retained within the filled area of the landholding site and can be used for the restoration of grass land habitat at the de-commissioning stage of the quarry.

2.5.3 Oil Interceptors and mud traps

Maintenance of site machinery is unavoidable on site due to need for servicing or because of breakdown and the use of oil interceptors to trap leaks is advisable. Care should be taken to intercept possible oil spill or oil contamination of the quarry floor. If accidental spill or leak should occur, an immediate clean-up of contaminated sand gravels should take place involving the safe disposal of contaminated material. Barley

straw is kept on site in case of a spill event. In an earlier planning application PL reg. ref. 09/60062, it stated that if there are concerns with final run-off from the settlement ponds, Buchanan Engineers advised that a small oil grit interceptor be installed before the final discharge into the stream. They stated: -

> *"The existing settlement ponds have 712.00m^3 capacity for critical storm event, therefore the ponds have adequate capacity in order to prevent surface water discharging directly into the stream without a period of prior settlement.*
>
> *The expected runoff from the site in the event of 1/50 storm event is 0.25m1, it was then calculated that for a critical storm event the amount a/storage required in order to avoid direct discharge to the stream is 614.94m^3".*

Now in 2017 it can be confirmed that the present settlement ponds are working sufficiently and that the quarry trade discharge license is compliant. In addition, there are no recorded spills on site.

Plate 2.3 **Barley Stray Retained on Site**

2.6 Buildings

The quarry site contains site offices in a porta-cabin, while two steel containers contain a canteen and storage building. The weighbridge is located in the same part of the site near to the entrance and the buildings and weighbridge are shown in plate 2.4 below.

Plate 2.4 QMA, Site offices, warning notices and weighbridge, arrow shows direction of Quarry Working Area (QWA)

2.7 Quarry Management Area (QMA)

The portacabins house the offices and canteen facilities, is located close to the quarry entrance. The daily running of the quarry management takes place from the main office. The weigh bridge is located close to the office and all loads leaving are weighed on departure.

Warning site notices are located at the site entrance and throughout the site. Warning notices to drivers and road users of the quarry entrance ahead, that heavy goods vehicles emerging from the site entrance. Other site hazard warnings are placed within the site include: -

- No unauthorised personal beyond this point
- Hazardous areas
- Reminders to wear protective clothing and hard hats
- Warnings information to remind employees to wear mandatory protective clothing and hard hats.
- In accordance with Health Safety and Welfare at Work Guidelines 2005.

2.8 Existing Quarry Working Area (QWA)

This section refers to the main operations area of quarry.

2.8.1 Transfer of Materials off-site

Site traffic includes internal site vehicles for the operation of digging, screening, and crushing won materials and two haulage lorries, due to the existence of the operational quarry over an extended period of time and

the limited size of the quarry has not had any significant impact on traffic movements within the vicinity of the quarry.

Plate 2.5 **Terex mobile Cone crusher**

Plate 2.6 **Crushed stone transferred from cone crusher to screening plant**

Plate 2.7 **Stockpiled stone awaiting delivery in 2015**

2.9 Overview of Emissions and Residues

Extraction of quarry stone crushed rock aggregate operations produce a degree of particulate emissions from diesel engines operating at the quarry face. Also a small volume of dust particulates will be created during the extraction of stone process. During dry weather period it is important that dust is kept to a minimum, use of browser for regular water sprinkling to settle dust is essential to limit fly dust and to limit exit trail dust from visiting cars, and avoid dust depositing on vegetation foliage. Atmospheric dust chokes plant leaf ability to photosynthesise, causing plant dieback, sometimes up to 40m from the quarry site[1]

2.10 Description of Trade Emission Discharge Management

The River Finn is co-managed via the Lough Agency based in Derry city, Northern Ireland and the EPA in the Republic of Ireland. Trade Emissions License Lwat 63 which refers to the ongoing monitoring for this quarry has remained compliant. With 6 monthly reports submitted to Chemistry Laboratory at Donegal County Council. This matter is addressed in more detail in chapter 6.

