

Karen Byrne

From: Saoirse Kavanagh <skavanagh@mhplanning.ie>
Sent: Tuesday 11 August 2026 14:27
To: Appeals2
Cc: Tom Halley
Subject: ACP 324278-26 Applicant Response to Cork Council Report
Attachments: Response to S37L Council Report Combined.pdf

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A Chara,

On behalf of the applicant, please see attached a response to Cork County Council's report on the Section 37L application at Ardcahan, Dunmanway, Co. Cork.

Kind regards,
Saoirse

Saoirse Kavanagh
Executive Planning Consultant
[McCutcheon Halley](#)
CHARTERED PLANNING CONSULTANTS
Mobile: +353 (0)83 070 1855

www.mhplanning.ie

Cork
6 Joyce House, Barrack Square,
Ballincollig, Cork,
P31 YX97
Tel: +353 (0)21 420 8710

Dublin
4th Floor, Kreston House,
Arran Court, Arran Quay,
Dublin 7, D07 K271
Tel: +353 (0)1 804 4477



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An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

11 August 2026

Re: ACP 324278 – Response to Cork County Council’s Report on the Section 37L Application at Ardcahan, Dunmanway, Co. Cork

A Chara,

On behalf of the applicant, Murray Brothers Tarmacadam Ltd, this letter provides a response to the Cork County Council Report received by An Coimisiún Pleanála in relation to the Section 37L application for further quarrying at Ardcahan, Dunmanway, Co. Cork.

The Section 37L application was submitted to An Coimisiún Pleanála (ACP) on the 6th May 2026. Cork County Council submitted a report to ACP with their assessment of the application on the 21st July 2026. A copy of this report was received by the applicant on the 24th July 2026.

Response to Planning Authority Report

Principle of Development

The proposed development comprises the extension of an established quarrying operation within a long-standing quarry site that has historically supplied aggregate materials in West Cork. The proposal seeks permission for the extraction of quartzitic sandstone within a 5.01ha extraction area over a 20-year period, with extraction phased and accompanied by progressive restoration measures.

The Planning Statement notes that national, regional and local planning policy recognises the importance of extractive industries in supplying essential construction materials and supporting rural economies. National Policy Objective 30 of the National Planning Framework specifically supports extractive industries, subject to appropriate environmental safeguards. The Cork County Development Plan similarly recognises the importance of aggregate resources and supports the continued viability of the sector while protecting environmental and residential amenities.

Furthermore, the Planning Authority concludes that there are no objections in principle to the resource-based nature of the development, subject to normal planning and environmental considerations being satisfactorily addressed.

For the avoidance of doubt, the applicant respectfully submits that the matters raised in the Planning Authority Report do not identify any fundamental planning impediment to the proposed development. Rather, the issues raised principally relate to requests for clarification, additional quantification and confirmation of mitigation measures. The applicant is prepared to provide such supplementary information as may be required by An Coimisiún Pleanála to assist its assessment and, where appropriate, to accept suitably worded conditions to secure the implementation of the mitigation, monitoring and management measures identified in the EIAR, NIS and Planning Statement.

Table 1 Habitats removed and proposed recolonisation areas

Habitat to be removed	Area to be removed (ha)	Value as per Biodiversity Chapter	Proposed Recolonisation (ha)
Scrub	0.3	Low local value	3.66ha
Scrub / Dense Bracken	0.379	Low local value	
Scrub / Immature Woodland	1.732	Moderate local value	
Mixed Broadleaved Woodland	0.667	High local value	1.43ha

In 2022 ecological survey and assessments were completed by Kelleher Ecology Services, for the Site in support of a substitute consent application (later withdrawn). The findings and conclusions of these surveys are closely aligned with the findings of the surveys completed by MOR over the period of 2022 to 2026.

The Ecology Officer notes that that a decision cannot be made on the S37L application until the Substitute Consent application is resolved. This is legally correct and it is expected that An Coimisiún Pleanála will decide on the substitute consent application prior to making a decision on the S37L application. The other matters raised by the Ecology Officer in relation to the development during the 1990-2014 period are not relevant to this S37L application.

The Ecology Officer welcomes the improvements to the surface water drainage arrangements and advises that these should be reviewed by technically competent experts. It should be noted that these new arrangements have been designed by Darragh Musgrave and reviewed by Dyfrig Hubble who are experts in their respective fields.

Mr. Darragh Musgrave, a senior Geo-Environmental Consultant with VCL (Viridus Consulting Ltd). Darragh has an honours degree in Geology (Earth Science) from the National University of Ireland Galway, (NUIG 1992) and a Higher Diploma in Environmental Protection from the Institute of Technology Sligo (ITS 2006). He has over 30 years of experience working in the environmental, geological, geotechnical, hydrogeological and hydrological sector and has completed numerous environmental assessment and associated EIAR for many quarry, infrastructure, commercial and residential developments over the years.

