Niamh Thornton

From: Kevin O'Regan <kevin.oregan@CorkCoCo.ie>
Sent: Thursday 8 October 2020 11:08
To: Niamh Thornton
Subject: FW: Substitute Consent Application, Ummera, Macroom ABP 308036-20
Attachments: Area Planner Report Ummera 1 ref ABP 308036-20.pdf; summary ref ABP 308036-20.pdf; Substitute Consent DM opinion to ABP.pdf

Dear Niamh,

Do you wan these in hard copy as well or are the attached sufficient?

Regards,

Kevin

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Application for Substitute Consent ref no. ABP-308036-20

DEVELOPMENT DESCRIPTION

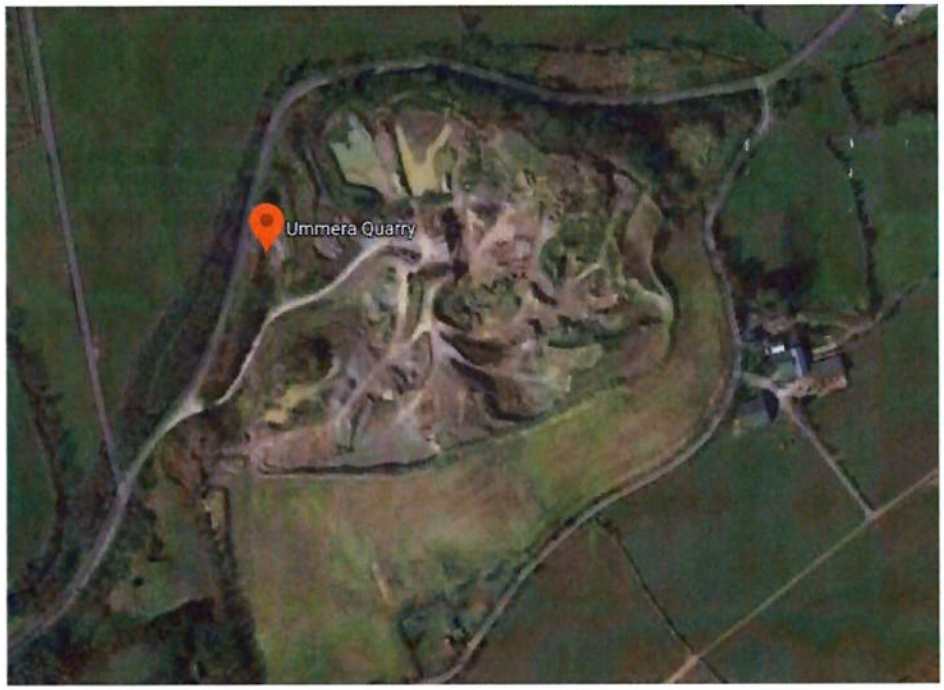
The development consists of an active gravel pit extending to an area of 10.5 hectares and includes existing site infrastructure of washing plant, settlement lagoons, access road, site office, stores, fuel storage, septic tank and percolation area, screening berms, open storage of aggregate and all associated ancillary infrastructure at Ummera Gravel Pit, Ummera, Macroom, Co. Cork.

An Bord Pleanála has requested a report as per Section 177I (2) (a), (b), (c), (d) and (e) of the Planning and Development Acts 2000 to 2020 as amended.

REPORT

Section 177I (2) (a) Information relating to development (including development other than the development which is the subject of the application for consent) carried out on the site where the development the subject of the application for consent is situated, and any application for permission made in relation to the site and the outcome of the application.

According to Section 3(1) of the Planning and Development Act 2000 (as amended), "Development" means, save where the context otherwise requires, the carrying out of works on, in or under land or the making of any material change in the use of any structures or other land.



Aerial Photograph 2020

Development which has occurred on the site (10.5 ha) would include internal haul road, stripping of topsoil and vegetation, excavation of site, erection of washing plant, installation of machinery, construction of settlement lagoons, erection of site office and stores and fuel storage area, construction of concrete plinths, installation of a septic tank and percolation, construction of screening berms, stockpiles/open storage of aggregate. A full description of development on the site is outlined in Section 2.4 of the rEIAR submitted by the applicant.

Planning applications made on the site include:

- Planning Ref. No. 76/375 granted on 11/02/76.
- Planning Ref. No.78/1365 granted on 17/04/78.
- QR01: Order dated 07/09/06 to modify and add conditions on 76/375. Appealed to ABP under Ref. No. (04.QC2002). Decision date 07/06/2007.
- QY0003 determination under section 261A(2)(a) that environmental impact assessment was required in respect of quarrying at this site and a decision under section 261A(3)(a) requiring the owner/operator to apply to the Board for substitute consent. Appealed under Ref. No. 04.QV0116. Decision made 24/02/2014.
- Application for Further Development Consent under Section 37L, ref. no. ABP-308194-20

Section 177I (2) (b) Information relating to any warning letter, enforcement notice or proceedings relating to offences under this Act that relate to the applicant for substitute consent

No warning letters, enforcement notices or legal proceedings have been issued or taken place relating to the applicant/application for substitute consent.

Previous enforcement history on the site includes:

- Ref. EF080596: Alleged non-compliance with conditions attached to QR01. Warning letter issued. Case closed on 10/10/2008.
- Ref. EF090293: Alleged non compliance with condition no.17 of QR01. Warning letter issued on 14/09/2009. Case closed on 18/20/2013.

Section 177I (2) (c) Information regarding the relevant provisions of the development plan and any local area as they affect the area of the site and the type of development concerned.

The relevant local area plan is the Blarney/Macroom Municipal District Local Area Plan 2017. The site is identified as being located in the Town Greenbelt 1-1.

The relevant development plan for the area is the Cork County Development Plan 2014.

The site is located in the Greater Cork Ring Strategic Planning Area.

The site is in a Landscape Character area described as '13a-Valleyed Marginal Middleground'. This has a 'High' landscape value, a 'High' landscape sensitivity and a 'County' landscape importance.

The following policy objectives of the County Development Plan 2014 are particularly relevant:

<u>CS 4-2: Greater Cork Ring Strategic Planning Area</u>

CS 4-2: Greater Cork Ring Strategic Planning Area

a) Recognise the importance of the role to be played by Mallow as a 'Hub' town in the implementation of the National Spatial Strategy and the Atlantic Gateways Initiative to focus growth in North Cork and; to promote its development as a major centre of employment and population where there is a high standard of access to educational and cultural facilities; and to provide the necessary infrastructure to ensure that the expansion of Mallow can be achieved without having adverse impacts on the receiving environment.

b) Establish an appropriate balance in the spatial distribution of future population growth, in line with this Core Strategy, so that Bandon, Fermoy, Macroom and Youghal can accelerate their rate of growth and achieve a critical mass of population to enable them to maximise their potential to attract new investment in employment, services and public transport;

c) Protect and enhance the natural and built heritage assets of Kinsale to facilitate the development of the town as a Principal Tourist Attraction;

d) Facilitate the development of the villages as set out in the local area plans so that the rate of future population growth compliments the strategy to achieve a critical mass of population in the towns and provide protection for those areas recognised as under pressure from urban development;

e) Strengthen and protect the rural communities of the area by encouraging sustainable growth in population, protecting agricultural infrastructure and productivity so that agriculture remains the principal rural land use and focusing other employment development in the main towns and key villages;

f) Secure the long term strategic aim of reopening the rail route linking Cork and Midleton to Youghal;

g) Recognise the importance of the Strategic Transport Improvement Corridor to the overall economic potential of the south-western part of the area and the facilitation of a balanced economic strategy for the County as a whole;

h) Protect and enhance the natural heritage of the Blackwater Catchment; and

i) Prioritise the adequate provision of water services and transport infrastructure to meet current needs and future population targets while protecting the areas environment.

EE 12-1: Safeguarding Mineral Reserves

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

EE 12-3: Impacts of Mineral Extraction

EE 12-3: Impacts of Mineral Extraction

Minimise environmental and other impacts of mineral extraction through rigorous application of licensing, development management and enforcement requirements for the extractive industry and ancillary developments.

All extractive industry developments to have regard to the "Quarries and Ancillary Activities Guidelines for Planning Authorities (2004)" published by the DoEHLG or as may be amended from time to time.

With new quarries and mines and extensions to existing quarries and mines regard should be had to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes, European sites and other water sources, impacts on residential and other amenities, impacts on the road network (particularly with regard to making good any damage to roads), road safety, phasing, re-instatement and landscaping of worked sites.

RCI 5-6: Long Established Uses

RCI 5-6: Long Established Uses

Recognise the requirements of long established commercial or institutional uses located entirely within the Greenbelt which may make proposals for expansion / intensification of existing uses. Such expansion proposals of an appropriate scale would only be considered in special circumstances, having regard to the overall function and open character of the Greenbelt and where development would be in accordance with normal proper planning and sustainable development considerations.

RCI 5-8: Greenbelts around Settlements

RCI 5-8: Greenbelts around Settlements

a) Retain the identity of towns, to prevent sprawl, and to ensure a distinction in character between built up areas and the open countryside by maintaining a Greenbelt around all individual towns.

b) Reserve generally for use as agriculture, open space or recreation uses those lands that lie in the immediate surroundings of towns. Where Natura 2000 sites occur within Greenbelts, these shall be reserved for uses compatible with their nature conservation designation.

c) Prevent linear roadside frontage development on the roads leading out of towns and villages.

d) The local area plans will define the extent of individual Greenbelts around the ring and county towns and any of the larger villages where this approach is considered appropriate. They will also establish appropriate objectives for the Greenbelts generally reserving land for agriculture, open space or recreation uses.

TO 2-1: Protection of Natural, Built and Cultural Heritage

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Protect and conserve those natural, built and cultural heritage features that form the resources on which the County's tourist industry is based. These features will include areas of important landscape, coastal scenery, areas of important wildlife interest, historic buildings and structures including archaeological sites, cultural sites including battlefields, the Gaeltacht areas, arts and cultural sites and the traditional form and appearance of many built up areas.

TM 3-3: Road Safety and Traffic Management

TM 3-3: Road Safety and Traffic Management

a) Where traffic movements associated with a development proposal will have a material impact on the safety and free flow of traffic on a National, Regional or other Local Routes, to require the submission of a Traffic and Transport Assessment (TTA) and Road Safety Audit as part of the proposal.

b) Support demand management measures to reduce car travel and promote best practice mobility management and travel planning via sustainable transport modes.

c) For developments of 50 employees or more, developers will be required to prepare mobility management plans (travel plans), to promote alternative sustainable modes or practices of transport as part of the proposal.

d) Ensure that all new vehicular accesses are designed to appropriate standards of visibility to ensure the safety of other road users.

e) Improve the standards and safety of public roads and to protect the investment of public resources in the provision, improvement and maintenance of the public road network.

f) Promote road safety measures throughout the County, including traffic calming, road signage and parking.

g) Co-ordinate proposed zoning designations and/or access strategies in settlement plans with speed limits on national roads.

WS 5-2: River Channel Protection

WS 5-2: River Channel Protection

Ensure that where practical development is kept at 10m or other appropriate distance from stream and river banks and adequate protection measures put in place.

WS 5-3: Surface Water Management

WS 5-3: Surface Water Management

Manage surface water catchments and the use and development of lands adjoining streams, watercourses and rivers in such a way as to minimise damage to property by instances of flooding and with regard to any conservation objectives of European sites within the relevant catchments and floodplains.

HE 2-1: Site Designated for Nature Conservation

HE 2-1: Site Designated for Nature Conservation

Provide protection to all natural heritage sites designated or proposed for designation under National and European legislation and International Agreements, and to maintain or develop linkages between these. This includes Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna and Ramsar Sites.

HE 2-2: Protected Plant and Animal Species

HE 2-2: Protected Plant and Animal Species

Provide protection to species listed in the Flora Protection Order 1990, on Annexes of the Habitats and Birds Directives, and to animal species protected under the Wildlife Acts in accordance with relevant legal requirements. These species are listed in Volume 2, Chapter 4 of the plan.

HE 2-3: Biodiversity outside Protected Areas

HE 2-3: Biodiversity outside Protected Areas

Retain areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network, and to protect these from inappropriate development. This includes rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and semi-natural grasslands as well as coastal and marine habitats. It particularly includes habitats of special conservation significance in Cork as listed in Volume 2 Chapter 3 Nature Conservation Areas of the plan.

HE 2-7: Control of Invasive Species

HE 2-7: Control of Invasive Species

Control the spread of invasive plant and animal species within the county.

HE 3-1: Protection of Archaeological Sites

HE 3-1: Protection of Archaeological Sites

a) Safeguard sites and settings, features and objects of archaeological interest generally.

b) Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments including the Sites and Monuments Record (SMR) (see www.archeology.ie) and the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, as amended and of sites, features and objects of archaeological and historical interest generally.

In securing such preservation, the planning authority will have regard to the advice and recommendations of the Department of Arts, Heritage and Gaeltacht as outlined in the Frameworks and Principles for the Protection of the Archaeological Heritage.

HE 3-3: Zones of Archaeological Potential

HE 3-3: Zones of Archaeological Potential

Protect the Zones of Archaeological Potential (ZAPs) located within historic towns and other urban areas and around archaeological monuments generally. Any development within the ZAPs will need to take cognisance of the potential for subsurface archaeology and if archaeology is demonstrated to be present appropriate mitigation (such as preservation in situ/buffer zones) will be required.