[1] IAQM (2014) Guidance on the Assessment from dust in Construction and Demolition sites. Iaqm.co.uk

Plate 2.8 **Operational Settlement Lagoon**

2.11 Working Hours and Employment

The quarry continues to operate within the operating hours conditioned by Donegal County Council in 2009 under the grant of permission issued under planning reg. ref. 09/60062, which is from 0800 to 1800, Monday to Saturday, while blasting is carried out between the hours of 1000 to 1800 Monday to Saturday.

The quarry currently has three full time and three part-time staff working on different aspects of the quarrying works. Indirect periodic employment is also generated in terms of maintenance fitters, fuel delivery personnel and general suppliers of goods and services.

2.12 Landscaping and Rehabilitation

The topsoil and peat that has been stripped from the top of the quarry has all been stored on lands adjoining the working quarry site and will be used to rehabilitate the site upon its closure. This is consistent with condition no 10 of the grant of permission issued under reg. ref. 09/60062.

Some of the excavated topsoil was used for the creation of a landscaped berm around the western boundary in order to eliminate views of the buildings and area of excavation from local roads. It was also used to create the settlement ponds. In the longer term, some of the soil used to fill the land to the west along the public road as well as imported soil, form as yet unidentified greenfield sources, will be used to provide a vegetative cover to the more elevated sections of the exhausted quarry and to the quarry floor, which in turn may be used for agricultural purposes upon cessation of quarrying.

Further details are provided in Chapter 7 Landscape and Visual Impact.

2.12 Waste Management

All stone excavated from the site is used in some form or another within the construction/building industry. The primary use of the stone is in the making of concrete blocks and as general construction fill. The stone is crushed to a number of different sizes and stockpiled. At the time of preparing this rEIS, in 2017, there was little/no stock remaining on the site as no blasting has taken place for a few years. All stone extracted is eventually used and no waste stone is generated.

As stated earlier, all of the soil cleared from the top of the quarry has been retained witih the landholding and no waste has been generated via this activity.

The main waste generated on site consists of machinery parts such as tyres, engine parts, spent oils and general wastes. All metal waste is stored in a trailer on site and is removed periodically by waste operators who hold relevant waste collection permits. Oils are drained from machinery during routine servicing and are removed from the site by a local waste contractor.

2.13 Utilities and Services

There is an existing ESB connection on site which is used to power the office.

A public water supply is used for the toilet and for potable water supply.

There is an existing septic tank and percolation area on site.

2.14 POLICY CONTEXT

2.14.1 National Spatial Strategy

The National Spatial Strategy is a twenty year planning framework which aims for a greater balance of social, economic and physical development and population growth between regions, resulting in an improved quality of life for Ireland's inhabitants, a strong, competitive economic position and high quality environment.

The NSS recognises that the strength of rural economies depend on traditional rural based sectors of employment such as agriculture, forestry, fishing and natural resources, together with significant and developing sectors such as tourism, enterprise, local services and other sources of off-farm employment and that Marine and natural resources, including inland fisheries, sea fisheries, aquaculture, forestry and mining, have an important role to play in providing sustainable alternative sources of employment (to agriculture) in rural areas.[2]

In this context the NSS provides that: -
It will be necessary to diversify rural employment options and stabilise population through
– resource based development in sectors such as forestry, marine and natural resources.

To date, the operation of the existing stone quarry by Patton Bros. Quary Limited at Gortlettragh has played an important role in achieving this objective, within its geographical catchment.

Box 3.1 of the NSS addresses 'Rural Area Types' and provides 'Policy Responses'. The following extract is relevant to the existing quarry development.

Table 2.1 Extract from National Spatial Strategy

Rural Area Type and Description	Rural Area Policy Responses
(4) Areas that are Remote Including parts of the west coast and the islands.	• Promote marine and natural resource based development. • Overcome distance barriers with the support of technology.