Mr. Dyfrig Hubble, Malone O' Regan Environmental ('MOR Environmental') Associate Director – Ecologist. Dyfrig is a full member of CIEEM. Dyfrig has over 18 years' experience working in the ecological consultancy sector, including habitat surveys and appraisals and specialist protected species surveys in support of Appropriate Assessments and Ecological Impact Assessments.

Relationship with Substitute Consent Application

The applicant notes the Planning Authority's comments regarding the relationship between the Section 37L application and the concurrent substitute consent application. The Section 37L proposal has been assessed having regard to the existing quarry context and the environmental baseline described in the EIAR and NIS. The applicant accepts that the remediation and restoration measures associated with both applications should be coherent, complementary and capable of being implemented in an integrated manner across the wider landholding.

integrated restoration framework and a supplementary noise clarification note. The applicant respectfully submits that, having regard to the EIAR, NIS and Planning Statement, and subject to the implementation of the mitigation and monitoring measures identified therein, the proposed development represents an appropriate and environmentally controlled continuation of an established quarrying use and is consistent with the proper planning and sustainable development of the area.

Yours sincerely,

Saoirse Kavanagh

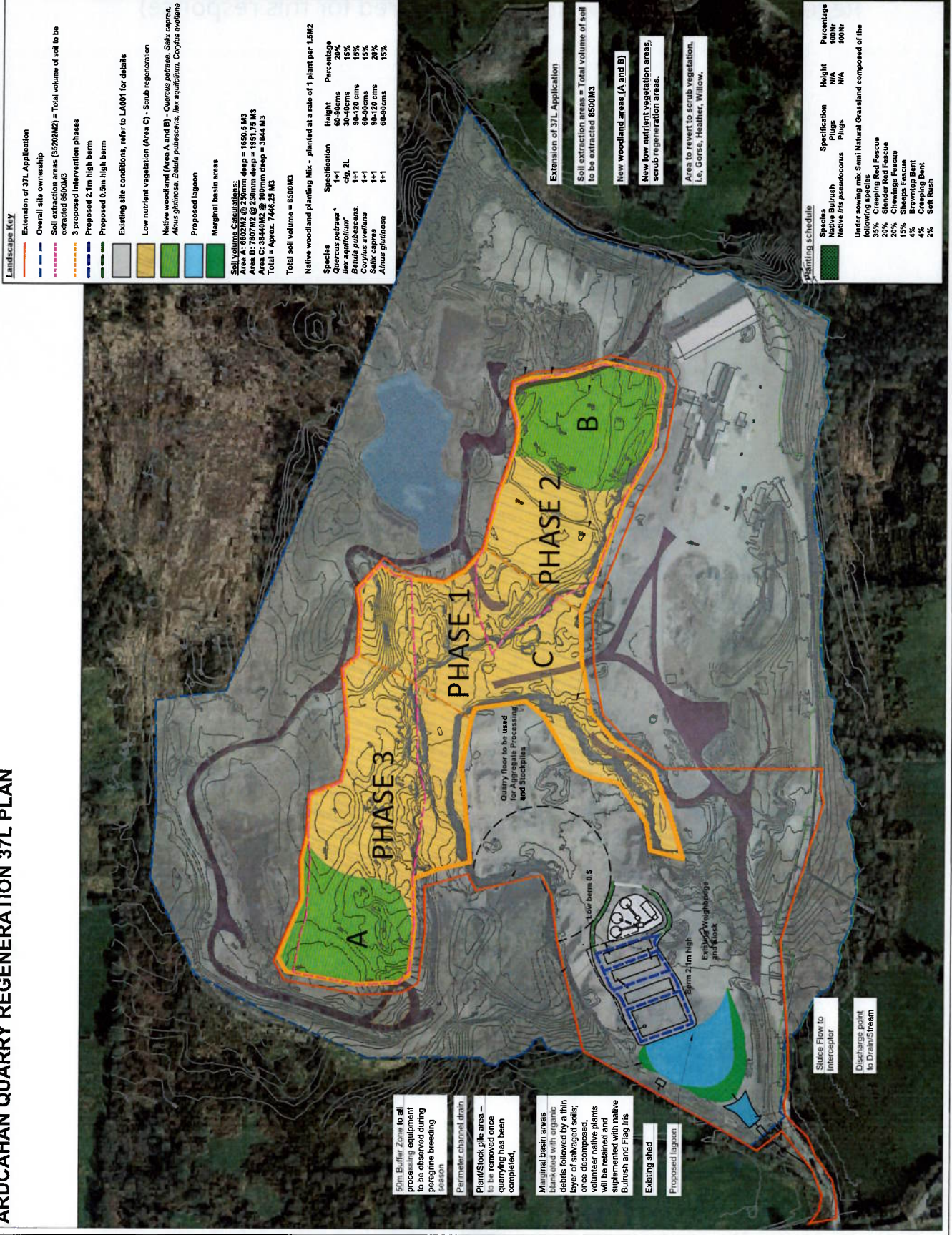
Saoirse Kavanagh

McCutcheon Halley

ARDCAHAN QUARRY SUBSTITUTE CONSENT SITE LAYOUT AND REMEDIATION PLAN



ARDCAHAN QUARRY REGENERATION 37L PLAN



THIS IS NOT FOR CONSTRUCTION

The information contained in this document is for informational purposes only. It is not intended to be used for construction or other purposes. The Landscape Architect, if the drawing is used for construction, must be referred to the Landscape Architect for any further information. The Landscape Architect must be informed, by the contractor, of any discrepancy before work proceeds.

Cathal O'Meara
 Landscape Architects
 087 9202549
 2 Mc Sweeney St,
 Fermoy, Co. Cork



Chartered member of the Irish Landscape Institute

Client: Murray Bros, Tarnacadam Ltd.

Project: Ardcahan Quarry Restoration 37L Plan

Drawing: Landscape Layout

Date: 11/09/2026

Drawn By: Luis Medeiros
Checked By: Cathal O'Meara

Issue: Planning

Dwg No: 2009_LA002
16

cathal o'meara
 landscape architects





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31 July 2026

The NSC Campus, Mahon, Cork.
Tel: +353 (0)21 242 8704
info@clvconsulting.ie
www.clvconsulting.ie

Ms. Saoirse Kavanagh
McCutcheon Halley Chartered Planning Consultants
6 Joyce House
Barrack Square
Ballincollig
Co. Cork

Saoirse,

RE: ARDCAHAN QUARRY - CORK COUNTY COUNCIL REPORT RESPONSE LETTER

Pursuant to the reports submitted by Cork County Council in respect of the substitute consent and S37L planning permission submissions for the Ardcahan Quarry, we have provided a response to the items relevant to the noise and vibration impact EIAR chapters as follows.

Council Report Item #1

