

## **ATTACHMENT B3 – PLANNING PERMISSION**

### **HUNTSTOWN QUARRY COMPLEX**

The excavation and blasting of limestone has been undertaken at the Huntstown Quarry Complex for the past four decades, following grant of an outline permission in or around 1969. It is understood that quarrying at the North Quarry and Central Quarry was commenced at some time in the early-to-mid 1980's, on foot of a planning permission granted in 1982.

In 1994, a 10 year planning permission was granted to Roadstone Dublin Ltd (as it then was) for continued quarrying and production of aggregate and concrete materials at its Huntstown Quarry Complex (Fingal County Council Ref. No. 93A/1134 and An Bord Pleanála Ref.P06F.092622).

In 1996, at the time the (then) M50 Northern Motorway was under construction, the West Quarry was stripped of overburden soils to a depth of up to 3m, in anticipation of its future development as a quarry.

Backfilling and restoration of the North Quarry using imported soil and stone waste commenced in 2002 / 2003 around the time the Dublin Port Tunnel was being constructed and continued intermittently after that time up to 2008. The backfilling and soil recovery activity at that time was undertaken as part of quarry restoration works which had previously been notified to, and agreed with, Fingal County Council in accordance with Condition No. 17 of the 1994 planning permission.

In the case of Huntstown Quarry, backfilling of existing (and planned future) quarries is effectively a necessity in order to prevent the formation of large open water bodies once groundwater pumping / dewatering ceases. Were such water bodies to develop, they would attract birdlife and lead to a significant increase in bird numbers in the local area. As the quarries at Huntstown all lie immediately beneath the main flight path in and out of Dublin Airport, this in turn could create a potentially significant bird hazard for any low flying aircraft overhead.

The soil recovery / quarry restoration activities undertaken between 2002 and 2008 were regulated by waste permits issued under the Waste Management (Permit) Regulations 1998 by Fingal Council Council (Ref No. WPT 21, issued in June 2002 and WPT 96, issued in January 2006).

In 2004, planning permission was granted for continuation of quarrying and related activities at the Huntstown Quarry complex for a further 10 year period (Fingal County Council Ref. No. F03A/1430 and An Bord Pleanála Ref. PL06F.206789). The restoration plan included in that application / permission was essentially the same as that previously agreed with Fingal County Council of foot of Condition No. 17 of the 1994 planning permission.

In August 2014, Roadstone secured planning permission for continuation of quarrying at the Huntstown Quarry complex for a further 20 year period (Fingal County Council Ref. No FW12A-0022, An Bord Pleanála Ref. No. 06F.241693). The planning application was accompanied by an Environmental Impact Statement and Appropriate Assessment Screening Report. The overall development proposal, included provision for ultimate backfilling and restoration of the existing North, West and South Quarries and the planned Central Quarry to ground level using imported excess / waste soil from local construction sites. The maximum soil waste intake rate assumed for impact assessment purposes in the EIS which accompanied the planning application was 750,000 tonnes per annum.

Copies of the 2004 and 2014 planning permissions are attached, together with a copy of the planners report in respect of the 2014 planning permission.

In August 2016, in response to significant demand for inert soil waste recovery capacity identified by firms in the construction and development industry and by hauliers using its licensed facility, Roadstone submitted a planning application (Ref. No. 16FW/0120) to Fingal County Council to increase the permitted maximum rate of intake to its inert soil waste recovery facility at Huntstown from 750,000 tonnes per annum to 1,500,000 tonnes per annum. The planning application was also accompanied by an Environmental Impact Statement and Appropriate Assessment Screening Report. A decision to grant planning permission for the increased waste intake rate was made on 4 October 2016, subject to 5 No. conditions. A copy of the decision is attached, together with a copy of the planners report.

## **CONSTRUCTION AND DEMOLITION WASTE RECOVERY FACILITY**

Planning permission for the existing construction and demolition waste recycling facility in the Central Quarry at Huntstown was granted in 2004 (Fingal County Council Ref. No. F02A/0602 and An Bord Pleanála Ref.PL06F.200623). A copy of that planning permission is attached.

A waste permit in respect of this activity was initially sought and obtained in 2002 as required by the Waste Management (Permit) Regulations of 1998. The waste permit was subsequently renewed in accordance with the 1998 Regulations on two separate occasions, in 2006 (Ref. No. WPT 108) and again in 2009 (Ref. No. FG-WFP-09-0006-01).

Construction and demolition waste recovery at the permitted facility was suspended following commencement of waste recovery activities at the adjoining soil recovery facility in October 2015 in view of restrictions placed on the operation of a licensed and permitted facility by a single corporate entity at contiguous sites by the Waste Management (Facility Permit and Registration) Regulations of 2007 (S.I. No. 821 of 2007, as amended). The long-term status of this facility is currently under review as part of a longer term overall review of operations at the Huntstown Quarry complex.

## **SITE ENTRANCE AND ACCESS ROAD**

Planning permission for the existing access road to the facility which leads off the North Road (the former N2 National Primary Road), was granted by Fingal County Council and An Bord Pleanála on appeal in 2006 (Ref. No. F06A-0164 and P06F.092622).

## **DISCHARGE LICENCE**

Discharges from quarry dewatering and ongoing soil and stone waste recovery activities at the North Quarry are directed to the Ballystrahan Stream and Ward River catchment and are currently regulated by way of the EPA waste licence (Ref. W0277-01)

Roadstone also discharges process water from aggregate washing and concrete production activities at the central infrastructure area via a series of existing settlement ponds to the Ballystrahan Stream, a tributary of the Ward River. These discharges are currently regulated by way of a separate discharge licence from Fingal County Council (Ref. No. WFW/F/008-01) which was issued on the 24th November 2011. A copy of the discharge licence is attached.

## **WASTE LICENCE**

Following the enactment of the Waste Management (Facility Permit and Registration) Regulations of 2007 (S.I. No. 821 of 2007, as amended), the size and scale of quarry restoration and backfilling activities at the Huntstown Quarry complex was such that it also required a waste licence for continued recovery of inert soil waste from the Environmental Protection Agency (EPA).

A waste licence application submitted to the EPA in February 2011 provided for the backfilling and inert soil waste recovery activity at the North Quarry. A waste licence in respect of these activities was ultimately issued by the EPA in February 2015 (Ref. No. W0277-01) and the recovery activity commenced operations in October 2015. This waste licence review application seeks to increase the maximum annual intake limit set by the existing waste licence from 750,000 tonnes per annum to 1,500,000 tonnes per annum.

Having undertaken a detailed review of structural geology and extractable resources at the West Quarry in recent years, Roadstone has decided not to proceed with further development of the planned West Quarry and to apply to the EPA to extend the area of the existing waste licence area to also provide for the backfilling of the West Quarry. Note that planning approval for backfilling and recovery activity at this quarry is provided by both the previous (2004) and current (2014) planning permissions.

This review application to the EPA also makes provision for

- additional backfilling of an area in the south end of the North Quarry which has been quarried in recent years and is likely to be further quarried in the near future (1-2 years); and
- some minor modifications to the licensed area to take account of changes in land ownership and re-alignment of internal haul roads around the quarry complex in recent years.

### **APPROPRIATE ASSESSMENT**

A copy of an appropriate assessment undertaken in 2013 in support of the original waste licence application to the EPA is provided with this Attachment B3, together with a more recent Appropriate Assessment undertaken in support of the recent planning application for increased soil waste intake to the recovery facility, from 750,000 tonnes per annum to 1,500,000 tonnes per annum.

For inspection purposes only.  
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Derek Luby,  
SLR Consulting Ireland  
7 Dundrum Business Park  
Windy Arbour  
Dublin 14

**NOTIFICATION OF DECISION TO GRANT PERMISSION**

**PLANNING & DEVELOPMENT ACTS 2000 - 2015 AND REGULATIONS MADE THEREUNDER**

Decision Order No. PB/0455/16	Decision Date 4 October, 2016
Register Ref. FW16A/0120	Registered 12 August, 2016

**Applicant** Roadstone Ltd

**Development** The development will comprise an increase in the rate of importation of inert soil and stone waste used in the restoration of quarry voids (and backfilling to former ground level), from the current maximum of 750,000 tonnes per annum (previously permitted by Fingal County Council Ref. No. FW12A/0022 / An Bord Pleanála Ref. No. 06f.241693) to a maximum of 1,500,000 tonnes per annum.

The proposed development also requires a review of the existing waste licence (Ref. W0277-01) by the Environmental Protection Agency.

An Environmental Impact Statement (EIS) will be submitted to the planning authority in connection with the application.

Bosca 174, Áras an Chontae, Sord, Fine Gall, Co. Bhaile Átha Cliath / P.O. Box 174, County Hall, Swords, Fingal, Co. Dublin  
Swords Office t: Registry (01) 890 5541 Decisions (01) 890 5670 Appeals (01) 890 5724 f: (01) 890 6779  
e: [planning@fingal.ie](mailto:planning@fingal.ie) [www.fingal.ie](http://www.fingal.ie)

Bóthar an Gharráin, Baile Bhlainséir, Átha Cliath 15 / Grove Road, Blanchardstown, Dublin 15  
Blanchardstown Office t: (01) 870 8436 f: (01) 890 5832 e: [blanch.planning@fingal.ie](mailto:blanch.planning@fingal.ie)

Reg. Ref. FAV16A/0120

**Location** Huntstown Quarry Inert Soil Recovery Facility, Huntstown,  
Johnstown and Kilshane Townlands, North Road, Finglas, Dublin  
11

**Floor Area** 0 Sq Metres

**Time extension(s) up to and including**

**Additional Information Requested / Received** /

In pursuance of its functions under the above mentioned Act, as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

Subject to the (5) conditions on the attached Pages.

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### Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. Apart from the development authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the previous overall permission relating to this site, in particular permission granted under Reg. Ref. FW12A/0022, and any agreements entered into thereunder, insofar as these are applicable.

REASON: In the interest of the proper planning and sustainable development of the area.

3. The applicant shall conform to the requirements of the Planning Authority as follows,

- a. The applicant shall ensure that all hauliers of waste to and from the facility hold a valid Waste Collection Permit for the waste material collected/delivered to the site.

- b. The applicant shall apply to the Environmental Protection Agency for a review of their waste licence (W0277-01) for the increase in annual intake for the infilling of the quarry as proposed in the revised Restoration Plan for the site.

- c. The applicant shall hold a waste licence from the Environmental Protection Agency and apply with the conditions attached prior to the acceptance of waste soil and stones.

- d. The applicant shall apply to Irish Water for a trade effluent discharge license under Section 16 of the Water Pollution Act to control the discharge of any trade effluent that is intended to be discharged to the sewer.

- e. The applicant shall submit details of any proposed changes to the existing pumping regime for agreement, including proposed quantities to be discharged to adjacent streams prior to its implementation.

- f. The operator shall ensure that the development does not affect or cause deterioration in water quality, water levels or yields in the domestic wells in the vicinity of the quarry. In the event of quarrying activities having a proven adverse impact on private wells in the vicinity, the operator shall undertake appropriate remedial measures as agreed with the Planning Authority, at the expense of the operator. In the event of any disruption of any water supplies, the quarry operator shall cease any operations causing such disruption until water supply has been restored or replaced.

- g. Ground water or surface water from the site shall not be discharged to waters or sewers unless licensed under Section 4 or Section 16, whichever is appropriate, of the Local Government (Water Pollution) Acts 1977 and 1990. The applicant shall consult with the Environment Department in relation to

applying/reviewing any discharge licensing.

h. No direct emissions including discharges of List I and List II substances as specified in Directive 76/64/EEC to groundwater shall occur.

i. The applicant shall maintain records of silt removed from settlement ponds and the destination of same and submit annually.

j. All storage tanks for fuel and or chemicals shall be surrounded by a bund capable of retaining 110% of the volume of the largest single tank within the bunded area. The intake and outlet for the tanks shall be positioned inside the bund. Provision shall be made to remove and dispose of the rainwater so as to ensure the specified volume is always available within the bund.

k. The applicant shall maintain an Extractive Waste Management Plan and this plan shall be reviewed at least every five years and be submitted to the Planning Authority for agreement. The plan should include the management of stockpiles of unsaleable product held.

REASON: In the interest of public health and the proper planning and sustainable development of the area.

4. The applicant shall conform to the requirements of the Planning Authority as follows,

a. No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators etc.) shall be operated on or adjacent to subject site before 8.00 a.m. to 7.00 p.m., Monday to Friday, and 8.00 a.m. to 1.00 p.m. on Saturdays. No activities shall take place in site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, shall take place on site between the hours of 7.00 p.m. and 8.00 a.m. No deliveries of materials, plant or machinery shall take place before 8.00 a.m. in the morning or after 7.00 p.m. in the evening.

b. If there is any occasion when work must be carried on outside daytime hours, this department, local residents and businesses in areas which are likely to be affected by noise from the proposed works should be notified in advance e.g. in letter or leaflet or advertisement form, of:

- Name, address and telephone number of company carrying out works
- Nature of and reason for works
- Likely duration and times of work

c. Noise due to the normal operation of the proposed development shall not cause a noise nuisance to nearby noise sensitive locations and shall not exceed the background level by 10dB(A) or more or exceed NG4 limits whichever is lesser.

Daytime (07:00 to 19:00 hrs) – 55dB

Evening (19:00 to 23:00 hrs) – 50dB

Night-time (23:00 to 07:00 hrs) – 45dB

(measured from nearest noise sensitive locations)

Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

Signed on behalf of the Fingal County Council

  
for Senior Executive Officer

6 October, 2016

NOTES:

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000. Copies of each compliance submission should be made in triplicate.

The applicant is required to remove Site Notice on receipt of Notification from Planning Authority of decision.

Please note all observations/submissions have been taken into consideration when making this decision.

Please also note that consent under the above Planning legislation does not imply consent under the Building Control Regulations. The onus is on all practitioners to ensure full compliance with the Building Control Regulations (In certain circumstances design changes may require planning permission).

It should be further noted that planning permission is required in respect of changes to a Protected Structure or the exterior of a building in an Architectural Conservation Area which materially affects the character of the building/ structure.



d. All necessary steps shall be taken to contain dust and airborne pollutants arising from the site and to prevent nuisance to persons in the locality. This shall include i) covering skips, ii) covering slack heaps, iii) netting, iv) regular road and pavement damping and sweeping, v) use of water spray to suppress dust, vi) proper paved or hard stand access for trucks and vehicles to and from the site to prevent dirt and dust from the site being carried from the site on to public roads etc.

e. The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

f. The air and noise mitigation measures outlined in the Environmental Impact Statement submitted with the Planning Application, on 12th August 2016 shall be adhered to.

REASON: In the interest of public health, the amenity of the area, and proper planning and the sustainable development of the area.

5. The applicant shall conform to the requirements of the Planning Authority, as follows,
- a. At the end of the 6 year period (i.e., 6 years from the date of Final Grant of Permission) the road network shall be inspected by the Area Engineer, Operations Department and any additional maintenance measures required resulting from heavy vehicle loads on the road network shall be carried out at the expense of the applicant. The details shall be agreed with the Planning Authority prior to the commencement of the development.
  - b. The applicant shall pay a special contribution of €2000.00, under Section 48(2)(c) of the Planning and Development Act (2000) in respect of additional calibration and validation of the existing traffic signals at Kilshane Cross.

REASON: In the interests of safety, and the proper and sustainable development of the area.

Note:

1. The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.



## Information Note - Public Water and Waste Water Networks

### Connections

On the 1<sup>st</sup> of January 2014 Irish Water became the statutory body with the responsibility for all water services, both water and waste water. The provision of a water services connection will be carried out by Irish Water in partnership with each Local Authority.

Any persons seeking a connection to any of Irish Water's networks should make an application in the first instance to their Local Authority who will act on behalf of Irish Water in processing the application.

A Connection Agreement between Irish Water and the applicant will be required, prior to any connection being agreed, and will set out the conditions and charges to be applied to the connection. Details, including availability of application forms, are to be found on each Local Authority website.

It should be noted that Planning Authorities can no longer levy water and wastewater development charges and that these will now be incurred as part of the connection charge, if applicable.

Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network, either directly or indirectly, or to otherwise take a water supply without the agreement of Irish Water.

Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Irish Water.

# INFORMATION for the purposes of Building Control;-

- IMPORTANT NOTE NOW THAT YOU HAVE RECEIVED PLANNING PERMISSION or ARE INTENDING TO CARRY OUT BUILDING WORKS.

BEFORE ANY BUILDING WORKS TAKES PLACE ON YOUR SITE YOU WILL NEED TO CHECK THE FOLLOWING Pre-Development Planning Conditions, Commencement Notice, Construction Products Regulations (CPR) (Regulation (EU) No. 305/2011) .

- IF SOME OR ANY OF THESE ARE OMITTED YOUR BUILDING MAY BE AN UNAUTHORISED BUILDING AND YOU MAY BE GUILTY OF AN OFFENCE AND/OR YOU MAY BE SUBJECT TO PENALTIES.
- YOU SHOULD ALSO BE AWARE THAT IF YOU OMIT TO SUBMIT A VALID COMMENCEMENT NOTICE TO YOUR LOCAL AUTHORITY YOU MAY BE UNABLE TO GET A COMPLETION CERTIFICATE AND THIS MAY HAVE SERIOUS LONG TERM CONSEQUENCES.

*(The information is for guidance purposes only and does not purport to be a legal interpretation or constitute legal or professional advice.)*

## 1. Pre-Development Planning Conditions;

1. If there are any Pre-Development conditions on the schedule of conditions attached to your planning permission you should give your immediate attention to them prior to the commencement of your development.

**Note:** All conditions must be complied with in full as failure to do so will render your permission invalid and may result in the initiation of enforcement proceedings for compliance with same

## 2. Commencement Notice; [www.localgov.ie](http://www.localgov.ie)

In accordance with the Building Control Regulations you are obliged to submit a Commencement Notice prior to commencement of the development and it must be received by the BCA not less than 14 days and not more than 28 days before you wish to commence. Commencement Notice forms may be downloaded from [www.localgov.ie](http://www.localgov.ie), @ BCMS. Please complete same and submit on-line to BCMS.

- (a) A completed copy of the commencement notice which must be signed by the owner of the works and must (refer to section 9 S.I. No 9 of 2014) be to be accompanied by the following;
  - a. General Arrangement Drawings
  - b. A schedule of design documents as are currently prepared or to be prepared
  - c. An online- assessment via the Building Control Management System of the proposed approach to compliance with the requirements of the Building Regulations 1997 to 2014;
  - d. The preliminary inspection plan
  - e. A Certificate of Compliance (Design)
  - f. Notices of Assignment in respect of the Builder who will carry out the works and of the Assigned Certifier who will inspect and certify the works, and
  - g. Certificates of Compliance signed by the Builder and the Assigned Certifier undertaking to carry-out their roles in accordance with the requirements of the Building Regulations.

With regard to the above, please note that:

1. The Designer and the Assigned Certifier must be a Chartered Engineer, or Registered Architect or Registered Surveyor
2. A Competent Builder must execute the work

3. Your drawings must show details of how your Building will comply with the Building Regulations - drawings submitted for planning permission purposes are not typically building control compliance drawings.
4. The commencement notice and accompanying documentation must be filed electronically via the online Building Control Management System. Where notices and documentation are submitted in written format, the building control authority will arrange for scanning and uploading of same for which an administrative charge will apply and statutory deadlines relating to such notices may be delayed by up to seven days.

(Note: Statutory approvals relating to fire safety and disabled access continue to apply where relevant and are not affected by the above changes).

For more information; <http://www.environ.ie/en/DevelopmentHousing/BuildingStandards/>

### **3. Construction Products Regulations (CPR) (Regulation (EU) No. 305/2011)**

**CE MARKING of construction products covered by harmonised European Standards is mandatory, when the construction product is placed on the market.**

You need to ensure that you appoint competent professionals.

