

James Sweeney

From: PlanningDevMan <planningdevman@carlowcoco.ie>
Sent: Monday 23 March 2026 15:26
To: Communications; Shirley Connolly; Daniel O'Connor; Appeals2
Cc: Shirley O'Neill
Subject: ACP-324014-25
Attachments: Response to ACP with Planners Report.pdf; Planners Comments.pdf

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ACP-324014-25 - Section 177E Application – Milford Quarries Ltd. at Clogrennane, Bilboa, Co. Carlow.

Please see attached response in connection with the above application. A copy will issue by post today also.

Kind Regards,

Sinéad Scully,

Oifigeach Cléireachais, An Roinn Pleanála
Clerical Officer, Planning Department

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23rd March 2026

Registered Post

**Daniel O'Connor,
Executive Officer,
An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.**

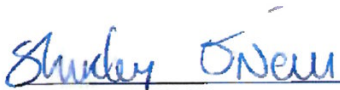
**RE: ACP-324014-25 Section 177E Application.
Milford Quarries – Clogrennane, Bilboa, Co. Carlow.**

A Chara,

I refer to your letter dated 15th January 2026 in connection with the above application.

Please find attached Planner's report in this case. If you have any queries please contact the Planning Department on 059 91 70346.

Yours faithfully,


Shirley O'Neill,
A/Senior Executive Officer.

**CARLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Planning Report

**C A R L O W
COUNTY COUNCIL**
COMHARÁD CIONTAR SHI CARLOU



ABP Reg. Ref.	ACP – 324014-25
Name of Applicant	Milford Quarries Limited
Address of Development	Clogrennane, Co. Carlow.
Type of Development	The development consisted of quarrying including rock extraction by mechanical means and processing onsite using mobile primary crushing / screening and associated plant. The development also included soil storage areas, stockpiling areas, surface water management works and all ancillary works associated with the quarrying activities. The quarry included an extraction area of c. 8.66 hectares within a site of c. 41.86 ha and involved extraction of up to c. 650,000 m³ of material over a c. 16-year period between 2005 and 2021. The quarry was accessed via a quarry entrance from the northern boundary linking to the L7130 local road to the east of the subject lands. The application is accompanied by a proposed restoration plan which will utilise existing excavated materials from the site. The application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) and a remedial Natura Impact Statement (rNIS).
Type of Permission	Substitute Consent,
Date of Site Inspection	12/03/2026

Context

The following observations and commentary are made in respect of a substitute consent application under Section 177E of the Planning and Development Act 2000 (as amended) for development at a disused quarry in the townland of Clogrennane, Co. Carlow. The development consisted of quarrying including rock extraction by mechanical means over a period of c. 16 years, at a time when the lands were under separate ownership. The purpose of the S177E application is to regularise any past development that has occurred on site to date.

A concurrent Section 37L application to An Coimisiún Pleanála for development consisting of further quarry extraction at the subject site over an area of c. 16.17 ha to include the pre-existing quarry and additional agricultural lands with an overall projected lifespan of c. 20 years was also made by the applicant.

This Application includes, under separate cover, a remedial Environmental Impact Assessment Report (EIAR) and An Appropriate Assessment (AA) Screening and remedial Natura Impact Statement (NIS).

The subject site has a stated area of 41.86ha within a landholding of 45.68ha and is located in the rural townland of Clogrennane, Co. Carlow on the Carlow / Laois border approximately 1.85km east of Bilboa, and 2.5km north west of Ballinabrannagh. The site contains a disused shale and sandstone quarry and is accessed off the L3896/L7134 by way of an existing entrance. The area is defined by agricultural lands, woodland and some one-off housing in addition to quarry developments.

The subject site is an unused quarry which has been inactive for some time. The quarry has been identified by the applicant as having the potential to facilitate active extraction works once rehabilitated due to an

abundance of sandstone and shale resources. The applicant identifies the quarry as an important resource as the majority of Ireland's extraction industry is made up of Limestone material, where sandstone/shale quarries bring a wider variety of raw materials to Ireland's market.

The applicant indicates the need for substitute consent arises due to previous S261A proceedings. Carlow County Council's determination in 2012 that historic extraction had taken place at the site which would have required a mandatory Environmental Impact Assessment as per Section 261(2)(a)(i) of the Planning and Development Act 2000 (as amended).

The Planning Authority also determined that development had occurred post 26th of February 1997, which would have required an Appropriate Assessment and this had not been conducted. The S261A determinations and decision were referred to An Coimisiún Pleanála (then An Bord Pleanála) who upheld the determinations and decision of Carlow County Council.

The applicant further indicates that large scale commercial extraction ceased in 2014 following the determination of An Coimisiún Pleanála in relation to the S261A proceedings and contends that no significant extraction activities began at the site until the period between 2000 and 2005, as evidenced by historic aerial imagery and based on discussions between the applicants and the previous operators of the site. Further following an assessment of the historic aerial imagery of the site, the applicant confirms that the bulk of extraction at the site took place between 2005 and 2010-2012 timeframe, which is consistent with economic activity at the time.

The applicant also acknowledges that aerial imagery further suggests that there was a small level of extraction from the lands following the S261A proceedings. Information on this is limited but we understand that relatively modest quantities of material were removed in both 2018 and 2021. This material would most likely have been used locally for agricultural purposes, given the nature and quantity of the material removed.

In summary it is submitted that 650K m³ have been extracted in total from the site. The majority of this extraction took place in the period between 2005 and 2012. By 2012 550K m³ had been extracted. Following this a further 100K m³ were removed up until the applicants took ownership in 2023. This equates to just over 8K m³ per year on average over the period 2012 – 2023.

The lands are currently in a disused state with surface water features still intact.

The development site consists of an area of c. 41.86 ha within a total landholding of c. 45.68 ha within which an area of 8.66ha forms the extraction area subject of the Substitute Consent Application. The quarrying which took place on site consisted of rock extraction by mechanical means, and the associated development, which is the subject of this Application, includes the extraction areas, surface water management, and ancillary works. The development will be accompanied by a restoration plan. This restoration plan includes the reversion to agricultural grassland using the excavated materials from the existing infill area to the west of the site.

Development Description:

"Milford Quarries Limited, intend to apply for Substitute Consent, for development at a site in the townland of Clogrennane, Bilboa, Co. Carlow.

The development consisted of quarrying including rock extraction by mechanical means and processing onsite using mobile primary crushing / screening and associated plant. The development also included soil storage areas, stockpiling areas, surface water management works and all ancillary works associated with the quarrying activities. The quarry included an extraction area of c. 8.66 hectares within a site of c. 41.86 ha and involved extraction of up to c. 650,000 m³ of material over a c. 16-year period between 2005 and 2021. The quarry was accessed via a quarry entrance from the northern boundary linking to the L7130 local road to the east of the subject lands. The application is accompanied by a proposed restoration plan which will utilise existing excavated materials from the site.

The application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) and a remedial Natura Impact Statement (rNIS)."

Planning History:

ACP – 324015- 25 – Concurrent Section 37L application submitted by Milford Quarries Limited. The development will consist of further quarry extraction at the subject site over an area of c. 16.17 ha to include the pre-existing quarry and additional agricultural lands with an overall projected lifespan of c. 20 years under Section 37L of the Planning and Development Act 2000, as amended

History relating to the registration process as set out under Section 261 and Section 261A of the Planning and Development Act, as amended is summarised below.