The NSS contains four main messages for the regional approach to spatial planning including: -
(4) Key rural assets must be protected and the local potential of rural areas developed. This will be achieved through identifying, conserving and developing on a sustainable basis the various types and combinations of economic strengths of rural areas, with the support of appropriate levels of infrastructure provision. Their potential for economic activity, such as natural resource, local enterprise and tourism related development,

[2] Section 3.5.1 of the National Spatial Strategy.

and qualities that underpin such activity such as a clean and attractive environment will be central to this process.[3]

2.14.2 Regional Planning Guidelines 2010-2022

The main objective of the Regional Planning Guidelines is to provide a long-term strategic planning framework for the development of the Border Region in accordance with Section 23 (1) (a) of the Planning and Development Act, 2000 (as amended) as follows:-

> *'The objective of regional planning guidelines shall be to support the implementation of the National Spatial Strategy by providing a long term strategic planning framework for the development of the region for which the Guidelines are prepared which shall be consistent with the National Spatial Strategy'*

The guidelines contain policies and objectives relating the following issues: -

The key physical infrastructure needs of the Border Region -

- Transport - Public, Roads, Rail, Airports, Ports, Cycling and Walking;
- Water Services;
- Waste Water and Surface Water Treatment;
- Energy Infrastructure;
- Telecommunications; and
- Waste Management.

and

Issues relating to the importance of Environment and Amenities at the regional strategic scale, including: -

- Climate Change;
- Natural Heritage;
- Landscape;
- Water;
- Built Heritage;
- Amenities and Recreation;
- Coastal Management.

The Natural Resource Section of the Guidelines recognises the important role that quarrying plays in the regional economy: -

> ***Natural Resource Sector*** *– This sector includes agriculture and the agri-food sector which has already been identified above as being significantly important emerging sectors. Other significantly*

[3] Section 4.1 of the National Spatial Strategy.

important sectors include forestry, extractive industry, mariculture and aquaculture, which are, and will increasingly become important within this region;

With respect to landscape the Guidelines state that:-

*Landscape and ecology represent significant resources that each generation is charged with conserving and safeguarding for future generations….*and go on to state that *The quarry industry has traditionally been a significantly important sector within this Region and has shaped many of the landscapes we have today. Unfortunately, traditional practices have not been kind to our landscape, but this is changing, and Local Authorities must lead in this regard. The extractive industry is significantly important to the construction sector and currently provides a large number of jobs. The industry is now developing its practices in a more sustainable and environmentally friendly manner, and provides opportunities for new and alternative employment within the industry. Geological Survey Ireland (GSI) is proceeding with a national mapping programme of natural resources and it is critical that natural resources are incorporated into, and mapped within, County Development Plans.*

The proposed development has taken the above statements from the Regional Planning Guidelines into consideration, in particular in respect to the landscape proposals for the site. The County Development Plan has translated the wider regional policy context into more specific policies at county and local level.

2.14.3 Quarries and Ancillary Activities - Guidelines for Planning Authorities

The Guidelines are intended to 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. They also note that aggregates are a significant natural resource and that extractive industries make an important contribution to economic development in Ireland. However, the operation of quarries can give rise to land use and environmental issues which require to be mitigated and controlled through the planning system.

Section 3 of the guidelines addresses the following environmental implications of quarry development: -

- Noise and vibration
- Dust deposition/air quality
- Water supplies and groundwater
- Natural heritage
- Landscape
- Traffic impact
- Cultural heritage
- Waste management

All of these topics have been considered as part of the EIA and will be addressed in the following chapters of this EIS.

The guidelines also note that *construction aggregates and dimension stone are basic materials for the construction industry* and that *over 100 million tonnes are used annually in the manufacture of concrete products, road materials, and other ancillary products.* The construction sector has slowed since the guidelines were published, in 2004 however, nevertheless there continues to be a demand for aggregates now and in the future.

By their nature, aggregates can only be worked where they occur. Sand and stone have a low value-to-weight ratio, and therefore it is generally neither economically nor environmentally sustainable to transport them any great distance to their market due to increased transport costs. Many pits and quarries tend to be located within 25 km of urban areas, where most construction takes place.

There will be 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 Ireland's natural and cultural heritage.

The County Development Plan has set out specific policies and objectives in relation to quarrying in Donegal and the proposed development has taken into consideration the issues raised in the Guidelines and the Development Plan.