GI 6-1: Landscape

GI 6-1: Landscape

a) Protect the visual and scenic amenities of County Cork's built and natural environment.

b) Landscape issues will be an important factor in all land-use proposals, ensuring that a pro-active view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.

c) Ensure that new development meets high standards of siting and design.

d) Protect skylines and ridgelines from development.

e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

GI 7-1: General Views and Prospects

GI 7-1: General Views and Prospects

Preserve the character of all important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy.

GI 10-2: Surface Water Protection

GI 10-2: Surface water Protection

Protect and improve the status and quality of all surface waters throughout the County, including transitional and coastal waters.

GI 10-3: Groundwater Protection

GI 10-3: Groundwater Protection

Preserve and protect groundwater and surface water quality throughout the County.

GI 13-1: Noise Emissions

GI 13-1: Noise Emissions

a) Seek the minimisation and control of noise pollution associated with activities or development, having regard to relevant standards, published guidance and the receiving environment.

b) Support the implementation of Noise Action Plans prepared for the Cork County area.

Section 177I (2) (d) any information that the authority may have concerning-

(i) Current, anticipated or previous significant effects on the environment, or on a European Site associated with the development or the site where the development took place and, if relevant, the area surrounding or near the development or site, or

(ii) Any remedial measures recommended or undertaken;

(i) *Current, anticipated or previous significant effects on the environment, or an a European site associated with the development or the site where the development took place or, where section 177E(2A)(b) applies, is proposed to take place and, if relevant, the area surrounding or near the development site,*

A number of the Councils internal consultants have submitted reports which are summarised below. The full reports can be found in Appendix 1 at the end of this report.

The rEIAR submitted with the application, assesses impacts under the topics of Landscape, Population and Human Health, Environmental Aspects, Interactions of all of the above. It concludes that Ummera gravel pit has been assessed over the period 1990 to present on a range of environmental aspects and the interactions of all environmental factors indicate an overall positive development providing a vital raw material for the construction industry. This report will outline effects on the environment under similar topic headlines.

Landscape and Visual Impact

The development has resulted in scarring of the landscape due to the removal of agricultural grassland and the exposure of rock face and stockpiling of materials. This is considered a potential negative longterm visual impact on the landscape character of the area. However, with remedial measures the significance of the effects can be reduced. It is also noted that the site does benefit from existing natural screening which in itself reduces the visual impact of the quarry and quarrying activities.

Population and Human Health

The submitted eEIAR outlines that there are 14 houses within 500 metres of the landownership boundary and of these 5 houses are within 500 metres of the substitute consent boundary. Typical effects on population and human health from quarrying are noise, dust and air quality, vibration, traffic, economy etc.

<u>Noise:</u>

In terms of noise, potential effects are quantifiably identified through noise surveys. A noise survey was undertaken on 24 October,2019 at 4 selected locations in order to quantify the residual soundscape. These are illustrated in figure 5.7 and described in Table 5.1. It is noted that the washing plant was not operating during the survey but the loader was in limited use. It is submitted that there was minimal offsite impact and the measured levels are considered representative of the residual soundscape. (noise level remaining when the specific source is absent of does not contribute to ambient.)

An L_{Aeq} 1h limit of 55 dB applicable at receptors is considered relevant to the DCWL site since 1990. This limit is also set out in Condition 36 of Quarry registration QR01. It is submitted that measured noise data indicate that the specific noise levels attributed to DCWL are below the 55 dB criterion at off site receptors and are likely to have remained consistently below the criterion since the 1990

opening of the substitute consent window. It is stated that no mitigation measures are specifically warranted but a number of general mitigation measures are detailed and proposed as per Section 5.9.

It is noted that there is a no historic noise data in respect of this site. No noise monitoring data has been made available to support this application, prior to the survey's that have been conducted in October 2019. However, the Planning Authority is not aware of any ongoing noise complaints in respect of the site. Overall, in respect of a retrospective assessment, the applicant has made a reasonable attempt to assess the impact.

Dust and Air Quality:

In relation to dust, Condition 12 of quarry registration QR01 sets an emission limit of 350mg/m2/day at the site boundary. Potential effects on the environment could occur if limits are breached. The principle sources of air-borne emissions from the site include:

-stripping of the topsoil/overburden,
-the front end loader hauling gravel from the working face,
-stockpiling of the material,
-stockpiling of silt,
-movement and loading of the haulage trucks.

It is noted that the rEIAR has highlighted that operations have given rise to fugitive dust emissions in the past. It is noted that the sprinkler system which would also be considered to be part of any such mitigation has fallen into disrepair in recent years. It is also noted in terms of remedial mitigation that it is proposed to pave the access road from the public road to the yard area and a dust monitoring programme is proposed.

The Quarries and Ancillary Activity Guidelines for Planning Authorities acknowledge that residents living in proximity to quarries can potentially be affected by dust up to 0.5 km from the source. The Guidelines, however also note that continual or severe concerns about dust are most likely experienced within about 100m of the dust source. The Planning Authority is not aware of any Air complaints logged with the Local Authority in recent times and note the submission above from the applicant in respect of previous complaints and also in terms of the aggregate processing being a wet process.

The retrospective impact of the site is difficult to assess due to the limited amount of historical dust monitoring data. It is considered that remedial measures could have a positive impact on protecting the environment from dust emissions.

Vibration:

Vibration from activities on site and from the movement of vehicles has potential to have a negative impact on the environment. Blasting does not occur on site. Vibration has not been identified as a potential effect on the environment in relation to this specific quarry and the Planning Authority is not aware of any complaints specifically in relation to vibration.

Traffic:

Potential effects on the environment in relation to traffic include number of vehicular movements generated and whether local roads have been able to accommodate this traffic, whether a safe

access and egress can be achieved, the impact on the road surface. The Planning Authority is not aware of any significant effects on the environment with respect to traffic.

Economy:

This heading covers a range of considerations including employment, tourism etc. The Planning Authority is not aware of any significant negative effects created by the quarry with respect to the economy, socio-economic issues or impacts on tourism.

Cultural Heritage:

The proposed development is within the Zone of Archaeological Potential of CO071-059 Fulacht Fiadha and CO071-057 Standing Stone. It is noted the quarry has been an active for a considerable period and the existing quarry has been subjected to an Archaeological Impact Assessment in 2006 resulting in the provision of a buffer zone around CO071-057. The existing quarry and subject to this application has been stripped of topsoil removing any potential subsurface archaeological material. The quarried area has been inspected by the consultant archaeologist for the rEIAR assessment who found no visible evidence of cultural heritage material, and therefore no further archaeological input is required.

Environmental Aspects

Biodiversity and Ecology:

The site is located within an agricultural landscape and bounded by local roads. The Clashavoon Stream which is located proximal to the north and westerly boundaries of the site runs in a southerly direction to meet the River Laney just south of the quarry site. The River Laney runs south to meet the Sullane River to the south and east of Macroom and this river meets the River Lee and forms part of the Carrigadroihid Reservoir approximately 5km downstream of the quarry site. The area is not indicated to be at risk of flooding. The site appears to comprise disturbed ground primarily. There appears to be a buffer of trees to the north and east of the site. The settlement ponds, which are fed from the Clashavoon Stream are located within the northern part of the quarry site.

The primary ecological receptors in the receiving environment for which potential impacts are considered are:

- EU Sites within 15km of the gravel pit and with a hydrological connection to the site – the Gearagh SAC, the Gearagh SPA and Mullaghanish to Musheramore SPA. Great Island Channel SAC and Cork Harbour SPA;
- pNHAs within 15km of the site;
- Aquatic habitats and species associated with the Clashavoon Stream, River Laney and quarry ponds – including amphibians (frogs and newts) associated with the quarry ponds, fish species in the rivers and streams and previously recorded population of freshwater pearl mussel recorded in the River Laney downstream of its confluence with the Clashavoon;
- Terrestrial habitats associated with site which is subject to the substitute consent application - recolonising bare ground, gorse/bramble scrub, willow dominated dry woodland, wet willow-alder-ash woodland and settlement ponds;
- Terrestrial habitats within the landholding but outside the area which is the subject of the application – dry meadows and grassy verges, wet grassland; mixed broadleaved woodland, hedgerow, treelines, neutral grassland, wet grassland, willow/bramble scrub;
- Breeding birds including a colony of Sand Martin; and
- Mammals including Bats and Otter.

It is also noted that a number of invasive alien species have been recorded within the site.

It is difficult to complete a retrospective assessment without having details of the habitats and species occurring within this area prior to the development of the quarry site. However, it is considered that the assessment contained in the rEIAR of likely retrospective impacts on habitats and species is reasonable, and it would appear that the most significant impacts likely to have been associated with this site to have been associated with risk of impact to water quality and disturbance to protected species.

The assessment of the current condition of the site is that habitats are of no more than local ecological importance (higher value). The report states that the succession and decolonisation of semi-natural habitats on the margins of the extraction area has provided habitats of value for faunal species including small mammals, passerine birds, amphibians. The activities at the quarry have also provided breeding habitat for the colonial breeding species Sand Martin, and the settlement ponds have provided habitat for amphibian species including frogs and newts. The report considers that impacts of the development of the quarry on faunal species may have been minor and positive.

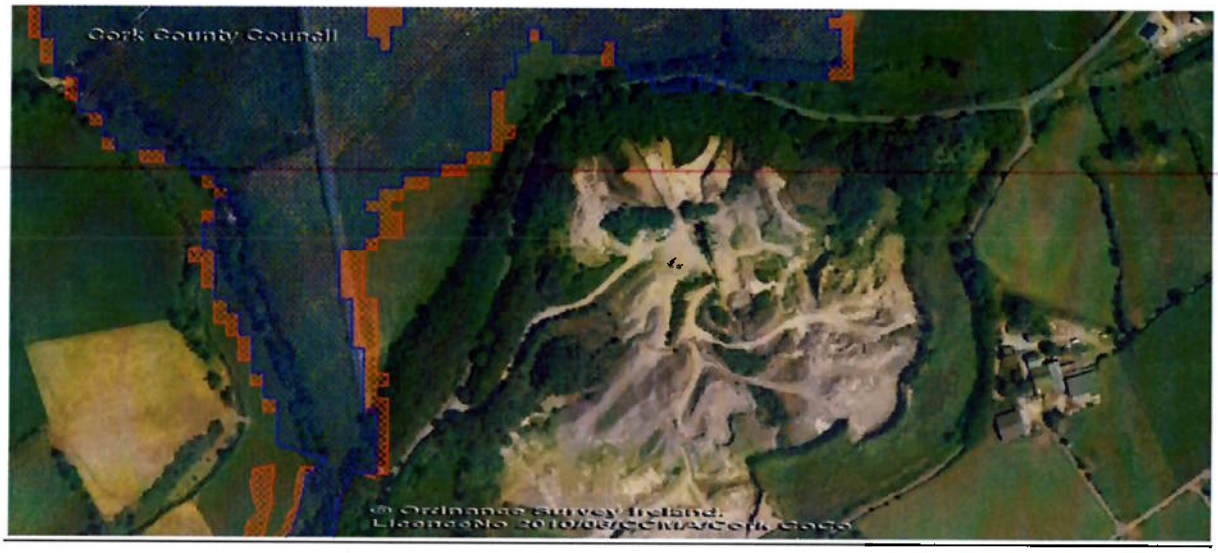
Taking account of the lack of any hydrological, physical or ecological connectivity linking this site to any European site, the Planning Authority is satisfied that there has been no risk of impact to any European Site.

It is noted that the quarry operators had previously constructed a weir on the Clashavoon Stream and that this was obstructing free passage of fish up the stream. The weir is stated now to be partially removed. Further information is required in relation to this to establish whether the partial removal of the weir has been effective.

Further detail is required to assess of impacts of these interventions in the stream on water quality, hydrological processes, aquatic habitats and species. In addition further remedial mitigation measures may be required to offset impacts arising from these interventions, including at a minimum the removal of the weir or the putting in place of measures to allow for the free passage of fish up the stream. Changes might also be required in relation to the water abstraction if further assessment indicates that this is negatively impacting the hydrology of the stream and impacting negatively on associated habitats and species.

Surface Water, Ground Water and Water Quality:

There is a concurrent application under consideration for further development of quarrying activities at the site within a given area of 15.5ha including extension of quarrying activity into previously unquarried areas (2ha). Both these applications overlap in terms of identifying effects on the environment and recommending remedial measures.



The site is located within the catchment of the Clashavoon Stream. Surface water flows from the site are described to consist of rainwater runoff and flows from springs. These are directed to settlement ponds within the site and water from here is understood to be recycled on site, but some water is returned to the stream at the pump intake point. This activity has resulted in the release of silt to the stream.

The following risks to water quality are identified:

- The discharge of overflows from the settlement ponds to the stream pose a risk of introducing silt and other contaminants to the stream.
- To facilitate abstraction of water from the Clashavoon Stream, a weir has been created with boulders at the abstraction point which creates a small backwater upstream of the weir and created an obstruction for fish passage. It is understood that this has now been partially removed.
- The abstraction of water may be impacting negatively on natural hydrological processes in the stream.
- Storm water from exposed soils and stockpiles and the unpaved road is discharging to site drains and reaching the stream.
- Ground water has been encountered on site and discharges from same increase surface flows discharging from the gravel pit during the winter period.
- The storage and use of diesel and hydrocarbons is identified to present a risk to surface water quality.