Notice issued under 261A(4)(a) and 261A(5)(a) in respect of this quarry. **ABP Ref.: QV01.QV0145:** Board order, dated January 2014, confirmed the determination of the Planning Authority that pursuant to Section 261A(4)(a) that the quarry does not have a pre-1964 authorisation and that there is no evidence that permission for a quarry development was obtained on the land. The Bord concluded that the development would have required EIA and confirmed the decision that the extraction works do not have a Pre-1964 authorisation and do not have a valid planning permission, but set aside the decision of the Planning Authority under Section 261A(5)(a) that it is not possible to quantify the extent of works which may have taken place post 3rd July 2008 and therefore an EIA or EIA determination were not required, but that an AA was required as it could not be excluded that adverse environmental effects to a European site could have occurred.

QY14: Quarry registered under Section 261 for an extraction area of 25.69ha subject to 18 no conditions. Condition attached see Appendix 1.

Flood Data

The site is not located within any designated flood zone.

Site Location

- The nearest settlement to the subject site is Bilboa which is c.1.85km to the west Ballinabrannagh c.2.5km east of the site and the centre of Carlow Town is located c.6km to the north east.
- The site is rural in character, consisting of existing agricultural land, quarry activity, forestry and one-off rural dwellings.
- The site is located within the Killeshin Hills Landscape Character Area, as designated in the Carlow County Development Plan 2022-2028. Within this character area, the site lies within the 'Uplands' landscape character type, which has a class 5 moderate sensitivity designation. This LCA has a moderate capacity to absorb extractive industry development subject to the implementation of appropriate mitigation measures.
- The majority of the proposed development site is located within the River Barrow surface water catchment with part of the southwest of the proposed development site located within the River Nore surface water catchment.
- The proposed development site is not within any EU Natura 2000 site. The closest European designated sites is the River Barrow & River Nore SAC (002162) located approximately 2.1km from the application site and is the only SAC located within 15km of the application site boundary.
- The closest nationally designated site is Cloghrick Wood pNHA (000806) which is located 3.4km from the application site. There is a total of 7 pNHAs and one NHA located within 15km of the site boundary
- There are no Recorded Monuments or Protected Structures on or within close proximity of the subject site. The cultural heritage chapter of the rEIAR contains an assessment of the known or potential cultural heritage resource within the area and includes information that may reasonably be required for reaching a reasoned conclusion on the significant effect of the development on cultural heritage and archaeological assets and should be considered in the assessment of this application.

3) Internal Reports

This application was referred on 03/03/2026 to the following, reports received are attached with this submission and are as indicated below.

▪ Municipal District Engineer

No objection subject to condition.

Conditions proposed relate to the operation of quarry activities on site. As this S177E application is to regularise past development which occurred on site the conditions as recommended are not considered relevant. The conditions proposed are as follows;

1. Road at site access point and haulage route to be maintained.
2. All construction signs to be always maintained clean and visible. All signs to be reflective to aid those driving outside of normal daylight hours
3. Road sweeper to be on site and available to keep affected roads debris free at all times.
4. Spraying of road to control dust leads to siltation of local drainage and blocking of gullies, drains, cuttings etc. A planned approach to maintaining these drainage devices is needed.

▪ Transportation Department

No report received at the time of writing.

▪ Environment Section

Report received from Donnacha Lynch, Senior Executive Engineer on 11/03/26 which raises no objection to the development subject to condition.

Relevant Policy/Guidance Provisions.

There are multiple National Policy Objectives relating to water, protected areas, cultural heritage landscape character, air quality and noise. The following is noted regarding extractive industry.

NP023 Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.

Regional and Spatial Economic Strategy for the Eastern and Midland Region.

There are multiple Regional Policy Objectives relating to water, noise pollution, air quality, light pollution habitats directive and landscape character. The following is noted regarding extractive industry.

RPO 6.7: Support local authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bio economy, tourism, and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage

Quarries and ancillary activities- Guidelines for Planning Authorities April 2004.

These guidelines note the economic importance of quarries and the demand for aggregates arising from the needs of the construction industry with particular reference to house building and infrastructure provision. It is further noted that aggregates can only be worked where they occur and that many pits and quarries tend to be located within 25km of urban areas where most construction takes place. Chapter 2 of the Guidelines identifies appropriate development plan policies and objectives with regard to the development of quarries. Chapter 3 identifies the potential environmental issues associated with the development of the extractive industry/quarries and recommends best practice/possible mitigation measures in respect of:

- Noise and vibration
- Dust deposition/air quality.
- Water supplies and groundwater.

- Natural heritage. Landscape.
- Traffic impact.
- Cultural heritage.
- Waste management.

The Guidelines also recommend Environmental Management Systems (EMS) as a quality assurance system to measure a company's operations against environmental performance indicators.

Chapter 4 of the Guidelines refers to the assessment of planning applications and Environmental Impact Statements. It provides guidance on the information to accompany an application and the inclusion of possible planning conditions.

Chapter 5 refers to the implementation of the registration procedures set out in Section 261 of the Act. **Environmental Management Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA, 2006.**

These guidelines are intended to complement existing national guidance and to be of assistance to operators, regulatory authorities, and the public (They are also complemented by the 'Environmental Management in the Extractive Industry – Guidelines for Regulators'). The guidelines provide general advice and guidance in relation to environmental issues to practitioners involved in the regulation, planning, design, development, operation and restoration of quarry developments and ancillary facilities.

The environmental management guidelines also represent a summary. of current environmental management practices for quarries and ancillary facilities (including manufacturing of concrete and bituminous mixes/asphalt products, and processing of dimension stone). They are based on a review of current environmental management practice in Ireland, the UK and Europe. Under each of the key environmental issues, good environmental practice is summarised together with recommendations for the use of environmental management systems (EMSs), and emission limit values (ELVs), where appropriate.

Guidelines for Planning Authorities and An Bord Pleanala on carrying out Environmental Impact Assessment, August 2018.

The guidelines coincide with the making of the European Union (Planning & Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) and the coming into operation of the Regulations on 1st September 2018 in order to transpose the Directive into Irish law. The Guidelines replace Guidelines for Planning Authorities and An Bord Pleanala on carrying out environmental impact assessment issued by the DoECLG in 2013. The purpose of the guidelines is to give practical guidance on procedural issues and the EIA process arising from the requirements of Directive 2014/52/EU.

Relevant Development Plan provisions relating to the subject site and surrounding area

<i>Carlow County Development Plan 2022 – 2028 (CDP)</i>	
Chapter 4	Enterprise and Employment
Chapter 6	Infrastructure and Environmental Management
Chapter 9	Landscape and Green Infrastructure.
Chapter 10	Natural and Built Heritage, including (inter alia) European and National Designated Natural Heritage Sites, Archaeological Heritage, and The Record of Protected Structures.
Chapter 14	Rural Development
Chapter 16	Development Management Standards.

Chapter 9: Landscape and Green Infrastructure.
Section 9.8 Landscape - Policies

It is the policy of the Council to:

LA. P1: Protect and maintain the overall integrity of the County's landscape, by recognising its capacity to sustainably integrate and absorb appropriate development, and by ensuring that development protects, retains and, where necessary, enhances the appearance and character of the landscape, and does not unduly damage or detract from those features which contribute to its value, character, distinctiveness and sensitivity e.g. landform, habitats, scenic quality, settlement pattern, historic heritage, amenity, land use and tranquillity.

LA. P2: Ensure that development will not have a disproportionate landscape or visual impact in sensitive upland areas of the County (due to siting, layout, design or excessive scale, height and bulk) and will not significantly interfere with or detract from scenic upland vistas, when viewed from the surrounding environment, including nearby areas, scenic views and routes, and from settlements.