1.) The respective number and distances of all noise sensitive receptors within 500m and 1000m of the proposed development should be presented and quantified. The referenced noise sensitive receptors that each selected noise monitoring location is considered to be representative of should also be identified and quantified and shown on a suitably scaled map.

CLV Response:

A scaled map identifying each of the nearest noise sensitive receptors within 500m and 1km of the substitute consent application is provided in Appendix A at the rear of this document. The map also includes the 2014 noise monitoring locations (S01, 02 & 03).

A table detailing the distances of the identified noise sensitive receptors and noise monitoring locations from the nearest quarry boundary is provided in Table 1 on the following page.

Note that the values listed represent the distance from the receptors to the nearest property boundary and not to the nearest proposed / existing working areas of the quarry which would have different variances depending on the direction.

Council Report Item #2

2.) Clarify whether an assessment has been carried out for the presence of any tonal/impulsive elements in the noise arising from the identified noise sources and if the overall predicted and cumulative noise levels have been adjusted accordingly for the presence or otherwise of such elements.

CLV Response:

A tonal element assessment cannot be definitively carried out given without octave band noise level data for specific site sources. However, the predicted noise emission levels from the quarry would not be sufficiently above the ambient noise level environment in the vicinity to give rise to tonal elements.

The noise emission levels for both the construction and operational phases of the quarry are compared with the ambient noise levels measured in the vicinity in Table 2 below.

Receptor Location	Measured Ambient Noise Level	Estimated Noise Level		Comparison of Quarry Noise Levels w/ Ambient
		Construction Phase	Operational Phase	
Dwellings to East	41 - 49	43	43	Consistent with or below
Dwellings to Southwest	50 - 51	37	41	Below
Dwellings to Southeast	48 - 50	38	40	Below

Table 2 Quarry Noise Emission Comparison with Ambient Noise Level Environment (dB LAeq)

As can be seen from the above comparison, the predicted noise emission levels from the quarry are consistent with or below the ambient noise level environment in the vicinity and therefore would not be sufficiently high enough for tonal elements to manifest themselves at the nearest noise sensitive receptors even if they were present.

It should also be considered that quarry noise emissions (especially when there are multiple sources in operation at the same time) are generally broadband in nature.

In respect of impulsive noise, there will likely be impulsive noise events that occur due to the processes involved with earth moving equipment. However, as demonstrated in Table 2, the levels would not be sufficiently high enough for impulsive events to be at a nuisance level at the nearest noise sensitive receptors.

There would therefore be no justifiable basis for adjusting the predicted noise levels accordingly.

It should also be noted that all quarry noise sources will occur during daytime periods only.

APPENDIX A

Scaled Map Identifying Each of the Nearest Noise Sensitive Receptors at Distances Of 500m & 1km From the Nearest Development Boundary in Each Direction