Water quality monitoring results are presented. It is stated that these indicate that the gravel pit is not impacting negatively on water quality in the receiving environment. It is noted that there appears to be elevated levels of Suspended Solids in the samples recoded downstream of the quarry. It is considered that the detail in relation to the Environmental Management System is lacking in the rEIAR and further detail is required.

The Planning Authority is concerned that water is abstracted from the stream and note that no assessment has been provided as to the impact of this abstraction on natural hydrological flows in the stream.

The material which is excavated from the quarry is loaded into the washing plant on site & is washed & separated into various fractions of sand & gravel which are sold off site. Large volumes of water

are used daily in the gravel washing plant. Silt laden wash water from the washing plant discharges to 4 settlement ponds located in the north-western part of the site. The wash water from the washing plant discharges to the eastern pond, & flows from there through the other 3 ponds. The ponds are linked with 300mm diameter HDPE pipes so that water flows from one pond to the next, with silt settling out during this process. Water is pumped from the fourth pond back into the washing plant. This recirculation of wash water reduces the need for fresh water to be pumped from the Clashavoon stream to feed the washing plant.

Storm water from the area around the washing plant is directed into the settlement ponds. This is the area which is most trafficked, & therefore storm water from this area is likely to be silt laden. The level of water in the ponds drops due to evaporation, & due to infiltration into the underlying lands. The water level in the ponds is topped up by rainfall to the ponds & storm water run-off from the area surrounding the washing plant. The site operator advises that water is occasionally pumped from the Clashavoon Stream to top up pond 4, this usually only happens at very dry times of the year. The operator advises that since the new settlement pond system has been put in place there is a much lower requirement for water to be abstracted from the Clashavoon Stream.

During periods of heavy rainfall settlement pond 4 may overflow. This overflow is directed to another new settlement pond south of the access road. Any overflow from this pond will discharge off-site to the Clashavoon Stream. Silt builds up in the ponds over time & is removed approx. once a year using an excavator & dump truck. Silt removed from the ponds is currently being stored in an area to the south west of the ponds. Silt is also stored at other locations within the quarry area.

The Planning Authority is concerned about the stability of the banks of the settlement pond and the potential for accidental discharge of large volumes of silt laden water to nearby public roads and streams. A detailed assessment of the stability of the banks surrounding the settlement ponds should be carried out by the applicant as failure of one of these banks could result in accidental discharge of large volumes of silt laden water to the nearby public road & stream. Any necessary remedial measures shall be carried out.

The stability of the silt stores is also a potential issue as there is a risk of discharging silt or fines to surface water in periods of heavy rainfall. Any necessary remedial measures shall be carried out.

The Biological Water Quality (Q value) data provided by the applicant for the nearby River Laney, in Volume 2 of EIAR Main Report at Table 10.7, (p.105), & referenced in "Aquatic Ecology, Surface Water/Water Quality" on p.104, is incorrect. The two monitoring points referenced in Table 10.7 are 09L010400, & 09L010500. These are monitoring points on the River Liffey. There is further reference to these incorrect results on p.132 & p.138 where the applicant states that

"These data suggest that water quality downstream of the gravel pit broadly mirror those of the upstream station on the River Laney; with the worst case of water quality (Q2-3, Poor in 1995) noted on the River Laney upstream the gravel pit."

This statement is clearly incorrect as Q values on the Laney both upstream & downstream of the Clashavoon confluence have always been at Q4/5 or Q5 as shown below in the extract from EPA River Quality Surveys for Hydrometric Area 19.

Table 10.7 Volume 2 of EIAR Main Report;

Table 10-7: Q-Value recorded on the R. Laney River – 1973- 2018

Year	Q-Value	Status	Q-Value	Status
	09L010400 R. Laney; upstream of Clashavoon confluence		09L010500 R. Laney; downstream of site	
2007	3-4	Moderate	4	Good
2010	3-4	Moderate	4	Good
2012	3-4	Moderate	3-4	Moderate
2013	3-4	Moderate	3-4	Moderate
2016	3-4	Moderate	3-4	Moderate
2018			4-5	High

Note – Data refers to EPA Segment: 19_2242.

The following is an extract from EPA River Quality Surveys for Hydrometric Area 19 which shows the correct Q Values for the River Laney.

Date Report Generated: 29/09/2020

LANEY **19L01**

Date Surveyed (last survey year only): 11/06/19

Biological Quality Rating (Q Values)

Station Code	1976	1981	1986	1990	1994	1997	1999	2002	2005	2008	2011	2014	2017	2018	2019
RS19L010100		5	5	5	4	4-5	4	4-5	4	4	4-5	4-5	4-5		
RS19L010200		5	5	5	4	4-5	4-5	4-5	4-5	4-5	4-5	4-5	4-5		
RS19L010300		5	5	5											
RS19L010400		5	5	5	4-5	4-5	4-5	4-5	4-5	4-5	4-5	4-5	5	4-5	4-5
RS19L010500	5	5	5	4	4-5	4-5	4-5	4-5	4-5	4-5	4-5	4-5	5	4-5	4-5

Most Recent Assessment:

Continuing Satisfactory with High ecological quality at all four stations sampled in 2017. Further assessments at Morris's Bridge (0400) and Ford's Mill (0500) in 2019 confirmed continued High ecological condition at both sites.

It is difficult to assess effects/impacts when accurate information has not been submitted. The applicant should be requested to include the correct Q value results for the River Laney in the report & to correct any further references to water quality in the River Laney.

It is noted that on p.131 of Volume 2 of EIAR Main Report, the applicant states that SSRS results on the Clashavoon Stream, upstream & downstream of the abstraction point, indicate that the stream is "At Risk" of not achieving WFD objectives. The applicant goes on to state that

"The main difference between the two sites is the amount of detritus material present in the samples and siltation within the channel. Both factors were greater at the downstream sampling site. Although the increase of these factors was not expressed in the macroinvertebrate community of Site 1, it is possible that the gradient and flow type of the Clashavoon Stream may be compensating for any potential effects from the discharge within the Clashavoon Stream."

It is not clear what discharge the applicant is referring to in this statement, but it appears that there is a discharge from the quarry to the Clashavoon Stream which is resulting in an increase in siltation in the stream. The applicant refers to increased siltation levels in the stream in subsequent paragraphs.

The location & nature of the discharge to the Clashavoon stream, & subsequent increase in siltation of the stream should be clarified by the applicant. Remedial measures to minimise any potential siltation in the stream should be identified.

It is not clear from the details submitted by the applicant whether there is an ongoing discharge from the settlement lagoons to the stream, or what is the volume or quality of this discharge. The application shows a number of springs rising in the quarry area. There is no clear mapping of the locations where surface water from the existing site discharges to the Clashavoon Stream. Visual inspection of the Clashavoon stream does not indicate any major impact from the current discharges from the existing quarry area. However, it is a potential impact and therefore more details should be submitted.

Geology:

Geological Survey Ireland considers mineral resources as a material asset. Depth to bedrock decreases across the site from the northwest to the southeast and according to the rEIAR ranges from 30m to 5m. It is estimated that approx. 500,000 cubic metres of aggregate has been removed from the site. The removal of gravel is a permanent impact.

(i) Any remedial measures recommended or undertaken

Landscape and Visual Impact

It is acknowledged that the applicant has also submitted an application for further development which will involve the continued extraction of the quarry and landholding and this application includes further detail on landscaping/restoration including berms. This does overlap with the current application in terms of measures to be undertaken. The rEIAR outlines that during the lifetime of the gravel pit remdial measures in the form of perimeter screen planting and maintaining existing mature boundary trees has been undertaken. The proposed remedial mitigation is to maintain this perimeter screen planting. Ideally this would be formalised in a landscape plan. Also, consideration should be given to restricting the height of stockpiles.

Population and Human Health

Noise:

A comprehensive noise monitoring programme would need to be put in place and implemented by the applicant, with the provision if necessary for the implementation of additional noise mitigation measures.

A condition agreeing/limiting opening hours and operational hours should be considered. It is noted that various opening hours have been identified through the different quarry registration process, so it would be orderly to agree opening hours and operational hours in this process.

Dust and Air Quality:

It is submitted that strict adherence to operational procedures incorporating best practice will ensure dust mitigation from the site will be minimised. The topographical and local climatic factors will result in the majority of airborne dust generated at the site being deposited within the site boundary. In addition, the environmental monitoring programme will highlight elevated dust emissions so that mitigation measures can be reviewed, or new ones introduced. Conditions restricting emissions, requiring dust monitoring etc. should be considered.

Vibration:

While vibration has not been identified as an effect on the environment in this quarry, the Board may wish to consider whether a vibration monitoring programme is appropriate.

Environmental Aspects

Biodiversity and Ecology:

The main objectives for future operations at this quarry should be to:

- Ensure the protection of surface and ground water quality within the receiving catchments;
- Re-instate natural hydrological conditions in the stream;
- Ensure that future activities within the site do not cause disturbance to protected species within or adjacent to the site; and to
- Provide for the protection of higher value habitats within the site boundary. These include woodland areas, areas supporting woodland scrub habitat, mature hedgerows and treelines and wetlands.

Specific recommendations for remedial measures under this topic are as follows:

- It is noted that no mitigation is proposed in this EIAR to prevent or minimise impacts on terrestrial habitats and species. Mitigation measures are proposed in the application for consent for further development of the site however, additional information is required in respect of some of the measures which are proposed.
- It is proposed to re-instate the site for agricultural uses. No timeline or other details are proposed. Further detail is necessary.

Surface Water, Ground Water and Water Quality:

Specific recommendations for remedial measures under this topic are as follows:

- It is considered that the EMS is lacking in detail in the rEIAR. Further information should be requested in this regard.
- The Planning Authority is concerned that water is abstracted from the stream and note that no assessment has been provided as to the impact of this abstraction on natural hydrological flows in the stream. Further information should be requested in this regard.
- It is noted that the quarry operators had previously constructed a weir on the Clashavoon Stream and that this was obstructing free passage of fish up the stream. The weir is stated now to be partially removed. Further information is required in relation to this to establish whether the partial removal of the weir has been effective.
- Further detail is required to assess of impacts of these interventions in the stream on water quality, hydrological processes, aquatic habitats and species. In addition further remedial mitigation measures may be required to offset impacts arising from these interventions, including at a minimum the removal of the weir or the putting in place of measures to allow for the free passage of fish up the stream. Changes might also be required in relation to the water abstraction if further assessment indicates that this is negatively impacting the hydrology of the stream and impacting negatively on associated habitats and species.
- Applicant should be requested to install a water meter on the pumping system from the Clashavoon Stream to measure the level of abstraction from the stream. The applicant will need to register this abstraction if it is greater than 25m^3/day.

- Applicant should demonstrate clearly if there is a discharge from the settlement pond system, & what is the volume & quality of any such discharge.
- Surface water discharge locations from the quarry site should be clearly marked on the site maps, & these discharge locations should also be physically identified on site where they cross the local road L-3423-20.
- The applicant should be requested to carry out a detailed assessment of the stability of the banks surrounding the settlement ponds as failure of one of these banks could result in accidental discharge of large volumes of silt laden water to the nearby public road & stream. Any necessary remedial measures shall be carried out.
- The applicant should be requested to carry out an assessment of the stability of the silt stores to ensure they are stable & not discharging silt or fines to surface water in periods of heavy rainfall. Any necessary remedial measures shall be carried out.
- The applicant should be requested to include the correct Q value results for the River Laney in the report & to correct any further references to water quality in the Laney river.
- The location & nature of the discharge to the Clashavoon stream, & subsequent increase in siltation of the stream should be clarified by the applicant. Remedial measures to minimise any potential siltation in the stream should be identified.
- The applicant should be requested to consult with Inland Fisheries Ireland with a view to modifying or removing this barrier.
- The applicant should be requested to install a water meter on the pumping system from the Clashavoon Stream to measure the level of abstraction from the stream. The applicant will need to register this abstraction if it is greater than 25m^3/day.

Section 177I (2) (e) the opinion, including reasons therefore, of the manager as to –

(i) Whether or not substitute consent should be granted for the development, and

(ii) The conditions, if any, that should be attached to any grant of substitute consent.

A separate report noting the opinion of the Divisional Manager, Cork County Council, is attached. The broad principle of this quarry at this location is generally acceptable but as highlighted in the report, there are areas where the information submitted lacks sufficient detail. This makes it difficult to provide a comprehensive assessment of potential effects on the environment, and therefore in the absence of this information, the Planning Authority cannot support the granting of substitute consent.

The following points of further information would be required and are set out below. Should it be decided to proceed with a recommendation that Substitute Consent be granted, conditions to be imposed have also been set out.

FURTHER INFORMATION REQUIRED

1. How is the 15kmh speed limit enforced at the site? This is noted and submitted as an existing dust suppression measure employed at the site.