LA. P6: Require all developments, having regard to their landscape setting, to be appropriate in siting, layout, design and scale, in order to ensure any potential adverse or landscape and visual impacts are minimised and/or removed where necessary, and that natural site features and characteristics are retained and maintained.

LA. P9: Have regard to the potential for screening vegetation when evaluating proposals for development within the uplands.

Landscape - Objectives

It is an objective of the Council to:

LA. O1: Ensure that the management and assessment of development throughout the County takes account of the recommendations and assigned Landscape Character Areas, Landscape Types, and Landscape Sensitivity, and the Schedule of Views, Prospects and Scenic Routes, as contained in this Plan, and in accordance with Government Guidance on Landscape Character Assessment and the National Landscape Strategy.

LA. O2: Ensure landscape/visual impact assessment will be a key consideration in the assessment of development proposals within the County.

Chapter 6 Infrastructure and Environmental Management

Section 6.11.1 Air Pollution - Policies

It is the policy of the Council to:

AP. P1: Promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU Ambient Air Quality and Cleaner Air for Europe (CAFE) Directive (2008/50/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards set out in the Air Quality Standards Regulations 2011 (SI No. 180 of 2011) or any updated/superseding documents.

AP. P2: Require activities likely to give rise to air emissions (not licenced under separate legislation) to implement measures to mitigate impacts and to undertake air quality monitoring.

Section 6.12.1 Noise Pollution - Policies

It is the policy of the Council to:

NP. P1: Have regard to the provisions of the Environmental Protection Agency (EPA) Acts 1992 and 2003 and the Environmental Protection Agency Act (Noise) Regulations 1994 or any amendments thereto when assessing planning applications.

NP. P3: Regulate and control activities likely to give rise to excessive noise, other than those activities which are regulated by the Environmental Protection Agency.

EL. P5: Ensure that extractive developments do not adversely impact on environmental quality, including water quality, tourism value, existing infrastructure, residential amenity or the amenity value of neighbouring lands.

EL. P6:

To ensure that development for aggregates / mineral extraction, processing and associated processes does not significantly impact the following:

- Existing and proposed European Sites;
- Other areas of importance for the conservation of flora and fauna;
- Areas of significant archaeological potential including recorded monuments;
- Important aquifers and sensitive groundwater resources;
- Sensitive landscapes; and
- Established rights of way.

EL. P7: Ensure that the extractive industry (aggregates and mineral resources) and associated development minimise adverse impacts on the road network in the area and that the full cost of road improvements, including during operations and at time of closure, which are necessary to facilitate those industries are borne by the industry itself.

EL. P8: Ensure compliance with the overall objectives of the Water Framework Directive in the context of quarry development(s) and extractive industry.

Chapter 14 Rural Development

Section 14.16.4 Extractive Industry - Aggregates (stone, sand and gravel) and Mineral Resources - Objectives

It is an objective of the Council to:

EL. O1: Support RSES policy for the adequate supply of aggregate and mineral resources to ensure the continued growth of the county and region and to ensure that all quarrying activities and projects associated with extractive industry comply with all relevant Planning and Environmental Legislation.

EL. O2: Consult with the Geological Survey of Ireland (GSI) with regard to any developments likely to have an impact on Sites of Geological Importance listed in Chapter 10 of this Plan.

Chapter 16 Development Management Standards

Section 16.16.3 Extractive Industries

The development, continuation of use or diversification of activities relating to the extractive industry will be assessed having regard to the Quarrying and Ancillary Activities (DEHLG 2004) (or any superseding national policy document, Guidelines for Environmental Management in the Extractive Industry (EPA, 2006), Guidance on Biodiversity in the Extractive Industry (NPWS), GSI's Geological Heritage Guidelines for the Extractive Industry (2008), the Archaeological Code of Practice (2009) and the Irish Concrete Federation Environmental Code (2005) and any other relevant superseding policy guidance.

Applicants should submit the following information at application stage:

- Map showing total site area, area to be excavated, and any ancillary proposed development, nearest dwellings or any other development (within 1 km of the site), including any established rights of way through the site;
- Description of the aggregate(s) to be extracted, method of extraction, any ancillary processes (such as crushing, concrete manufacture, etc.), equipment to be used, stockpiles, storage of soil and overburden, storage of waste materials, settling ponds;
- Total and annual tonnage of extracted aggregates, expected life of the extraction, maximum extent and depth of working, phasing programme;

NP. P4: Ensure new development does not cause an unacceptable increase in noise levels affecting noise sensitive properties. Proposals for new development with the potential to create excessive noise will be required to submit a construction and/or operation management plan to control such emissions.

Chapter 10 Natural and Built Heritage

Section 10.12 Archaeological Heritage

It is the policy of the Council to:

AH. P1: Secure the preservation (either in situ or by record) of all archaeological monuments included in the Record of Monuments and Places (RMP) and their settings, and of all sites and features of significant archaeological or historical interest, including potential and previously unknown sites or features, in consultation with the National Monuments Service in the Department of Housing, Local Government and Heritage.

AH. P3: Protect, conserve and enhance the archaeological heritage of the County, and to manage development in a manner that avoids adverse impacts on sites, monuments, features or objects of significant archaeological or historical interest, including areas and sites of archaeological potential. There will be a presumption in favour of the 'preservation in situ' of archaeological heritage in accordance with the 'Framework and Principles for the Protection of Archaeological Heritage (DAGHI 1999) or any superseding national policy document.

AH. P4: Ensure that any development proposal that may, by reason of location, scale, nature, layout or design, have potential implications for archaeological heritage (including areas and sites of archaeological potential), shall be subject to an archaeological assessment. The archaeological assessment will seek to ensure that the development proposal can be sited and designed to avoid impacting on archaeological heritage. Any archaeological excavation shall be carried out in accordance with best practice outlined by the NMS, the National Museum of Ireland and the Institute of Archaeologists of Ireland. In all such cases the Planning Authority shall consult with the National Monuments Service in the Department of Housing, Local Government and Heritage.

Section 14.16.3 Extractive Industry - Aggregates (stone, sand and gravel) and Mineral Resources - Policies

It is the Policy of the Council to:

EI. P1: Facilitate adequate supplies of aggregate and mineral resources to meet the future growth needs of the county and wider region where there is a proven need for a certain aggregate / mineral while addressing key environmental, traffic and social impacts and details of rehabilitation.

EI. P2: Ensure that extractions (e.g. stone, sand and gravel pits, limestone reserves) which would result in a reduction of the visual amenity of sensitive landscapes or damage to designated sites, habitat types or species shall not be permitted.

EI. P3: Exercise appropriate control over inappropriate development(s) that would significantly hinder the efficient or effective recovery of the county's natural resources, 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.

EI. P4: Ensure that all existing and proposed quarries comply with the requirements of "Quarry and Ancillary Facilities- Guidelines for Planning Authorities (DECLG) 2004 or any replacement document and to promote a whole of life plan for an extractive location, including restoration / rehabilitation plans and proper land use management. The Council will seek the delivery of environmental benefits in the form of sustainable habitat creation in conjunction with the restoration phases of development.

- Description of development works (buildings, fixed and mobile plant, roads, fuel tanks, water supply and drainage, earth mounds, etc.);
- Description of water courses and water table depth, natural and cultural heritage, traffic impact and waste management;
- Description of cumulative impact when taken together with other quarries in the vicinity;
- Likely environmental effects including EIA where relevant;
- Proposed mitigation measures;
- Phased restoration and after-care proposals; and
- Proposals for surface water management and flood risk minimisation.

The restoration of disused pits and quarries to productive agricultural use will be encouraged where appropriate having regard to all appropriate environmental considerations. Other possible post closure uses may be considered such as recreational facilities and natural habitat areas.