2.14.4 EPA Environmental Management Guidelines – Environmental Management in the Extractive Industry

These guidelines are principally aimed at surface developments within the extractive industry such as the quarry at Gortlettragh, Stranorlar, Co Donegal.

> *They apply to surface developments that are extracting and processing construction aggregates and dimension stone (i.e. quarries and ancillary facilities), i.e. typically those regulated by Section 261 of the Planning & Development Act 2000.*
>
> *The guidelines … provide general advice and guidance in relation to environmental issues to practitioners involved in the planning, design, development, operation and restoration of quarry developments and ancillary facilities. It should be noted that each individual quarry location will have site-specific issues to be addressed.*

The guidelines noted that of the 20 quarries visited as part of the preparation of the guidelines *those quarry operations with an EMS in place or in preparation addressed environmental issues in a more proactive manner.*

> *The EPA believes that these guidelines will contribute to a more environmentally sustainable quarry & pit industrial sector, greater protection for the environment and human health, and thereby a greater public confidence in such operations.*

The Environment Management Guidelines address the following topics: -

- Ecology
- Surface Water
- Groundwater
- Air Quality
- Noise & Vibration
- Waste Management
- Archaeological Heritage
- Transport and Traffic

All of the issues referred to above will be addressed in detail in this EIS.

For sites where an Environmental Impact Statement has been carried out, this will have generated all of the necessary environmental information for an EMS. Compliance with planning conditions forms a major part of the EMS.

The applicant has indicated that they will prepare an EMS on receipt of a grant of permission, using the information gathered in this EIA process as the baseline for the EMS.

2.14.5 Donegal County Development Plan 2012-2018

The Donegal County Development Plan 2012-2018 sets out a number of policies and objectives which are considered relevant to the proposed development. Each of the policies and objectives set out below will be addressed in the context of the relevant Chapters of this EIS.

2.14.5.1 Extractive Industry and Geology

Chapter 7 of the Donegal County Development Plan 2012-2018 addresses 'Natural Resource Development'. Section 7.1 '*Extractive Industry and Geology*' is relevant to the proposed development.

The Aim of Section 7.1 is: -

> *To facilitate the appropriate and sustainable extraction of locally sourced aggregates and/or minerals that contribute to the local economy and where such activity does not adversely affect issues of acknowledged importance including water quality, natural habitats, important areas of landscape character, views and prospects or areas of geological interest.*

Section 7.1.1 provides a context within which the winning of natural resources will be considered in Donegal and states that: -

Donegal has a strong tradition of using local stone as a road, paving and hopes building material and that *aggregates are a significant and necessary natural resource for the continued economic development of Donegal, therefore there is a need to facilitate the sustainable extraction of appropriate materials such as clays, gravels, sands and aggregates.*

The plan goes on to state that *at the same time the Council also accepts the need to minimise any adverse impacts upon the natural environment, landscape, road network, heritage and communities. Impacts which must be taken into consideration include the following; noise, vibration, dust, water quality, lowering of the water table, natural and cultural heritage, landscape, traffic and waste materials.*

Each of the issues referred to above will be addressed in the later Chapters of this EIS.

Section 7.1.2 of the County Development Plan 2012-2018, sets out the Council's Objectives, while Section 7.1.3 lists Policies, in relation to the *Extractive Industry*.

The Plan contains four Objectives, which are reproduced in full below: -

EX-0-1: To conserve and protect the environment, including in particular, the archaeological and natural heritage and conservation and protection of European designated sites and any other sites, which are prescribed.

EX-0-2: To preserve the character of the landscape where and to the extent that, the proper planning and sustainable development of the area requires it, including the preservation of views and prospects, cultural features and the amenities of places and features of natural beauty or interest.

EX-0-3: To identify those sites with highest mineral/aggregate extractive potential within the life of the Plan, and which do not reside within high amenity areas or adversely impact on environmental designations.

EX-0-4: To protect and preserve 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.

