

Dan

Laura Grady Lawlor

From: Laura Crowe <laurac@tpa.ie>
Sent: Tuesday 5 May 2026 16:40
To: Appeals2
Subject: ACP Ref. 324014 - Response to Carlow CC Opinion
Attachments: Redrock - 177E - Response to CCC Opinion.pdf

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Hello,

Please see attached a letter on behalf of Milford Quarries Ltd., in response to a submission made by Carlow County Council in respect of Application ACP Reg. 324014, a Section 177E Application for Substitute Consent of quarrying and associated work and development at Clogrennane, Bilboa, Co. Carlow. The Applicant was invited by letter by An Coimisiún Pleanála on 13th April 2026 to respond to Carlow County Council's submission, pursuant to Section 131 of the *Planning and Development Act, 2000* (as amended).

I trust the above and attached are in order. Please do not hesitate to contact me should you have any queries.

I would be grateful if you could provide written acknowledgement that this response has been received.

Le gach dea-ghuí

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An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

5th May 2026

[Submitted via email: appeals@pleanala.ie]

Dear Sir/Madam,

RE: RESPONSE TO SUBMISSION FROM CARLOW COUNTY COUNCIL IN RESPECT OF APPLICATION REG. REF. ACP-324014-25 – SECTION 177E APPLICATION FOR SUBSTITUTE CONSENT OF QUARRYING AND ASSOCIATED WORK AND DEVELOPMENT, AT CLOGRENNANE, BILBOA, CO. CARLOW.

Application Reg. Ref. ACP-324014-25

Tom Phillips + Associates (80 Harcourt Street, Dublin 2, D02 F449) have been retained by Milford Quarries Ltd. (Kilcarrig, Bagnelstown, Co. Carlow, R21 AP52) to prepare this response to a letter received from An Coimisiún Pleanála, dated 13th April 2026, which invited the Applicant to respond to the Submission from Carlow County Council in respect of Application Reg. Ref. ACP-324014-25, pursuant to Section 131 of the *Planning and Development Act, 2000* (as amended).

In response to this request, we wish to submit that we welcome the submission by Carlow County Council made to An Coimisiún Pleanála, dated 23rd March 2026. We highlight that none of the Internal Departments in Carlow County Council noted any Objection to the subject Application, subject to the inclusion of the relevant Conditions, namely, the Municipal District Engineer and the Environment Section.

The Applicant has the following comments on the Conditions recommended by Carlow County Council to be attached to a Grant of Permission, should it be forthcoming:

Recommended Condition

Landscaping measures (semi mature planting) to be implemented around the perimeter of the site to form field boundaries where required to soften & absorb the overall visual impact of the proposed development on this area.

Applicant Response

The Landscape Visual Impact Assessment included in Chapter 15 of the EIAR submitted as part of the subject Application assessed the visual impact of the development for Substitute Consent.

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The LVIA determined that the Medium-low landscape sensitivity judgement attributed to the study area, coupled with a High-medium magnitude of landscape impact in the immediate vicinity (<500m) of the quarry is considered to have resulted in an overall significance of no greater than Moderate, with the remainder of the 5km radius study area likely to have experienced Slight or Imperceptible landscape impacts. It noted that the existing quarry is not readily visible from the surrounding area and this is likely to have been the case throughout its lifetime. The LVIA determined that remedial mitigation was not considered to be required as historic landscape and visual effects are deemed to be not significant.

In the interest of clarity, we highlight that the subject Application is for Substitute Consent and therefore there is no new "proposed development" which would result in a visual impact. Any new development is proposed under the concurrent Section 37L Application.

The above recommended Condition is considered onerous, and we would request that it is not attached to any Grant of Permission for the subject Application, should it be forthcoming.

Recommended Condition

Provide details for protection measures for existing wells / water service infrastructure in the area during the restoration phase of the development.

Applicant Response

As detailed in the submitted Section 177L Application, based on the hydrogeological and topographic setting of the Development Site there was no potential for significant effects on groundwater levels from the development for which Substitute Consent is being sought. Due to the low permeability of the bedrock aquifer any minor effects were localised. We therefore contend that the above recommended Condition is unnecessary, and we would request that it is not attached to any Grant of Permission for the subject Application, should it be forthcoming.

Recommended Condition

A Special Contribution in accordance with Section 48 of the Planning and Development Act, 2000 (as amended) should be considered for the upgrade or maintenance of the local road network to facilitate the proposed development.

Applicant Response

A 'Special Contribution' is defined as followed in Section 48(2)(c) of the Planning and Development Act 2000 (as amended):

"A planning authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development."

The Planning Authority has not defined any specific exceptional costs which are anticipated to be incurred in respect of the subject proposed development, only referring generally to 'the



local road network'. As the subject Application relates to historic development and works, the Local Authority should be able to clearly identify the particular costs for which a 'Special Contribution' is being sought. We argue that the subject development, for which Substitute Consent is being sought, has not resulted in 'exceptional costs' to the Local Authority.

The L7134, the local road which serves the subject site, is also used by a number of other commercial businesses, who would also have paid their Section 48 contributions, and therefore the Council should have sufficient funds to upkeep. We therefore contend that without details of the 'exceptional costs' which has been incurred by the Local Authority, no justification has been provided for the attachment of a 'Special Contribution'. We contend that the standard Section 48 Contributions will be sufficient to pay for any necessary upgrades to the local road network. We therefore request that no 'Special Contribution' is applied to any Grant of Permission for the subject Application, should it be forthcoming.

We trust the above is in order.

We would be grateful if you could provide written acknowledgment of this submission at your earliest convenience. Please revert to the undersigned with any queries arising.

Yours sincerely,

Laura Crowe

Laura Crowe
Senior Planner
Tom Phillips + Associates