A condition requiring the lodgement of a financial bond will be included in any grant of permission to ensure the satisfactory reinstatement of the site following the completion of extraction.

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

Planning Authority's Opinion

Quarrying activity has ceased on site and the applicant is seeking Substitute Consent to regularise the site's historic extraction activities. The principle of a quarry is supported at national, regional and local level, subject to inter alia, environmental impacts such as noise, dust, landscape etc in addition to impacts on residential and visual amenity and the road network. There is a current Application, ref no ACP – 324015-25 under Section 37L submitted by Milford Quarries Limited seeking permission for further quarry extraction at the subject site over an area of c. 16.17 ha to include the pre-existing quarry and additional agricultural lands with an overall projected lifespan of c. 20 years under Section 37L of the Planning and Development Act 2000, as amended

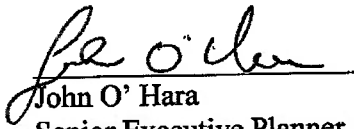
As the competent authority for the assessment of the application, the onus is on An Coimisiún Pleanála to conduct a robust Environmental Impact Assessment of the proposal including an assessment of the direct, indirect and cumulative impacts of the development on the receiving and wider environment. Appropriate mitigation of impacts may be necessary, and these should be addressed sufficiently within the EIA for the development. The Planning Authority requests that the cumulative impact of all development is robustly considered in the assessment so as to minimise any negative impacts of the development relating to inter alia residential amenities, visual amenities, impact on the receiving environment and biodiversity. The application should demonstrate that the proposal will not affect or alter any local drainage systems or rivers or adjacent properties and that the development will not affect private or public water source.

Conditions which may be appropriate

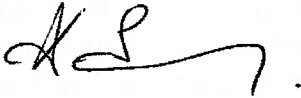
The Planning Authority considers that should An Coimisiún Pleanála be mindful to grant planning permission for this Development, that suitable conditions should be attached to any grant of permission that require;

- Restoration of the quarry in accordance with the restoration plan to agricultural grassland.
- Landscaping measures (semi mature planting) to be implemented within the site to form field boundaries where required to soften & absorb the overall visual impact of the proposed development on this area.
- The time line for restoration to be clearly defined.
- Provide details for protection measures for existing wells / water service infrastructure in the area during the restoration phase of the development.

- A detailed Construction Environmental Management Plan and a detailed Surface Water Management Plan.
- All mitigation measures outlined in the submitted remedial Natura Impact Statement to be carried out in full and implemented by the developer under the supervision of a suitability qualified Ecological Clerk of Works.
- All mitigation measures outlined in the submitted remedial EIAR to be carried out in full and implemented by the developer under the supervision of a suitability qualified Ecological Clerk of Works.
- Removal of equipment off site
- A condition requiring the lodgement of a financial bond should be included in any grant of permission to ensure the satisfactory reinstatement of the site.
- 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.
- Development levies to be agreed with the Local Authority.


John O'Hara
Senior Executive Planner

Date: 23/03/26


S.P.
23/3/26

Appendix 1:

Schedule QY14

REGISTRATION OF QUARRY at Clogrannane, Co. Carlow

For: Mr. John Minion

Condition No. 1

The development shall be in accordance with drawings and details submitted to the Planning Authority on 3rd, November, 2005, as amended by the details submitted to the Planning Authority on the 8th February, 2006, as amended by the drawings and details submitted to the Planning Authority on the 23rd February, 2006 save as amended by the conditions attached hereto.

Reason : In the interests of orderly planning and development.

Condition No. 2

The developer shall improve the road from the quarry entrance to the local road L – 7134, and shall also improve the junction of that road with the local road L – 7134. This work shall be undertaken in conjunction with the Area Engineer to his satisfaction.

Reason: In the interests of traffic safety.

Condition No. 3

The developer shall make a financial contribution of €50,000 for the improvement of the local road L – 7133. this is required to strengthen the road edges and provide overlay treatment to ensure the road is not damaged by traffic generated by the subject quarry. The time frame for this work to be agreed with the Roads Office of Carlow County Council.

Reason: In the interests of traffic safety.

Condition No. 4

The proposed development shall be operated so that the processes carried on, or the plant or machinery installed are such as could be carried on, or installed close to a residential area, without any detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, or grit.

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

Condition No. 5

Noise levels from the site, during either construction or operation of the pit, shall not exceed the following limits:

- 55 dB L_{Aeq}, 1 hour between 8:00a.m. and 6:00p.m. Monday to Friday
- 55 dB L_{Aeq}, 1 hour between 9:00a.m. and 1:00p.m. on Saturdays
- 35 dB L_{Aeq}, 1 hour at all other times, as measure at any point along the boundary of the subject site.

Reason: In the interests of proper development and to prevent noise nuisance.

Condition No. 6

The entrance shall be such that no surface water runoff shall be allowed to discharge onto the adjoining public roadways. The necessary gullies and soakaways shall be provided inside the gateway.

Reason : In the interests of traffic safety and the preservation of the visual amenity of the area.

Condition No. 7

Any necessary licensing as required under environmental legislation shall be obtained prior to the plant being fully commissioned.

Reason : In the interests of pollution prevention

Condition No. 8

This development, shall operate strictly between the hours of 7a.m. and 6p.m. Monday to Friday inclusive and Saturdays 7a.m. and 1p.m.. This permission specifically excludes Sunday and Public Holiday working.

Reason : In the interests of residential amenity.

Condition No. 9

No washwater or any other contaminated discharges shall be permitted from the site.

Reason : In the interests of the orderly development of the area.

Condition No. 10

No ancillary buildings, sheds, stores etc., other than those shown on the plans submitted shall be constructed within the pit without the prior approval of the Planning Authority.

Reason : In the interests of orderly development.

Condition No.11

The public road off which this development can be accessed will be kept in a clean and safe manner at all times during the operation of this pit.

Reason : In the interests of traffic safety.

Condition No. 12

All unsoiled surface water run-off from roofs, entrances and parking areas shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow onto the public roadway.

Reason: To prevent flooding of the public road, in the interests of traffic safety and in the interests of public health.

Condition No. 13

Existing road drainage shall not be impaired and the entrance, parking areas and yard shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.

Reason: To prevent flooding of the public road in the interests of traffic safety.

Condition No. 14

The surface water system shall be protected to ensure no liquid can discharge to the surface water system. The system shall have grit removal and an interceptor in place for the discharge to ensure no suspended solids, which may discharge accidentally to the surface system discharges from the site. Sampling manholes shall be placed on the surface water system at locations to be agreed with the planning authority.

Reason: In the interests of public health.

Condition No. 15

No trade effluent from the unit shall discharge to surface or ground waters, other than in accordance with the terms of a current license granted in accordance with the relevant legislation.

Reason: In the interest of public health and to prevent water pollution.

Condition No. 16

This grant does not grant permission to fell or uproot any trees located on the site. With certain exceptions it is an offence, under the Forestry Act, 1946, to fell trees without a felling licence having been granted by the Forest Service. Developers are advised to contact the Felling Section, Forest Service, Department of Agriculture and Food, Johnstown Castle, Co. Wexford, before undertaking any tree felling.

Reason: In the interest of proper planning and development.

Condition No. 17

Within six months of the date of this order, a landscaping/restoration plan for the quarry shall be submitted and agreed in writing with the Planning Authority, showing the locations of where landscaping and restoration will take place and species proposed for planting, upon its cessation or at points of extraction which are exhausted.

Reason: In the interests of visual amenity and in the interests of the proper planning and sustainable development of the area.