Whilst the CPR concerns itself with the conditions which apply when placing a construction product on the market, clients, specifiers, designers and builders etc. should be aware of the following when incorporating construction products into building works:

1. When drawing up specifications, refer to the harmonized technical specifications and specifically to the performance requirements of individual characteristics when necessary,
2. When choosing the products most suitable for their intended use in construction works, review the manufacturer's Declaration of Performance,
3. Check National Annexes or Standard Recommendations which give guidance on appropriate minimum performance levels for specific intended uses of the product in Ireland. NSAI host this information at [www.nsai.ie](http://www.nsai.ie), and

**NOTE;** All works should be carried out using "proper materials...which are fit for the use for which they are intended and for the conditions in which they are to be used" to ensure compliance with the Building Regulations. For further information on the Building Regulations see <http://www.environ.ie/en/DevelopmentHousing/BuildingStandards/>

**NOTES**

**(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of eight weeks beginning on the date of Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

**(B) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála by the applicant or ANY OTHER PERSON who made submissions or observations in writing to the Planning Authority in relation to this planning application within four weeks beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received). A person who has an interest in land adjoining land in respect of which permission has been granted may within the appropriate period and on payment of the appropriate fee apply to the Board for Leave to Appeal against that decision.

1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. Appeals should be sent to:  
**The Secretary, An Bord Pleanála, 64 Malborough Street, Dublin 1.**

2. An appeal lodged by an applicant or his agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below. In the case of third party appeals, a copy of the acknowledgement of valid submission issued by F.C.C. must be enclosed with the appeal.

3. A party to an appeal making a request to An Bord Pleanála for an oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (f) below).

4. Where an appeal has already been made, another person can become an "observer" and make submissions or observations on the appeal. A copy of the appeal can be seen at the Planning Authority's office.

5. If the Council makes a decision to *grant permission/ retention/ outline/ permission consequent on the grant of outline* and there is no appeal to An Bord Pleanála against this decision, a final grant will be made by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will issue the final grant as soon as may be after the withdrawal.

6. Fees payable to An Bord Pleanála from 5<sup>th</sup> September 2011 are as follows:

**Case Type**

**Planning Acts**

(a) Appeals against decisions of Planning Authorities

Appeal

(i) 1<sup>st</sup> party appeal relating to commercial development where the application included the retention of development €4,500 or €9,000 if an EIS or NIS involved

(ii) 1<sup>st</sup> party appeal relating to commercial development (no retention element in application) €1,500 or €3,000 in EIS or NIS involved

(iii) 1<sup>st</sup> party appeal non-commercial development where the application included the retention of development. €660

(iv) 1<sup>st</sup> party appeal solely against contribution condition(s) – 2000 Act Section 48 or 49 €220

(v) Appeal following grant of leave to appeal (An application for leave to appeal is also €110) €110

(vi) An appeal other than referred to in (i) to (v) above. €220

(b) Referral €220

(c) Reduced fee for appeal or referral (applies to certain specified bodies) €110

(d) Application for leave to appeal (section 37(6)(a) of 2000 Act) €110

(e) Making submission or observation (specified bodies exempt). €50

(f) Request for oral hearing under Section 134 of 2000 Act €50

**NOTE: the above fee levels for planning appeals and referrals remain unchanged from those already in force since 2007 (but note the addition of NIS in (i) and (ii) above).**

Fees apply to: All third party appeals at 7(a)(iv) above except where the appeal follows a grant of leave to appeal; First party (section 37 appeals) planning appeals not involving commercial or retention development, an EIS or NIS. All other (non section 37) first party appeals.

These bodies at 7(c) above are specified in the Board's order which determined fees. They include planning authorities and certain other public bodies e.g. National Roads Authority, Irish Aviation Authority.

NB. This guide does not purport to be a legal interpretation of the fees payable to the Board. A copy of the Board's order determining fee under the Planning Act is obtainable from the Board. Further information about fees under other legislation may be found in the appropriate legislation and is also available from the Board.

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at (01) 8588 100.

FB/0455/1C

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW16A/0120

<b>CONTRIBUTION</b>	
Standard Levy:	
Open Space:	
Other:	€2000
<b>SECURITY:</b>	5.48(2)(c)
Bond:	
Cash:	
Other:	

Register Reference: FW16A/0120

Date of Registration: 12 August, 2016

Correspondence: Derek Luby, SLR Consulting Ireland 7 Dundrum Business Park, Windy Arbour, Dublin 14

**Development:** The development will comprise an increase in the rate of importation of inert soil and stone waste used in the restoration of quarry voids (and backfilling to former ground level), from the current maximum of 750,000 tonnes per annum (previously permitted by Fingal County Council Ref. No. FW12A/0022 / An Bord Pleanala Ref. No. 06f.241693) to a maximum of 1,500,000 tonnes per annum.

The proposed development also requires a review of the existing waste licence (Ref. W0277-01) by the Environmental Protection Agency.

An Environmental Impact Statement (EIS) will be submitted to the planning authority in connection with the application.

**Location:** Huntstown Quarry Inert Soil Recovery Facility, Huntstown, Johnstown and Kilshane Townlands, North Road, Finglas, Dublin 11

**Applicant:** Roadstone Ltd

**Application Type:** Permission

**Zoning:** 'RU' - The objective of which is to 'Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage'

Planning Officers Report:

COMHAIRLE CONTAE FHINE GALL

*RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER*

Reg. Ref.: FW16A/0120

EM/CD

Report of the Planning Officer dated 3rd October 2016.

This is an application by Roadstone Ltd for PERMISSION for development to comprise an increase in the rate of importation of inert soil and stone waste used in the restoration of quarry voids (and backfilling to former ground level), from the current maximum of 750,000 tonnes per annum (previously permitted by Fingal County Council Ref. No. FW12A/0022 / An Bord Pleanála Ref. No. 06f.241693) to a maximum of 1,500,000 tonnes per annum at Huntstown Quarry Inert Soil Recovery Facility, Huntstown, Johnstown and Kilshane Townlands, North Road, Finglas, Dublin 11.

The proposed development also requires a review of the existing waste licence (Ref. W0277-01) by the Environmental Protection Agency.

An Environmental Impact Statement (EIS) will be submitted to the planning authority in connection with the application all at Huntstown Quarry Inert Soil Recovery Facility, Huntstown, Johnstown and Kilshane Townlands, North Road, Finglas, Dublin 11.

**Zoning**

The greater portion of the subject site is located in an area which is subject to the zoning objective, 'RU', i.e. 'protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage', while the south western portion of the subject site is located in an area which is subject to the zoning objective 'HI', i.e. 'Provide for heavy industry' according to the Fingal Development Plan 2011-2017.

The land to the immediate north of the subject site is subject to map-based Local Objective (LO) no. 409 i.e.

*LO 409*

*The quantum of development on these lands to be determined by the capacity of the road infrastructure.*

The land to the immediate north east is subject to LO no. 405 and no. 418 i.e.

*LO 405*

*Facilitate the development of infrastructure for waste management, including construction and demolition waste processing, biological treatment of organic waste, a sludge treatment facility, and a waste transfer station.*

*LO 418*

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*Provide for additional units to accommodate homeless persons.*

The land to the immediate east is subject to LO no. 450, i.e.

*LO 450*

*The quantum of development on these lands to be determined by the capacity of the road infrastructure.*

The land to the immediate south east of the subject area is subject to LO no. 464, i.e.

*LO 464*

*The quantum of development on these lands to be determined by the capacity of the road infrastructure.*

The land to the immediate south of the subject area is subject to LO no. 484, i.e.

*LO 484*

*Prepare a study on the long term optimum use of lands and the provision of employment-creating sites along the Metro West route. In the interim, planning applications will be assessed based on their merits with regard to the zoning objective and vision and the timeframe for delivery of Metro West.*

*Waste Disposal and Recovery Facility (High Impact) is a USE CLASS which is 'Permitted in Principle' in areas which are subject to the zoning objective 'HI'.*

*Waste Disposal and Recovery Facility is a USE CLASS which is neither 'Permitted in Principle' nor 'Not Permitted' in areas which are subject to the zoning objective 'RU'.*

As such,

*'Uses which are neither 'Permitted in Principle' nor 'Not Permitted' will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan'.*



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#### Description of Site and Surroundings

The proposed development is located on a site of stated area, 48.65 ha, which is within the ownership of the Roadstone Ltd. organisation, and is located within an industrial area on the western side of the M50 and M2, and R135 roads, to the north of the Cappagh Road, and to the immediate east of the Kilshane Road.

The subject site is located to the east and north of the Ballycoolin and Rosemount industrial areas.

The subject site is, other than the quarries within the site, topographically flat, and is populated by grass and short bushes.

There are two relatively deep working quarries on site, the North Quarry and the South Quarry. The West Quarry was 'dug out' to a measured depth of up to three metres approximately, and following a detailed review of structural geology and extractable resources Roadstone has decided not to proceed with further development and wish to bring forward the backfilling and restoration of this area.

There is also an asphalt plant, a concrete batching plant for making up truck deliveries of concrete, an area for the production of concrete blocks and site huts all located on the subject site.

The electricity generating station operated by Viridian is located immediately adjacent to, and to the east of, the proposed development.

The proposed development is located on a site which is located in turn on the north western boundary of Roadstone's quarrying activity in Huntstown. Historically, the site at Huntstown was operated by Roadstone as a location from which Roadstone sourced stone, gravel and sand which is used in off site construction activity.

The proposed development concerns two areas, the North Quarry, of measured area 19.4 ha approximately, and the West Quarry of measured area, 6.9 ha approximately. The North Quarry is located on the north western border of the Huntstown site, and is separated by an internal road, which runs in an east-west, from the West Quarry which is located on the western boundary of the Huntstown site.

#### Proposal

This is an application for proposed works to an existing site located in the curtilage of the quarry at Huntstown which is operated by Roadstone Ltd. The proposed works comprise the backfilling of existing quarries at Roadstone's Huntstown operating site i.e. the North Quarry and the West Quarry. Backfilling of the Huntstown North Quarry and

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West Quarry using imported inert soils and stone waste extends from the quarry floor up to original ground level of the quarry areas. On completion, the backfilled quarries will be returned to agricultural use, most likely as grassland, in keeping with the existing and surrounding agricultural area and to be managed by a proposed Landscape and Restoration Scheme which will involve restoration of grasslands, and native woodland screen and hedge planting. The estimated volume of inert soil and stone material which will be placed at the North Quarry and West Quarry is approximately a stated 5,025,000 cum. Of this, approximately a stated 50,000 cum will be sourced from on-site stockpiles, while the balance will be imported into the subject site. The duration of fill will depend on the annual intake which is delivered to site, the maximum annual intake which is constrained by the EPA-granted Waste Licence, and will be between six years (the shortest possible) and a possible 9.5 to 12 years. There are proposed operating procedures in place at the existing recovery facility to ensure that all soil and stones forwarded for backfilling and/or recovery purposes are pre-sorted at source, are inert and free of construction or demolition waste or any non-hazardous/hazardous domestic, commercial or industrial wastes.

**Relevant Planning History**Reg. Ref. FW12A/0022

This is an application by Roadstone Wood for planning permission for permission / permission for continuation of use of all existing authorised facilities and activities within a planning application area of c. 167.5 hectares as follows:

- Extraction, crushing, screening and processing of rock (authorised by Reg. Ref. No. F03A/1430 / PL 06F.206789) from the Northern, Western, Central and Southern Deposits for a period of 35 years.
- Total Extraction area of c.55.9 hectares within a total landholding of c. 211 hectares
- Crushing, Screening and Processing Plant
- Block Manufacturing Facility & Block Yard
- Paving Display Centre & Offices
- Machinery Maintenance Building
- Offices, Staff Facilities, Laboratory
- Concrete Batching Plant & Associated Plant
- Asphalt Plant & Associated Plant
- Stockpile Materials Shed associated with Asphalt Plant, granted under P. Reg. Ref. F06A/0923 (ABP Ref: PL 06F.219655).
- Weighbridge, Bunded Fuel Storage & Oil Interceptor
- Security Huts (3 no.), Truck Wash Bays & HGV Load Spray Bars (P. Ref. FW09A/0099 in respect of amendment to Condition 14 of F03A/1430)
- Bord na Mona Moving Bed Biological Reactor & Percolation Area
- Stockpiles Storage Areas & Plant Storage Yard
- Stables (22 no.) & Horse exercise paddock

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- Existing Site Accesses (2 no.) onto the R135 North Road (Revised Entrance P. Ref. F06A/0164 & ABP Ref: PI 06F.217413P) & Kilshane Road.
- Restoration of any worked out extraction areas, including for 5 years after the cessation of quarrying activities.
- All other ancillary buildings, plant and facilities for the production of building products, including aggregates, ready-mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works.

This Planning Application will be accompanied by an Environmental Impact Statement (EIS).

All proposed development located at Huntstown Quarry, Huntstown, Johnstown, Coldwinters & Kilshane, Grange & Cappogue Townlands, North Road, Finglas, Dublin 11. Planning permission was granted on appeal to An Bord Pleanala on the 24th September 2014.

Reg. Ref. FW09A/0099

This was an application by Roadstone Dublin Ltd. at Huntstown Quarry for planning permission for amendment to Condition No. 14, authorised by Fingal Planning Reg. Ref. No. F03A/1430, so as to allow the option of spraying with water all vehicles carrying quarried or other dust producing materials to or from the site as an alternative to sheeting and was granted final planning permission on the 06th October 2009

Reg. Ref. F06A/0164

This was an application by Roadstone Dublin Ltd at Huntstown Quarry for planning permission for a new 7.3m. wide vehicular access located approximately 140 metres to the north of the existing permitted access at North Road (former N2 National Route) to link into existing access road; the proposed outbound lane measures approx 3.65 m. wide by 200m. long and the proposed inbound lane measures approx. 3.65m. wide by 240m. long; all ancillary site works and to amend Condition No. 11 of permission Reg. Ref. No. F03A/1430 so the operational hours for processing and manufacturing activities in the central plant area only shall be between 05.30 hours and 20.00 hours Monday to Saturday. The proposed access will be used by quarry traffic and Huntstown Power Plant traffic. The existing access at the former N2 North Road will be closed. Existing access will continue at Kilshane Road. Permission was granted on the appeal to An Bord Pleanala on the 27th September 2006.

Reg. Ref. F03A/1430

This was an application by Roadstone Dublin Ltd. at Huntstown Quarry for planning permission for the continuation of extraction, crushing, screening and processing of rock (authorised by Reg. Ref. No. F93A/1134), from the northern, central, western and southern deposits for 20 years (c.57.5ha. total extractive area in a c. 205 ha. overall site);

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the continuance indefinitely of all authorised crushing, screening and processing plant, block manufacturing plant (2,452 sq.m.) block yard (17.2 ha.), paving display area (636 sq.m.), paving centre (180 sq.m.), machinery maintenance building (1,456 sq.m.), offices (174 sq.m.), staff facilities (48 sq.m.), laboratory (68 sq.m.), concrete batching plant, semi-mobile concrete batching plant, asphalt plant, weightbridge, 2 no. truck wash bays, 4 no. security huts, Bord na Mona moving bed biological reactor and percolation area, stockpiles and all ancillary buildings, plant and facilities for the production of building products including aggregates, ready made concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works; progressive restoration of the worked out extractive areas including for 5 years after the cessation of quarrying; and for the retention of plant storage yard (site area c.1.74 ha.), 22 no. stables (394 sq.m.) and horse exercise paddock (site area c. 1.86 ha.). Existing access will continue at the N2 North Road and Kilshane Road. This application is accompanied by an Environmental Impact Statement. This development is in the townlands of Coldwinters, Kilshane, Huntstown, Johnstown, Grange and Cappogue. Permission was granted on the 31st August 2004 on appeal by An Bord Pleanála.

Reg. Ref. F02A/0602

This was an application by Roadstone Dublin Ltd. at Huntstown Quarry for planning permission for the recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles, ceramics, and asphalt) on a 1.5 hectare site within its existing landholding. The development will consist of construction of a hardstanding area for stockpiling and waste recovery and waste inspection area (200 sq.m). Provision is also made for portakabin office (39 sq.m.). Operations to be carried out include crushing and stockpiling of material using mobile plant. Final permission was granted on the 09th June 2003.

Reg. Ref. F93A/1134

This was an application for retention permission for all existing planting and building services and ancillary development as previously approved in 1984 including concrete plant, store plant, and block plant as previously approved under WA 2282, and for permission to quarry the northern, western, and central limestone deposit in the 200ha site. Permission was granted by An Bord Pleanála on appeal.

WA 2282 (in year 1981)

Permission was granted to quarry the northern, western and central limestone deposits, new concrete plant, and for the retention of block plant, macadam plant ancillary installations. Permission was granted by An Bord Pleanála on appeal, with a planning condition limiting the life of the quarry to ten years.

Proposal

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This is a proposal for an increase in the rate of backfilling in the North and West quarries at the Roadstone facility in Huntstown. The 2014 planning permission (i.e. FW12A/0022) which provides for the backfilling all existing and/or planned quarries at Huntstown (including the North Quarry and West Quarry) was granted on the basis of a maximum projected intake of 750,000 per annum while the existing waste licence applies a restriction on waste intake to a maximum of 750,000 tonnes per year. Roadstone proposes to increase the maximum intake from 750,000 tonnes per year to 1,500,000 tonnes per year given the elevated market demand tracing to the lift in construction and development-related activities around Dublin, intensifying the soil and stone recovery activities at the Huntstown Quarry. The rate of intake of soil and stone in the first three to four months of 2016 was 'broadly' comparable to that for which planning permission is now being sought. Roadstone asserts that the existing facility at Huntstown has the capacity to accommodate the proposed increased rate of waste import without significant adverse operational or environmental impacts other than some delay for HGV's queuing on internal roads while waiting to be weighed.

**Environmental Impact Statement (i.e. EIS)**

The EIS submitted in support of the planning application is summarised by chapter as follows,

**1.0 Introduction**

Roadstone is currently importing relatively large volumes of excess or waste soil, stone and rock from construction and development site across Dublin City and region to backfill the North Quarry at Huntstown. This backfilling activity is part of the overall restoration scheme for the Roadstone landholding which projects that all the existing and/or planned quarries at the complex will be backfilled to former ground level using naturally occurring soil and stone waste. Roadstone has established that there is significant demand for additional soil waste recovery capacity at authorised soil recovery facilities around the region at the current time. This application provides for an increase in the permitted maximum annual intake to the existing recovery facility at Huntstown to 1.5 million tonnes per annum, and in so doing, seeks to provide the additional soil waste recovery capacity required by the construction and development industries over the short-to-medium term. The site to which the application relates is located entirely within the townlands of Huntstown, Johnstown and Kilshane, Co. Dublin, approximately 2.5km north-west of the Dublin suburb of Finglas and 2km north-west of the interchange between the N2 Dual Carriageway and the M50 Motorway. The application site comprises,

- a deep limestone quarry (the North Quarry) with perimeter screening and overburden mounds
- a relatively shallow quarry (the West Quarry) from which overburden soil cover has been removed and

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- existing ancillary site infrastructure (offices, sheds, hardstand areas, wheelwash, weighbridges, settlement ponds etc.), much of which is shared with aggregate, concrete and asphalt production businesses co-located at the Huntstown Quarry Complex.

**Site Access**

The site is accessed from the adjacent M50, the N/M2 and immediately from the R135 'North Road', the former main Dublin to Ashbourne Road.

**Surrounding Land Use**

The application site is located entirely within the existing quarry complex at Huntstown. The land immediately beyond the south-eastern corner of the North Quarry is used for the processing of aggregates and manufacture of concrete and asphalt products (at the Central Quarry), while the lands to the immediate west, north and north-east of it are primarily in use as agricultural grassland. At the West Quarry, the lands immediately to the north comprise the North Quarry and some lands in agricultural use while the lands to the east and south-east comprise a nature reserve area and the South Quarry, where rock continues to be extracted for aggregate and concrete production. The adjoining area located to the west and north of the subject site is the location for commercial warehouses and factories. There are a number of residential properties in the vicinity of the site.