All five Policies are set out below: -

EX-P-1 It is a policy of the Council to not normally permit new extractive industry proposals in areas of Especially High Scenic Amenity or where they would adversely impact upon any Natura 2000 site, Natural Heritage Area, Nature Reserve, Groundwater Protection Area (Aquifer), Freshwater Pearl Mussel Catchment or other areas of importance for the protection of flora and fauna, or areas of significant archaeological potential, unless it can be clearly demonstrated that such extractive industries would not have significant adverse impacts on amenities or the environment, and comply with Article 6 of the Habitats Directive.

All extractive industry proposals in designated Freshwater Pearl Mussel Catchments will be subject to a Habitats Directive Assessment and will comply with the objectives and practices set out in the relevant Freshwater Pearl Mussel Sub-basin Plan, and any relevant codes of practice

EX-P-2 It is a policy of the Council not to permit development proposals for quarry and ancillary facilities unless it has been evidenced that the development shall not result in a significant threat of pollution to the environment including, siltation and sedimentation of receiving downstream surface waters, having regard to the vulnerabilities identified within the River Basin Management Plan, and any relevant Fresh Water Pearl Mussel Sub-basin Plan and to ensure that extractive industry proposals do not adversely impact upon the environment, including surface water and groundwater (aquifers) quality and quantity, river corridors, associated wetlands and River Basing Management Districts.

EX-P-3 It is a policy of the Council to require all applicants for extractive industry proposals to be accompanied by an integrated phased development and restoration plan for aftercare/reuse of the site. Any restorative plan must comply with Article 6 of the Habitats Directive and have regard to the relevant conservation objectives, qualifying interests and threats to the integrity of a Natura 2000 site. Restoration plans should comply with the following policies EX-P-1 and EX-P-2 and objectives EX-O-1, EX-O2, and EX-O-4.

EX-P-4 It is a policy of the Council to require that, where an extractive industry development is proposed within 300m of a recorded monument archaeological site or is likely to have a material impact of the visual amenities of the monument/site, the applicants/operators shall engage the services of an archaeologist or suitably qualified person to undertake archaeological assessment of the site. The assessment to be submitted in full with the planning application for development.

EX-P-5 It is a policy of the Council to require that development proposals are accompanied by evidence of the suitability of the road network in terms of width, alignment and carrying capacity and to require that any identified deficiencies can be addresses at the applicant's expense.

Where mitigation works are required to upgrade or realign roads infrastructure, they must comply with Article of the Habitats Directive and have regard to the relevant conservation objectives, qualifying interests and threats to the integrity of a Natura 2000 site, and will comply with the objectives and practices set in any relevant Freshwater Pearl Mussel Sub-basin Plan, and any relevant codes of practice, insofar as reasonably possible taking into consideration the safety of future road users

2.14.5.2 Geology

The County Development Plan also contains a specific Policy relating to Geology, which is set out below:

G-P-1 It is a policy of the Council to protect County Geology Sites (CGS). Accordingly the Council will adopt a precautionary approach to development proposals with the potential to impact upon a CGS. Proposals should be accompanied by a detailed report from a competent person setting out the potential impact to ensure that an informed decision can be made. Where significant harm to the CGS is deemed likely, planning permission will not be granted unless there are overriding considerations of public importance to the County.

2.14.5.3 Transportation

The Donegal County Development Plan 2012-2018 also contains Transportation related Objectives and Policies several of which are considered relevant to the proposed development.

T-O-5: To safeguard the carrying capacity and safety of National roads and other strategic routes.

T-O-6: To protect the corridors and routes and acquire the lands necessary for transportation improvement projects as identified in Chapter 10.

T-P-1: It is a policy of the Council to support and facilitate the appropriate development, extension and improvement of Donegal's transport network in accordance with the core strategy, subject to environmental, safety and other planning considerations.

T-P-3: It is the policy of the Council not to permit development that would prejudice the implementation of a transport scheme identified in the development plan.

T-P-5: It is a policy of the Council to seek provision, improvement and extension of footpaths and lighting at appropriate locations subject to environmental, safety and amenity considerations.