Condition No. 18

Any ESB/telecom poles or cabling, which may be affected by the proposed development shall be relocated by the ESB, at the expense of the applicant's.

Reason: In the interests of public health and safety.



COMHAIRLE CONTAE
CHEATHARLACH

CARLOW COUNTY COUNCIL

Oifigí an Chontae,
Bóthar Átha Í,
Ceatharlach, R93E7R7

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23rd March 2026

Registered Post

**Daniel O'Connor,
Executive Officer,
An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.**

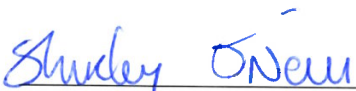
**RE: ACP-324014-25 Section 177E Application.
Milford Quarries – Clogrennane, Bilboa, Co. Carlow.**

A Chara,

I refer to your letter dated 15th January 2026 in connection with the above application.

Please find attached Planner's report in this case. If you have any queries please contact the Planning Department on 059 91 70346.

Yours faithfully,


Shirley O'Neill,
A/Senior Executive Officer.

AN COIMISIÚN PLEANALA	
LDG-	_____
ACP-	_____
24 MAR 2026	
Fee: €	_____ Type: _____
Time: 9:15	By: <i>ray post</i>

CARLOW COUNTY COUNCIL
PLANNING DEPARTMENT

Planning Report

C A R L O W
C O U N T Y C O U N C I L
COMHARLE CHONTAF CHEATHARLOCHA



ABP Reg. Ref.	ACP – 324014-25
Name of Applicant	Milford Quarries Limited
Address of Development	Clogrennane, Co. Carlow.
Type of Development	The development consisted of quarrying including rock extraction by mechanical means and processing onsite using mobile primary crushing / screening and associated plant. The development also included soil storage areas, stockpiling areas, surface water management works and all ancillary works associated with the quarrying activities. The quarry included an extraction area of c. 8.66 hectares within a site of c. 41.86 ha and involved extraction of up to c. 650,000 m³ of material over a c. 16-year period between 2005 and 2021. The quarry was accessed via a quarry entrance from the northern boundary linking to the L7130 local road to the east of the subject lands. The application is accompanied by a proposed restoration plan which will utilise existing excavated materials from the site. The application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) and a remedial Natura Impact Statement (rNIS).
Type of Permission	Substitute Consent,
Date of Site Inspection	12/03/2026

Context

The following observations and commentary are made in respect of a substitute consent application under Section 177E of the Planning and Development Act 2000 (as amended) for development at a disused quarry in the townland of Clogrennane, Co. Carlow. The development consisted of quarrying including rock extraction by mechanical means over a period of c. 16 years, at a time when the lands were under separate ownership. The purpose of the S177E application is to regularise any past development that has occurred on site to date.

A concurrent Section 37L application to An Coimisiún Pleanála for development consisting of further quarry extraction at the subject site over an area of c. 16.17 ha to include the pre-existing quarry and additional agricultural lands with an overall projected lifespan of c. 20 years was also made by the applicant.

This Application includes, under separate cover, a remedial Environmental Impact Assessment Report (EIAR) and An Appropriate Assessment (AA) Screening and remedial Natura Impact Statement (NIS).

The subject site has a stated area of 41.86ha within a landholding of 45.68ha and is located in the rural townland of Clogrennane, Co. Carlow on the Carlow / Laois border approximately 1.85km east of Bilboa, and 2.5km north west of Ballinabrannagh. The site contains a disused shale and sandstone quarry and is accessed off the L3896/L7134 by way of an existing entrance. The area is defined by agricultural lands, woodland and some one-off housing in addition to quarry developments.

The subject site is an unused quarry which has been inactive for some time. The quarry has been identified by the applicant as having the potential to facilitate active extraction works once rehabilitated due to an

abundance of sandstone and shale resources. The applicant identifies the quarry as an important resource as the majority of Ireland's extraction industry is made up of Limestone material, where sandstone/shale quarries bring a wider variety of raw materials to Ireland's market.

The applicant indicates the need for substitute consent arises due to previous S261A proceedings. Carlow County Council's determination in 2012 that historic extraction had taken place at the site which would have required a mandatory Environmental Impact Assessment as per Section 261(2)(a)(i) of the Planning and Development Act 2000 (as amended).

The Planning Authority also determined that development had occurred post 26th of February 1997, which would have required an Appropriate Assessment and this had not been conducted. The S261A determinations and decision were referred to An Coimisiún Pleanála (then An Bord Pleanála) who upheld the determinations and decision of Carlow County Council.

The applicant further indicates that large scale commercial extraction ceased in 2014 following the determination of An Coimisiún Pleanála in relation to the S261A proceedings and contends that no significant extraction activities began at the site until the period between 2000 and 2005, as evidenced by historic aerial imagery and based on discussions between the applicants and the previous operators of the site. Further following an assessment of the historic aerial imagery of the site, the applicant confirms that the bulk of extraction at the site took place between 2005 and 2010-2012 timeframe, which is consistent with economic activity at the time.

The applicant also acknowledges that aerial imagery further suggests that there was a small level of extraction from the lands following the S261A proceedings. Information on this is limited but we understand that relatively modest quantities of material were removed in both 2018 and 2021. This material would most likely have been used locally for agricultural purposes, given the nature and quantity of the material removed.

In summary it is submitted that 650K m³ have been extracted in total from the site. The majority of this extraction took place in the period between 2005 and 2012. By 2012 550K m³ had been extracted. Following this a further 100K m³ were removed up until the applicants took ownership in 2023. This equates to just over 8K m³ per year on average over the period 2012 – 2023.

The lands are currently in a disused state with surface water features still intact.

The development site consists of an area of c. 41.86 ha within a total landholding of c. 45.68 ha within which an area of 8.66ha forms the extraction area subject of the Substitute Consent Application. The quarrying which took place on site consisted of rock extraction by mechanical means, and the associated development, which is the subject of this Application, includes the extraction areas, surface water management, and ancillary works. The development will be accompanied by a restoration plan. This restoration plan includes the reversion to agricultural grassland using the excavated materials from the existing infill area to the west of the site.

Development Description:

"Milford Quarries Limited, intend to apply for Substitute Consent, for development at a site in the townland of Clogrennane, Bilboa, Co. Carlow.

The development consisted of quarrying including rock extraction by mechanical means and processing onsite using mobile primary crushing / screening and associated plant. The development also included soil storage areas, stockpiling areas, surface water management works and all ancillary works associated with the quarrying activities. The quarry included an extraction area of c. 8.66 hectares within a site of c. 41.86 ha and involved extraction of up to c. 650,000 m³ of material over a c. 16-year period between 2005 and 2021. The quarry was accessed via a quarry entrance from the northern boundary linking to the L7130 local road to the east of the subject lands. The application is accompanied by a proposed restoration plan which will utilise existing excavated materials from the site.

The application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) and a remedial Natura Impact Statement (rNIS)."

Planning History:

ACP – 324015- 25 – Concurrent Section 37L application submitted by Milford Quarries Limited. The development will consist of further quarry extraction at the subject site over an area of c. 16.17 ha to include the pre-existing quarry and additional agricultural lands with an overall projected lifespan of c. 20 years under Section 37L of the Planning and Development Act 2000, as amended

History relating to the registration process as set out under Section 261 and Section 261A of the Planning and Development Act, as amended is summarised below.