**Planning and Licensing Status**

Roadstone secured planning permission for continuation of quarrying at Huntstown until 2034 (Reg. Ref. FW12A/0022 ABP Reg. No. 06F.241693). This grant of planning permission includes provision for backfilling and restoration of the existing North, West, and South Quarries, and the planned Central Quarry to above ground water level. The backfilling of the quarries facilitates the restoration of the quarried land to agricultural use, and improves the protection provided to the underlying groundwater resource which is currently classified as 'extremely vulnerable' due to the absence of any protective soil cover. Under Environmental Impact Assessment (i.e. EIA) a maximum projected waste intake of 750,000 tonnes per annum was assumed in the Environmental Impact Study (EIS) which represents the upper limit on permitted waste intake for backfilling of the Huntstown location quarries. Consequently, in addition to the obtaining planning permission for an increase in the maximum annual limit of soil waste intake, it will be necessary to obtain a similar increase in the maximum annual intake limit set by the current waste licence (i.e. W0277-01). Making provision in the waste licence review application for additional backfilling at the West Quarry, and North Quarry will increase the overall permitted capacity of the licenced waste recovery facility from 3,850,000 cum to approximately 5,025,000 cum. The inert soil, stone, and rock recovered at the facility are sourced from construction and development sites, where ongoing testing has indicated that there is no contamination present in any of the

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excess soils transferred off-site. All inert material is brought to the facility by contractors holding valid waste collection permits and using authorised vehicles.

## 2.0 Proposed Development

The 2014 planning permission (i.e. FW12A/0022) which provides for the backfilling of all existing and/or planned quarries at Huntstown (including the North Quarry and West Quarry) was granted on the basis of a maximum projected intake of 750,000 tonnes per annum while the existing waste licence applies a restriction on waste intake to a maximum of 750,000 tonnes per year. Roadstone proposes to increase the maximum intake from 750,000 tonnes per year to 1,500,000 tonnes per year given the elevated market demand tracing to the lift in construction and development-related activities around Dublin, thereby intensifying the soil and stone recovery activities at the Huntstown quarry. The rate of intake of soil and stone in the first three to four months of 2016 was 'broadly' comparable to that for which planning permission is now being sought. Roadstone asserts that the existing facility at Huntstown has the capacity to accommodate the proposed increased rate of waste import without significant adverse operational or environmental impacts other than some delay for HGV's queuing on internal roads while waiting to be weighed.

### Site Infrastructure

Existing site infrastructure, which includes offices, staff welfare facilities, site roads, fuel storage tanks, waste inspection shed, and water drainage infrastructure, are indicated on Figure NTS-4 of the EIS. Discharges from the quarry dewatering and ongoing soil and stone waste recovery activities at North Quarry are directed to Ballystrahan Stream and Ward River catchment, and are currently regulated by way of the EPA waste licence i.e. Ref. W0277-01.

### Waste Operations and Procedures

On completion of backfilling, the quarries will be returned to agricultural use with the estimated volume of inert soil and stone material to be placed in the North and West quarries approximately 5,025,000 cum. The time required to backfill the North and West quarries is of the order of six to twelve years depending on the average annual intake. Procedures exist at the recovery facility to ensure that all soil and stones for backfilling/recovery are pre-sorted at source, inert, and free from construction or demolition waste or any no-hazardous/hazardous-domestic-commercial-and/or industrial wastes. Site procedures are in place at the recovery facility with respect to waste acceptance, inspection, handling, and testing. Environmental control procedures and monitoring are in place around the facility and the wider quarry complex to ensure any noise, dust, and or water emissions are within permitted limits.

## 3.0 Human Beings

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The nature of any impacts on human beings from the proposed intensification in waste recovery activities are asserted to be similar to those arising from the currently ongoing quarry and waste recovery operations. Existing perimeter screening berms and the separation distance between dust and noise sources and sensitive receptors are asserted to provide significant attenuation of any dust and noise emissions likely to be generated by the increase in waste recovery activity. Established mitigation measures will continue to be implemented to ameliorate the effects of noise and dust emissions from the recovery facility. An assessment of traffic impacts along the R135 indicates that there will be no significant impacts on traffic safety or on the capacity of existing roads and junctions in the area. Given established land uses and traffic levels along the R135 and N2/M2 immediately to the east of the subject facility, it is asserted that increased traffic movements resulting from the proposed development will not result in any significant adverse residual effects on the residential amenity of properties along the access routes to the proposed facility. The proposed increase in the rate of backfilling which may be attained with development consequent on a grant of planning permission will ensure that the duration of impacts on the human and natural environment will be less than that anticipated at the time planning permission and waste licences were issued in respect of backfilling/restoration/soil waste recovery activities at the existing facility. The proposed development will bring forward the final restoration of the North and West quarries, and make them available for productive use in line with any zoning objective which might apply to the subject area.

#### 4.0 Flora and Fauna

It is asserted that no designated sites will be directly or indirectly impacted by the proposed increase in waste intake to the existing licensed soil recovery facility at Huntstown. There are no Special Areas of Conservation (SACs) or Special Protection Areas (SPA's) within or contiguous to the application site or on Roadstone's wider land holding at Huntstown, and the proposal at North Quarry will not likely impact upon any protected or important species. At West Quarry, the proposal will result in the direct loss of habitats for protected species including the Irish hare, the common frog, and the smooth newt. The implementation of appropriate mitigation measures including the relocation of the smooth newts from the West Quarry will mean that proposed increase in waste intake rate is not likely to have a significant impact on the local population status of these species. There is a loss of a number of ponds in the base of the West Quarry that are of Local value as habitats. Due to extant planning consent for quarrying and backfilling in the West Quarry, these habitat areas would be lost.

#### 5.0 Soils and Geology

The Huntstown Quarry complex straddles a number of geological formations. Specifically, it is underlain by the limestones of the Malahide formation in the southern part with the Waulsortian Limestones of the Feltrim Limestone Formation and the calcareous mudstones and argillaceous limestones of the Tober Colleen formation



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occurring to the north west, around the centre of the quarry. There is a faulted contact running broadly east to west through the quarry complex, which means that the northern part of the complex is also underlain by the limestones of the Malahide Formation. The exposure of the geological contact between the Waulstorian Limestones of the Fetlim Limestone Formation and the Tober Colleen Formation in the road way leading in the Central Quarry has been designated a Geological Heritage Site, and may in time be designated as a Natural Heritage Area. It is asserted that the proposed increase in waste intake to the recovery facility will have no impact on the said exposure. While any increase in the rate of import of soil and stones introduces a greater risk of potential soil contamination at the existing facility, as a result of the implementation of best practice management procedures, the potential risk of soil contamination from the imported material is asserted to be low. In addition, the proposed backfilling and restoration of the quarry is asserted to improve the visual appearance of the local landscape, and will facilitate the re-establishment of the grassland habitat which preceded the existing and proposed development. The applicant also asserts that,

*'In order to minimise the future agricultural potential of the restored land, a minimum 150 mm thick layer of subsoil will be placed over the backfilled materials.'*

#### 6.0 Water

The site is located in an area with high to extreme groundwater vulnerability which reflects the potential for rapid groundwater movement thorough thin/non-existent soil cover into the underlying and poor bedrock aquifer. Previous sampling and testing of groundwater from monitoring wells across the Huntstown Quarry complex indicates that groundwater quality at the application site is generally good.

Published mapping indicates that the Huntstown quarry complex straddles two river catchments, the Ward River, and its tributary the Ballystrahan stream located to the north of the subject site, and the Tolka River which located to the south. Off-site discharges from the established waste recovery activities are currently regulated by way of our EPA waste licence (Ref. W0277-01) and a discharge license from FCC (Reg. No. WPS/F/008-01). Discharge compliance is generally good, although there are occasional exceedances of water quality emission thresholds.

Potential impacts of increasing the rate of backfilling and restoring the North Quarry and West Quarry using inert material have been assessed and it is asserted that in the absence of mitigation measures the proposed development could have the potential to negatively impact groundwater and surface water quality.

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The applicant therefore proposes a surface water management and best practice mitigation measures during ongoing restoration, backfilling, and recovery activities to protect ground water quality.

The backfilling of the quarry is unlikely to create any barrier to ground water flow, nor will it reduce groundwater groundwater recharge not lead to a reduction in ground water levels at off-site supply wells.

### 7.0 Air Quality

Given the inert nature of the materials being used to restore the applicant site, and the absence of biodegradable wastes, it is asserted that no landfill gas emissions arise from the waste recovery operations at Huntstown.

The principal air quality impact associated with the planning intensification of inert waste recycling activities at the existing facility will be an increased risk of dust emissions from increased HGV traffic, end-tipping of inert soil and stone, and increased handling of inert soil.

To control potential dust emissions, there are proposed to be continued implementation and intensification of mitigation measures to control dust emissions, including spraying of water on haul roads, compacting soils immediately after unloading, routing all HGVs leaving the site through the wheel-wash facility, and periodic sweeping of paved internal roads and the local road at the entrance to the site. A detailed air quality assessment undertaken in respect of the proposed development concluded that it will not have a dust deposition impact on assessed sensitive receptors located around the quarry. Dust emission levels will be subjected to continued monitoring.

### 8.0 Noise

Noise assessments indicate that there will be minimal, if any, increase in noise levels arising at nearby residences under a worst case scenario in which two additional bulldozers and additional HGV trucks are generating noise constantly at the boundary of the application site, rather than intermittently, and some distance inside the site as is the more likely situation. The resultant predicted maximum noise levels at nearby sensitive receptors are asserted to be comparable to, and only slightly elevated above existing ambient noise levels. Notwithstanding this, a number of mitigation measures will continue to be implemented at the proposed recovery facility to mitigate any noise impacts includes retention of the existing screening berms, maintenance of plant, fitting of plant silencers, and control of traffic speeds, and unloading activities with the facility.

### 9.0 Landscape and Visual Impact

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While the entire subject site is located within a designated Nature Development Area, i.e. 'an area with potential for biodiversity enhancement' (*defined in the FINGAL BIODIVERSITY ACTION PLAN 2010-2015 as areas where 'nature conservation can be combined with existing land use such as farming, quarries, golf courses, forestry etc.*) in the Fingal Development Plan 2011-2017, the principle of backfilling the Huntstown quarries was previously accepted and consequently approved under Planning Permission Reg. Ref. FW12A/0022, and An Bord Pleanála decision, PL06F.241693. The designated sensitivity of the low-lying landscape character in which the proposed development is located is low, and no additional landscape impact is expected, over what is already extant, arising from the proposed development.

An assessment of the sensitivity of identified visual receptors surrounding the site of the proposed development, combined with the likely impact of the proposed intensification of activities at the proposed development site, has concluded that while activities may be visible, impacts would be limited and would not be regarded as significant.

It is asserted that the proposed retention of all boundary hedgerows and existing wildlife areas, as well as the ultimate restoration of the application site to agricultural use and replanting of boundary hedgerows which were previously removed will ensure that the biodiversity currently present on site will be maintained and enhanced.

#### 10.0 Cultural Heritage

A cultural heritage study of the subject site concludes that the continued operation of the subject facility and the increase in rate of waste intake thereto will have little or no direct impact on any known archaeological, architectural or cultural heritage feature.

#### 11.0 Material Assets

The proposed increase in the rate of waste intake and infilling at the North Quarry and/or the West Quarry will not result in any significant adverse impacts on the any existing infrastructure or utilities in the surrounding area.

The increased rate of backfilling could have potential impacts on the surrounding land uses and on residential amenity by way of increased traffic, noise, and dust deposition. An assessment of the potential impact concludes, that with implementation of defined migration measures, that these impacts will be minor and not significant, and that the proposed development will not have any significant effects on surrounding land use over the short term. In the medium to long term, the recovery, backfilling and restoration activities at the subject site will cease, and any residual effects will also ultimately cease.

#### 12.0 Traffic

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The existing recovery facility is well located in terms of access to the strategic road network and all HGV traffic can be routed onto roads considered suitable to accommodate frequent HGV movement. The R135/N2 slip road priority junction and R135/L3125 signalised junction (at Kilshane Cross), both providing strategic access to the subject site, are currently operating at capacity. It is asserted that development flows will have an insignificant impact on the operational performance of both junctions, as the junctions are operating at capacity even without this development in place.

With the future opening of the Western Link Road, traffic flows travelling through the R135/L3125 signalised junction will redistribute onto the Western Link Road, and this junction will operate within capacity in 2017 and 2023.

Overall, after an analysis of a road capacity assessment of the R135, it is considered that the development proposal would have a minimal impact in terms of road transportation.

**Water Services' report**

This report states that the proposed development is acceptable to the Water Services department.

**Irish Water Report – No objection**

**Transportation report**

This report states,

***General***

*The proposed development is located in a 50km/hr speed limit. Access to the site would be from the R135 North Road. The access on the North Road was granted permission under F06A/0164 and was designed and built to a high standard.*

***Traffic Impact Assessment***

*The Traffic Impact Assessment (TIA) bases its calculation on a current maximum volume of 750,000 tonnes per annum and a proposed increase to 1,500,000 tonnes per annum with a lifespan of 6 years. The report indicates that the average payload of a HGV is 20 tonnes. This would be considered a norm, but given that the development is currently in use and has loading information, it would be better to use a historically measured average payload. However, the Engineer's report provides details of the developments output and intake volume over the 12 hour traffic count. The assessment has indicated the average daily number of loads per day as the number of trips per day in some instances. However, the result of a total increase of 22 trips per hour for a maximum volume of 750,000 tonnes per annum would be correct. The proposal would effectively*

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*double the amount of trips per hour to 44 trips associated with the importation of inert soil and stone waste used in the restoration of quarry voids.*

*A Traffic and Transportation Assessment is included in Chapter 13 of the EIS. The Traffic and Transportation Assessment provided assesses the R135/N2 off ramp priority junction, R135/N2 Elm Road/ on ramp priority signalised junction, R135/L3125 Kilshane Cross signalised junction and the R135/N2 Roundabout. A 12 hour classified traffic count survey of the existing traffic on the above junctions was carried out 22nd of June 2016, and the capacity of the junctions was assessed utilising PICADY and ARCADY models. The Engineer's report has provided the results for the predicted RFC values (Ratio of Flow to Capacity) for the R135/N2 roundabout junction and the R135/N2 off ramp priority junction and the Degree of Saturation and Mean Max Queue for the signalised junctions for both the opening year 2017 with no development through to the year 2023 post development. The analysis includes sensitivity testing, including the other approved planning applications in the area. In summary the analysis in the TIA concludes that both the R135/L3125-Kilshane-Cross signalised junction and the R135/N2 off ramp priority junction would be operating above capacity in 2017 and 2023 without development and would continue to operate above capacity with traffic congestion and delays forming. It is also noted that the proposed developments operations would be temporary for a six year period and the additional traffic would cease once the quarry has been filled in.*

**Signalised Junctions**

*The effects of increased HGV movements through 'MOVA' signalised junctions requires additional calibration and validation of the traffic signals and the Transportation Planning Section recommends that the applicant should pay a special contribution of €2000.00, under Section 48(2)(c) of the Planning and Development Act (2000) in respect of additional calibration and validation of the existing traffic signals at Kilshane Cross.*

**Road Pavement Damage**

*Damage to road pavements is non-linearly related to average axle loads, i.e HGVs cause disproportionately more damage to the road pavement. The Council normally applies a special contribution under Section 48(2)(c) on permissions for quarry and land fill developments to cover the cost of additional maintenance resulting from heavy vehicle loads. The Transportation Planning Section recommends that at the end of the 6 year period the road should be inspected by the Area Engineer, Operations Department and any additional maintenance measures required resulting from heavy vehicle loads on the road network should be carried out at the expense of the applicant. The details should be agreed with the Planning Authority prior to the commencement of the development.*

**Conclusion**

*The Transportation Planning Section has no objection to the proposed development subject to the following conditions:*

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- 1) *At the end of the 6 year period the road network shall be inspected by the area Engineer, Operations Department and any additional maintenance measures required resulting from heavy vehicle loads on the road network shall be carried out at the expense of the applicant. The details shall be agreed with the Planning Authority prior to the commencement of the development.*
- 2) *The applicant shall pay a special contribution of €2000.00, under Section 48(2)(c) of the Planning and Development Act (2000) in respect of additional calibration and validation of the existing traffic signals at Kilshane Cross.*

Transport Infrastructure Ireland

This report states that the proposed development is acceptable to Transport Infrastructure Ireland.

Conservation Officer's report

The Conservation Officer reports as follows,

*Within the EIS it is stated that there is one Protected Structure within the site RPS NO. 663 Kilshane Church. This site was included in the recent review of the Record of Protected Structures and was proposed for deletion as:  
'Area has been extensively quarried. There are no structural remains present to warrant retention in the Record of Protected Structures. Alternative protection for the Church and Holywell exists under the National Monuments Acts 1930-2004, as a Record Monument RMP Ref No. DU014-012.'*

*At the full council meeting on 12 September 2016 the elected members adopted all the proposed deletions, additions and amendments apart from three sites. RPS No. 663 was one of the ones that was agreed to be deleted so as of Monday 12 Sept 2016 it has been deleted from the Record of Protected Structures. The Conservation Officer therefore has no particular comment or recommendations on the proposed development FW16A/0120.*

Environmental Protection Agency (i.e. EPA) report

The EPA states the EIS submitted with the subject application,

*'...appears to address the key points in relation to the environmental aspects of the proposed activity which related to the matters that come within the functions of the Agency. It also appears to address the direct and indirect effects of the development on the aspects listed in Section 40 (2A) (a) of the Waste Management Act....please note that in accordance with section 42 (1D) (d) of the Waste Management Acts, the Agency cannot issue a Proposed Determination on a licence application relating to the development until a planning decision has been made'*

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#### Environmental Health Officer's (i.e. EHO) report

The EHO states that the proposed development is acceptable subject to planning condition.

#### Inland Fisheries Ireland report

Inland Fisheries Ireland have commented as follows:

The development straddles the catchments of the Ward and Tolka Rivers both salmonid systems. The Ward and Tolka Rivers support Atlantic salmon, Lamprey (both Annex II Habitats Directive) with Sea Trout on the Ward and Brown Trout throughout both catchments.

The importation of inert soil has significant potential to result in the release of sediments and pollutants into surrounding watercourses. Pollution of the adjacent groundwater and associated watercourses from poor on site construction practices could have a significant negative impact on the sensitive and important freshwater system.

Only clean, uncontaminated water should discharge from the site to the river network. In this regard all works should be completed in line with the Mitigation Measures detailed in Section 5.58 and 6.110, of the EIS in particular we reiterate the measure that *existing water treatment system at the site will be upgraded as necessary (with provision of additional settlement pond capacity as required) to ensure that suspended solids in the off-site discharges are compliant with Emission Limit values set out in the Waste Licence;*

All discharges must be in compliance with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) Regulations 2010.'

#### Dublin Airport Authority report

The Dublin Airport Authority does not wish to make observations.

#### Heritage Officer's report

The Heritage Officer has communicated that given the location and nature of the proposed it will not adversely impact Natura 2000 Sites either alone or in combination with other plans or projects.

#### Environment report

This report states that the proposed development is acceptable subject to condition.

At the time of preparing this report, no submissions have been received from the Irish Aviation Authority, Waterways Ireland or FCC Biodiversity Officer.

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**Submissions/observations**

No submissions or observations related to the proposed development have been received during the prescribed time period.