2. Submit proposals for the on-site sprinkler system, which should be a part of the dust mitigation strategy.

3. Submit a comprehensive dust monitoring and management plan to assess and evaluate existing dust levels. This, along with accompanying meteorological data, should be undertaken to enable the assimilative capacity of the receiving environment to be determined.

4. Please confirm the maximum height of stockpiles on site.

5. No mitigation is proposed in this rEIAR to prevent or minimise impacts on terrestrial habitats and species. Mitigation measures are proposed in the application for consent for further development of the site however, additional information is required in respect of some of the measures which are proposed. An outline Habitats and Species management Plan is required in this regard.

6. No timeline or other details are proposed in relation to the reinstatement of the site for agricultural uses. An outline Restoration Plan to include detailed proposals for phased restoration of quarried areas using excavated topsoils and subsoils. The plan shall also provide for the protection and enhancement of habitats identified to be of high natural value within the site including wetland areas; and where possible and appropriate, for the creation of additional areas of biodiversity value within the site. The plan should be prepared with input from an ecologist.

7. Submit an Environmental Management System. This shall include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan shall also include details of the management structure setting out responsibilities for oversight of the implementation of the system.

8. Water is abstracted from the Clashavoon Stream and no assessment has been provided as to the impact of this abstraction on natural hydrological flows in the stream. Submit details relating to the ongoing abstraction of water from the Clashavoon Stream to include an assessment of the impacts of same on hydrological processes, aquatic habitats and species.

9. A weir on the Clashavoon Stream has been obstructing free passage of fish up the stream. The weir is stated now to be partially removed. Give details as to whether the partial removal of the weir has been effective?

10. Further detail is required to assess of impacts of these interventions in the stream on water quality, hydrological processes, aquatic habitats and species. In addition further remedial mitigation measures may be required to offset impacts arising from these interventions, including at a minimum the removal of the weir or the putting in place of measures to allow for the free passage of fish up the stream. Changes might also be required in relation to the water abstraction if further assessment indicates that this is negatively impacting the hydrology of the stream and impacting negatively on associated habitats and species.

11. Submit a detailed assessment of the stability of the banks surrounding the settlement ponds as failure of one of these banks could result in accidental discharge of large volumes of silt laden water to the nearby public road & stream. Any necessary remedial measures shall be identified.

12. Submit an assessment of the stability of the silt stores to ensure they are stable and not discharging silt or fines to surface water in periods of heavy rainfall. Any necessary remedial measures shall be identified.

13. Submit the correct Q value results for the River Laney in the report and correct any further references to water quality in the Laney River.

14. Clarify the location & nature of the discharge to the Clashavoon stream, (referred to on p.131 of Volume 2 of EIAR Main Report) and subsequent increase in siltation of the stream. Remedial measures to minimise any potential siltation in the stream should be identified.

15. Demonstrate clearly if there is a discharge from the settlement pond system to the Clashavoon Stream, and what is the volume & quality of any such discharge.

16. Surface water discharge locations from the quarry site should be clearly marked on the site maps, & these discharge locations should also be physically identified on site where they cross the local road L-3423-20.

17. The applicant should be requested to consult with Inland Fisheries Ireland with a view to modifying or removing the weir on the Clashavoon Stream.

Should it be decided to proceed with a recommendation that Substitute Consent be granted for this development, then the Planning Authority recommends that the following conditions would be imposed in the interests of protecting water quality, habitats of high natural value and associated species and the environment in general.

1. The grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála on the 27th day of August 2020 except as may otherwise be required to comply with the following condition.

   Reason: In the interest of clarity.

2. All environmental mitigation measures identified within the remedial Environmental Impact Assessment Report and associated documentation shall be implemented in full.

   Reason: In the interests of proper planning and sustainable development.

3. Operations on site shall be undertaken between the hours of 09.00 and 18.00 Monday to Friday and 09.00 to 16.00 on Saturdays. The site shall not open and no operations shall be undertaken on Sundays or Public Holidays.

   Reason: In the interests of residential amenity.

4. Within three months of the granting of Substitute Consent the developers shall submit for agreement with the Planning Authority an Environmental Management System. This shall include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan shall also include details of the management structure setting out responsibilities for oversight of the implementation of the system.

   Reason: To protect the environment.

5. Within three months of the granting of Substitute Consent, the developers shall submit for agreement with the Planning Authority a Habitat and Species Management Plan to include

details of all measures to be put in place to ensure the avoidance of disturbance to protected species on site, and to provide for the protection of habitats of high natural value which are extant and intended to be retained on site. The plan shall also include proposals to provide for the re-instatement of free passage of fish on the Clashavoon Stream and should also include details of measures to be implemented to control the spread of invasive species. Measures relating to the reinstatement of the stream shall be agreed within Inland Fisheries Ireland prior to submission to the Planning Authority.

Reason: To protect the environment.

6. Within three months of the granting of Substitute Consent, the developers shall submit for agreement with the Planning Authority a phased Restoration Plan for the site. This shall include detailed proposals for phased restoration of quarried areas using excavated topsoils and subsoils. The plan shall also provide for the protection and enhancement of habitats identified to be of high natural value within the site; and where possible and appropriate, for the creation of additional areas of biodiversity value within the site.

   Reason: In the interests of proper planning and sustainable development.

7. Dust deposition levels arising out of activities on site shall not exceed 350 milligrammes per square metre per day, averaged over 30 days , when measured at the site boundaries. A revised dust monitoring programme shall be agreed with the Planning Authority.

   Reason: To safeguard the amenities of the area.

8. All site operations shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs off-site.

   Reason: To safeguard the amenities of the area.

9. The fixed water spray system shall be installed to include the access road, all internal roads, all processing areas, storage yards / storage bays and bins. Mobile water browsers/sprayers shall be operated in locations where it is impractical or inappropriate to use a fixed water spray system.

   Reason: To safeguard the amenities of the area.

10. Noise levels emanating from the proposed development when measured at Sensitive receptors shall not exceed 55dBA (30 minute Leq) between 0800 hours and 1800 hours, Monday to Saturday inclusive excluding public holidays. Noise emissions shall not exceed 45 dBa (30 minute Leq) at any other time. Measurements shall be made in accordance with ISO recommendation R.1996/1 "Acoustics - Description and Measurement of Environmental Noise, Part 1: Basic Quantities and Procedures."

    If noise contains a discrete, continuous tone (whine, hiss screech, hum etc.), or if there are distinctive impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of + 5dbA will be applied to the measured noise level and this increased level shall be used in checking compliance with the specified levels.

    Reason: To safeguard the amenities of the area.

11. A noise monitoring programme shall be implemented by the developer. The extent and timing of the programme and the monitoring sites used shall be agreed with the planning Dept. in advance. The results of each survey shall be submitted to the Planning Authority within one month of completion of the survey. The developer shall carry out such additional noise mitigation measures as may be deemed necessary following a review of each or all noise survey results.

    Reason: To safeguard the amenities of the area.

12. The applicant shall record all complaints received relating to site operations. The record shall contain the name of the complainant, nature, time and date and a summary of the company's investigation and response including the name of the person who investigated the complaint and their relationship to the developer or operator of the site. All records of complaints shall be made available to the planning authority on request whether requested in writing or by a member of staff of the Local Authority at the site.

    Reason: To provide for information on complaints received and follow on investigation.

13. All operations on site shall be carried out in a manner which ensures that there is no discharge of polluting matter to waters.

    Reason: To safeguard the amenities of the area.

14. All over ground tanks containing hydrocarbons shall be contained in a waterproof bunded area, the capacity of the bund is to be the greater of the following; 110% of the largest tank size or 25% of total volume stored in the bunded area. All valves on the tank shall be contained within the bunded area. The bunded area shall be fitted with a locking valve that shall be opened only to discharge storm water. The developer shall ensure that this valve is locked at all times.

    Reason: In the interests of orderly development.

15. A concrete apron shall be provided where the handling of hydrocarbons will take place. The concrete apron shall drain through an appropriately sized oil interceptor.

    Reason: In the interests of orderly development.

16. Within 3 months of the grant of Substitute Consent the applicant shall carry out a detailed assessment of the stability of the banks surrounding the settlement ponds & carry out any necessary remedial measures.

    Reason: In the interests of orderly development and public safety.

17. Within 3 months of the grant of Substitute Consent the applicant shall carry out an assessment of the stability of the silt stores to ensure they are stable & not discharging silt or fines to surface water in periods of heavy rainfall, & carry out any necessary remedial measures.

    Reason: In the interests of proper planning and sustainable development.

18. Within 3 months of the grant of Substitute Consent the applicant shall identify the location & nature of the discharge to the Clashavoon stream, (referred to on p.131 of Volume 2 of EIAR Main Report), & put in place remedial measures to minimise any potential siltation in the stream.

    Reason: In the interest of clarity and to protect the environment.

19. Within 3 months of the grant of Substitute Consent the applicant shall demonstrate clearly if there is a discharge from the settlement pond system to the Clashavoon Stream, & what is the volume & quality of any such discharge. The volume & quality of any proposed discharge of process water off site shall be agreed in writing with the Local Authority.

    Reason: In the interest of clarity and to protect the environment.

20. The applicant shall install marking posts at the locations where any surface water discharges from the gravel pit site cross the local road L-3423-20 before discharging to the stream/river.

    Reason: To protect the environment.

21. Within 3 months of the grant of Substitute Consent the applicant shall consult with Inland Fisheries Ireland, (IFI), with a view to modifying or removing the weir on the Clashavoon Stream. The applicant shall comply with recommendation from IFI.

    Reason: In the interests of proper planning and sustainable development.

22. The applicant shall install a water meter on the pumping system from the Clashavoon Stream to measure the level of abstraction from the stream. The applicant will need to register this abstraction if it is greater than $25m^3$/day.

    Reason: To protect the environment.

23. No material from the site shall be carried onto the public road by wheels of vehicles exiting the site.

    Reason: In the interests of orderly development and public safety.

24. Submit a report to Geological Survey Ireland detailing the site investigations carried out including identification of significant bedrock cuttings created and any digital photographic records of same.

    Reason: In the interests of clarity and to assist with geological knowledge of natural resources.

25. Submit a Landscaping Plan with emphasis on the maintenance and renewal of tree planting along the perimeter of the site.

Susan Hurley,
Executive Planner

Appendix 1: Internal Consultant Reports

Environment Directorate (Noise and Air Quality)

Ummera Gravel Pit, Macroom, County Cork –Substitute Consent Application.

This report relates to a review of the Noise and Air impact assessment of the Remedial Environmental Impact Assessment Report (rEIAR) and associated documents, prepared in support of the substitute consent application for the existing gravel pit.

The substitute consent development is a gravel pit on a landholding extending to 20.22 hectares. The substitute consent application extends to an area of 10.5 hectares, in which gravel extraction has been carried out since the 1940's.

Chaper 5 Noise:

The nearest receptor is submitted to be approximately 55 metres from the working area. The nearest receptors are illustrated in figure 5.2 and detailed as follows:

-Two dwellings northeast of the converged roads outside the northeast corner of the site, the nearer of which lies 250 metres from the pit area with several dwellings further north east
-a farmhouse on the third class road,55 m from the working area which represents the nearest receptor.
-A cottage 140m south of the working area
-A farmhouse 85m southwest of the site boundary,and 200m southwest of the working area.
--a cottage 540m southwest of the working area
-several dwellings also to the southwest, the nearest of which is 680m from the working area.
-nearest receptor to the North 720m from the site
-nearest receptor to the Soutt 1.4km from the site.

In summary it is noted as per Section 4.1 that there are 14 houses within 500metres of the DCWL landownership boundary and of these,5 houses are within 500 metres of the substitute consent boundary.

Land use in the area is predominantly agricultural, with the chief noise sources present in the local Environment being DCWL operations, agricultural activity and road traffic.

A noise survey was undertaken on 24 October,2019 at 4 selected locations in order to quantify the residual soundscape. These are illustrated in figure 5.7 and described in Table 5.1. It is noted that the washing plant was not operating during the survey but the loader was in limited use. It is submitted that there was minimal offsite impact and the measured levels are considered representative of the residual soundscape. (noise level remaining when the specific source is absent of does not contribute to ambient.)

Residual $L_{AF90\ 15}$ min levels are submitted as 33-35 dB at N2-N4 with N1 being slightly higher at 38 dB due to a nearby watercourse. It is noted that the soundscape at all four locations was dominated by local and distant road traffic and bird song/calls. It is submitted that such levels are considered to be reasonably representative of levels throughout the 1990-2019 period as traffic volume levels are unlikely to have altered significantly and a substantial change in traffic volume is required before a perceptible change in noise levels occurs. It is also submitted that noise levels are unlikely to have

altered appreciably over the assessment period based on a review of historic satellite imagery and the fact that the L-3423 is not a major commuter route.

Onsite plant sources are listed as per table 5.3. with permitted operating hours detailed as per table 5.4. It is submitted that changes in the noise regime have been minimal since 1990. I note that no historic noise data is submitted for the site, however it is stated that given the minimal changes in the noise regime since 1990, it is considered that current noise levels are reasonably indicative of historic emissions. To that end, noise levels in the vicinity of the DCWL site were measured on 31st October,2019. Measured noise data is presented as per Table 5.5 and it is submitted that audible plant emissions currently give rise to specific L_{Aeq} T levels less that 40 dB at N1, N3 and N4 with levels rising to 42 dB at N2 which it is stated is likely to be similar to historic noise emissions from the site.