Notice issued under 261A(4)(a) and 261A(5)(a) in respect of this quarry. **ABP Ref.: QV01.QV0145:** Board order, dated January 2014, confirmed the determination of the Planning Authority that pursuant to Section 261A(4)(a) that the quarry does not have a pre-1964 authorisation and that there is no evidence that permission for a quarry development was obtained on the land. The Board concluded that the development would have required EIA and confirmed the decision that the extraction works do not have a Pre-1964 authorisation and do not have a valid planning permission, but set aside the decision of the Planning Authority under Section 261A(5)(a) that it is not possible to quantify the extent of works which may have taken place post 3rd July 2008 and therefore an EIA or EIA determination were not required, but that an AA was required as it could not be excluded that adverse environmental effects to a European site could have occurred.

QY14: Quarry registered under Section 261 for an extraction area of 25.69ha subject to 18 no conditions. Condition attached see Appendix 1.

Flood Data

The site is not located within any designated flood zone.

Site Location

- The nearest settlement to the subject site is Bilboa which is c.1.85km to the west Ballinabrannagh c.2.5km east of the site and the centre of Carlow Town is located c.6km to the north east.
- The site is rural in character, consisting of existing agricultural land, quarry activity, forestry and one-off rural dwellings.
- The site is located within the Killeslin Hills Landscape Character Area, as designated in the Carlow County Development Plan 2022-2028. Within this character area, the site lies within the 'Uplands' landscape character type, which has a class 5 moderate sensitivity designation. This LCA has a moderate capacity to absorb extractive industry development subject to the implementation of appropriate mitigation measures.
- The majority of the proposed development site is located within the River Barrow surface water catchment with part of the southwest of the proposed development site located within the River Nore surface water catchment.
- The proposed development site is not within any EU Natura 2000 site. The closest European designated sites is the River Barrow & River Nore SAC (002162) located approximately 2.1km from the application site and is the only SAC located within 15km of the application site boundary.
- The closest nationally designated site is Cloghristick Wood pNHA (000806) which is located 3.4km from the application site. There is a total of 7 pNHAs and one NHA located within 15km of the site boundary
- There are no Recorded Monuments or Protected Structures on or within close proximity of the subject site. The cultural heritage chapter of the rEIAR contains an assessment of the known or potential cultural heritage resource within the area and includes information that may reasonably be required for reaching a reasoned conclusion on the significant effect of the development on cultural heritage and archaeological assets and should be considered in the assessment of this application.

3) Internal Reports

This application was referred on 03/03/2026 to the following, reports received are attached with this submission and are as indicated below.

▪ Municipal District Engineer

No objection subject to condition.

Conditions proposed relate to the operation of quarry activities on site. As this S177E application is to regularise past development which occurred on site the conditions as recommended are not considered relevant. The conditions proposed are as follows;

1. Road at site access point and haulage route to be maintained.
2. All construction signs to be always maintained clean and visible. All signs to be reflective to aid those driving outside of normal daylight hours
3. Road sweeper to be on site and available to keep affected roads debris free at all times.
4. Spraying of road to control dust leads to siltation of local drainage and blocking of gullies, drains, cuttings etc. A planned approach to maintaining these drainage devices is needed.

▪ Transportation Department

No report received at the time of writing.

▪ Environment Section

Report received from Donnacha Lynch, Senior Executive Engineer on 11/03/26 which raises no objection to the development subject to condition.

Relevant Policy/Guidance Provisions.

There are multiple National Policy Objectives relating to water, protected areas, cultural heritage landscape character, air quality and noise. The following is noted regarding extractive industry.

NP023 Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.

Regional and Spatial Economic Strategy for the Eastern and Midland Region.

There are multiple Regional Policy Objectives relating to water, noise pollution, air quality, light pollution habitats directive and landscape character. The following is noted regarding extractive industry.

RPO 6.7: Support local authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bio economy, tourism, and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage

Quarries and ancillary activities- Guidelines for Planning Authorities April 2004.

These guidelines note the economic importance of quarries and the demand for aggregates arising from the needs of the construction industry with particular reference to house building and infrastructure provision. It is further noted that aggregates can only be worked where they occur and that many pits and quarries tend to be located within 25km of urban areas where most construction takes place. Chapter 2 of the Guidelines identifies appropriate development plan policies and objectives with regard to the development of quarries. Chapter 3 identifies the potential environmental issues associated with the development of the extractive industry/quarries and recommends best practice/possible mitigation measures in respect of:

- Noise and vibration
- Dust deposition/air quality.
- Water supplies and groundwater.

- Natural heritage. Landscape.
- Traffic impact.
- Cultural heritage.
- Waste management.

The Guidelines also recommend Environmental Management Systems (EMS) as a quality assurance system to measure a company's operations against environmental performance indicators.

Chapter 4 of the Guidelines refers to the assessment of planning applications and Environmental Impact Statements. It provides guidance on the information to accompany an application and the inclusion of possible planning conditions.

Chapter 5 refers to the implementation of the registration procedures set out in Section 261 of the Act.
Environmental Management Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA, 2006.

These guidelines are intended to complement existing national guidance and to be of assistance to operators, regulatory authorities, and the public (They are also complemented by the 'Environmental Management in the Extractive Industry – Guidelines for Regulators'). The guidelines provide general advice and guidance in relation to environmental issues to practitioners involved in the regulation, planning, design, development, operation and restoration of quarry developments and ancillary facilities.

The environmental management guidelines also represent a summary. of current environmental management practices for quarries and ancillary facilities (including manufacturing of concrete and bituminous mixes/asphalt products, and processing of dimension stone). They are based on a review of current environmental management practice in Ireland, the UK and Europe. Under each of the key environmental issues, good environmental practice is summarised together with recommendations for the use of environmental management systems (EMSs), and emission limit values (ELVs), where appropriate.

Guidelines for Planning Authorities and An Bord Pleanala on carrying out Environmental Impact Assessment, August 2018.

The guidelines coincide with the making of the European Union (Planning & Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) and the coming into operation of the Regulations on 1st September 2018 in order to transpose the Directive into Irish law. The Guidelines replace Guidelines for Planning Authorities and An Bord Pleanala on carrying out environmental impact assessment issued by the DoECLG in 2013. The purpose of the guidelines is to give practical guidance on procedural issues and the EIA process arising from the requirements of Directive 2014/52/EU.

Relevant Development Plan provisions relating to the subject site and surrounding area

<i>Carlow County Development Plan 2022 – 2028 (CDP)</i>	
Chapter 4	Enterprise and Employment
Chapter 6	Infrastructure and Environmental Management
Chapter 9	Landscape and Green Infrastructure.
Chapter 10	Natural and Built Heritage, including (inter alia) European and National Designated Natural Heritage Sites, Archaeological Heritage, and The Record of Protected Structures.
Chapter 14	Rural Development
Chapter 16	Development Management Standards.

Chapter 9: Landscape and Green Infrastructure. Section 9.8 Landscape - Policies

It is the policy of the Council to:

LA. P1: Protect and maintain the overall integrity of the County's landscape, by recognising its capacity to sustainably integrate and absorb appropriate development, and by ensuring that development protects, retains and, where necessary, enhances the appearance and character of the landscape, and does not unduly damage or detract from those features which contribute to its value, character, distinctiveness and sensitivity e.g. landform, habitats, scenic quality, settlement pattern, historic heritage, amenity, land use and tranquillity.

LA. P2: Ensure that development will not have a disproportionate landscape or visual impact in sensitive upland areas of the County (due to siting, layout, design or excessive scale, height and bulk) and will not significantly interfere with or detract from scenic upland vistas, when viewed from the surrounding environment, including nearby areas, scenic views and routes, and from settlements.

LA. P6: Require all developments, having regard to their landscape setting, to be appropriate in siting, layout, design and scale, in order to ensure any potential adverse or landscape and visual impacts are minimised and/or removed where necessary, and that natural site features and characteristics are retained and maintained.