**Pre-planning**

Pre-planning discussions occurred related to the proposed development where a number of issues were raised including:

- The applicant proposed to only take in certified inert material.
- An EIS is to be submitted as part of the planning application which will clarify the existing and proposed activity on site.
- Screening of the proposed fill material is to be performed before placing.
- Transportation will be a significant issue in the planning application with provision of a detailed traffic required as part of the application.
- Details of the maintenance of the road will need to be provided.

**Appropriate Assessment**

The application site covers a stated 57.3 ha of land within the townlands of Part of Huntstown, Kilshane, and Johnstown, and encompasses the North Quarry (stated area 36.1 ha) and West Quarry (17.2 ha). The applicant has submitted a screening report: stage 1 for Appropriate Assessment.

Based on the size and nature of the soil recovery facility at Huntstown, it is considered that the maximum distance for which the project should be evaluated in terms of Natura 2000 sites is up to two km from the application site, unless there are any potential source-pathway-receptor links between the soil recovery facility and any Natura 2000 site(s) outside this distance. It is considered that given the distance from the subject site and the nearest Natura 2000 site, all Natura 2000 sites lie outside the potential zone of influence of the existing and proposed soil recovery facility at Huntstown and there are no other obvious source -pathway receptor links between the existing and proposed development and Natura 2000 sites.

Based on the screening of Natura sites, it is assessed that the proposed increase of waste import at the existing waste recovery facility at Huntstown will not have any stand-alone effects on the integrity of any Natura 2000 site or any of the qualifying habitats and/or species for which any such site has been designated and/or classified as being of European importance.

In this regard the Heritage Officer's report is also noted and having regard to the nature of the proposed development and the location of the subject site and/or proximity to the nearest European site no appropriate assessment issues arise and it is not



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considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

**Conclusion**

The principal of the proposed development is considered to be acceptable given that

1. The proposed development consists of the reinstatement of the quarries by the applicant of the proposed backfilling with soil and stones, and the overlaying with subsoil of the subject site. This proposed backfilling will render the site suitable for further uses which are consistent with the zoning objectives which apply to the subject areas.
2. The proposed development, as described in the associated EIS and subject to mitigation measures contained therein will ensure any adverse impacts in the short term will be minimised so as not unduly affect the amenities of the subject site and adjoining and wider area.

The proposed development will have a positive impact towards the achievement of the subject areas 'RU' and 'HI' zoning objective and is consistent with the policies and objectives of the Development Plan'.

Given the aforementioned, the proposed development is considered to be in accordance with the proper planning and sustainable development of the area.

**RECOMMENDATION**

I recommend that a decision to **GRANT PERMISSION** be made under the **PLANNING & DEVELOPMENT ACTS 2000 - 2015 AND REGULATIONS MADE THEREUNDER**, subject to the following (5) condition(s):-

**Conditions and Reasons**

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be required by the other conditions attached hereto.

**REASON:** To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. Apart from the development authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the previous

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overall permission relating to this site, in particular permission granted under Reg. Ref. FW12A/0022, and any agreements entered into thereunder, insofar as these are applicable.

REASON: In the interest of the proper planning and sustainable development of the area.

3. The applicant shall conform to the requirements of the Planning Authority as follows,
  - a. The applicant shall ensure that all hauliers of waste to and from the facility hold a valid Waste Collection Permit for the waste material collected/delivered to the site.
  - b. The applicant shall apply to the Environmental Protection Agency for a review of their waste licence (W0277-01) for the increase in annual intake for the infilling of the quarry as proposed in the revised Restoration Plan for the site.
  - c. The applicant shall hold a waste licence from the Environmental Protection Agency and apply with the conditions attached prior to the acceptance of waste soil and stones.
  - d. The applicant shall apply to Irish Water for a trade effluent discharge license under Section 16 of the Water Pollution Act to control the discharge of any trade effluent that is intended to be discharged to the sewer.
  - e. The applicant shall submit details of any proposed changes to the existing pumping regime for agreement, including proposed quantities to be discharged to adjacent streams prior to its implementation.
  - f. The operator shall ensure that the development does not affect or cause deterioration in water quality, water levels or yields in the domestic wells in the vicinity of the quarry. In the event of quarrying activities having a proven adverse impact on private wells in the vicinity, the operator shall undertake appropriate remedial measures as agreed with the Planning Authority, at the expense of the operator. In the event of any disruption of any water supplies, the quarry operator shall cease any operations causing such disruption until water supply has been restored or replaced.
  - g. Ground water or surface water from the site shall not be discharged to waters or sewers unless licensed under Section 4 or Section 16, whichever is appropriate, of the Local Government (Water Pollution) Acts 1977 and 1990. The applicant shall consult with the Environment Department in relation to applying/reviewing any discharge licensing.
  - h. No direct emissions including discharges of List I and List II substances as specified in Directive 76/64/EEC to groundwater shall occur.
  - i. The applicant shall maintain records of silt removed from settlement ponds and the destination of same and submit annually.
  - j. All storage tanks for fuel and or chemicals shall be surrounded by a bund capable of retaining 110% of the volume of the largest single tank within the bunded area. The intake and outlet for the tanks shall be positioned inside the bund. Provision

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shall be made to remove and dispose of the rainwater so as to ensure the specified volume is always available within the bund.

k. The applicant shall maintain an Extractive Waste Management Plan and this plan shall be reviewed at least every five years and be submitted to the Planning Authority for agreement. The plan should include the management of stockpiles of unsaleable product held.

REASON: In the interest of public health and the proper planning and sustainable development of the area.

4. The applicant shall conform to the requirements of the Planning Authority as follows,

a. No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators etc.) shall be operated on or adjacent to subject site before 8.00 a.m. to 7.00 p.m., Monday to Friday, and 8.00 a.m. to 1.00 p.m. on Saturdays. No activities shall take place in site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, shall take place on site between the hours of 7.00 p.m. and 8.00 a.m. No deliveries of materials, plant or machinery shall take place before 8.00 a.m. in the morning or after 7.00 p.m. in the evening.

b. If there is any occasion when work must be carried on outside daytime hours, this department, local residents and businesses in areas which are likely to be affected by noise from the proposed works should be notified in advance e.g. in letter or leaflet or advertisement form, of:

- Name, address and telephone number of company carrying out works
- Nature of and reason for works
- Likely duration and times of work

c. Noise due to the normal operation of the proposed development shall not cause a noise nuisance to nearby noise sensitive locations and shall not exceed the background level by 10dB(A) or more or exceed NG4 limits whichever is lesser.

Daytime (07:00 to 19:00 hrs) – 55dB

Evening (19:00 to 23:00 hrs) – 50dB

Night-time (23:00 to 07:00 hrs) – 45dB

(measured from nearest noise sensitive locations)

Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

d. All necessary steps shall be taken to contain dust and airborne pollutants arising

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from the site and to prevent nuisance to persons in the locality. This shall include i) covering skips, ii) covering slack heaps, iii) netting, iv) regular road and pavement damping and sweeping, v) use of water spray to suppress dust, vi) proper paved or hard stand access for trucks and vehicles to and from the site to prevent dirt and dust from the site being carried from the site on to public roads etc.

e. The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

f. The air and noise mitigation measures outlined in the Environmental Impact Statement submitted with the Planning Application, on 12th August 2016 shall be adhered to.

REASON: In the interest of public health, the amenity of the area, and proper planning and the sustainable development of the area.

5. The applicant shall conform to the requirements of the Planning Authority, as follows,
- a. At the end of the 6 year period (i.e., 6 years from the date of Final Grant of Permission) the road network shall be inspected by the Area Engineer, Operations Department and any additional maintenance measures required resulting from heavy vehicle loads on the road network shall be carried out at the expense of the applicant. The details shall be agreed with the Planning Authority prior to the commencement of the development.
  - b. The applicant shall pay a special contribution of €2000.00, under Section 48(2)(c) of the Planning and Development Act (2000) in respect of additional calibration and validation of the existing traffic signals at Kilshane Cross.

REASON: In the interests of safety, and the proper and sustainable development of the area.

Note:

1. The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW16A/0120

Henry McCauley  
Senior Executive Planner  
03/10/16

Endorsed: Patricia Kennedy  
Administrative Officer 3/10/16

Order: A decision pursuant to Section 34 of the Planning and Development Act 2000 (as amended) to GRANT PERMISSION for the above proposal subject to the (5) condition(s) set out above is hereby made.

Dated 4<sup>th</sup> October, 2016

Dated: Henry McCauley HSP  
4.10.2016

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[Signature]  
Director of Services

Thereunto empowered by order of the Chief Executive, Fingal County Council C.E. No. 6675 dated 10/8/2016 delegating to me all his powers, functions & duties in relation to the council of the County of Fingal in respect of this matter.

**Comhairle Contae Fhine Gall Fingal County Council**



**An Roinn Pleanála  
& Infrastruchtúir Straitéisigh**

Bosca 174  
Aias an Chontae  
Sord Fingal  
Contae Atha Cliath

Bothar an Gharram  
Baile Bhlainsein  
Atha Cliath 15

**Planning & Strategic  
Infrastructure Department**

P O Box 174  
County Hall  
Swords Fingal  
Co Dublin  
Grove Road  
Blanchardstown  
Dublin 15

**SLR Consulting Ireland Ltd FAO Tim Paul  
7 Dundrum Business Park  
Windy Arbour  
Dublin 14**

**NOTIFICATION OF DECISION TO GRANT PERMISSION**

**PLANNING & DEVELOPMENT ACTS 2000 - 2011 AND REGULATIONS MADE  
THEREUNDER**

<b>Decision Order No. PB/0046/13</b>	<b>Decision Date 7 February, 2013</b>
<b>Register Ref. FW12A/0022</b>	<b>Registered 26 November, 2012</b>

**Applicant Roadstone Wood Ltd**

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## Development

Permission / permission for continuation of use of all existing authorised facilities and activities within a planning application area of c 167.5 hectares as followings

- Extraction, crushing, screening and processing of rock (authorised by Reg Ref No F03A/1430 / PL 06F 206789) from the Northern, Western, Central and Southern Deposits for a period of 35 years
- Total Extraction area of c 55.9 hectares within a total landholding of c 211 hectares
- Crushing, Screening and Processing Plant
- Block Manufacturing Facility & Block Yard
- Paving Display Centre & Offices
- Machinery Maintenance Building
- Offices, Staff Facilities, Laboratories
- Concrete Batching Plant & Associated Plant
- Asphalt Plant & Associated Plant
- Stockpile Materials Shed associated with Asphalt Plant, granted under P Reg Ref F06A/0923 (ABP Ref PL 06F 219655)
- Weighbridge, Bunded Fuel Storage & Oil Interceptor
- Security Huts (3 no ), Truck Wash Bays & HGV Load Spray Bars (P Ref FW09A/0099 in respect of amendment to Condition 14 of F03A/1430)
- Bord na Mona Moving Bed Biological Reactor & Percolation Area
- Stockpiles Storage Areas & Plant Storage Yard
- Stables (22 no ) & Horse exercise paddock
- Existing Site Accesses (2 no ) onto the R135 North Road (Revised Entrance P Ref F06A/0164 & ABP Ref PI 06F 217413P) & Kilshane Road
- Restoration of any worked out extraction areas, including for 5 years after the cessation of quarrying activities
- All other ancillary buildings, plant and facilities for the production of building products, including aggregates, ready-mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works

This Planning Application will be accompanied by an Environmental Impact Statement (EIS) Permission / permission for continuation of use for development at Huntstown

**SIGNIFICANT FURTHER INFORMATION HAS NOW BEEN RECEIVED**





**Comhairle Contae Fhine Gall Fingal County Council**

**Location** Huntstown Quarry, Huntstown, Johnstown, Coldwinters & Kílshane, Grange & Cappogue Townlands, North Road, Finglas, Dublin 11

**Floor Area** 0 Sq Metres

**Time extension(s)** up to and including **26 November, 2012**

**Additional Information Requested / Received** 27-Apr-2012 / 26-Nov-2012

In pursuance of its functions under the above mentioned Act, as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal

Subject to the **(22)** conditions on the attached Pages

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**Conditions and Reasons**

1. The development to be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application on the 09/03/12 as amended by way of significant additional information as received on 26/11/12, save as may be required by the other conditions attached hereto

REASON To ensure that the development shall be in accordance with the permission and that effective control be maintained

2. This decision permits the developer/operator to continue quarrying/extraction and processing operations on the site for a period of twenty years from the date of this decision. The existing buildings, hardstanding areas and plant machinery shall be permitted for the 'lifespan' of quarrying/extraction operations. After that time, all quarrying/extraction works shall cease and all buildings, plant and machinery shall be removed from the site unless a further grant of planning permission is obtained from the planning authority or from An Bord Pleanála on appeal

REASON In the interest of proper planning and sustainable development of the area

3. During the operational phase of the quarry, the noise level from within the boundaries of the site measured at the noise sensitive receptors in the vicinity, shall not exceed Daytime 08 00–20 00 h LAeq (1 h) = 55 dBA and Night-time 20 00–08 00 h LAeq (1 h) = 45 dBA (Note 95% of all noise levels shall comply with the specified limit value(s) No noise level shall exceed the limit value by more than 2 dBA ) All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 “Assessment of Noise with respect of Community Response” as amended by ISO Recommendations R 1996 1, 2 or 3 “Description and Measurement of Environmental Noise” as applicable

REASON In order to protect the residential amenities of property in the vicinity

4. All ameliorative proposals contained within the EIS and subsequent alterations by way of significant additional information shall be strictly complied with

REASON In the interests of the proper planning and development of the area





5. During the operational phase of the quarry, the noise level from within the boundaries of the site measured at the noise sensitive receptors in the vicinity, shall not exceed Daytime 08 00–20 00 h LAeq (1 h) = 55 dBA and Night-time 20 00–08 00 h LAeq (1 h) = 45 dBA (Note 95% of all noise levels shall comply with the specified limit value(s) No noise level shall exceed the limit value by more than 2 dBA ) All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 “Assessment of Noise with respect of Community Response” as amended by ISO Recommendations R 1996 1, 2 or 3 “Description and Measurement of Environmental Noise” as applicable

REASON In order to protect the residential amenities of property in the vicinity

6. Vibration levels from blasting shall not exceed a peak particle velocity of 12 millimetres per second, when measured in any three mutually orthogonal directions at any sensitive location The peak particle velocity relates to low frequency vibration of less than 40 hertz where blasting occurs no more than once in even continuous days Where blasting operations are more frequent, the peak particle velocity limit is reduced to 8 millimetres per second Blasting shall not give rise to air pressure values at sensitive locations which are in excess of 125 dB (linear maximum peak value), with a 95% confidence limit No individual air pressure value shall exceed the limit value by more than 5dB (Lin)

REASON In the interest of maintaining the amenity of adjoining landowners

7. Dust levels at the site boundary and sensitive locations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge) Details of a monitoring programme for dust shall be reviewed on an annual basis and these reviews shall be submitted for the written agreement of the Planning Authority The developer shall carry out any amendments to the programme required by the planning authority following the annual review

REASON In the interest of maintaining the amenity of adjoining landowners

8. 1) Within 3 months of the final grant of planning permission the applicants shall submit full details of the existing pumping regime, including quantities currently discharged  
11) The applicants shall submit details of any proposed changes (for the duration of the planning permission) to the existing pumping regime, including proposed arrangements/quantities being discharged to adjacent streams (Ballystrahan and Finglas Stream) This shall be agreed in writing with the Planning Authority prior to the implementation  
111) The operator shall ensure that the development does not affect or cause deterioration in water quality, water levels or yields in the domestic wells in the vicinity of the





quarry In the event of quarrying activities having a proven adverse impact on private wells in the vicinity, the operator shall undertake appropriate remedial measures as agreed with the planning authority, at the expense of the operator In the event of any disruption of any water supplies, the quarry operator shall cease any operations causing such disruption until water supply has been restored or replaced

iv) No direct emissions including discharges of List I and List II substances as specified in Directive 76/464/EEC to groundwater shall occur

v) Prior to the importation of inert soils and stone for the backfilling of quarry voids(inert waste recovery) the applicants shall

(a) hold a waste licence from the Environmental Protection Agency

or

(b) produce evidence of a determination by the Environmental Protection Agency under Article 27 of the European Communities (Waste Directive) Regulations 2011 for any soil imported

vi) The applicant shall ensure that all hauliers of waste hold a valid waste collection permit for the material collected/delivered to the site

vii) Prior to the 31/11/14 or prior to the stripping of the overburden in the central quarry area whichever is the first, the applicants shall submit for the written agreement of the Planning Authority an interim restoration plan for the central quarry area

viii) The applicants shall review the Waste Management Plan (November 2010) for the site (submitted by the applicant (EMS21)) every five years and submit a copy for the written agreement of the Planning Authority This plan shall include the management of stockpiles of unsaleable product

REASON In the interest of public health

9. (a) Within 12 months from the date of this order, a comprehensive Restoration Plan for the entire site and individual quarries shall be submitted to the planning authority for written agreement The plan shall include details on access arrangements, slope stability, vegetation proposed, proposals for biodiversity enhancement and for ongoing maintenance The plan shall include a programme to include ongoing restoration throughout the life of the quarry The restoration plan shall be prepared in consultation with Aer Rianta, Dublin Airport Bird Hazard Committee and the Irish Aviation Authority
- (b) Restoration shall be carried in accordance with the revised restoration plan as agreed by the planning authority

REASON To ensure the satisfactory restoration of the site in the interest of visual amenity and environmental protection





**Comhairle Contae Fhine Gall Fingal County Council**

- 10. Any changes proposed to the discharge regimes from the subject site to the Ballystrahan Stream and/or the Finglas stream shall require Screening for Appropriate Assessment This shall be submitted to the Planning authority for its written agreement

REASON In the interest of protecting the amenities of the area

- 11. At least 24hours advance notice of each blasting operation to be carried out shall be given to occupants of residential properties, and industrial and business park occupants of land within a 500metre radius of the site boundaries Further warning by way of siren shall also be given not later than 30 minutes prior to each detonation The developer shall employ the best available technology, not entailing excessive cost, in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting

REASON In the interest of public safety and the amenities of surrounding properties

- 12. The operational hours of the development, including all quarrying and all processing operations, shall be between 0700 hours and 1800 hours, Monday to Saturday Blasting operations shall take place only between 1000 hours and 1600 hours Monday to Friday No operation of any kind shall be carried out on Sundays or public holidays

REASON In the interest of protecting the amenities of the area

- 13. The wheel wash facility (as included within the significant additional information details received on the 26/11/12) shall be put in place within 2 months following the final grant of planning permission All trucks leaving the site shall go through this facility Effective measures shall be taken by the operator to prevent the undue emission of dust from the site and site roadways A water bowser(s) or similar facility shall be available on site at all times during dry weather, so that all vehicle and plant roadways can be watered to lay dust as necessary

REASON In the interests of minimising nuisance caused by the emission of dust

- 14. Notwithstanding the above, all public roads and footpaths immediately adjoining the site entrances shall be cleaned at regular intervals, not less than once per week to the satisfaction of the Planning Authority The applicant/developer shall pay particular attention to the North Rd entrance and residential dwellings opposite

REASON In the interest of road safety and the general amenity of the area





15. All vehicles carrying quarried material or other dust producing materials to or from the site shall be securely sheeted

REASON In the interests of traffic safety

16. Appropriate measures shall be taken by the developer at all times to ensure the security of the site In particular notices shall be erected at prominent positions along the boundaries of the site alerting the general public to the danger of the quarry, associated plant and machinery

REASON In the interest of public safety

17. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site In this regard, the developer shall -
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any soil stripping (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination

REASON In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

18. The developer shall submit once every three years for the lifetime of this permission, an aerial photograph of each quarry area which adequately enables the planning authority to assess the progress of extraction each quarry area The first photograph shall be taken and submitted in 2014

REASON In order to facilitate monitoring and control of the development by the planning authority

19. Foul Sewer

1) No foul drainage shall discharge into the surface water system under any circumstances

11) The foul drainage shall be in compliance with the "Greater Dublin Regional Code of





**Practice for Drainage Works Version 6 0" FCC April 2006**

**Surface Water**

iii) No surface water/ rainwater shall discharge into the foul sewer system under any circumstances

iv) The surface water drainage shall be in compliance with the "Greater Dublin Regional Code of Practice for Drainage Works Version 6 0" FCC April 2006

**Water Supply**

v) All water fittings and installations shall incorporate best current practices in water conservation

vi) The water supply for the development shall comply with the "Guidelines for Drinking Water Supply" FCC February 2009 Revision 1

**REASON** In the interest of proper planning and sustainable development

20. Prior to the cessation of quarrying in the northern quarry, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company or other form of security (to be agreed with the Planning Authority) to secure the provision and satisfactory implementation of permanent pumping/de-watering of the worked out extractive void pending the completion of reinstatement works to fill the extracted areas with inert material. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or in default of agreement, shall be determined by An Bord Pleanála

**REASON** In the interest of proper planning and sustainable development of the area

21. The applicant shall pay to the planning authority a financial contribution of €500,000 in respect of ongoing road maintenance and improvements of the R135 North Road, which benefit the proposed development of the site that is provided or intended to be provided by or on behalf of the authority in accordance with section 48(2)(c) of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the applicant or, in default of such agreement, the matter shall be referred to the Board to determine

**REASON** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance section 48 of the Planning and Development Act 2000 (as amended) be applied to the permission





**Comhairle Contae Fhine Gall Fingal County Council**

22. The applicant, over the lifetime of the quarry operations, shall annually set aside a fund. The purpose is to provide appropriate projects/community gain in the general area and shall be decided on by Fingal County Council in consultation with the applicants. The initial contribution to the fund shall be €0.10 per tonne of extracted material and thereafter the contribution shall be updated in accordance with the consumer price index. The community gain fund shall be lodged into a special community gain account for Fingal County Council.