An L_{Aeq} 1h limit of 55 dB applicable at receptors is considered relevant to the DCWL site since 1990. This limit is also set out in Condition 36 of Quarry registration QR01. It is submitted that measured noise data indicate that the specific noise levels attributed to DCWL are below the 55 dB criterion at off site receptors and are likely to have remained consistently below the criterion since the 1990 opening of the substitute consent window. It is stated that no mitigation measures are specifically warranted but a number of general mitigation measures are detailed and proposed as per Section 5.9.

Having reviewed the above, it is noted that there is a no historic noise data in respect of this site. No noise monitoring data has been made available to support this application, prior to the survey's that have been conducted in October 2019. I am not however aware of any ongoing noise complaints in respect of the site. Overall, in respect of a retrospective assessment, the applicant has made a reasonable attempt to assess the impact in my view.

In that context, going forward ,a comprehensive noise monitoring programme would now need to be put in place and implemented by the applicant, with the provision if necessary for the implementation of additional noise mitigation measures.

Chapter 6 -Air Quality

It is noted that dust monitoring was conducted at the site at 3 locations from 4th October- 4 November,2019, using Bergerhoff gauges as per the German VDI 2119 standard method 'Measurement of Dustfall'. These are referenced in Figure 6.1. Any historical dust results refer to dates in 2006/2007. A summary of the dust monitoring results are presented in Table 6.3. Condition 12 of quarry registration QR01 sets an emission limit of 350mg/m2/day at the site boundary. It is submitted that from a walkover of the site, that there is no indication of dust deposition along the boundary vegetation. It is not clear however when this took place or the weather conditions at the time. Dust from a sand and gravel pit is produced from the drying of silt and fines, as well as the movement of vehicles. It is submitted that the principle sources of air-borne emissions from the site include;

-stripping of the topsoil/overburden
-the front end loader hauling gravel from the working face
-stockpiling of the material
-stockpiling of silt
-movement and loading of the haulage trucks

It is noted that residents of the nearest house (H1) noted nuisance dust deposition at their property in the late 1990's/2000's. It is submitted that they also noted that dust nuisance has not been an issue in recent years. It is stated that operations at the pit have not changed in any significant way, so it is not clear why this is the case. It is stated that it may be that as trees matured along the western boundary of the gravel pit, they protected the site from the prevailing wind direction.

Section 6.4 details dust mitigation measures employed at the site. These I would consider to be standard dust mitigation measures. It is noted that the sprinkler system which would also be considered to be part of any such mitigation has fallen into disrepair in recent years. It is also noted in terms of remedial mitigation that it is proposed to pave the access road from the public road to the yard area and a dust monitoring programme is proposed.

In conclusion it is submitted that strict adherence to operational procedures incorporating best practice will ensure dust mitigation from the site will be minimised. The topographical and local climatic factors will result in the majority of airborne dust generated at the site being deposited within the site boundary. In addition, the environmental monitoring programme will highlight elevated dust emissions so that mitigation measures can be reviewed, or new ones introduced.

In terms of this application, it is difficult to assess the retrospective impact of the site due to the limited amount of historical dust monitoring data available to support this application. The Quarries and Ancillary Activity Guidelines for Planning Authorities acknowledge that residents living in proximity to quarries can potentially be affected by dust upto 0.5 km from the source. The Guidelines, however also note that continual or severe concerns about dust are most likely experienced within about 100m of the dust source. It is noted that there are 14 houses within 500metres of the DCWL landownership boundary and of these,5 houses are within 500 metres of the substitute consent boundary. I am however not aware of any Air complaints logged with the Local Authority in recent times and note the submission above from the applicant in respect of previous complaints and also in terms of the aggregate processing being a wet process. In terms of going forward, the applicant should clarify;

1.) How the 15kmh speed limit is enforced at the site. This is noted and submitted as an existing dust suppression measure employed at the site.

2.) Proposals for the on-site sprinkler system, which should be a part of the dust mitigation strategy

3.) A comprehensive dust monitoring and management plan should be put in place to assess and evaluate existing dust levels. This, along with accompanying meteorological data, should be undertaken to enable the assimilative capacity of the receiving environment to be determined.

Recommended Conditions:

1. Dust deposition levels arising out of activities on site shall not exceed 350 milligrammes per square metre per day, averaged over 30 days , when measured at the site boundaries. A revised dust monitoring programme shall be agreed with the Planning Authority.

Reason: *To safeguard the amenities of the area.*

2. All site operations shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs off-site.

Reason: *To safeguard the amenities of the area.*

3. The fixed water spray system shall be installed to include the access road, all internal roads, all processing areas, storage yards / storage bays and bins. Mobile water browsers/sprayers shall be operated in locations where it is impractical or inappropriate to use a fixed water spray system

Reason: *To safeguard the amenities of the area.*

4. Noise levels emanating from the proposed development when measured at Sensitive receptors shall not exceed 55dBA (30 minute L_{eq}) between 0800 hours and 1800 hours, Monday to Saturday inclusive excluding public holidays. Noise emissions shall not exceed 45 dBa (30 minute Leq) at any other time. Measurements shall be made in accordance with ISO recommendation R.1996/1 "Acoustics - Description and Measurement of Environmental Noise, Part 1: Basic Quantities and Procedures."

If noise contains a discrete, continuous tone (whine, hiss screech, hum etc.), or if there are distinctive impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of + 5dbA will be applied to the measured noise level and this increased level shall be used in checking compliance with the specified levels.

Reason: *To safeguard the amenities of the area.*

5. A noise monitoring programme shall be implemented by the developer. The extent and timing of the programme and the monitoring sites used shall be agreed with the planning Dept. in advance. The results of each survey shall be submitted to the Planning Authority within one month of completion of the survey. The developer shall carry out such additional noise mitigation measures as may be deemed necessary following a review of each or all noise survey results.

Reason: *To safeguard the amenities of the area.*

6. The applicant shall record all complaints received relating to site operations. The record shall contain the name of the complainant, nature, time and date and a summary of the company's investigation and response including the name of the person who investigated the complaint and their relationship to the developer or operator of the site. All records of complaints shall be made available to the planning authority on request whether requested in writing or by a member of staff of the Local Authority at the site.

Reason: *To provide for information on complaints received and follow on investigation*

Andrew Mc Donnell,
Executive Scientist,
Environment Directorate,
Inniscarra,
County Cork.

30.9.2020

Environment Directorate (Water Quality and Other Issues)

Report 1
Re: Ummera Gravel Pit, Macroom, Co. Cork, Substitute Consent Application.
Report Date: 30/09/2020
Relevant Documents Reviewed: Remedial EIAR and drawings.
Site Visit: 28/9/2020

Assessment of existing gravel pit.

The existing gravel pit is located in a rural setting in the townland of Ummera, approximately 2.5km to the northeast of Macroom. The gravel pit is located in a landholding of approximately 20.22ha, of which 17ha was included for registration under Section 261. This 17ha of land is not interrupted by any natural or man-made boundaries. The remaining lands in the folio comprise public roads or is separated from the 17ha by public roads. Areas within the 17ha not worked are used for grazing and host the old farmhouse and farm buildings. Part of the landholding is located between the public road and the Clashavoon Stream; the original settlement pond for the gravel pit is located in this area. The surrounding land use is predominantly grazing.
The site is accessed from the National Primary Route N22 via regional road R618, local road L-3423-0 and local road L-3423-20. The pit entrance is from local road L-3423-20.
The site varies in elevation between approximately 85mOD and 115mOD. The site entrance is at an elevation of approximately 85mOD, rises to the east to approximately 115mOD. The floor of the gravel pit is at an elevation of approximately 91mOD.

There are 6 houses within 500m of the further development boundary. Two houses are located nearest the further development boundary at approximately 15m and 40m respectively.

The existing activities at Ummera gravel pit consist of extraction of sand & gravel in an area currently extending to approximately 3.4ha, with yard area, settlement ponds and stockpile areas extending to approximately 7.1ha.
The processes and activities at the gravel pit are summarised as follows:
1. Topsoil and overburden are stripped from the area from which gravel is to be extracted. Stripping is carried out using an excavator. A dumper is used to draw soil around the site if necessary. The topsoil and overburden are used to provide temporary screening around the working area.
2. The deposit is variable in content (variable grain size), so is worked in different areas to achieve the desired blend of aggregate sizes to suit demand. Silt/clay layers occur in the deposit and these are set aside using an excavator.
3. Gravel is loaded into the washing plant using the front-end loader. The washing plant screens the aggregate into a number of size fractions, including sand, 6 to 10mm stone, 10 to 20mm stone, 20 to 50mm stone and 50mm+ stone.
4. Silts and fines are carried to the settlement ponds by the wash water. The ponds are cleaned periodically, and the silt is stored to the west and east of the ponds where it dries out. The silt will be used for future restoration. Occasionally, there is demand for this silt for use as bedding sand.

Settlement Pond System

The material which is excavated from the quarry is loaded into the washing plant on site & is washed & separated into various fraction of sand & gravel which are sold off site. Large

volumes of water are used daily in the gravel washing plant. Silt laden wash water from the washing plant discharges to 4 settlement ponds located in the north-western part of the site. The wash water from the washing plant discharges to the eastern pond, & flows from there through the other 3 ponds. The ponds are linked with 300mm diameter HDPE pipes so that water flows from one pond to the next, with silt settling out during this process. Water is pumped from the fourth pond back into the washing plant. This recirculation of wash water reduces the need for fresh water to be pumped from the Clashavoon stream to feed the washing plant.
Storm water from the area around the washing plant is directed into the settlement ponds. This is the area which is most trafficked, & therefore storm water from this area is likely to be silt laden.
The level of water in the ponds drops due to evaporation, & due to infiltration into the underlying lands. The water level in the ponds is topped up by rainfall to the ponds & storm water run-off from the area surrounding the washing plant. The site operator advises that water is occasionally pumped from the Clashavoon Stream to top up pond 4, this usually only happens at very dry times of the year. The operator advises that since the new settlement pond system has been put in place there is a much lower requirement for water to be abstracted from the Clashavoon Stream.
During periods of heavy rainfall settlement pond 4 may overflow. This overflow is directed to another new settlement pond south of the access road. Any overflow from this pond will discharge off-site to the Clashavoon Stream.
Silt builds up in the ponds over time & is removed approx. once a year using an excavator & dump truck. Silt removed from the ponds is currently being stored in an area to the south west of the ponds. Silt is also stored at other locations within the quarry area.

The applicant should be requested to carry out a detailed assessment of the stability of the banks surrounding the settlement ponds as failure of one of these banks could result in accidental discharge of large volumes of silt laden water to the nearby public road & stream. Any necessary remedial measures shall be carried out.

The applicant should be requested to carry out an assessment of the stability of the silt stores to ensure they are stable & not discharging silt or fines to surface water in periods of heavy rainfall. Any necessary remedial measures shall be carried out.

Water Quality;

The Biological Water Quality (Q value) data provided by the applicant for the nearby River Laney, in Volume 2 of EIAR Main Report at Table 10.7, (p.105), & referenced in "Aquatic Ecology, Surface Water/Water Quality" on p.104, is incorrect.
The two monitoring points referenced in Table 10.7 are 09L010400, & 09L010500. These are monitoring points on the River Liffey. There is further reference to these incorrect results on p.132 & p.138 where the applicant states that;

"These data suggest that water quality downstream of the gravel pit broadly mirror those of the upstream station on the River Laney; with the worst case of water quality (Q2-3, Poor in 1995) noted on the River Laney upstream the gravel pit."

This statement is clearly incorrect as Q values on the Laney both upstream & downstream of the Clashavoon confluence have always been at Q4/5 or Q5 as shown below in the extract from EPA River Quality Surveys for Hydrometric Area 19.

Table 10.7 Volume 2 of EIAR Main Report;

Table 10-7: Q-Value recorded on the R. Laney River – 1973- 2018

Year	Q-Value 09L 010400 R. Laney: upstream of Clashavoon confluence	Status	Q-Value 09L 010500 R. Laney: downstream of site	Status
2007	3-4	Moderate	4	Good
2010	3-4	Moderate	4	Good
2012	3-4	Moderate	3-4	Moderate
2013	3-4	Moderate	3-4	Moderate
2016	3-4	Moderate	3-4	Moderate
2018			4-5	High

Note – Data refers to EPA Segment 19_2242.

The following is an extract from EPA River Quality Surveys for Hydrometric Area 19 which shows the correct Q Values for the River Laney.

Date Report Generated: 29/09/2020

LANEY **19L01**

Date Surveyed (last survey year only): 11/06/19

Biological Quality Rating (Q Values)

Station Code	1976	1981	1986	1990	1994	1997	1999	2002	2005	2008	2011	2014	2017	2018	2019
RS19L010100		5	5	5	4	4-5	4	4-5	4	4	4-5	4-5	4-5		
RS19L010200		5	5	5	4	4-5	4-5	4-5	4-5	4-5	4-5	4-5	4-5		
RS19L010300		5	5	5											
RS19L010400		5	5	5	4-5	4-5	4-5	4-5	4-5	4-5	4-5	4-5	5	4-5	4-5
RS19L010500	5	5	5	4	4-5	4-5	4-5	4-5	4-5	4-5	4-5	4-5	5	4-5	4-5

Most Recent Assessment:

Continuing Satisfactory with High ecological quality at all four stations sampled in 2017. Further assessments at Morris's Bridge (0400) and Ford's Mill (0500) in 2019 confirmed continued High ecological condition at both sites.