LA. P9: Have regard to the potential for screening vegetation when evaluating proposals for development within the uplands.

Landscape - Objectives

It is an objective of the Council to:

LA. O1: Ensure that the management and assessment of development throughout the County takes account of the recommendations and assigned Landscape Character Areas, Landscape Types, and Landscape Sensitivity, and the Schedule of Views, Prospects and Scenic Routes, as contained in this Plan, and in accordance with Government Guidance on Landscape Character Assessment and the National Landscape Strategy.

LA. O2: Ensure landscape/visual impact assessment will be a key consideration in the assessment of development proposals within the County.

Chapter 6 Infrastructure and Environmental Management

Section 6.11.1 Air Pollution - Policies

It is the policy of the Council to:

AP. P1: Promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU Ambient Air Quality and Cleaner Air for Europe (CAFE) Directive (2008/5/0/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards set out in the Air Quality Standards Regulations 2011 (SI No. 180 of 2011) or any updated/superseding documents.

AP. P2: Require activities likely to give rise to air emissions (not licenced under separate legislation) to implement measures to mitigate impacts and to undertake air quality monitoring.

Section 6.12.1 Noise Pollution - Policies

It is the policy of the Council to:

NP. P1: Have regard to the provisions of the Environmental Protection Agency (EPA) Acts 1992 and 2003 and the Environmental Protection Agency Act (Noise) Regulations 1994 or any amendments thereto when assessing planning applications.

NP. P3: Regulate and control activities likely to give rise to excessive noise, other than those activities which are regulated by the Environmental Protection Agency.

EI. P5: Ensure that extractive developments do not adversely impact on environmental quality, including water quality, tourism value, existing infrastructure, residential amenity or the amenity value of neighbouring lands.

EI. P6:

To ensure that development for aggregates / mineral extraction, processing and associated processes does not significantly impact the following:

- Existing and proposed European Sites;
- Other areas of importance for the conservation of flora and fauna;
- Areas of significant archaeological potential including recorded monuments;
- Important aquifers and sensitive groundwater resources;
- Sensitive landscapes; and
- Established rights of way.

EI. P7: Ensure that the extractive industry (aggregates and mineral resources) and associated development minimise adverse impacts on the road network in the area and that the full cost of road improvements, including during operations and at time of closure, which are necessary to facilitate those industries are borne by the industry itself.

EI. P8: Ensure compliance with the overall objectives of the Water Framework Directive in the context of quarry development(s) and extractive industry.

Chapter 14 Rural Development

Section 14.16.4 Extractive Industry - Aggregates (stone, sand and gravel) and Mineral Resources - Objectives

It is an objective of the Council to:

EI. O1: Support RSES policy for the adequate supply of aggregate and mineral resources to ensure the continued growth of the county and region and to ensure that all quarrying activities and projects associated with extractive industry comply with all relevant Planning and Environmental Legislation.

EI. O2: Consult with the Geological Survey of Ireland (GSI) with regard to any developments likely to have an impact on Sites of Geological Importance listed in Chapter 10 of this Plan.

Chapter 16 Development Management Standards

Section 16.16.3 Extractive Industries

The development, continuation of use or diversification of activities relating to the extractive industry will be assessed having regard to the Quarrying and Ancillary Activities (DEHLG 2004) (or any superseding national policy document, Guidelines for Environmental Management in the Extractive Industry (EPA, 2006), Guidance on Biodiversity in the Extractive Industry (NPWS), GSI's Geological Heritage Guidelines for the Extractive Industry (2008), the Archaeological Code of Practice (2009) and the Irish Concrete Federation Environmental Code (2005) and any other relevant superseding policy guidance.

Applicants should submit the following information at application stage:

- Map showing total site area, area to be excavated, and any ancillary proposed development, nearest dwellings or any other development (within 1 km of the site), including any established rights of way through the site;
- Description of the aggregate(s) to be extracted, method of extraction, any ancillary processes (such as crushing, concrete manufacture, etc.), equipment to be used, stockpiles, storage of soil and overburden, storage of waste materials, settling ponds;
- Total and annual tonnage of extracted aggregates, expected life of the extraction, maximum extent and depth of working, phasing programme;

NP. P4: Ensure new development does not cause an unacceptable increase in noise levels affecting noise sensitive properties. Proposals for new development with the potential to create excessive noise will be required to submit a construction and/or operation management plan to control such emissions.

Chapter 10 Natural and Built Heritage

Section 10.12 Archaeological Heritage

It is the policy of the Council to:

AH. P1: Secure the preservation (either in situ or by record) of all archaeological monuments included in the Record of Monuments and Places (RMP) and their settings, and of all sites and features of significant archaeological or historical interest, including potential and previously unknown sites or features, in consultation with the National Monuments Service in the Department of Housing, Local Government and Heritage.

AH. P3: Protect, conserve and enhance the archaeological heritage of the County, and to manage development in a manner that avoids adverse impacts on sites, monuments, features or objects of significant archaeological or historical interest, including areas and sites of archaeological potential. There will be a presumption in favour of the 'preservation in situ' of archaeological heritage in accordance with the 'Framework and Principles for the Protection of Archaeological Heritage (DAGHI 1999) or any superseding national policy document.

AH. P4: Ensure that any development proposal that may, by reason of location, scale, nature, layout or design, have potential implications for archaeological heritage (including areas and sites of archaeological potential), shall be subject to an archaeological assessment. The archaeological assessment will seek to ensure that the development proposal can be sited and designed to avoid impacting on archaeological heritage. Any archaeological excavation shall be carried out in accordance with best practice outlined by the NMS, the National Museum of Ireland and the Institute of Archaeologists of Ireland. In all such cases the Planning Authority shall consult with the National Monuments Service in the Department of Housing, Local Government and Heritage.

Section 14.16.3 Extractive Industry - Aggregates (stone, sand and gravel) and Mineral Resources - Policies

It is the Policy of the Council to:

EI. P1: Facilitate adequate supplies of aggregate and mineral resources to meet the future growth needs of the county and wider region where there is a proven need for a certain aggregate / mineral while addressing key environmental, traffic and social impacts and details of rehabilitation.

EI. P2: Ensure that extractions (e.g. stone, sand and gravel pits, limestone reserves) which would result in a reduction of the visual amenity of sensitive landscapes or damage to designated sites, habitat types or species shall not be permitted.

EI. P3: Exercise appropriate control over inappropriate development(s) that would significantly hinder the efficient or effective recovery of the county's natural resources, 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.

EI. P4: Ensure that all existing and proposed quarries comply with the requirements of "Quarry and Ancillary Facilities- Guidelines for Planning Authorities (DECLG) 2004 or any replacement document and to promote a whole of life plan for an extractive location, including restoration / rehabilitation plans and proper land use management. The Council will seek the delivery of environmental benefits in the form of sustainable habitat creation in conjunction with the restoration phases of development.

- Description of development works (buildings, fixed and mobile plant, roads, fuel tanks, water supply and drainage, earth mounds, etc.);
- Description of water courses and water table depth, natural and cultural heritage, traffic impact and waste management;
- Description of cumulative impact when taken together with other quarries in the vicinity;
- Likely environmental effects including EIA where relevant;
- Proposed mitigation measures;
- Phased restoration and after-care proposals; and
- Proposals for surface water management and flood risk minimisation.

The restoration of disused pits and quarries to productive agricultural use will be encouraged where appropriate having regard to all appropriate environmental considerations. Other possible post closure uses may be considered such as recreational facilities and natural habitat areas.