T-P-16 It is a policy of the Council not to permit developments requiring new accesses or which would result in the intensification of existing access points onto National Roads or roads treated to National Roads standards (Strategic Road Network) where the speed limit is greater than 60 kph. The Council may consider the creation of a new access point from an existing, authorised use which eliminates a traffic hazard on a strategic road, subject to the closure of the existing access. In exceptional circumstances direct access may be considered, on a case by case basis, in consultation where appropriate with the NRA, to accommodate strategic infrastructure or regionally significant development.

T-P-20 It is a policy of the Council to require a Traffic and Transport Assessment and Road Safety Audit for any development proposing access onto the Strategic Road Network.

2.14.5.4 Water and Environmental Services

The following objectives and policies from the Water and Environmental Services section of the County Development Plan are considered relevant: -

WES-O-4: To maintain, protect, improve and enhance the quality of surface waters and ground waters in accordance with the Programme of Measures contained within the North Western River Basin (NWIRBD) Management Plan 2009-2015.

WES-O-5: To provide for environmental protection, through: -

- The protection of surface water and ground water from pollution in accordance with the River Basin Management Plan, Groundwater Protection Scheme and Source Protection Plans for public water supplies.
- The protection against soil contamination;
- Minimising air and noise pollution;
- Supporting remediation of all existing pollution;
- Ensuring full compliance with relevant National and European Regulations, Statutes and Directives through monitoring and control of relevant activities.

WES–P–3 Groundwater Protection

It is the policy of the Council to protect important groundwater bodies through its environmental protection programme and land use planning system including any sites on the Water Framework Directive Register of Protected Areas.

2.14.5.5 Natural Heritage

The following Natural Heritage Objectives will be considered in the EIA: -

NH-O-1: To protect, the rich biodiversity of County Donegal for present and future generations.

NH-O-2: To comply with Article 6 of the Habitats Directive (92/43/EEC) and have regard to the relevant conservation objectives, management plans, qualifying interests and threats to the integrity of Natura 2000 sites.

NH-O-3: To maintain the conservation value of all existing and/or proposed SAC's, SPA's and NHA's and RAMSAR sites including those plant and animal species that have been identified for protection.

NH-O-4: To protect and improve the integrity and quality of Designated Shellfish Waters, and Freshwater Pearl Mussel Basins and to take account of any relevant Shellfish Reduction Program or Fresh Water Pearl Mussel Sub-Basin Plan.

NH-O-5: To protect the areas of Especially High Scenic Amenity from intrusive and/or unsympathetic developments and to review these landscape designations within the lifetime of this Plan. Strategic Infrastructure projects which seek to enhance roads, rail, air and port connectivity, power supply, broadband/telecommunications, waste water treatment, or similar type public infrastructure development, may be considered within areas of Especially High Scenic Amenity. These proposals will also be subject to all material considerations, including environmental designations and amenity considerations.

NH-P-1 It is a policy of the Council to ensure development proposals do not damage or destroy any sites of international or national importance, designated for their wildlife/habitat significance.

NH-P-2 It is a policy of the Council to ensure the protection of Natura 2000 sites in accordance with the EU Habitats Directive (92/43/EEC) and have regard to the relevant conservation objectives, qualifying interests and threats to the integrity of these Natura 2000 sites.

NH-P-4 It is a policy of the Council to require the consideration of Freshwater Pearl Mussel and any relevant Freshwater Pearl Mussel Sub-basin Plans in all development proposals that fall within their basin of catchment.

NH-P-5 It is a policy of the Council to require consideration of the impact of potential development on habitats of natural value that are key features of the County's ecological network and to incorporate appropriate mitigating biodiversity measures into development proposals.

NH-P-10 It is a policy of the Council to protect landscapes of Especially High Scenic Amenity (EHSA) and views and prospects and to preserve the character of distinctive regional, local and cultural landscapes in the County.

2.14.5.6 Tourism

Then following tourism policy is relevant in the context of landscape: -

TOU-P-1 It is a policy of the Council to safeguard the natural landscape qualities and environmental habitats of the County.