The applicant should be requested to include the correct Q value results for the River Laney in the report & to correct any further references to water quality in the Laney river.

It is noted that on p.131 of Volume 2 of EIAR Main Report, the applicant states that SSRS results on the Clashavoon Stream, upstream & downstream of the abstraction point, indicate that the stream is "At Risk" of not achieving WFD objectives.
The applicant goes on to state that;
The main difference between the two sites is the amount of detritus material present in the samples and siltation within the channel. Both factors were greater at the downstream sampling site. Although the increase of these factors was not expressed in the macroinvertebrate community of Site 1, it is possible that the gradient and flow type of the Clashavoon Stream may be compensating for any potential effects from the discharge within the Clashavoon Stream.

It is not clear what discharge the applicant is referring to in this statement, but it appears that there is a discharge from the quarry to the Clashavoon Stream which is resulting in an increase in siltation in the stream. The applicant refers to increased siltation levels in the stream in subsequent paragraphs.

The location & nature of the discharge to the Clashavoon stream, & subsequent increase in siltation of the stream should be clarified by the applicant. Remedial measures to minimise any potential siltation in the stream should be identified.

Discharge locations.

It is not clear from the details submitted by the applicant whether there is an ongoing discharge from the settlement lagoons to the stream, or what is the volume or quality of this discharge.
The applicant shows a number of springs rising in the quarry area. There is no clear mapping of the locations where surface water from the existing site discharges to the Clashavoon Stream.
Visual inspection of the Clashavoon stream does not indicate any major impact from the current discharges from the existing quarry area.

The operator should be asked to demonstrate clearly if there is a discharge from the settlement pond system, & what is the volume & quality of any such discharge.

Surface water discharge locations from the quarry site should be clearly marked on the site maps, & these discharge locations should also be physically identified on site where they cross the local road L-3423-20.

Water abstraction from Clashavoon Stream

The weir which was constructed to facilitate extraction of water from the Clashavoon stream for site operations is still in place, & still forms a significant physical barrier on the stream. This weir may be creating a barrier to fish movement in the stream.

The applicant should be requested to consult with Inland Fisheries Ireland with a view to modifying or removing this barrier.

The applicant should be requested to install a water meter on the pumping system from the Clashavoon Stream to measure the level of abstraction from the stream. The applicant will need to register this abstraction if it is greater than 25m^3/day.

Waste Water Management

The existing site is stated to be served by a septic tank & percolation area. There is only one full time employee on site, therefore loading to this system is presumed to be low.
The applicant is proposing to discontinue using this septic tank & percolation area & instead to use a 2.2m^3 sealed holding tank which will be serviced by a licenced contractor. This is acceptable.

Management of Hydrocarbons on Site

The main powered equipment on site are the electrically driven water pumps, electrically driven washing plant, & the diesel powered loader. Diesel powered tracked excavators & dump-trucks are brought on site occasionally.
Sand & gravel are hauled off the site in trucks & tractors/trailers.
The applicant is proposing to construct a concrete refuelling pad with oil interceptor & a bunded fuel/oil storage tank.

Environmental Management System

The applicant states that an Environmental Management System, (EMS), is in place for the Ummera Gravel Pit. The applicant has proposed an Environmental Monitoring Programme to form part of the EMS.

I concur with Sharon Caseys recommendation that the applicant be requested to submit;

An outline Environmental Management System to include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan should also include details of the management structure setting out responsibilities for oversight of the implementation of the system.

Recommendation for Further Information/Clarification;

I recommended that the applicant be requested to provide the following further information/ clarification:

1. Carry out a detailed assessment of the stability of the banks surrounding the settlement ponds as failure of one of these banks could result in accidental discharge of large volumes of silt laden water to the nearby public road & stream. Any necessary remedial measures shall be identified.

2. Carry out an assessment of the stability of the silt stores to ensure they are stable & not discharging silt or fines to surface water in periods of heavy rainfall. Any necessary remedial measures shall be identified.

3. Include the correct Q value results for the River Laney in the report & to correct any further references to water quality in the Laney river.

4. The location & nature of the discharge to the Clashavoon stream, (referred to on p.131 of Volume 2 of EIAR Main Report), & subsequent increase in siltation of the stream should be clarified by the applicant. Remedial measures to minimise any potential siltation in the stream should be identified.

5. Demonstrate clearly if there is a discharge from the settlement pond system to the Clashavoon Stream, & what is the volume & quality of any such discharge.

6. Surface water discharge locations from the quarry site should be clearly marked on the site maps, & these discharge locations should also be physically identified on site where they cross the local road L-3423-20.

7. The applicant should be requested to consult with Inland Fisheries Ireland with a view to modifying or removing the weir on the Clashavoon Stream.

8. An outline Environmental Management System to include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan should also include details of the management structure setting out responsibilities for oversight of the implementation of the system.

Recommended Conditions if Consent is to be granted:

Should it be decided to proceed with a recommendation that Substitute Consent be granted for this development, then I recommend that the following conditions should be applied to any permission granted.

26. All operations on site shall be carried out in a manner which ensures that there is no discharge of polluting matter to waters.

27. All over ground tanks containing hydrocarbons shall be contained in a waterproof bunded area, the capacity of the bund is to be the greater of the following; 110% of the largest tank size or 25% of total volume stored in the bunded area. All valves on the tank shall be contained within the bunded area. The bunded area shall be fitted with a locking valve that shall be opened only to discharge storm water. The developer shall ensure that this valve is locked at all times.

28. A concrete apron shall be provided where the handling of hydrocarbons will take place. The concrete apron shall drain through an appropriately sized oil interceptor.

29. Within 3 months of the grant of Substitute Consent the applicant shall carry out a detailed assessment of the stability of the banks surrounding the settlement ponds & carry out any necessary remedial measures.

30. Within 3 months of the grant of Substitute Consent the applicant shall carry out an assessment of the stability of the silt stores to ensure they are stable & not discharging silt or fines to surface water in periods of heavy rainfall, & carry out any necessary remedial measures.

31. Within 3 months of the grant of Substitute Consent the applicant shall identify the location & nature of the discharge to the Clashavoon stream, (referred to on p.131 of Volume 2 of EIAR Main Report), & put in place remedial measures to minimise any potential siltation in the stream.

32. Within 3 months of the grant of Substitute Consent the applicant shall demonstrate clearly if there is a discharge from the settlement pond system to the Clashavoon Stream, & what is the volume & quality of any such discharge. The volume & quality of any proposed discharge of process water off site shall be agreed in writing with the Local Authority.

33. Install marking posts at the locations where any surface water discharges from the gravel pit site cross the local road L-3423-20 before discharging to the stream/river.

34. Within 3 months of the grant of Substitute Consent the applicant shall consult with Inland Fisheries Ireland, (IFI), with a view to modifying or removing the weir on the Clashavoon Stream. The applicant shall comply with recommendation from IFI.

35. Within 3 months of the grant of Substitute Consent the applicant shall submit an Environmental Management System for agreement with the Local Authority.

36. Install a water meter on the pumping system from the Clashavoon Stream to measure the level of abstraction from the stream. The applicant will need to register this abstraction if it is greater than $25m^3$/day.

37. No material from the site shall be carried onto the public road by wheels of vehicles exiting the site.

Frank O'Flynn,
Senior Executive Scientist, Environment Directorate.

Ecology Report

To: Thomas Watt, Greg Simpson, Kevin O'Regan

Re: Development: Ummera Gravel Pit, Macroom, Co. Cork Substitute Consent.
Report Date: 25/09/2020
Relevant Documents Reviewed: Remedial EIAR and drawings.
Site Visit: None

This report relates to an application for substitute consent for an existing gravel quarry at Ummera Macroom. It is a contributing report to the report of the Planning Authority as required under section 177I of the Planning and Development Act, with particular focus on section *177I(d)* which requires the report to include:

Any information that the authority may have concerning –

(i) Current, anticipated or previous significant effects on the environment, or an a European site associated with the development or the site where the development took place or, where section 177E(2A)(b) applies, is proposed to take place and, if relevant, the area surrounding or near the development site, or

(ii) Any remedial measures recommended or taken;

and 177I(e) which requires the report to include –

the opinion including reasons therefor, of the chief executive as to-

(i) whether or not substitute consent should be granted for the development, and

(ii) the conditions, if any, that should be attached to any grant of substitute consent.

There is a concurrent application under consideration for substitute consent for additional development at this quarry site. This report should be read in conjunction with my report in respect of that application.

From EIAR

Quarry Operation Details: This is understood to be an active gravel pit site within a landholding of 20.22ha. The total area of land where extraction has been undertaken is given to be 2.34ha. The area of the quarry site including yard, settlement ponds and stockpile areas is given to be 7.1ha. The application for substitute consent applies to **10.5ha** of land.

There is a concurrent application under consideration for substitute consent for further development of quarrying activities at the site within a given area of **15.5ha** including extension of quarrying activity into previously unquarried areas (**2ha**). (Ummera Further Development).

Gravel is excavated using a tack mounted excavator which selects suitable material for processing; silt material is set aside in stockpiles for restoration. Material is drawn to a washing plant where it is screened by aggregate size. Wash water is directed to settlement ponds. These ponds have been created by diverting water from the Clashavoon Stream. Water from the stream is also used to suppress dust within the quarry site. Project description includes the following:

- Ponds are cleaned periodically.

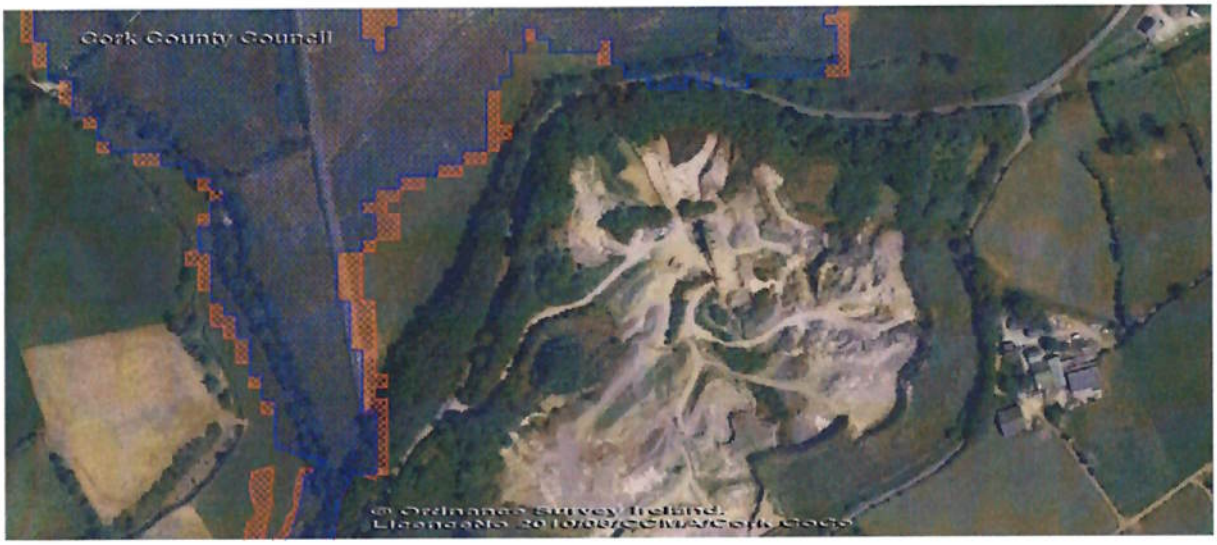
- Silt is stored to the west and east of the ponds where it is stored to be used in future restoration.
- Topsoil and subsoil is reused on site for berm construction and is to be used in the final restoration of the gravel pit.
- Refuelling takes place within the yard area. Fuel is stored in self bunded plastic tank.
- Foul effluent is treated on site in a septic tank.
- Waste oils and hydraulic fluids are disposed of off-site.
- Surface water from the settlement ponds is directed back into the Clashavoon Stream after passing through the settlement ponds. Surface water from stockpiles of soil and silt, the unpaved road is released to the road surface water drainage system and enters the Laney River.

The applicants state that there will be ongoing environmental monitoring of the quarry site in accordance with an Environmental Management System which will provide for the monitoring of dust, noise, groundwater levels and surface water quality.

The applicants state that the quarry has been in operation since the 1940's with current arrangements coming into effect in the 1970's.

It is proposed to return the gravel pit to agricultural use after extraction is completed in accordance with a phased plan.

Site Details: The gravel quarry is located in the Ummera Townland to the north east of the town of Macroom. Aerial imagery indicates that this has been an active quarry site for a considerable period of time. The site is located within an agricultural landscape and bounded by local roads. The Clashavoon Stream which is located proximal to the north and westerly boundaries of the site runs in a southerly direction to meet the River Laney just south of the quarry site. The River Laney runs south to meet the Sullane River to the south and east of Macroom and this river meets the River Lee and forms part of the Carrigadroihid Reservoir approximately 5km downstream of the quarry site. The area is not indicated to be at risk of flooding. The site appears to comprise disturbed ground primarily. There appears to be a buffer of trees to the north and east of the site. The settlement ponds, which are fed from the Clashavoon Stream are located within the northern part of the quarry site.