A condition requiring the lodgement of a financial bond will be included in any grant of permission to ensure the satisfactory reinstatement of the site following the completion of extraction.

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

Planning Authority's Opinion

Quarrying activity has ceased on site and the applicant is seeking Substitute Consent to regularise the site's historic extraction activities. The principle of a quarry is supported at national, regional and local level, subject to inter alia, environmental impacts such as noise, dust, landscape etc in addition to impacts on residential and visual amenity and the road network. There is a current Application, ref no ACP – 324015-25 under Section 37L submitted by Milford Quarries Limited seeking permission for further quarry extraction at the subject site over an area of c. 16.17 ha to include the pre-existing quarry and additional agricultural lands with an overall projected lifespan of c. 20 years under Section 37L of the Planning and Development Act 2000, as amended

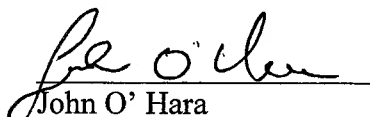
As the competent authority for the assessment of the application, the onus is on An Coimisiún Pleanála to conduct a robust Environmental Impact Assessment of the proposal including an assessment of the direct, indirect and cumulative impacts of the development on the receiving and wider environment. Appropriate mitigation of impacts may be necessary, and these should be addressed sufficiently within the EIA for the development. The Planning Authority requests that the cumulative impact of all development is robustly considered in the assessment so as to minimise any negative impacts of the development relating to inter alia residential amenities, visual amenities, impact on the receiving environment and biodiversity. The application should demonstrate that the proposal will not affect or alter any local drainage systems or rivers or adjacent properties and that the development will not affect private or public water source.

Conditions which may be appropriate

The Planning Authority considers that should An Coimisiún Pleanála be mindful to grant planning permission for this Development, that suitable conditions should be attached to any grant of permission that require;

- Restoration of the quarry in accordance with the restoration plan to agricultural grassland.
- Landscaping measures (semi mature planting) to be implemented within the site to form field boundaries where required to soften & absorb the overall visual impact of the proposed development on this area.
- The time line for restoration to be clearly defined.
- Provide details for protection measures for existing wells / water service infrastructure in the area during the restoration phase of the development.

- A detailed Construction Environmental Management Plan and a detailed Surface Water Management Plan.
- All mitigation measures outlined in the submitted remedial Natura Impact Statement to be carried out in full and implemented by the developer under the supervision of a suitability qualified Ecological Clerk of Works.
- All mitigation measures outlined in the submitted remedial EIAR to be carried out in full and implemented by the developer under the supervision of a suitability qualified Ecological Clerk of Works.
- Removal of equipment off site
- A condition requiring the lodgement of a financial bond should be included in any grant of permission to ensure the satisfactory reinstatement of the site.
- 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.
- Development levies to be agreed with the Local Authority.


 John O' Hara
 Senior Executive Planner

Date: 23/03/26


 S.P.
 23/3/26

Appendix 1:

Schedule QY14

REGISTRATION OF QUARRY at Clogrannane, Co. Carlow

For: Mr. John Minion

Condition No. 1

The development shall be in accordance with drawings and details submitted to the Planning Authority on 3rd, November, 2005, as amended by the details submitted to the Planning Authority on the 8th February, 2006, as amended by the drawings and details submitted to the Planning Authority on the 23rd February, 2006 save as amended by the conditions attached hereto.

Reason : In the interests of orderly planning and development.

Condition No. 2

The developer shall improve the road from the quarry entrance to the local road L – 7134, and shall also improve the junction of that road with the local road L – 7134. This work shall be undertaken in conjunction with the Area Engineer to his satisfaction.

Reason: In the interests of traffic safety.

Condition No. 3

The developer shall make a financial contribution of €50,000 for the improvement of the local road L – 7133. this is required to strengthen the road edges and provide overlay treatment to ensure the road is not damaged by traffic generated by the subject quarry. The time frame for this work to be agreed with the Roads Office of Carlow County Council.

Reason: In the interests of traffic safety.

Condition No. 4

The proposed development shall be operated so that the processes carried on, or the plant or machinery installed are such as could be carried on, or installed close to a residential area, without any detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, or grit.

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

Condition No. 5

Noise levels from the site, during either construction or operation of the pit, shall not exceed the following limits:

55 dB LAeq, 1 hour between 8:00a.m. and 6:00p.m. Monday to Friday

55 dB LAeq, 1 hour between 9:00a.m. and 1:00p.m. on Saturdays

35 dB LAeq, 1 hour at all other times, as measure at any point along the boundary of the subject site.

Reason: In the interests of proper development and to prevent noise nuisance.

Condition No. 6

The entrance shall be such that no surface water runoff shall be allowed to discharge onto the adjoining public roadways. The necessary gullies and soakaways shall be provided inside the gateway.

Reason : In the interests of traffic safety and the preservation of the visual amenity of the area.

Condition No. 7

Any necessary licensing as required under environmental legislation shall be obtained prior to the plant being fully commissioned.

Reason : In the interests of pollution prevention

Condition No. 8

This development, shall operate strictly between the hours of 7a.m. and 6p.m. Monday to Friday inclusive and Saturdays 7a.m. and 1p.m.. This permission specifically excludes Sunday and Public Holiday working.

Reason : In the interests of residential amenity.

Condition No. 9

No washwater or any other contaminated discharges shall be permitted from the site.

Reason : In the interests of the orderly development of the area.

Condition No. 10

No ancillary buildings, sheds, stores etc., other than those shown on the plans submitted shall be constructed within the pit without the prior approval of the Planning Authority.

Reason : In the interests of orderly development.

Condition No.11

The public road off which this development can be accessed will be kept in a clean and safe manner at all times during the operation of this pit.

Reason : In the interests of traffic safety.

Condition No. 12

All unsoiled surface water run-off from roofs, entrances and parking areas shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow onto the public roadway.

Reason: To prevent flooding of the public road, in the interests of traffic safety and in the interests of public health.

Condition No. 13

Existing road drainage shall not be impaired and the entrance, parking areas and yard shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.

Reason: To prevent flooding of the public road in the interests of traffic safety.

Condition No. 14

The surface water system shall be protected to ensure no liquid can discharge to the surface water system. The system shall have grit removal and an interceptor in place for the discharge to ensure no suspended solids, which may discharge accidentally to the surface system discharges from the site. Sampling manholes shall be placed on the surface water system at locations to be agreed with the planning authority.

Reason: In the interests of public health.

Condition No. 15

No trade effluent from the unit shall discharge to surface or ground waters, other than in accordance with the terms of a current license granted in accordance with the relevant legislation.

Reason: In the interest of public health and to prevent water pollution.

Condition No. 16

This grant does not grant permission to fell or uproot any trees located on the site. With certain exceptions it is an offence, under the Forestry Act, 1946, to fell trees without a felling licence having been granted by the Forest Service. Developers are advised to contact the Felling Section, Forest Service, Department of Agriculture and Food, Johnstown Castle, Co. Wexford, before undertaking any tree felling.

Reason: In the interest of proper planning and development.

Condition No. 17

Within six months of the date of this order, a landscaping/restoration plan for the quarry shall be submitted and agreed in writing with the Planning Authority, showing the locations of where landscaping and restoration will take place and species proposed for planting, upon its cessation or at points of extraction which are exhausted.

Reason: In the interests of visual amenity and in the interests of the proper planning and sustainable development of the area.

Condition No. 18

Any ESB/telecom poles or cabling, which may be affected by the proposed development shall be relocated by the ESB, at the expense of the applicant's.

Reason: In the interests of public health and safety.