**REASON** To mitigate the impacts of the quarry operations on the local community

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Comhairle Contae Fhine Gall Fingal County Council



Signed on behalf of the Fingal County Council

  
for Senior Executive Officer

7 February, 2013

**NOTE: A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000. Copies of each compliance submission should be made in triplicate.**

**NOTE: Please note that applicant is required to remove Site Notice on receipt of Notification from Planning Authority of decision.**

**NOTE: Please note all observations/submissions have been taken into consideration when making this decision.**





# Comhairle Contae Fhine Gall Fingal County Council



## NOTES

### (A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of eight weeks beginning on the date of Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

### (B) APPEALS

- 1 An appeal against the decision may be made to An Bord Pleanála by the applicant or ANY OTHER PERSON who made submissions or observations in writing to the Planning Authority in relation to this planning application within four weeks beginning on the date of this decision (NB Not the date on which the decision is sent or received). A person who has an interest in land adjoining land in respect of which permission has been granted may within the appropriate period and on payment of the appropriate fee apply to the Board for Leave to Appeal against that decision.
- 1 Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. Appeals should be sent to  
**The Secretary, An Bord Pleanála, 64 Malborough Street, Dublin 1**
- 2 An appeal lodged by an applicant or his agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below. In the case of third party appeals, a copy of the acknowledgement of valid submission issued by F C C must be enclosed with the appeal.
- 3 A party to an appeal making a request to An Bord Pleanála for an oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (f) below).
- 4 Where an appeal has already been made, another person can become an "observer" and make submissions or observations on the appeal. A copy of the appeal can be seen at the Planning Authority's office.
- 5 If the Council makes a decision to *grant permission/ retention/ outline/ permission consequent on the grant of outline* and there is no appeal to An Bord Pleanála against this decision, a final grant will be made by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will issue the final grant as soon as may be after the withdrawal.
- 6 Fees payable to An Bord Pleanála from 5<sup>th</sup> September 2011 are as follows

#### Case Type

#### Planning Acts

##### (a) Appeals against decisions of Planning Authorities

##### Appeal

(i) 1 <sup>st</sup> party appeal relating to commercial development where the application included the retention of development	€4,500 or €9,000 if an EIS or NIS involved
(ii) 1 <sup>st</sup> party appeal relating to commercial development (no retention element in application)	€1,500 or €3,000 in EIS or NIS involved
(iii) 1 <sup>st</sup> party appeal non-commercial development where the application included the retention of development	€660
(iv) 1 <sup>st</sup> party appeal solely against contribution condition(s) – 2000 Act Section 48 or 49	€220
(v) Appeal following grant of leave to appeal (An application for leave to appeal is also €110)	€110
(vi) An appeal other than referred to in (i) to (v) above	€220
(b) Referral	€220
(c) Reduced fee for appeal or referral (applies to certain specified bodies)	€110
(d) Application for leave to appeal (section 37(6)(a) of 2000 Act)	€110
(e) Making submission or observation (specified bodies exempt)	€50
(f) Request for oral hearing under Section 134 of 2000 Act	€50

**NOTE** the above fee levels for planning appeals and referrals remain unchanged from those already in force since 2007 (but note the addition of NIS in (i) and (ii) above)

Fees apply to All third party appeals at 7(a)(iv) above except where the appeal follows a grant of leave to appeal, First party (section 37 appeals) planning appeals not involving commercial or retention development, an EIS or NIS. All other (non section 37) first party appeals

These bodies at 7(c) above are specified in the Board's order which determined fees. They include planning authorities and certain other public bodies e.g. National Roads Authority, Irish Aviation Authority

**NB** This guide does not purport to be a legal interpretation of the fees payable to the Board. A copy of the Board's order determining fee under the Planning Act is obtainable from the Board. Further information about fees under other legislation may be found in the appropriate legislation and is also available from the Board.

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at (01) 8588 100



PB/0046/13  
**COMHAIRLE CONTAE FHINE GALL**

**RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER**

**Reg Ref** FW12A/0022

**Register Reference:** FW12A/0022

**Date of Registration:** 26 November, 2012

**Correspondence:** SLR Consulting Ireland Ltd FAO Tim Paul 7 Dundrum Business Park,  
Windy Arbour, Dublin 14

**Development:** Permission / permission for continuation of use of all existing authorised facilities and activities within a planning application area of c 167 5 hectares as followings

- Extraction, crushing, screening and processing of rock (authorised by Reg Ref No F03A/1430 / PL 06F 206789) from the Northern, Western, Central and Southern Deposits for a period of 35 years
- Total Extraction area of c 55 9 hectares within a total landholding of c 211 hectares
- Crushing, Screening and Processing Plant
- Block Manufacturing Facility & Block Yard
- Paving Display Centre & Offices
- Machinery Maintenance Building
- Offices, Staff Facilities, Laboratory
- Concrete Batching Plant & Associated Plant
- Asphalt Plant & Associated Plant
- Stockpile Materials Shed associated with Asphalt Plant, granted under P Reg Ref F06A/0923 (ABP Ref PL 06F 219655)
- Weighbridge, Bunded Fuel Storage & Oil Interceptor
- Security Huts (3 no ), Truck Wash Bays & HGV Load Spray Bars (P Ref FW09A/0099 in respect of amendment to Condition 14 of F03A/1430)
- Bord na Mona Moving Bed Biological Reactor & Percolation Area
- Stockpiles Storage Areas & Plant Storage Yard
- Stables (22 no ) & Horse exercise paddock
- Existing Site Accesses (2 no ) onto the R135 North Road (Revised Entrance P Ref F06A/0164 & ABP Ref PI 06F 217413P) & Kilshane Road
- Restoration of any worked out extraction areas, including for 5 years after the cessation of quarrying activities
- All other ancillary buildings, plant and facilities for the production of building products, including aggregates, ready-mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works

This Planning Application will be accompanied by an Environmental Impact Statement (EIS) Permission / permission for continuation of use for development at Huntstown

**SIGNIFICANT FURTHER INFORMATION HAS NOW BEEN RECEIVED**

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

Reg Ref FW12A/0022

**Location:** Huntstown Quarry, Huntstown, Johnstown, Coldwinters & Kilshane, Grange & Cappogue Townlands, North Road, Finglas, Dublin 11

**Applicant:** Roadstone Wood Ltd

**Application Type:** Permission

**Zoning:** 'RU' - The objective of which is to 'Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage'  
'GE' - The objective of which is to 'Provide Opportunities for general enterprise and employment'  
'HI' - The objective of which is to 'Provide for Heavy Industry'

### Planning Officers Report:

LM/MM

Report of the Planning Officer dated 26<sup>th</sup> April 2012

This is an application for **PERMISSION** for continuation of use of all existing authorised facilities and activities within a planning application area of c 167.5 hectares at Huntstown Quarry, Huntstown, Johnstown, Coldwinters & Kilshane, Grange & Cappogue Townlands, North Road, Finglas, Dublin 11

#### **Site Description**

The site forms part of 167.5 hectares. The southern boundary is circa 320 metres north of the M50 at its nearest. The site is bounded by the R135 to the east and the Kilshane and Cappagh Roads to the west. Accesses exist from the R135 and the Kilshane and Cappagh Roads. Dublin airport is c 1.5 km to the north east.

A number of small scale commercial and service uses are scattered along the frontages of the R135 and the Kilshane Road to the east, west and north, including a timber and joinery centre, a garden centre and veterinary clinic. To the south-east of the site is a farm holding (Kildonan House), there are a number of residential properties to the south of the quarry and along the R135 and some located off the Cappagh Road to the west of the site. There is a large ESB 220 Kv station complex to the north of the main access route, from which there are a large number of overhead power lines radiating in all directions, some of which cross the site. To the south-west of the site, off the Cappagh road, is Millennium Business Park and Stadium Business Park. There are further industrial and office parks to the west of the Kilshane Road, including North West Business Park, and beyond this is the very large, and expanding, industrial and warehousing/distribution area at Ballycoolin and Blanchardstown. To the north of the site is open farmland.

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

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Centrally located on site are the offices, workshops, laboratory, garage, block plant, Roadstone retail area, concrete and tarmacadam plant all associated with the extraction and processing operations. Secondary plant is also located on the floor of the northern quarry with extracted material being transported via a conveyor belt for further treatment in the central area. The Huntstown Power Station is located east of the central compound/plant area. To the north-west of the power station site is a recently constructed stable block, with ancillary exercise paddock and running track. Although reachable from the internal roadway system within the quarry site, it is generally accessed from the N2 by a separate access laneway.

The quarries are worked on a "bench" system, whereby the levels are reduced in steps or benches of 15-18 metre depth / height, by means of in-situ blasting, and then mechanical removal from these benches, after which there is crushing and processing either in mobile crushing plant, or in the central compound area. The overburden, obtained from the initial stripping of the topsoil, subsoil and rock, has been stored around the edges to screen the quarry faces and to aid noise and dust reduction. The southern quarry areas is the most worked out, already having reached the deepest level, part of the northern quarry is restored but there are plans for expansion. The western quarry has been cleared of overburden, but apart from a single blast, has not been worked for stone to date. The central quarry has been partially work but there are plans for further expansion.

### Proposal

**The proposed development consists of the following:**

Permission / permission for continuation of use of all existing authorised facilities and activities within a planning application area of c 167.5 hectares as followings

Extraction, crushing, screening and processing of rock (authorised by Reg Ref No F03A/1430 / PL 06F 206789) from the Northern, Western, Central and Southern Deposits for a period of 35 years

Total Extraction area of c 55.9 hectares within a total landholding of c 211 hectares

Crushing, Screening and Processing Plant

Block Manufacturing Facility & Block Yard

Paving Display Centre & Offices

Machinery Maintenance Building

Offices, Staff Facilities, Laboratory

Concrete Batching Plant & Associated Plant

Asphalt Plant & Associated Plant

Stockpile Materials Shed associated with Asphalt Plant, granted under P Reg Ref F06A/0923 (ABP Ref PL 06F 219655)

Weighbridge, Bunded Fuel Storage & Oil Interceptor

Security Huts (3 no ), Truck Wash Bays & HGV Load Spray Bars (P Ref FW09A/0099 in respect of amendment to Condition 14 of F03A/1430)

Bord na Mona Moving Bed Biological Reactor & Percolation Area

Stockpiles Storage Areas & Plant Storage Yard

Stables (22 no ) & Horse exercise paddock

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

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Existing Site Accesses (2 no) onto the R135 North Road (Revised Entrance P Ref F06A/0164 & ABP Ref PL 06F 217413P) & Kílshane Road

Restoration of any worked out extraction areas, including for 5 years after the cessation of quarrying activities

All other ancillary buildings, plant and facilities for the production of building products, including aggregates, ready-mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works

This Planning Application will be accompanied by an Environmental Impact Statement (EIS) Permission / permission for continuation of use for development at Huntstown

### Submissions/Observations

A submission has been received from William Byrne of Kildonan House, Coldwinters

Issues raised are as follows

Environmental conditions

Health has suffered

House has been damaged

Damaging water supply

Lack of monitoring

Condition not being fulfilled

### Relevant Planning History

*FW09A/0099*

Permission was *granted* for Security Huts (3 no), Truck Wash Bays & HGV Load Spray Bars in respect of amendment to Condition 14 of F03A/1430

*F06A/0923 (ABP Ref PL 06F 219655)*

Planning permission was *granted* for Stockpile Materials Shed associated with Asphalt Plant

*F06A/0164 (ABP Ref PL 06F 217413)*

Permission was *granted* for the construction of a new 7.3m wide vehicular access located approx 140 metres to the north of the existing permitted access at North Road (former N<sup>o</sup> National Route) to link into existing access road, the proposed outbound lane measures approx 3.65m wide x 200m long and the proposed inbound lane measures approx 3.65m wide x 240m long, all ancillary site works and to amend Condition No 11 of permission Reg Ref No F03A/1430 so the operational hours for processing and manufacturing activities in the central plant area only shall be between 0530 hours and 2000 hours Monday to Saturday. The proposed access will be used by quarry traffic and Huntstown Power Plant traffic. The existing access at the former N<sup>o</sup>2 North Road will be closed. Existing access will continue.

*F03A/1430 (ABP Ref PL 06F 206789)*

Permission and retention was *granted* for the continuation of extraction, crushing, screening and processing of rock (authorised by Reg Ref No F93A/1134), from the northern, central, western and southern deposits for 20 years (c 57.5ha total extractive area in a c 205 ha

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

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overall site), the continuance indefinitely of all authorised crushing, screening and processing plant, block manufacturing plant (2,452 sq m ) block yard (17 2 ha ), paving display area (636 sq m ), paving centre (180 sq m ), machinery maintenance building (1,456 sq m ), offices (174 sq m ), staff facilities (48 sq m ), laboratory (68 sq m ), concrete batching plant, semi-mobile concrete batching plant, asphalt plant, weightbridge, 2 no truck wash bays, 4 no security huts, Bord na Mona moving bed biological reactor and percolation area. stockpiles and all ancillary buildings, plant and facilities for the production of building products including aggregates, ready made concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works, progressive restoration of the worked out extractive areas including for 5 years after the cessation of quarrying, and for the retention of plant storage yard (site area c 1 74 ha ), 22 no stables (394 sq m ) and horse exercise paddock (site area c 1 86 ha ) Existing access will continue at the N2 North Road and Kílshane Road This application is accompanied by an EIS

*F02A/0602 (ABP Ref PL 06F 200623)*

Permission *granted* for the recovery of pre-sorted construction and demolition waste (namely concrete bricks, tiles, ceramics and asphalt) on a 1 5 hectare site within its existing landholding at Huntstown Quarry

*F01A/0231 (ABP Ref PL 06F 130638)*

Permission *granted* for the extraction of the western deposit, 2no 18 metre benches by c 9 7ha plan area within c 19 5ha area of western deposit pursuant to condition one of Reg Ref 93A/1134, all at Huntstown Quarry, Finglas, Co Dublin for Roadstone Dublin LTD  
*Decision upheld on Appeal*

*F98A/1313 (ABP Ref PL 110954)*

Permission *granted* for a Gas-fired Combined Cycle Gas Turbine Electricity Generation Station with an output of up to 600 MW, to be developed in two phases Includes two turbine halls, two heat exchange boilers, four 33 5 metre high stacks, two air cooled condenser units, two-storey administration and control building, workshop, stores, electrical switchyard, above ground installation for gas supply, reserve fuel storage tanks, miscellaneous plant and equipment, site and landscaping works, wastewater treatment plant and the demolition of an existing dwelling

*93A/1134 (ABP Ref 06N 09262241)*

Permission *granted* for the retention of all existing plant and buildings services and ancillary development as previously approved in 1984 including concrete plant, macadam plant, store plant and block plant as previously approved under WA 2282 and for permission to quarry northern, western and central limestone deposit on their 200ha site *Decision upheld on Appeal*

*93A/0114*

Permission *refused* for the retention of horse stables on part of the current site for Finglas Pony Club

*WA 2282 (1981)*

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Permission *granted* to quarry northern, western and central limestone deposits, new concrete plant and for the retention of block plant macadam plant and ancillary installations An Bord Pleanála in upholding the decision to grant imposed a condition limiting the life of the quarry to ten years (July 1994)

*H/1054 (1973)*

Approval *granted* for quarrying operation on these lands

*A/0825 (1969)*

Outline permission *granted* for quarrying operations

*F00A/0862*

Permission *granted* to develop a quarry at Bay Lane, (north of the subject site) for Irish Asphalt limited Decision upheld on appeal, ref PL 06F 125541

Reports

*Water Services Report* A report has been received requesting additional information relating to surface water, ground water, waster supply and foul sewer

*Transportation Report* A report has been received requesting Additional Information

*EHO* Liaised with EHO, concerns raised regarding the number and location of dust monitoring sites and concerns raised regarding the noise mapping and a requirements for appropriate noise modeling

*Environment* Report received with additional information requested regarding screening berms, progressive restoration, replacement of settlement lagoons intended storage period for extractive wastes and management of stockpiles

*Parks* No report received to date

*Bio-Diversity Officer* No report received to date

*Conservation Officer* Report received, no comment

*Heritage Officer* Report received, concerns raised over no consideration to the potential impacts to Natura 2000 sites

*An Taisce* No report received to date

*Inland Fisheries Ireland* The Ward and Tolka rivers support both Atlantic Salmon (Annex 11 of EU Habitats Directive) and Brown Trout They provide an important nursery function for salmonid species Pollution of the adjacent freshwaters from poor on-site practices could have a negative impact on the fauna and flora of these sensitive and important freshwater systems Only clean, uncontaminated water should leave the site salmonid status of the

# COMHAIRLE CONTAE FHINE GALL

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system Proper site assessment and compliance with the relevant EPA manual regarding on site treatment systems is required The existing development is significant impact on regional water regimes September 2010, IFI were notified of complaint regarding a small stream drying up in the vicinity of Huntstown Quarry It appears base flows in Ballystrahan Stream are highly reliant on continuous pumping operations from Huntstown Quarry It is noted in the EIS the water balance on the site will change when quarrying in the southern area reaches and exceeds the depth on the northern floor This means a net removal of and reduction in groundwater volumes in the Ward catchment and an associated increase in ground water in the Tolka catchment Notwithstanding operational implications on site of this change in ground water regime, it is essential that flows in the Ballystrahan Stream are maintained at a sustainable level into the future

*IAA* No observations

*HSA* No objection

*RPA* No report received to date

*NRA* No report received to date

*NTA* No report received to date

*Department of Arts Heritage and Gaeltacht* Archaeological monitoring is requested as a condition

*DAA* Report received with concerns regarding bird hazard at the airport, it is recommended that a suitable conditions be attached  
Heritage Council No report received to date

### **Pre-Planning**

Pre planning took place on the 05/04/11 with area planner, water services and transportation

### **Relevant Policy in Development Plan**

The lands within the ownership of Roadstone are zoned, *RU*, *HI* and *GE* under the 2011-2017 Development Plan