Hydrology and Surface Water Chap 7: Per above the site is located within the catchment of the Clashavoon Stream. Surface water flows from the site are described to consist of rainwater runoff and flows from springs. These are directed to settlement ponds within the site and water from here is understood to be recycled on site, but some water is returned to the stream at the pump intake point. This activity has resulted in the release of silt to the stream.

The following risks to water quality are identified

- The discharge of overflows from the settlement ponds to the stream pose a risk of introducing silt and other contaminants to the stream.
- To facilitate abstraction of water from the Clashavoon Stream, a weir has been created with boulders at the abstraction point which creates a small backwater upstream of the weir and created an obstruction for fish passage. It is understood that this has now been partially removed.
- The abstraction of water may be impacting negatively on natural hydrological processes in the stream;
- Storm water from exposed soils and stockpiles and the unpaved road is discharging to site drains and reaching the stream;
- Ground water has been encountered on site and discharges from same increase surface flows discharging from the gravel pit during the winter period;
- The storage and use of diesel and hydrocarbons is identified to present a risk to surface water quality.

Water quality monitoring results are presented. It is stated that these indicate that the gravel pit is not impacting negatively on water quality in the receiving environment. It is noted that there appears to be elevated levels of Suspended Solids in the samples recoded downstream of the quarry.

Additional mitigation measures proposed in the EIAR to protect water quality beyond those which are in place (settlement ponds) includes the following:

- a concrete refuelling pad is to be installed to contain spills during refuelling;
- storage of fuel and hydrocarbons is to be improved;
- maintenance and repairs to plant are to be undertaken on the concrete pad;
- a spill kit is to be maintained on site;
- the access road is to be paved and the access road is to be kept clean.

These measures are to be implemented within 6 months of the granting for the substitute consent and further development approval.

EIAR – Chapter 10 Biodiversity: The primary ecological receptors in the receiving environment for which potential impacts are considered in this chapter are:

- EU Sites within 15km of the gravel pit and with a hydrological connection to the site – the Gearagh SAC, the Gearagh SPA and Mullaghanish to Musheramore SPA. Great Island Channel SAC and Cork Harbour SPA;
- pNHAs within 15km of the site;
- Aquatic habitats and species associated with the Clashavoon Stream, River Laney and quarry ponds – including amphibians (frogs and newts) associated with the quarry ponds, fish

species in the rivers and streams and previously recorded population of freshwater pearl mussel recorded in the River Laney downstream of its confluence with the Clashavoon;

- Terrestrial habitats associated with site which is subject to the substitute consent application - recolonising bare ground, gorse/bramble scrub, willow dominated dry woodland, wet willow-alder-ash woodland and settlement ponds;
- Terrestrial habitats within the landholding but outside the area which is the subject of the application – dry meadows and grassy verges, wet grassland; mixed broadleaved woodland, hedgerow, treelines, neutral grassland, wet grassland, willow/bramble scrub;
- Breeding birds including a colony of Sand Martin; and
- Mammals including bats and Otter.

A number of invasive alien species have been recorded within the site.

The EIAR rules out any potential for the quarry to be impacting negatively on European sites or on sites proposed to be designated as Natural Heritage Areas on the basis of a lack of hydrological, physical or other ecological linkages between the quarry and any such site.

The report identifies that while the development of the quarry has likely included the loss of some areas of habitat of local ecological value over time, that these have been replaced with a more diverse mix of semi-natural habitats that currently characterise the site. The assessment of the current condition of the site is that habitats are of no more than local ecological importance (higher value). The report states that the succession and decolonisation of semi-natural habitats on the margins of the extraction area has provided habitats of value for faunal species including small mammals, passerine birds, amphibians. The activities at the quarry have also provided breeding habitat for the colonial breeding species Sand Martin, and the settlement ponds have provided habitat for amphibian species including frogs and newts. The report considers that impacts of the development of the quarry on faunal species may have been minor and positive.

In respect of water quality, aquatic habitats and species, impacts over time are stated to be difficult to assess, were clearly negative historically, but that the situation has improved with measures taken to reduce risk of activities at the quarry causing water pollution and to reduce the level of abstraction of water from the stream.

No additional remedial action is proposed in respect of habitats or species, beyond that which is proposed in respect of the protection of water quality.

Restoration: It is stated that the site will be re-instated to agricultural use on a phased basis. Settlement ponds and planted buffers to be retained. Detailed restoration plan is not provided. The EIAR for the future development does not proposed phased restoration.

Assessment

It is difficult to complete a retrospective assessment without having details of the habitats and species occurring within this area prior to the development of the quarry site. However, I consider the assessment contained in the EIAR of likely retrospective impacts on habitats and species to be reasonable, and it would appear to me that the most significant impacts likely to have been associated with this site to have been associated with risk of impact to water quality and disturbance to protected species.

Looking towards the future, in order to ensure the avoidance of impacts on the environment, the main objectives for future operations at this quarry in my view should be to

- ensure the protection of surface and ground water quality within the receiving catchments;
- re-instate natural hydrological conditions in the stream;
- ensure that future activities within the site do not cause disturbance to protected species within or adjacent to the site; and to
- provide for the protection of higher value habitats within the site boundary. These include woodland areas, areas supporting woodland scrub habitat, mature hedgerows and treelines and wetlands.

Please see my report in respect of future development proposals which assesses the mitigation measures proposed to offset predicted future impacts of the development on ecological receptors.

Water Quality, Hydrological Processes and Freshwater Habitats and Species: I recommend that a suitably qualified person from the Environment Department would be requested to review, assess and comment on the surface water management system, waste water management arrangements (septic tank), and remedial measures which are proposed to be implemented to prevent impacts on surface and ground water quality in the future.

Provided the existing and proposed remedial measures are assessed to be sufficiently robust to ensure the avoidance of surface and ground water pollution, and provided a robust Environmental Management System is put in place, I would be satisfied that the ongoing operation of the quarry would not pose a significant risk of negatively impacting on water quality. I consider the detail in relation to the EMS to be lacking in detail in the EIAR. Please see my report in respect of proposed further development requesting further detail in relation to same.

I am concerned that water is abstracted from the stream and note that no assessment has been provided as to the impact of this abstraction on natural hydrological flows in the stream. Please see my report in respect of proposed further development requesting further detail in relation to same.

I note that the quarry operators had previously constructed a weir on the Clashavoon Stream and that this was obstructing free passage of fish up the stream. The weir is stated now to be partially removed. Further information is required in relation to this to establish whether the partial removal of the weir has been effective.

Further detail is required to assess of impacts of these interventions in the stream on water quality, hydrological processes, aquatic habitats and species. In addition further remedial mitigation measures may be required to offset impacts arising from these interventions, including at a minimum the removal of the weir or the putting in place of measures to allow for the free passage of fish up the stream. Changes might also be required in relation to the water abstraction if further assessment indicates that this is negatively impacting the hydrology of the stream and impacting negatively on associated habitats and species – please see my report in respect of the second application recommending additional information be requested.

Terrestrial Habitats and Species: No mitigation is proposed in this EIAR to prevent or minimise impacts on terrestrial habitats and species. Mitigation measures are proposed in the application for consent for further development of the site however, additional information is required in respect some of the measures which are prioposed. Please see my report on the further development application in relation to same.

Site Restoration: It is proposed to re-instate the site for agricultural uses. No timeline or other details are proposed. Further detail is necessary – please see my report on the further development application in relation to same.

Appropriate Assessment Issues: Taking account of the lack of any hydrological, physical or ecological connectivity linking this site to any European site, I am satisfied that there has been no risk of impact to any European Site.

Recommended Conditions:

Should it be decided to proceed with a recommendation that Substitute Consent be granted for this development, then it is my recommendation that the following conditions would be imposed in the interests of protecting water quality, habitats of high natural value and associated species.

1. Within three months of the granting of Substitute Consent the developers shall submit for agreement with the Planning Authority an Environmental Management System. This shall include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan shall also include details of the management structure setting out responsibilities for oversight of the implementation of the system.
2. Within three months of the granting of Substitute Consent, the developers shall submit for agreement with the Planning Authority a Habitat and Species Management Plan to include details of all measures to be put in place to ensure the avoidance of disturbance to protected species on site, and to provide for the protection of habitats of high natural value which are extant and intended to be retained on site. The plan shall also include proposals to provide for the re-instatement of free passage of fish on the Clashavoon Stream and should also include details of measures to be implemented to control the spread of invasive species. Measures relating to the reinstatement of the stream shall be agreed within Inland Fisheries Ireland prior to submission to the Planning Authority.
3. Within three months of the granting of Substitute Consent, the developers shall submit for agreement with the Planning Authority a phased Restoration Plan for the site. This shall include detailed proposals for phased restoration of quarried areas using excavated topsoils and subsoils. The plan shall also provide for the protection and enhancement of habitats identified to be of high natural value within the site; and where possible and appropriate, for the creation of additional areas of biodiversity value within the site.

Sharon Casey

Ecologist, Cork County Council, Planning Department.

Area Engineers Report

RE; Drimoleague Concrete Works – Application for Substitute Consent for Gravel Pit at Ummera, Macroom.

Date 28th September 2020.

I confirm that I do not have any objection from an engineering viewpoint in relation to this application.

James Dwyer,

Senior Executive Engineer,

Cork County Council,

Macroom Municipal District.

Co. Archaeologists Report

Planning Department,
County Hall,
Carrigrohane Road,
Cork.
7T12 R2NC

Wednesday 30 September 2020

Re: Application for substitute consent for an existing gravel quarry at Ummera, Macroom.

CORK County Development Plan 2014

County Development Plan 2014 Objective HE 3-1: Protection of Archaeological Sites

a) Safeguard sites and settings, features and objects of archaeological interest generally. b) Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments including the Sites and Monuments Record (SMR) (see ww.archeology.ie) and the Record or Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, as amended and of sites, features and objects of archaeological and historical interest generally. In securing such preservation, the planning authority will have regard to the advice and recommendations of the Department of Arts, Heritage and Gaeltacht as outlined in the Frameworks and Principles for the Protection of the Archaeological Heritage.

County Development Plan 2014 Objective HE 3-2: Underwater Archaeology

Protect and preserve the archaeological value of underwater archaeological sites and associated features. In assessing proposals for development, the Council will take account of the potential underwater archaeology of rivers, lakes, intertidal and subtidal environments.

County Development Plan 2014 Objective HE 3-3: Zones of Archaeological Potential

Protect the Zones of Archaeological Potential (ZAPs) located within historic towns and other urban areas and around archaeological monuments generally. Any development within the ZAPs will need to take cognisance of the potential for subsurface archaeology and if archaeology is demonstrated to be present appropriate mitigation (such as preservation in situ/buffer zones) will be required.

County Development Plan Objective 2014 HE 3-4 Industrial and Post Medieval Archaeology

Protect and preserve the archaeological value of industrial and post medieval archaeology such as mills, limekilns, bridges, piers, harbours, penal chapels and dwellings. Proposals for refurbishment, works to or redevelopment/conversion of these sites should be subject to careful assessment.

County Development Plan Objective 2014 HE 3-5 Burial Grounds

Protect all historical burial grounds in County Cork and encourage their maintenance and care in accordance with appropriate conservation principles.

Report

It is noted that the proposed development is within the Zone of Archaeological Potential of CO 071-059 Fulacht Fiadha and CO071-057 Standing stone. Recorded Monuments are subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act 1994.

I have read and assessed the Chapter 9 Architectural, Archaeological and Cultural Impact assessment by Dr Charles Mount for the EIAR submitted with this application for substitute consent at Ummera Macroom.

The following are my comments and recommendations in regards to the archaeological heritage. It is noted the quarry has been an active for a considerable period and the existing quarry has been subjected to an Archaeological Impact Assessment in 2006 resulting in the provision of a buffer zone around CO071-057. The concurrent application for substitute consent for additional development at this quarry site will be dealt with in a separate report.

Given the site was subjected to an earlier Archaeological Impact Assessment, the existing quarry and subject to this application has been stripped of topsoil removing any potential subsurface archaeological material, the quarried area has been inspected by the consultant archaeological for the EIAR assessment who found no visible evidence of cultural heritage material, I concur with the recommendations of the assessment report – no further archaeological input required.

Recommendations

No further archaeological input required.

Mary Sleeman

Mary Sleeman

County Archaeologist

Re: Application for Substitute Consent ABP - ABP-308036-20

The development consists of an active gravel pit extending to an area of 10.5 hectares and includes existing site infrastructure of washing plant, settlement lagoons, access road, site office, stores, fuel storage, septic tank and percolation area, screening berms, open storage of aggregate and all associated ancillary infrastructure at Ummera Gravel Pit, Ummera, Macroom, Co. Cork.