2.15 Draft Donegal County Development Plan 2018-2024

Chapter 8 of the Draft Development Plan addressed Extractive Industry and Geology. The stated aim is

> *To facilitate the appropriate and sustainable extraction of locally sourced aggregates and/or minerals that contribute to the local economy and ensuring that such activity does not adversely affect issues of acknowledged importance including water quality, natural habitats, important areas of landscape character, views and prospects, areas of geological interest or human health and residential amenity*

The following Objectives are set out regarding extractive industry: -

EX-O-1: To conserve and protect the environment, including in particular, the archaeological and natural heritage and conservation and protection of European designated sites and any other sites, which are prescribed.

EX-O-2: To preserve the character of the landscape where and to the extent that, the proper planning and sustainable development of the area requires it, including the preservation of identified views and prospects, cultural features and the amenities of places and features of natural beauty or interest.

EX-O-3: To protect and preserve the quality of the environment so as to ensure no significant adverse effects including the prevention, limitation, elimination, abatement or reduction of environmental pollution and the protection of waters, groundwater, the seashore and the atmosphere.

In addition, the Draft Plan contains the following policies: -

EX-P-1: It is a policy of the Council to require that development proposals for extractive industry are in accordance with DEHLG Quarries and Ancillary Activities Guidelines for Planning Authorities 2004 and the EPA Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-scheduled minerals) 2006.

EX-P-2: It is a policy of the Council not to permit new extractive industry proposals in areas of Especially High Scenic Amenity or in areas of High Scenic Amenity. Furthermore, such proposals will not normally be permitted where they would adversely impact upon any Natura 2000 site, Natural Heritage Area, Nature Reserve, Groundwater Protection Area (Aquifer), Freshwater Pearl Mussel Catchment or other areas of importance for the protection of flora and fauna, or areas of significant archaeological potential, unless it can be clearly demonstrated that such extractive industries would not have significant adverse impacts on amenities or the environment, and comply with Article 6 of the Habitats Directive.

All extractive industry proposals in designated Freshwater Pearl Mussel Catchments will be subject to a Habitats Directive Assessment and will comply with the objectives and practices set out in the relevant Freshwater Pearl Mussel Sub-basin Plan, and any relevant codes of practice.

EX-P-3: It is a policy of the Council not to permit development proposals for quarry and ancillary facilities unless it has been evidenced that the development shall not result in a significant threat of pollution to the environment including, siltation and sedimentation of receiving downstream surface waters, having regard to the vulnerabilities identified within the River Basin Management Plan, and any relevant Fresh Water Pearl Mussel Sub-basin Plan and to ensure that extractive industry proposals do not result in significant adverse impact upon the

environment, including surface water and groundwater (aquifers) quality and quantity, river corridors, associated wetlands and River Basin Management Districts.

EX-P-4: It is a policy of the Council to require all applications for extractive industry proposals to be accompanied by an integrated phased development and restoration plan for aftercare/re-use of the site. Any restoration plan must comply with Article 6 of the Habitats Directive and have regard to the relevant conservation objectives, qualifying interests and threats to the integrity of a Natura 2000 site. Restoration plans should comply with the following policies EX-P-1 and EX-P-2 and objectives EX-O-1, EX-O-2 and EX-O-3.

EX-P-5: It is a policy of the Council to require that, where an extractive industry development is proposed within 300m of a recorded monument/archaeological site or is likely to have a material impact on the visual amenities of the monument/site, the applicants/operators shall engage the services of an archaeologist or suitably qualified person to undertake archaeological assessment of the site. This assessment to be submitted in full with the planning application for the development.

EX-P-6: It is a policy of the Council to require that development proposals for extractive industries are accompanied by evidence of the suitability of the road network in terms of width, alignment and carrying capacity and to require that any identified deficiencies can be addressed at the applicant's expense. Where mitigating works are required to upgrade or realign roads infrastructure, they must comply with Article 6 of the Habitats Directive and have regard to the relevant conservation objectives, qualifying interests and threats to the integrity of a Natura 2000 site, and will comply with the objectives and practices set in any relevant Freshwater Pearl Mussel Sub-basin Plan, and any relevant codes of practice, insofar as reasonably possible taking into consideration the safety of the future road users.

2.16 Conclusion

All of the policies and objectives of the planning documents governing quarry development is County Donegal have been taken into consideration in the preparation of this remedial Environmental Impact Statement.