“RU” Rural, the objective is to “*Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage*” (Majority of the site)

The vision is as follows

*Protect and promote the value of the rural area of the County This rural value is based on*

- *Agricultural and rural economic resources*
- *Visual remoteness from significant and distinctive urban influences*
- *A high level of natural features*



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*Agriculture and rural related resources will be employed for the benefit of the local and wider population Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage "*

**"HI"** Heavy Industry, the objective is to *Provide for heavy industry*

The vision is as follows

*"Facilitate opportunities for industrial uses, activities and processes which may give rise to land use conflict if located within other zonings Such uses, activities and processes would be likely to produce adverse impacts, for example by way of noise, dust or visual impacts HI areas provide suitable and accessible locations specifically for heavy industry and shall be reserved solely for such uses "* (Access route off R135, portions of the western boundary)

**"GE"** General Employment, the objective is to *Provide opportunities for general enterprise and employment*

The vision is as follows

*Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment General Employment areas should be highly accessible, well designed, permeable and legible* (Small sections of the southern and south eastern boundary)

*Specific Objectives in the Development Plan*

### Objective EE35

*Consider proposals for aggregate extraction only where the Council is satisfied through an environmental assessment that environmental quality and amenity will be protected and appropriate provision for the restoration of the landscape and habitat is being made*

### Objective EE36

*Encourage the recycling of builders' rubble to reduce the need for extraction in accordance with Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (DoEHLG 2006)*

### Objective LR02

*Ensure that any future proposals for extraction of aggregates and land reclamation proposals include an assessment of the impact(s) on the natural and cultural heritage, and on the coastal processes of erosion, deposition and flooding Any such proposals may need to be accompanied by an Environmental Impact Statement and/or screening for assessment under the Habitats Directive*

### Objective LR03

*Carry out processing and storage of extracted aggregates in a manner which minimises the impact on the natural environment and residential amenities*

### Objective BD13

*Ensure Appropriate Assessment Screening and, where required, full Appropriate Assessment is carried out for any plan or project which, individually, or in combination with other plans*

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*and projects, is likely to have a significant direct or indirect impact on any Natura 2000 site or sites*

### **National Guidance/Legislation**

1) *Quarries and Ancillary Activities Guidelines for Planning Authorities issued in April 2004 by the Department of the Environment, Heritage and Local Government*

This document give guidance in relation to development plan policies relating to quarries, environmental implications on subjects that are to be included within EIS's and guidance on assessment of planning application and EIS's It also has a section on the implementation of Section 261 of the Planning and Development Act 2000

2) *Section 261 Planning and Development Act 2000 and Section 261A Planning and Development Act 2000*

Section 261 of the Act outlines the legislation in relation to the registering of quarries Section 261A deals with the legislation relating to environmental aspects of existing quarries paying particular regard to the Environmental Impact Assessment Directive and the Habitats Directive It outlines the legislation relating to determining as to whether an acceptable EIS and/or Appropriate Assessment has been carried out and whether it now needs to be carried out

3) *Regional Planning Guidelines Section 5 43 for the Greater Dublin Area 2010-2022*

This document gives a brief guidance on the planning policy terms in order to strategically plan for future needs It is suggested to quantify the level of existing and potential aggregate and minerals/ores resources Carrying out mapping of areas is recommended It states when assessing planning applications for extractive industries consideration and implications in relation to the Water Framework Directive and the EU Directives should be given

### **Environmental Impact Statement**

A short outline of each relevant chapter is given below

#### **Human Beings Chapter 3:**

The Ward DED is generally rural in nature and demographic trends in the area generally mirror those in Fingal and North County Dublin There has been a marked increase in the population 296% from 2002-2006 (It is noted the pervious Regional Planning Guidelines were quoted and not the most recent RPG's 2010-2022 )

Employment by industry in Fingal follows a national pattern with the highest participation in the clerical and government workers sector, professional sector and sales sector reflecting the generally urbanised nature of the area The main employment locations surrounding the quarry area are the business and technology campus facilities of Northwest Business Park, Ballycoolin Business Park, Millennium Business Park, Rosemount Business Park and Blanchardstown Corporate Park

Agriculture and industry are the two principle activities. The type of agriculture is tillage and grazing The lands surrounding the quarry are zoned for industry development with the

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exception of the lands to the northeast on the eastern side of the N2 Dual carriageway, which remains zoned as greenbelt in order to demarcate the northern urban limit of Dublin City. The site is not located within nor forms part of a NHA, SPA or SAQC, however due to geological exposure the site is of geological interest.

13 private residential properties and Millennium Business Park are located within 250m of the application site boundary. Eleven other residential properties, a dog kennelling business, Northwest and Rosemount Business Park are located up to 500m from the application site. The continued operation of the quarry will have positive effect on the local economy. There are 49 people directly employed and 12-15 people indirectly employed by the quarry. The socio-economic benefits are more pronounced when considering the 174% increase in unemployment in the Fingal area since October 2006. This has a significant positive contribution to the local economy.

Potential negative impacts to humans would be dust, traffic, noise, nuisance and visual issues. Recommendations are made in the respective chapters relating to dust and noise control. A traffic assessment is provided within the EIS, the general conclusion is the site is well located in terms of strategic access to the main road network for HGV's. The vast majority of the extraction works are to take place within the existing footprints of the quarries on site, none of the extraction will be visible from outside the site. The restoration will have a positive impact on the landscape. Information within the restoration plan deals with birds and the prevention of attracting birds to the site.

### **Ecology (Flora and Fauna) Chapter 4:**

A habitat survey was carried out in March 2010, July 2010 and June 2011. The site is not subject to any statutory nature conservation designation and there are no such sites within a 2km radius of the site. The following were the habitats types recorded:

**Woodland and Scrub** Broadleaved woodlands, relatively young fast growing species including alder, ash, sycamore and some willow planting and supplemented with birch, common hawthorn, blackthorn, dogwood, sessile oak and whitebeam, as well as some conifers on the south eastern boundary of the south quarry. They provide screening of the quarry from the surrounding land and from operational areas within the quarry.

**Grassland and Marsh** Grassland habitats are widely distributed across the site consisting of broad range of grassland communities. These generally support a good diversity of species and are largely managed through the grazing of horses although outside the field system rabbits are primarily responsible in maintaining the grassland. There are 5 areas (TN20, TN60, TN62, TH97, TN103) of interest which are defined by large numbers of orchids that are present.

**Freshwater** These are permanent open standing water area, such as attenuation lagoons in the central part of the site that received pumped water from the quarry voids and small ponds in low lying parts of the site. The main drainage ditches are found in the north and through the central parts of the site that predominantly received surface water from the active parts of the quarry.

# COMHAIRLE CONTAE FHINE GALL

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*Exposed rock and disturbed ground* The active quarries have resulted in exposed calcareous rock, spoil and bare ground created through the quarrying process, recolonising bare ground typically supporting ephemeral and short perennial vegetation communities

*Cultivated and built land* A large part of the central area of the site accommodates a number of buildings, structures, storage areas, roads and tracks

*Flora* During the habitat surveys of the site no protected or rare species of flora were recorded on or immediately adjacent to the site

*Mammals* The habitats within the quarry provide good opportunities for badgers, hedgehogs, stoats and bats, no evidence of them was found (setts, tracks, latrines, snuffle holes, hairs, roasting sites, droppings etc ) A solitary hare was recorded on the site in 2010 and 2011 Rabbits, brown rats and foxes are known to occur

*Breeding Birds* A survey of birds was carried out in July 2010 and March 2011 A total of 40 bird species were recorded, this compares with a survey carried out in 2002 when 41 species were recorded Three species are red listed (Globally threatened according to IUCN criteria) and six amber listed (unfavourable conservation status within Europe)

*Wintering Birds* A total of 38 species of birds were recorded in March 2011 The results of the March 2011 wintering birds survey show that two species are red listed and one species is amber listed

*Reptiles* No historical recorded, and no animals were observed

*Amphibians* In 2011 the common frog was observed, there was no evidence to confirm smooth newts breeding, however a male and female were observed

*Invertebrates* No specifically rare or notable species of invertebrates have been recorded

No other rare, protected or notable species were recorded

Based on the size of the site, the habitats present and the known and potential species that it supports it is considered that Huntstown Quarry at least has local value with component calcareous grassland of up to district value The valuable ecological receptors are the dry calcareous and neutral grassland, the hedgerows and a number of bird species

An overall restoration plan was submitted in 2003, condition 19 of F03A/1430 refers There are no proposals to significantly alter the agreed restoration plan, therefore it is considered not necessary to assess potential impacts arising from the restoration activities on the site post infilling of this quarry void The restoration plan will continue to take into account positive gains for wildlife at this site post quarrying operations

The majority of the high value dry calcareous and neutral grassland and hedgerows are outside the main extraction areas, no significant direct losses

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*Mitigation, enhancement and compensation* Due to the proposed development which is for a continuation of quarrying and providing all existing measures and controls relating to this site are maintained, no additional mitigation measures to those already in place at the proposed or deemed necessary

*Monitoring* Areas of high ecological value and those currently managed for wildlife will continue to be monitored on a regular basis to determine whether the continuation of quarrying is having negative effects and to ensure appropriate management of these areas is undertaken to maintain their biological interest

### Soils & Geology Chapter 5:

#### *Regional Geology*

Soils The quarry is underlain by renzinas and lithosols and grey brown podzolics and brown earth

Quaternary Geology The quarry is underlain by bedrock at, or close to, surface and glacial tills derived from Carboniferous limestones

Bedrock Geology The site is underlain with Malahide formation in the southern part of the site This is overlain to the northwest by Waulsortian Limestones of the Feltrim Limestone formation which is in turn, overlain to the northwest by Tober Colleen Formation

#### *Local Geology*

The three main extraction areas, the north, central and south quarries have been subject to extensive exposure, along with ground water well drilling, results in the distribution of different lithological formation and the structure of the site to be made

Soils & Superficial Deposits Soils and superficial deposits have been entirely stripped from the footprint of the current and previous extraction areas and only minimal movement of soil and superficial deposit material is anticipated

Bedrock Geology The south quarry is developed within limestones of the Malahide formation and minor shales Banded, interbedded limestones and shales are exposed in the northwestern corner of this extraction area

The central quarry is not currently being worked and is used as a construction and demolition recycling facility The quarry is developed in pale micritic Waulsortian limestones of the Feltrim Limestone Formation

The north quarry is developed in a sequence of well bedded limestones and academic research on the fossil fauna of the sequence exposed indicated that this quarry is also developed within sub-Waulsortian limestones of the Malahide Formation

Structure The sequence at Huntstown dips steeply to the north or northwest The sequence in the west of the South quarry dips to the northwest The central quarry dips to the northwest The north quarry dips to the north-northwest There is a reverse fault present between the central and southern quarries The rocks are well jointed, the joint trends roughly N-S and

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area sub vertical The rock is strong to very strong and weathering is rarely significant more than a few decimetres below the rock surface

Geological Heritage The contact between the Waulsortian limestones of the Feltrim Limestone Formation and the Tober Colleen Formation, exposed in the roadway in to the Central quarry has been listed as part of Irish Geological Heritage Programme 8

Karstification A number of minor solutionally enlarged and clay infilled joints have occurred in the central quarry A wide joint of 0.5m-2m has been revealed in the eastern part of the south quarry The quarry manger reports these do not interfere with quarrying operations

### *Assessment of Impact*

The quarry footprint will not be extended so no large scale removal and placement of soil or overburden is anticipated Any soil or overburden material removed will be used to create berms the topsoil will be used for the restoration of the site will be filled back to the original ground level detailed in the restoration plan Stripping and removal of soil will not take place in prolonged periods of dry weather Mounding will only be done with an angle of repose of no greater than 1:1.5, screening berms will be planted, re-handling of soil will be minimised The area of geological interest, the exposure between the Waulsortian and Tober Colleen formations should be retained

### Hydrology/Hydrogeology Chapter 6:

The quarry has four extraction areas. The site is drained into two surface water catchments, the northern half is part of the River Ward and the southern half is part of the River Tolka Detailed hydrogeological investigations have taken place, which include 6 ground water monitoring boreholes and a flow recording device to measure discharge to the Tolka River from the southern discharge The limestone bedrock is considered to be locally important karst aquifer by secondary fissure permeability There are no recorded karst landforms within 5km of the site The limestone bedrock is considered to have relatively high permeability, with low storage Discharge from the northern quarry has reduced in volume from an average of 2,600m<sup>3</sup>/d (2009) to a winter flow of 1,470m<sup>3</sup>/d (Feb 2010) The average ground water flow for 2010 is estimated to be 750mm/day The central quarry no longer intercepts ground water and all rainfall infiltrates to ground Direct rainfall to the south quarry excavation and intercepted groundwater inflow is directed to the central sump and from here it is pumped to settlement lagoons for treatment Discharge from the south quarry is estimated to range from a summer average of c 2000m<sup>3</sup>/d to a winter average of c 3500m<sup>3</sup>/d Of this volume an annual average of c 1000m<sup>3</sup>/d is intercepted groundwater The seasonal fluctuation in the water table at the site ranges about 1.5m to 5m A groundwater cone of depression surrounds the site, which is deeper surrounding the South and North quarries Groundwater flows in the region will have a generally southern direction Drawdown from the South and North quarries extends for 1.1km at drawdown of c 2m Water supply in the region is mainly from mains supply A well survey has identified three local groundwater supplies, including the supply Huntstown power station

### *Impact on quantity of groundwater levels*

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During the development of the site there is a risk of reduction in groundwater quantity and levels outside the quarry void. Over the 35 year development it is proposed to deepen the quarry floors towards their maximum extents. The most significant deepening will be in the South quarry to -65mOD. The range in natural topography is between c 70-95m OD. The lowest extraction floor currently is c 27mOD in the southern quarry. A cone of drawdown has developed that extends below the Huntstown Power station and its ground water supply. The drawdown area is to extend from 1 km to 2km. There is a low risk of groundwater levels being further lowered outside of the quarry void. The potential for increased impact on ground water levels is considered to be low as the magnitude of the impact is considered to be mild and the probability of occurrence is medium to low. There are no increases in the extent of the quarry areas as part of this application therefore the potential impact on the groundwater is considered to be low as the magnitude of the impact is considered to be mild and the probability of occurrence is medium to low. There are no groundwater dependent designated ecological receptors nearby. Therefore the potential impact on groundwater quantity is considered to be near zero as the magnitude of the impact is considered to be negligible and so too is the probability of occurrence.

### *Impact on quality of groundwater levels*

The continued removal of the protective layer of unsaturated soil and subsoil overlying the bedrock increases the vulnerability of groundwater. The potential pollutants are spillage of fuels and lubricants, suspended solids entering the groundwater during extraction. The potential for spillages is medium, with a moderate impact, without mitigation the overall risk is medium. There is a low risk of suspended solids as they need a velocity greater than that usually achievable for mobilisation and transport.

### *Potential impacts on surface water*

The potential impacts on the surface water are medium such as petroleum products, alkalis, eutrophicans and ammonia based reagents. The mitigation measures currently in place are in line with the best practice/possible mitigation measures, outlined in Section 3.4 of the DoEHLG (2004) Quarries and Ancillary Activities Guidelines for Planning Authorities and licence requirements. The following management measures are included:

Surface water channels are constructed to collect surface water runoff, these are cleaned out regularly, fine sediment is removed and buried on site.

Fuel is stored in a designated bunded area.

All chemicals are to be stored on spill pallets.

Speed limit enforced to reduce potential collisions.

Plant regularly maintained and inspected daily for leaks.

Refuelling only to happen on surfaces areas.

Maintenance of plant and machinery to take place within maintenance sheds or off site.

Spill kits made available on site.

Diverting all surface runoff collected in sumps via settlement ponds/interceptor tanks prior to discharge.

Settlement ponds that treat the discharge from areas W1 and W2 have been designed to settle suspended solids to acceptable levels.

Areas of the quarry floor and ponds top provide for the short term and temporary attenuation for water to be discharged from quarry voids.

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If quarry operations are demonstrated to have an adverse impact on third parties water supply, the operator will undertake appropriate remedial measures to restore/replace the water supply at their own expense

Due to the proximity of Dublin Airport the DAA do not wish the quarries to be filled with water as it would attract a large number of birds. On going surface and groundwater monitoring is proposed

### Climate Chapter 7:

Ireland's climate has a typical maritime climate

*Wind* The main wind direction is from the south-westerly area, with an annual incidence of 49% from winds between 200-280degrees. The lowest frequency is for winds blowing from the northeast which occur 12% of the time. The annual average wind speed is 10knots (5 m/s)

*Rainfall* Rainfall normally comes from Atlantic frontal systems which travel northeast. The average monthly rates are 46-77 mm for north Dublin. The annual rainfall rate between 1990-2010 is 623-1095 mm at Dublin Airport station. The mean rainfall for the year at the site is c 732 mm

*General Weather* There is a higher than national average of snow or sleet in the area in comparison to thunder, fog, hail or snow lying

*Impacts* The development is not of a scale to have an impact on the local or regional climatic conditions. The effects of climatic conditions on the development (dust deposition, surface water) are discussed in the relevant chapters in the EIS

### Air Quality Chapter 8:

Dust in the air is a natural occurrence. Man made dust occurs from road users, aggregate and mineral extraction as well as industrial activity. The Guideline for Planning Authorities produced by the DoEHLG states that "residents living in proximity to quarries can potentially be affected by dust up to 0.5km from the source, although continual or severe concerns about dust are most likely to be experienced within about 100m of the dust source". The nearest sensitive locations are residences located immediately to the west along the Kilshane Road and to the east of the site along the R135 Regional Road. A dust deposition monitoring programme has been established on site, a total of 5 no. locations were chosen, two of which (that have contaminated dust) are proposed to be relocated to the site boundary to be more representative of the levels at the periphery of the site. The dust monitoring levels (excluding the contaminated samples) are within the dust threshold limits recommended in the DoEHLG Guidelines. The quarries being excavated are worked on a bench system, the levels are stepped up to 18m in eight by means of in-situ blasting. The material is then moved to the central processing area for crushing and screening or in case of the south quarry this is carried out by mobile plant on the quarry floor. All overburden has been stripped and was utilised in the existing screening berms. The emission of fugitive dust from mineral workings



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is very dependent on weather conditions. The direct impacts are considered to be non-cumulative and are largely confined to the quarry area. The predicted impact from deposited dust at residential receptors is considered to be negligible.

### *Mitigation measures*

A mobile crushing plant is located within the south quarry, minimising internal haulage requirements. This is fitted with dust suppression systems.

The quarry faces act as screening barriers.

Plant and machinery are regularly maintained.

Dust suppression (water bower) is used on the internal haul road surfaces.

Existing site boundaries, hedgerows and berms will be retained.

Stockpiled products will be sprayed in dry weather.

Overburden storage areas and landscaped screening berms will be constructed with relatively low slope angles 1:15 to reduce the turbulence along their surface.

Internal haul road will be maintained.

Vehicle speeds will be controlled.

Internal entrance and all access are paved and speeds are maintained.

### **Noise & Vibration Chapter 9:**

A noise survey was carried out and vibration levels were monitored on the site. The results of the noise levels shows the development complies (allowing for external noise and air traffic) with condition no 9 of F03A/1430. The noise levels are consistent with day time noise levels which would be expected around suburban parts of the GDA sand close to major road networks. Ground vibrations and air pressure are monitored for each blast and currently blasting occurs at 3 locations and happens one to three times per month. The duration of a blast in terms of noise is of short duration, similar to a clap of thunder. A review of the blast monitoring indicates compliance with the DoEHLG guidelines and compliance with condition 9 of F03A/1430.

### *Mitigation Noise*

The predicted cumulative noise levels arising from the quarrying operations are considerably lower than the background noise levels arising from traffic on external road network. The following mitigation measures are recommended.