Opinion of the Divisional Manger (South), Cork County Council in accordance with S.177I(2)(e)

i) Whether or not the substitute consent should be granted for the development

It is considered that the broad principle of quarrying at this location is generally acceptable, subject to the proper controls and conditions to safeguard the receiving environment. The proposed application is considered to be lacking sufficient detail to enable a considered and comprehensive assessment of the proposal and to ensure adherence to the proper planning and sustainable development of the area. Therefore, in the absence of the requisite information set out below, substitute consent should not be granted.

Further Information deemed to be required in order to provide a comprehensive assessment of potential effects on the environment:

1. Demonstrate how the 15kmh speed limit shall be enforced at the site. This is noted and submitted as an existing dust suppression measure employed at the site.

2. Submit proposals for the on-site sprinkler system, which should be a part of the dust mitigation strategy.

3. Submit a comprehensive dust monitoring and management plan to assess and evaluate existing dust levels. This, along with accompanying meteorological data, should be undertaken to enable the assimilative capacity of the receiving environment to be determined.

4. Confirm the maximum height of stockpiles on site.

5. No mitigation is proposed in this rEIAR to prevent or minimise impacts on terrestrial habitats and species. Mitigation measures are proposed in the application for consent for further development of the site however, additional information is required in respect of some of the measures which are proposed. An outline Habitats and Species management Plan is required in this regard.

6. No timeline or other details are proposed in relation to the reinstatement of the site for agricultural uses. An outline Restoration Plan to include detailed proposals for phased restoration of quarried areas using excavated topsoils and subsoils. The plan shall also provide for the protection and enhancement of habitats identified to be of high natural value within the site including wetland areas; and where possible and appropriate, for the

creation of additional areas of biodiversity value within the site. The plan should be prepared with input from an ecologist.

7. Submit an Environmental Management System. This shall include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan shall also include details of the management structure setting out responsibilities for oversight of the implementation of the system.

8. Water is abstracted from the Clashavoon Stream and no assessment has been provided as to the impact of this abstraction on natural hydrological flows in the stream. Submit details relating to the ongoing abstraction of water from the Clashavoon Stream to include an assessment of the impacts of same on hydrological processes, aquatic habitats and species.

9. A weir on the Clashavoon Stream has been obstructing free passage of fish up the stream. The weir is stated now to be partially removed. Give details as to whether the partial removal of the weir has been effective?

10. Further detail is required to assess of impacts of these interventions in the stream on water quality, hydrological processes, aquatic habitats and species. In addition further remedial mitigation measures may be required to offset impacts arising from these interventions, including at a minimum the removal of the weir or the putting in place of measures to allow for the free passage of fish up the stream. Changes might also be required in relation to the water abstraction if further assessment indicates that this is negatively impacting the hydrology of the stream and impacting negatively on associated habitats and species.

11. Submit a detailed assessment of the stability of the banks surrounding the settlement ponds as failure of one of these banks could result in accidental discharge of large volumes of silt laden water to the nearby public road & stream. Any necessary remedial measures shall be identified.

12. Submit an assessment of the stability of the silt stores to ensure they are stable and not discharging silt or fines to surface water in periods of heavy rainfall. Any necessary remedial measures shall be identified.

13. Submit the correct Q value results for the River Laney in the report and correct any further references to water quality in the Laney River.

14. Clarify the location & nature of the discharge to the Clashavoon stream, (referred to on p.131 of Volume 2 of EIAR Main Report) and subsequent increase in siltation of the stream. Remedial measures to minimise any potential siltation in the stream should be identified.

15. Demonstrate clearly if there is a discharge from the settlement pond system to the Clashavoon Stream, and what is the volume & quality of any such discharge.

16. Surface water discharge locations from the quarry site should be clearly marked on the site maps, & these discharge locations should also be physically identified on site where they cross the local road L-3423-20.

17. The applicant should be requested to consult with Inland Fisheries Ireland with a view to modifying or removing the weir on the Clashavoon Stream.

ii) The conditions, if any that should be attached to any grant of substitute consent.

Notwithstanding, the opinion set out above, if a decision to grant permission is considered by An Bord Pleanala, it is recommended that the following conditions should be imposed in the interests of protecting water quality, habitats of high natural value and associated species and the receiving environment in general.

Conditions:

1. The grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála on the 27th day of August 2020 except as may otherwise be required to comply with the following condition.

   Reason: In the interest of clarity.

2. All environmental mitigation measures identified within the remedial Environmental Impact Assessment Report and associated documentation shall be implemented in full.

   Reason: In the interests of proper planning and sustainable development.

3. Operations on site shall be undertaken between the hours of 09.00 and 18.00 Monday to Friday and 09.00 to 16.00 on Saturdays. The site shall not open and no operations shall be undertaken on Sundays or Public Holidays.

   Reason: In the interests of residential amenity.

4. Within three months of the granting of Substitute Consent the developers shall submit for agreement with the Planning Authority an Environmental Management System. This shall include details of all processes and procedures, including emergency procedures and environmental monitoring systems to be implemented on site to provide for the protection of water and the environment generally. The plan shall also include details of the management structure setting out responsibilities for oversight of the implementation of the system.

   Reason: To protect the environment.

5. Within three months of the granting of Substitute Consent, the developers shall submit for agreement with the Planning Authority a Habitat and Species Management Plan to include details of all measures to be put in place to ensure the avoidance of disturbance to protected species on site, and to provide for the protection of habitats of high natural value which are extant and intended to be retained on site. The plan shall also include proposals to provide for the re-instatement of free passage of fish on the Clashavoon Stream and should also include details of measures to be implemented to control the spread of invasive species. Measures relating to the reinstatement of the stream shall be agreed within Inland Fisheries Ireland prior to submission to the Planning Authority.

   Reason: To protect the environment.

6. Within three months of the granting of Substitute Consent, the developers shall submit for agreement with the Planning Authority a phased Restoration Plan for the site. This shall include detailed proposals for phased restoration of quarried areas using excavated topsoils

and subsoils. The plan shall also provide for the protection and enhancement of habitats identified to be of high natural value within the site; and where possible and appropriate, for the creation of additional areas of biodiversity value within the site.

Reason: In the interests of proper planning and sustainable development.

7. Dust deposition levels arising out of activities on site shall not exceed 350 milligrammes per square metre per day, averaged over 30 days , when measured at the site boundaries. A revised dust monitoring programme shall be agreed with the Planning Authority.

   Reason: To safeguard the amenities of the area.

8. All site operations shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs off-site.

   Reason: To safeguard the amenities of the area.

9. The fixed water spray system shall be installed to include the access road, all internal roads, all processing areas, storage yards / storage bays and bins. Mobile water browsers/sprayers shall be operated in locations where it is impractical or inappropriate to use a fixed water spray system.

   Reason: To safeguard the amenities of the area.

10. Noise levels emanating from the proposed development when measured at Sensitive receptors shall not exceed 55dBA (30 minute Leq) between 0800 hours and 1800 hours, Monday to Saturday inclusive excluding public holidays. Noise emissions shall not exceed 45 dBa (30 minute Leq) at any other time. Measurements shall be made in accordance with ISO recommendation R.1996/1 "Acoustics - Description and Measurement of Environmental Noise, Part 1: Basic Quantities and Procedures."

    If noise contains a discrete, continuous tone (whine, hiss screech, hum etc.), or if there are distinctive impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of + 5dbA will be applied to the measured noise level and this increased level shall be used in checking compliance with the specified levels.

    Reason: To safeguard the amenities of the area.

11. A noise monitoring programme shall be implemented by the developer. The extent and timing of the programme and the monitoring sites used shall be agreed with the planning Dept. in advance. The results of each survey shall be submitted to the Planning Authority within one month of completion of the survey. The developer shall carry out such additional noise mitigation measures as may be deemed necessary following a review of each or all noise survey results.

    Reason: To safeguard the amenities of the area.

12. The applicant shall record all complaints received relating to site operations. The record shall contain the name of the complainant, nature, time and date and a summary of the company's investigation and response including the name of the person who investigated

the complaint and their relationship to the developer or operator of the site. All records of complaints shall be made available to the planning authority on request whether requested in writing or by a member of staff of the Local Authority at the site.

Reason: To provide for information on complaints received and follow on investigation.

13. All operations on site shall be carried out in a manner which ensures that there is no discharge of polluting matter to waters.

    Reason: To safeguard the amenities of the area.

14. All over ground tanks containing hydrocarbons shall be contained in a waterproof bunded area, the capacity of the bund is to be the greater of the following; 110% of the largest tank size or 25% of total volume stored in the bunded area. All valves on the tank shall be contained within the bunded area. The bunded area shall be fitted with a locking valve that shall be opened only to discharge storm water. The developer shall ensure that this valve is locked at all times.

    Reason: In the interests of orderly development.

15. A concrete apron shall be provided where the handling of hydrocarbons will take place. The concrete apron shall drain through an appropriately sized oil interceptor.

    Reason: In the interests of orderly development.

16. Within 3 months of the grant of Substitute Consent the applicant shall carry out a detailed assessment of the stability of the banks surrounding the settlement ponds & carry out any necessary remedial measures.

    Reason: In the interests of orderly development and public safety.

17. Within 3 months of the grant of Substitute Consent the applicant shall carry out an assessment of the stability of the silt stores to ensure they are stable & not discharging silt or fines to surface water in periods of heavy rainfall, & carry out any necessary remedial measures.

    Reason: In the interests of proper planning and sustainable development.

18. Within 3 months of the grant of Substitute Consent the applicant shall identify the location & nature of the discharge to the Clashavoon stream, (referred to on p.131 of Volume 2 of EIAR Main Report), & put in place remedial measures to minimise any potential siltation in the stream.

    Reason: In the interest of clarity and to protect the environment.

19. Within 3 months of the grant of Substitute Consent the applicant shall demonstrate clearly if there is a discharge from the settlement pond system to the Clashavoon Stream, & what is the volume & quality of any such discharge. The volume & quality of any proposed discharge of process water off site shall be agreed in writing with the Local Authority.

    Reason: In the interest of clarity and to protect the environment.

20. The applicant shall install marking posts at the locations where any surface water discharges from the gravel pit site cross the local road L-3423-20 before discharging to the stream/river.

    Reason: To protect the environment.

21. Within 3 months of the grant of Substitute Consent the applicant shall consult with Inland Fisheries Ireland, (IFI), with a view to modifying or removing the weir on the Clashavoon Stream. The applicant shall comply with recommendation from IFI.

    Reason: In the interests of proper planning and sustainable development.

22. The applicant shall install a water meter on the pumping system from the Clashavoon Stream to measure the level of abstraction from the stream. The applicant will need to register this abstraction if it is greater than $25m^3$/day.

    Reason: To protect the environment.

23. No material from the site shall be carried onto the public road by wheels of vehicles exiting the site.

    Reason: In the interests of orderly development and public safety.

24. Submit a report to Geological Survey Ireland detailing the site investigations carried out including identification of significant bedrock cuttings created and any digital photographic records of same.

    Reason: In the interests of clarity and to assist with geological knowledge of natural resources.

25. Submit a Landscaping Plan with emphasis on the maintenance and renewal of tree planting along the perimeter of the site.

Signed:

Valerie O'Sullivan

Divisional Manager (South), Cork County Council

08/10/2020

07/10/2020

Re: Application for Substitute Consent ABP - ABP-308036-20

The development consists of an active gravel pit extending to an area of 10.5 hectares and includes existing site infrastructure of washing plant, settlement lagoons, access road, site office, stores, fuel storage, septic tank and percolation area, screening berms, open storage of aggregate and all associated ancillary infrastructure at Ummera Gravel Pit, Ummera, Macroom, Co. Cork.

Valerie,

Please find attached for your approval, the Area Planner's report and recommendation on the application for Substitute Consent for the consideration of An Bord Pleanala.

The Planning Authority is required to submit a report to An Bord Pleanala, under S. 177I (2) of the Planning & Development Act, to include the following:

(a) Information relating to development (including development other than the development which is the subject of the application for consent) carried out on the site where the development the subject of the application for consent is situated, and any application for permission made in relation to the site and the outcome of the application.

(b) Information relating to any warning letter, enforcement notice or proceedings relating to offences under this Act that relate to the applicant for substitute consent

(c) Information regarding the relevant provisions of the development plan and any local area as they affect the area of the site and the type of development concerned.

(d) any information that the authority may have concerning-

(i) Current, anticipated or previous significant effects on the environment, or on a European Site associated with the development or the site where the development took place and, if relevant, the area surrounding or near the development or site, or

(ii) Any remedial measures recommended or undertaken;

(e) the opinion, including reasons therefore, of the manager as to -

(i) Whether or not substitute consent should be granted for the development, and

(ii) The conditions, if any, that should be attached to any grant of substitute consent.

The Area Planner's report addresses Section 177I(2)(a), (b), (c), & (d), to inform Section (e), namely, the Divisional Manager's report.

In summary, the broad principle of this gravel pit/ quarry is acceptable but as highlighted by the Heritage Officer, the Area Engineer and Environment reports, the application is considered to be lacking in essential detailed information, to enable a comprehensive

assessment of potential effects on the receiving environment, and as such it is recommended that the Planning Authority cannot support granting substitute consent at this time. The report sets out in detail the further information deemed to be required to assess the application.

Furthermore, the report sets out conditions considered essential to adequately manage the proposed development and safeguard the receiving environment in the event of a grant of permission.

Thomas Watt

Senior Planner
Planning & Development