Provision of landscaped screening berms and preservation of existing hedgerows and vegetation.

Regular maintenance of all plant and haulage vehicles. All plant and equipment conforms with noise emissions limits set out in Statutory Instrument No 320.

Stripping of topsoil/overburden materials only takes place during quarry operating hours.

Internal haul roads have a low a gradient as possible to reduce engine/brake noise from HGV's.

Use of mobile processing plant enables the processing activities to be carried out on the quarry floor.

Enclosing plant and machinery where possible.

### *Mitigation Vibration*

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The mitigation measure conforms with best practice mitigation measures set out in Section 3.2 of the DoEHLG Guidelines

Blasting is carried out between 09:00-18:00 Monday-Fri with the exception of emergencies or health and safety reasons

Inhabited dwellings located within 500m of a blast will be given advance notice when blasting operations are due to take place

Blasting operations are carried out by a certified shotfirer

The optimum blast ratio will be maintained and the maximum instantaneous charge will be optimised

The groundborne vibration levels from blasting will not exceed a peak particle velocity of 12mm/sec measured at the nearest inhabited dwelling

The existing noise monitoring programme will continue. The blast results will continue to be submitted to Fingal County Council for review and for their records

### ***Landscape & Visual Chapter 10:***

The site is located within the Landscape Character Type of Low Lying Agriculture Character Type within the 2011-2017 Development Plan. This character type is categorised as having a modest value and low sensitivity. Mature hedgerows mark almost all the site boundary as well as some of the boundaries within the quarry complex. Dense screen planting blocks and screening berms block views into the site. There are a total of 9 no. view points surrounding the site, of which 3 are of a medium sensitivity and 6 no. are of a low sensitivity. All but one of the viewpoints will experience no magnitude of change, as none of the proposed extraction works will be visible from any location outside the development site. Viewpoint F will experience a negligible magnitude of change during the extraction phase, however berm construction and screen planting along the part of the western boundary, visible in this view, will be carried out. Of the nine viewpoints there will be no significant impact at the extraction phase or restoration phase.

### ***Mitigation measures***

The mitigation measures to be implemented during the extraction stage include additional screening berms and screen planting along parts of the western site boundary and the protection of any existing vegetation, outside the proposed quarry footprints

Infilling of the quarry voids to previous ground levels with inert material. This will avoid the creation of a large water body which would have a negative effect on the nearby airport

Restoration of the infilled quarry voids to be beneficial agricultural after use

Planting of hedges made up of native species, to re-create the hedgerow pattern as it was present in this area prior to any quarrying activity

The vast majority of the proposed extraction will take place within the existing footprints of the north, central, western and south quarry. The impact on the landscape will be minor.

None of the extraction works will be visible from any location outside the development site.

Only the construction of a screening berm and planting works along parts of the western boundary will be temporarily visible from a small number of viewpoints. These works will ensure that all extraction works will be permanently screened from public areas and the additional planting will have a positive effect on views from adjoining roads.

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### Cultural Heritage Chapter 11:

The proposed extraction areas cover 559 hectares. The historical and archaeological background has been assessed. The prehistoric period, the early medieval period, the medieval period and the post medieval period were assessed. The remnants of these periods have been indicated. The archaeological heritage of the area was assessed by cartographic sources, place name evidence, aerial photography and previous excavation reports. Protected structure No 663 is located within the site area, this is Kilshane Church (in ruins) and Holywell off North Road. Recorded monument (RMP DU014-012) is also present with the following description, ecclesiastical remains, church possible, graveyard, holy well. The Church does not exist and the area has been extracted to geological levels. The well will not be impacted by the current proposal, there are no protected structures within 300m of any of the areas proposed for continued extraction.

There are 8 other structures within the study area at a distance greater than 400m from the areas proposed for continued extraction identified as protected structures within the Fingal Development Plan 2011-2017.

No 681 Castle "Site of" Archaeological site (RMP DU014-027), there are no remains of the site visible at ground level.

No 622 enclosure off North Road, Earthwork (RMP DU014-015), there are no remains of the site visible at ground level.

No 662 Kilshane Moat, possible Motte site (RMP DU014-013)

No 682 Ringfort, Cappagh Road (RMP DU14-029)

No 621 enclosure R122 earthwork (RMP DU14-017)

No 320 Burial earthworks (RMP DU14-015)

No 619 Ringfort site Newtown, earthwork (RMP DU14-007). There are no remains of this site visible at ground level.

No 620 Ringfort possible site Newtown, Earthwork (RMP DU14-00602). There are no remains of this site visible at ground level.

None of these structures/monuments are located closer than 400m to the area proposed for continued extraction and none will be directly or indirectly affected by the proposed quarrying. There are no structures listed in the National Inventory of Architectural Heritage situated in the study area or vicinity when this record was checked in June 2011.

### *Mitigation*

Due to the possibility of the survival of sub-surface archaeological deposits or finds in the unstripped areas of the central and west quarries it is recommended that topsoil stripping of the remaining un-stripped areas within the application areas be archaeologically monitored.

### Material Assets Chapter 12:

*Roads* Traffic to and from the site typically travel along the North Road the R135. Traffic coming from the city centre or the M50 turns onto the N2 Dual Carriageway and then turns west off a dedicated slip road onto the North Road. Traffic travelling south from Ashbourne exists the N2 Dual Carriageway and continues south along the North Road, through Kilshane Cross roads the right turn junction with the access road into the complex. The access road is

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approximately 7.3m wide. The western entrance from Kilshane Road is 6m wide, the gated entrance is 8m wide and is set back from the road by 10m. Mitigation measures

Where not in place warning notices, speed restriction signs and construction traffic signposting will be erected.

All necessary health and Safety precautions will be implemented when plant and machinery are operating in the vicinity of overhead power lines.

*Metro West* The proposed route runs south of the Roadstone landholding. The continued operation of the quarry will not have any impact on the construction or operation of Metro West. The proposed route is located 350m at its closest point to the south-eastern corner of the site.

*Utilities* A combined cycle Gas turbine power plant operated by Viridian, immediately east and north of the application site. This power plant shares the access route. The combined output of the plant is 747MW which provide up to 20% of the total daily electricity fed into the national transmission grid system. A gas pipe line serving the power plant, which traverses the route of the Kilshane Road to the west of the application site. A gas pipeline crosses the site in a west-east direction running along the paved central access road and around the block yard north of the central quarry. There is a fixed line and broadband telecommunications on site. 10Kv, 22Kv, 38Kv and 110Kv power lines traverse the site. All of these run to the adjoining ESB 220Kv substation located immediately north west of the M50/N2 Motorway Interchange. A potable water supply is provided to the existing site office, canteen and construction materials production facilities via a local authority water main. Sewage is treated at an existing effluent treatment plant located in the centre of the quarry complex.

*Dublin Airport* The airport is located c 2.5km to the west of the end of runway 10/28.

*Ground water* Out of the three bedrock formations exposed at the quarry two are considered to be locally important aquifers (Waulsortian and Malahide (Boston Hill) Formations). Mitigation measures

The restoration plan will infill the worked out areas to the original ground level and reinstate the hedgerows.

These will be carried out in tandem, these works have already commenced in the north quarry reducing the areas for any potential standing water.

Any quarry voids will continue to be pumped top prevent the formation of large areas of standing water.

*Housing* Most of the housing in there area has been established for several years (>5). No lands within the site are zoned RS, under the 2011-2017 Development plan. The nearest large scale settlements to the site is a Finglas c 2.5km to the southeast and Blanchardstown 4km to the west.

### Traffic & Transportation Chapter 13:

A report from the Transportation engineers states the following regarding proposed development and this chapter of the EIS

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### "Access"

*The site has two accesses – one on the North Road and one on Kilshane Road. The access on the North Road was granted permission under F06A/0164 and was designed and built to a high standard. The access on the Kilshane Road has visibility partly limited due to overgrowing hedgerows. Kilshane Road is substandard in terms of horizontal alignment and cross-section.*

### Traffic Impact Assessment

*A Traffic and Transportation Assessment is included in Chapter 13 of the EIS.*

*There are two major assumptions underlying the Traffic Impact Assessment (TIA). First, the quarry will operate at 1 million tonnes per year. It appears that this is an average production, whereas TIAs normally use worst case scenarios. Second, the average payload of a HGV is 20 tonnes. Again, this is a normal average, but given that the development is currently in use and has loading information, it would be better to use a historically measured average payload.*

*The trip attraction/generation calculation is partly unclear and seems to be unnecessarily artificial. The source data for Table 13.6 is not specified. Also, the calculation for concrete loads is not clearly explained. It appears that each load has a volume of approximately 6.9 m<sup>3</sup>. It is not clear what the average payload is in terms of weight. The HGV trip forecasts in Table 13.7 are based on the calculation in Table 13.6, the LGV trip forecasts are calculated using the proportion of LGV to HGV from Table 13.4. This seems to be unnecessarily artificial. Table 13.5 shows historic traffic flows for four years and the applicant should have used this data to calculate the annual trip attraction/generation rates for the assumed level of production. It appears that this would have given a significantly higher number of HGVs. The analysis in the TIA concludes that the development would have no significant traffic impact due to the small low increase in traffic volume and the spare capacity on the existing road network, especially since the opening of the N2/M2.*

*There is a point which was not given consideration in the TIA. The Tyrellstown to Cherryhound Link (the N2-N3 Link) is currently under construction and is expected to open later this year. After it opens, traffic from this development is more likely to use the North Road access and less likely to use the Kilshane Road entrance. Also, the volume of through traffic on Kilshane Road is likely to reduce radically. This will benefit the development, by improving the road network in the area and, in particular, by improving access from the development to the N3 (via the North Road entrance and the N2-N3 link).*

*In conclusion, the TIA has an unusual methodology which probably under estimates the trip attractions and generations.*

### Road Pavement Damage

*Damage to road pavements is non-linearly related to average axle loads, ie HGVs cause disproportionately more damage to the road pavement. The Council normally applies a special contribution under Section 48(2)(c) on permissions for quarry and land fill developments to cover the cost of additional maintenance resulting from heavy vehicle loads. As this is an existing facility, the applicant has information regarding the axle loads of*

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*vehicles accessing the site This information may be useful in determining the level of any special contribution*

### **Opening Hours**

*The Transportation Planning Section normally seeks to spread peak traffic loadings on the road network, thereby reducing peak flows and congestion Extending opening hours would help to achieve this However, in this case, due to the availability of spare capacity on the near by major roads, the benefits of extended opening hours would be marginal*

### **Internal Layout and Car Parking**

*The internal road layout and car parking seem to be haphazard In particular, one element of the development is open to members of the public, who would be less aware of the safety requirements when being in proximity to large plant and machinery ”*

There are a number of outstanding issues which needs to be addressed by way if additional information

### **Assessment**

Having visited the subject site, assessed the EIS, the drawings and particulars submitted and having regard to the Development Plan policies I am of the opinion that the main issues to be assessed are as follows

### ***Principle***

The principle of a continuation of the existing quarrying activities on site is considered to be acceptable having regard to the planning history on site and the RU zoning objective associated within the four quarry areas

### ***Removal of phasing***

The proposal to remove phasing from the development is considered to reasonable, given the nature of the facility and the market to which is supplies A level of flexibility within the development is considered to be appropriate

### **Extraction Depths**

#### **North Quarry**

All overburden has been stripped, the area to the southeast will be extracted down to the existing quarry floor of c 39mOD The southern half of this quarry will be lowered a further c 21mOD The current permitted depth is c 29mOD The proposed area of extraction is 4.2 hectares to a proposed depth of c 23m OD

#### **West Quarry**

All overburden and topsoil has been stripped, only one investigative blast has occurred The current permitted depth of extraction is c 29mOD The proposed area of extraction is c 10.3 hectares to a proposed depth of 25mOD

#### **Central Quarry**

It has been extracted to varying depths, the lowest quarry floor in this area is c 58mOD further extraction can be carried out to the east, south and west The current permitted depth

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is c 44m OD The proposed area of extraction is 16.4 hectares to a proposed depth of c 18mOD

### Southern Quarry

Extraction has taken place over the last ten years. The lowest quarry floor is c 38mOD. The current permitted depth is c 8m OD. No further lateral expansion is proposed. It is proposed to square off the northwest area. This will result in the removal of the remaining old settling ponds to allow extraction of the reserves beneath. The proposed area of extraction is c 25 hectares to a proposed depth of c -65mOD.

It is anticipated that 35 million tonnes will be extracted over the period of the proposed 35 years lifetime of this permission.

### *Noise*

A number of issues with regard to the Noise chapter in the EIS submitted need further consideration. The particular issues relate to the location and number of noise monitoring points. Given that no phasing will be in place for the four quarries, a detailed examination of noise is required.

Section 9.42 of the EIS states that "*for the purposes of the assessment, a reduction of -20dB(A) for full noise screening has been adopted (to take account of the high topographical features present between the activity on the site and the receptors)*".

This level of reduction has not been justified or measured. This needs to be clarified.

It is considered that further noise modeling should be requested in order to provide a more detailed analysis of the proposed noise levels created by the proposed extraction.

### *Dust*

There is a concern regarding the number and the location of the dust monitoring sites, given again that no phasing will be in place on site. Currently there are 5 no dust monitoring locations on site. It is indicated that two are to be relocated to the site boundary. However, it is considered additional numbers are required at a number of different locations.

### *Surface Water and Groundwater*

There are a number of issues regarding surface water and ground water.

It is stated within the Section 6.116 of the EIS that the 2m drawdown cone of the southern quarry will extend outwards from 1.1km to approximately 2km. There will be a slight extension in drawdown cone of depression westwards as the West Quarry deepens. It is stated that ground water levels are depressed in the area due to ongoing dewatering from the South Quarry and North Quarry, "*the quantities of water to be abstracted from the West quarry will remain low until such a time that it deepens below the level of the North quarry*".

There is no analysis of table 6-7, water quality of northern and central quarry sumps.

Section 6.41 & 6.48 of the EIS outlines the on average discharge quality.

A report from Water Services has been received which has requested further information relating to foul sewer, surface water, ground water and water supply.

A report has been received from the Environmental Engineer which states the following:

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*"it is not clear if replacement lagoons would be constructed at another location from the application and how this decommissioning will be achieved and any waste created is managed "* Clarification of these works is required

### *Appropriate Assessment*

No screening for an appropriate assessment has been submitted as part of this application. The following has been stated in the Heritage Officers report in relation to appropriate assessment, *"I am concerned that no consideration of potential impacts to Natura 2000 sites is addressed in the EIS. I recommend that the applicants are requested to provide sufficient information to the planning authority to enable it to screen the application for appropriate assessment. In particular the potential for the proposed development to impact Natura 2000 sites via impacts to the Ward River and the River Tolka needs to be fully addressed. The information provided by the applicants must be able to enable the planning authority to conclude with certainty that the proposed development individually or in combination with other plans and projects will not have a significant effect on a Natura 2000 site or sites. Otherwise a full appropriate assessment will be required in this case."* This is noted and it is considered that screening for an appropriate assessment is required. It is considered that further details are required outlining any potential indirect or direct impact to any Natura 2000 site within a 15km radius of the subject site, with particular attention to the Ward and Tolka rivers.

### *Wheel wash*

There is no wheelwash in place on the site. A sprinkler system is stated to be in operation on the site. Having regard to the size and scale of the site and the level of vehicular movements on and off site, it is considered reasonable to have a wheelwash in place.

### *Geology*

The contact between the Waulsortian limestones and the Tober Colleen Formation, exposed in the roadway in to the Central quarry has been listed as part of Irish Geological Heritage Programme 8. This has been noted and a condition will be imposed in relation to retaining same.

### *Lifetime of permission*

The applicants have applied for 35 years for the extraction and a further 5 years to carry out the restoration of the quarry after the cessation of extraction.

### **Section 4.9 of the Quarries and Ancillary Activities Guidelines for Planning Authorities deals with the life of planning permissions:**

*"Where the expected life of the proposed quarry exceeds 5 years it will normally be appropriate to grant permission for a longer period (such as 10 - 20 years), particularly where major capital investment is required at the outset. In deciding the length of the planning permission, planning authorities should have regard to the expected life of the reserves within the site. The purpose of setting a finite period is not to anticipate that extraction should not continue after the expiry of that period, but rather to enable the planning authority, in conjunction with the developer and environmental authorities, to review changes in environmental standards and technology over a decade or more since the*



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*original permission was granted. In considering whether a further permission should be granted, the planning authority should have regard (inter alia) to the following factors*

- (a) The extent of the remaining mineral resources and*
- (b) The extent of existing capital investment in infrastructure, equipment, etc “*

Having regard to the existing facilities and infrastructure on the subject site, it is considered significant capital investment has been taken place on the site, therefore a 35 year permission is not considered appropriate. It is considered reasonable that a period of 15 years in this instance is acceptable, as it would allow the Planning Authority and Environmental Authorities to review changes in standards and legislation.

The applicants have stated that all ancillary facilities are to be retained indefinitely for the duration of extraction operations on site, however it is considered more appropriate that all ancillary facilities will be tied into the life of extraction.

### *Opening hours*

The applicants have proposed to change the opening hours from 7am to 6am. Section 4.7 (b) of the Quarries and Ancillary Activities Guidelines for Planning Authorities outlines conditions relating to operation times.

*(b) Times of operation. The duration of quarrying operations (other than blasting, which needs separate controls – see (d) below) may require to be controlled in order to protect the amenities of residential properties in the area. It is recommended that normal operations should be confined to the hours between 07.00 and 18.00, Monday to Friday inclusive (excluding Bank Holidays) or as may be agreed with the planning authority, and between 07.00 and 14.00 on Saturdays, with no quarrying, processing or associated activities being permitted on Sundays or public holidays. Where market conditions or the nature of particular ancillary processes (such as concrete batch manufacture) would require greater flexibility of working hours, it is imperative that such flexibility be discussed with the planning authority at the pre-application stage, and addressed in the planning application.*

Having regard to the number of adjoining residential properties and nearby business parks, it is considered reasonable to maintain the existing opening hours.

### *Traffic/Transportation*

Having regard to the details submitted as part of the Chapter 13 of EIS and the report received from the transportation engineers, additional information is requested.

### *Archaeological monitoring*

Archaeological monitoring has been recommended in the central and west quarries during the topsoil stripping of the remaining un-stripped areas, which is considered to be appropriate.

### *Block Tower*

There is an existing block tower located within the central compound area, this is currently not in use and does not appear to have been in use for a number of years. The building is derelict and in poor conditions. The intentions for this building should be clarified.

### Adequacy of EIS

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The information to be contained in an EIS is set out in Schedule 6 of the Planning and Development Regulations 2001. The impact of the proposed development was assessed under all the relevant headings with respect to human beings, flora and fauna, landscape and visibility, cultural heritage, soils, water, transportation, noise, air quality, material assets. The content and scope of the EIS is generally considered to be acceptable and in compliance with Planning Regulations. However, in my opinion further consideration of issues in relation to noise, dust, screening for appropriate assessment, the traffic impact assessment and ground and surface water is required.

### **Conclusion:**

There are a number of outstanding issues which need to be addressed by way of further information.

### **Submissions/Observations:**

No additional submissions were received in relation to the significant further information received.

### **Reports:**

Water Services Report An updated report has been received with no objection subject to a number of conditions.

Transportation Report An updated report has been received with no objection subject to a number of conditions.

EHO An updated report has been received with no objection subject to a number of conditions.

Environment An updated report has been received with no objection subject to a number of conditions.

Parks No report received to date.

Bio-Diversity Officer No report received to date.

Conservation Officer No further comment.

Heritage Officer An updated report has been received with no objection subject to a number of conditions.

An Taisce No report received to date.

Inland Fisheries Ireland An updated report is received, which states the following: *"fisheries concerns include the long term maintenance of flow in the Ballystrahan stream and its contribution to the headwaters of the River Ward. In line with our obligations under National and European legislation in particular WFD it is imperative that all measures should be taken to prevent further deterioration in the existing status of waters and that degraded surface and ground water are restored to good status. We would urge the Local Authority to consider including a condition which requires that all watercourses are reinstated to their pre development (pre 1970) condition during site restoration."*

HSA Significant additional information is noted.

RPA No report received to date.

NRA No further comment.

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NTA No report received to date

Department of Arts Heritage and Gaeltacht Archaeological monitoring is requested as a condition

DAA Report received with concerns regarding bird hazard at the airport, it is recommended that a suitable conditions be attached An updated report has been submitted recommending suitable condition regarding restoration plan in order to minimize bird hazard

Heritage Council No report received to date

Irish Aviation Authority No further observations

LM/YT

**Subsequent Report of the Planning Officer dated 6/02/2013.**

**Additional Information received on 26/11/2012 and was deemed to be Significant Additional Information.**

There were a number of outstanding issues which needed to be addressed by way of **further information**, the following was sought and the response is as follows

1 It is noted that Section 8 of the EIS deals with Air Quality and Section 9 deals with Noise/Vibration Having regard to the number of residential properties and commercial properties in the close proximity to the quarry and the proposal to removal phasing arrangements, the Planning Authority considers the number and location of dust and noise monitoring sites critical to the continued protection of amenities throughout the life of the quarry In this regard you are requested to reconsider the number and location of dust and noise monitoring sites

Applicants response

### Dust

It is proposed to relocate monitoring location D3 from its existing position to the southwest site boundary adjacent to the nearby residences It is proposed to relocate monitoring location D5 from its existing position to the eastern site boundary Two new dust monitoring location are also proposed, D6 on the southern site boundary between the nearby residences and the operational south quarry and D7, along the north-eastern site boundary between the adjacent residences and the existing processing area/north quarry

### Noise

It is proposed to relocate monitoring location N3 to the southwest site boundary adjacent to the nearby residences An additional noise monitoring location is proposed on the northeastern boundary between the adjacent residences and the existing processing area/north quarry

Planners appraisal An updated report has been received from the Environmental Health officer which has no objection to the proposed development subject to a number of conditions

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2 It is noted in the methodology used for the noise prediction assessment that a reduction of -20dB(A) for full noise screening has been adopted. The Planning Authority considers that the noise prediction assessment should provide for a more detailed analysis of each quarry on site having regard to noise sensitive receptors.

**Applicants response** The principle noise sources generated by quarrying activities with respect to nearest residences are machinery, the processing plant, loading and transport of aggregate and drilling blast holes. The stone extraction/processing is the noisiest activity. The processing plant sand machines will be fully screened by a combination of the following, existing topography between the quarry and receptor, screening berms and quarry faces. When drilling takes place at the upper levels as the quarry develops, these operations will be fully screened by the perimeter berm. Detailed noise calculations are provided. The maximum noise reading in this area was 82dB.

High topographical features such as quarry faces and screening berms provide significant attenuation.

The predicted cumulative noise levels arising from quarrying/stone processing/loading activities/blast hole drill rig are within the daytime noise emission limit value of 55dB(A) at sensitive locations recommended by DoEHLG Guidelines.

The predicted cumulative noise levels arising from quarrying activities are considerably below the existing background noise levels arising from traffic on the external roads network. The resultant noise levels identified area considered to be worst case scenario, as it assumes plant and machinery will be running 100% of the time. The average ambient noise levels would be expected to be significantly below predicted.

**Planners appraisal** An updated report has been received from the Environmental Health officer which has no objection to the proposed development subject to a number of conditions.

3 The Planning Authority notes that Section 4 of the EIS does not include screening for an Appropriate Assessment in accordance with the requirements of Article 6 of the Habitats Directive and the requirements of the Fingal Development Plan 2011-2017 (Objective BD13). You are requested to submit proposals to address the above.

**Applicants response** A qualified ecologist has carried out an appropriate assessment (AA) screening for the overall site. Fingal County Council heritage office was consulted during the preparation of this response. The AA Stage 1 screening concludes:

*This assessment has considered the potential effects associated with the continuation of the quarrying operations and ancillary processing and manufacturing facilities at Huntstown Quarry.*

*The assessment has concluded that the continuation of quarrying operations is not likely to have an adverse effect on the integrity of any Natura 2000 site, or on any of the qualifying features for which these sites have been classified/designated, either as a stand-alone development or in-combination with other plans or projects within its zone of influence.*

**Planners appraisal** An updated report has been received from the Heritage officer which stated the following: "In my previous report on this application I raised the potential impacts of the proposed development to Natura 2000 sites via impacts to the Ward River and the River Tolka. These concerns have now been addressed in the document entitled "Natura

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*Impact Statement, Stage 1 Screening Assessment", Ref 4sa 02036 00189, dated November 2012, prepared by Steve Judge, ecologist*

*I am in agreement with the conclusions reached, based on the current discharge regimes to the Ballystrahan Stream and the Finglas Stream, that there will be no significant adverse impacts to any Natura 2000 sites as a result of the proposed development*

*The issue of changes to discharge regimes and the need to maintain flow rates in the long-term in both the Ballystrahan Stream and Finglas Stream also need to be addressed as part of the ongoing operation of the quarries at Huntstown and their eventual restoration when quarrying has ceased I note the proposed conditions put forward by Rita McGrath, Senior Executive Scientist regarding the current pumping regimes, any changes to such pumping regimes during the life of any planning permission, and the requirement for a restoration plan for Huntstown and I am in agreement with same I would also note that any proposed changes to discharge regimes from Huntstown to the Ballystrahan Stream or the Finglas Stream will trigger a requirement for further screening for appropriate assessment, either in the context of future applications for discharge licences or in the context of approval for any future restoration plan by the planning authority "*

4 Having regard to the nature of the facility and the volume of vehicular movements to and from the site, it is considered that a wheelwash should be provided on site in order to reduce the level of dust on the adjoining roads Please submit the relevant details  
Applicants response Details of the proposed wheel wash are provided It is to be sited next to the Concrete Dispatch facility at the existing HGV Overhead Spray Bar location, consisting of a drive through wheel bath with a closed water supply system

Planners appraisal These details are noted and are considered to be acceptable In the event of a favourable decision a conditions will be attached that this facility is implemented within a suitable timeframe

5 Please submit the following details

- i) An estimate of the maximum annual production and consequent traffic generation
- ii) A revised Traffic Impact Assessment based on a revised methodology for calculating trip attractions/generations The revised methodology should consider the maximum annual production at the facility
- iii) A justification for retaining the access onto Kilshane Road subsequent to the opening of the Tyrrelstown to Cherryhound Link
- iv) A profile of the axle loadings of the vehicles accessing the site
- v) Proposals for the segregation of pedestrians from plant and machinery

Applicants response

- i) 2 million tonnes per year is the maximum annual production A table has been submitted outlining recent activities, site operation that occurred in the year 2008 in terms of exports and imports generated the highest volumes of materials (c 1 95m tonnes) and therefore generated the most vehicular traffic
- ii) A revised traffic impact assessment has been carried out and this considers the maximum annual production at the facility A copy of this TIA has been submitted

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iii) Roadstone confirms that they propose to close the Kílshane Road access. The Kílshane Road entrance will therefore only be used by vehicles in the event of an emergency.

iv) The profile of the axle loadings of the vehicles accessing the site is provided. These figures constantly changing, a sample for the period July to September 2012 inclusive is provided.

v) All visitors to the retail paving centre and the quarry site will be directed by signage to the visitor car-park. Signage at the paving centre will direct all visitors to the site to check in at the paving center reception. A dedicated pedestrian pathway is to be provided from the paving display area past the paving centre office and the visitor car park, across the main central site access road to the weighbridge office/reception building. The pathway is to be demarcated by solid white lines and standard pedestrian symbols. Drawings are provided.  
Planners appraisal

A report from the transportation department has been received which states the following

*“5(i) Maximum Annual Production and Consequent Traffic Generation*

*This matter has been dealt with adequately. The revised HGV trip attraction and generation figures are based on the worst case scenario, which is appropriate.*

*5(ii) Revised Traffic Impact Assessment*

*The revised methodology for calculating trip attractions and generations is acceptable. The Additional Information provides a clearer explanation for the conclusion that the proposed development would have no significant transportation impact.*

*5(iii) Access to Kílshane Road*

*The Additional Information clarifies that the access will only be open for emergency situations, which is the Transportation Planning Section's preferred option.*

*5(iv) Profile of Axle Loadings*

*Based on the data supplied in Appendix D, the average axle loading is less than 5 tonnes. There is no indication that average axle loadings would increase.*

*5(v) Segregation of Pedestrians from Plant and Machinery*

*The revised/clarified proposals are acceptable.”*

It was noted that the conclusion of the report states that there is no objection to the development.

6 a) Please clarify the amount of soils in the existing berms which is intended to be used as backfill for the quarry.

b) Please outline how progressive restoration of the site will be achieved and when the production of a post quarry plan is triggered.

c) Please confirm if replacement lagoons are to be constructed within the southern quarry. If lagoons are to be decommissioned please include details of the decommissioning process and the management of the waste created.

d) Please outline the management of the extractive wastes on site.

e) Please confirm the intended storage periods and locations of aggregate products produced on site.

f) Please detail the management of stockpiles in terms of stability and run-off from storage areas used within the site.

Applicants response

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- a) The total volume of soil in the existing berms that is available for use as backfill in the quarries c 1 1million cubic metres (approx 2 2million tonnes)
- b) The restored site will be returned to its original ground level and will for the most part merge back in to the surrounding pastoral landscape Restoration works have commenced at the northern portion of the exhausted North Quarry A current waste licence application has been submitted to the EPA for an exhausted portion of the north quarry, outside the proposed ultimate extraction footprint The western face of the north quarry will be retained in part (above the 68mOD level) to facilitate nesting for the existing peregrines falcons resident on the site Huntstown Quarry is listed on the GSI database of geological heritage sites as a potential geological NHA for the Tober Colleen Formation directly overlying Waulsortian Limestone This has only been reported elsewhere in a recorded borehole at Feltrim Quarry This will be incorporated into the restoration plan On completion, the final landform will be modified as necessary to ensure the surface water run-off across the restored site is directed toward the existing natural drainage network Provision will be made for short term environmental monitoring of air, surface water and groundwater A restoration or post quarry plan for Each quarry extraction area will be prepared and submitted to the planning Authority for approval five years prior to the extraction being ceased in that particular area
- c) No replacement lagoons are to be constructed within the southern quarry The lagoons are decommissioned and are not in use As the quarry develops, the settlement lagoon materials will be re-used in the restoration process
- d) There is an existing Extractive Management Plan in place for the site, this is to ensure the Roadstone is in compliance with the Waste Management Regulations 2009 by setting out measures, procedures and guidance to prevent or reduce and adverse effects on the environment (water, air, soil, flora, faun and landscape)
- e) Storage stockpiles are dynamic Aggregate predicts may be stored on the site for up to 2 years They will be stored on all quarry floor areas and in dedicated storage areas adjacent to the ancillary processing area The existing aggregate stockpiles are indicated on the drawing submitted
- f) A copy of the Roadstone Wood Health and Safety rules for stockpiles is submitted Run-off from the stockpiles is managed in the quarry water management system
- Planners appraisal A report from the Environment section has been received which states the following

With reference to the above application in respect of continuance of existing activities the Environment Department does not have any objections to the proposed developments and the following comments apply

It is noted that the intended quarry extraction areas cover ~ 55.9 hectares and c 1 million tonnes will be extracted annually over the life of the development (35 years) subject to market conditions which implies extraction capacity of ~ 35 million tonnes but this figure has not been quantified Extraction is planned at all four areas within the quarry (north, south, west and central) at the same time However, the extraction planned could potentially impact on the protection of the ground water resource The applicant is requested to address the issue of completing restoration works while protecting the ground water resource

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It is noted that restoration works are proposed when all the deposits are fully exhausted or cessation of extraction operations takes place based on economic reasons. It is further noted that a post quarrying / restoration plan for each quarry area will be submitted to the Planning Department within 5 years prior to the cessation of extraction of that area. However, it is not clear from the information provided when that is expected and what restoration is planned if extraction ceases for economic reasons.

Excavated materials are proposed to be stored in stockpiles in the relevant aggregate product for a period up to 2 years. It is noted that any unsalable product will be reused in the restoration of the quarry. A Waste Management Document (EMS21) is provided (November 2010) which will be reviewed every 5 years. The storage of such product on the floor of the quarry will need to be managed to enable restoration of an exhausted quarry area.

These comments are noted

7 Please submit the following

### *Foul Sewer*

- i) Please submit details of the existing drainage system including line of drains, cover and invert levels to Malin Datum, gradients, connections to OSWWTP, and capacity/loading (PE) calculations demonstrating that the system has the capacity to cater for the number of people on site
- ii) To ensure the protection of the groundwater, please submit full details of the system to include, but not limited to the following:  
Site Specific long section through the proposed treatment system to include floor level, existing ground levels and percolation area  
Details of the distribution box, stilling chamber and or manifold for the polishing filter/percolation area

### *Surface Water*

- iii) Please submit details of the surface water drainage system including line of drains, channels and sumps. Please note cover and invert levels are to be of Malin Datum gradients. Details to include run off from buildings/sheds/offices/facilities. Soakways must comply with BRE Digest 365, the GDSDS, designed to accommodate a 30yr storm event, include for climate change, use local rainfall data, and be at least 5m from any structure and 3m from any boundary
- iv) Please submit details of the measures implemented to minimise stormwater runoff. This should include a stormwater management system following the principles of Sustainable Urban Drainage and in compliance with the principles outlined in the GDSDS (Greater Dublin Strategic Drainage Study)
- v) In order to protect, improve and enhance the natural character of the watercourses within the county and in order to meet the objectives of the Water Framework Directive a green corridor must be maintained either side of all watercourses. Please demonstrate that this green corridor has been maintained, thus complying with the principles of Sustainable Urban Drainage and the GDSDS (Greater Dublin Strategic Drainage Study). Failing to comply with these principles may lead to deterioration in the water quality of the watercourse
- vi) The stormwater management system should follow a treatment train approach and should comprise of a series of features which complement each other. In addition please submit a



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Site Assessment report from the Irish SUDS website (IrishSuds.com) demonstrating the following

Interception Storage  
Treatment Storage  
Attenuation Storage  
Long-term storage

### *Ground Water Pollution Control*

vii) Please submit details of measures to adequately control run-off from spillages and from cleaning operations arising from the manufacture of aggregate-based construction products  
In this regard please demonstrate that

All access ways, road ways and any area intended to carry a vehicle are adequately paved or sealed

The access ways, road way and plant area are surrounded by kerbs or "speed bump" type lands and that all water run-off from those areas is directed to an adequately sized oil and silt interceptor

viii) Please outline the impact the proposed activities will have on the quality of the discharge to the catchment areas of the Ward and Tolka Rivers

ix) Further analysis of the 2km drawdown cone of the southern quarry and tables 6.6, 6.7 and 6.10 of the EIS is required

x) Please demonstrate that flows in the Ballystrahan Stream are maintained at a sustainable level into the future

### *Water Supply*

xi) Please submit details of the connection to the public water main. These details should include the water metering arrangements for the development

Applicants response: Details have been submitted to address the aforementioned issues

Planners appraisal: An updated report has been received from the Water services engineers who have no objection to the proposed development subject to a number of conditions

8 It was noted on the site visit that the existing round block tower is not in use and does not appear to have been in use for a number of years. You are requested to outline your intentions for this building over the life time of the quarry

Applicants response: It is proposed to maintain the existing round block tower for the duration of the quarry operations at the site for the intermittent and temporary storage of aggregates. Upon cessation of the quarrying activities on site this tower will be demolished in tandem with the adjacent crushing plant and other ancillary facilities on site

Planners appraisal: This is noted and considered to be acceptable

9 Prior to the formal response to this further information request you are invited to liaise with the Planning Authority, please contact Louise Murphy on 01 8905710

Applicants response: A consultation meeting was held on the 21/06/12, and further consultations were carried out with each department

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### Conclusion:

The proposed development is considered to be acceptable given its planning history and Rural "RU" zoning. The applicants have adequately responded to the Additional Information request. Having regard to the scale, extent and nature of the development and its potential impact upon adjoining lands, it is considered reasonable to restrict the 'lifespan' of the quarrying and ancillary manufacturing and recycling/recovery operations to a period of 20 years from the date of this decision.

Having regard to the dynamic nature of the site, it is considered reasonable that the restoration plans be submitted to the local authority within 12 months from the final grant of planning permission.

### RECOMMENDATION

I recommend that a decision to **GRANT PERMISSION** be made under the Planning and Development Acts 2000-2010, subject to the following (23) condition(s) -

### Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application on the 09/03/12 as amended by way of significant additional information as received on 26/11/12, save as may be required by the other conditions attached hereto.

REASON To ensure that the development shall be in accordance with the permission and that effective control be maintained.

- 2 This decision permits the developer/operator to continue quarrying/extraction and processing operations on the site for a period of twenty years from the date of this decision. The existing buildings, hardstanding areas and plant machinery shall be permitted for the 'lifespan' of quarrying/extraction operations. After that time, all quarrying/extraction works shall cease and all buildings, plant and machinery shall be removed from the site unless a further grant of planning permission is obtained from the planning authority or from An Bord Pleanála on appeal.

REASON In the interest of proper planning and sustainable development of the area.

- 3 During the operational phase of the quarry, the noise level from within the boundaries of the site measured at the noise sensitive receptors in the vicinity, shall not exceed Daytime 08 00–20 00 h LAeq (1 h) = 55 dBA and Night-time 20 00–08 00 h LAeq (1 h) = 45 dBA (Note 95% of all noise levels shall comply with the specified limit).

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value(s) No noise level shall exceed the limit value by more than 2 dBA )  
All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 "Assessment of Noise with respect of Community Response" as amended by ISO Recommendations R 1996 1, 2 or 3 "Description and Measurement of Environmental Noise" as applicable

REASON In order to protect the residential amenities of property in the vicinity

- 4 All ameliorative proposals contained within the EIS and subsequent alterations by way of significant additional information shall be strictly complied with

REASON In the interests of the proper planning and development of the area

- 5 During the operational phase of the quarry, the noise level from within the boundaries of the site measured at the noise sensitive receptors in the vicinity, shall not exceed Daytime 08 00–20 00 h LAeq (1 h) = 55 dBA and Night-time 20 00–08 00 h LAeq (1 h) = 45 dBA (Note 95% of all noise levels shall comply with the specified limit value(s) No noise level shall exceed the limit value by more than 2 dBA )  
All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 "Assessment of Noise with respect of Community Response" as amended by ISO Recommendations R 1996 1, 2 or 3 "Description and Measurement of Environmental Noise" as applicable

REASON In order to protect the residential amenities of property in the vicinity

- 6 Vibration levels from blasting shall not exceed a peak particle velocity of 12 millimetres per second, when measured in any three mutually orthogonal directions at any sensitive location The peak particle velocity relates to low frequency vibration of less than 40 hertz where blasting occurs no more than once in even continuous days Where blasting operations are more frequent, the peak particle velocity limit is reduced to 8 millimetres per second Blasting shall not give rise to air pressure values at sensitive locations which are in excess of 125 dB (linear maximum peak value), with a 95% confidence limit No individual air pressure value shall exceed the limit value by more than 5dB (Lin)

REASON In the interest of maintaining the amenity of adjoining landowners

- 7 Dust levels at the site boundary and sensitive locations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge) Details of a monitoring programme for dust shall be reviewed on an annual basis and these reviews shall be submitted for the written agreement of the Planning Authority The developer shall carry out any amendments to the programme required by the planning authority following the annual review

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REASON In the interest of maintaining the amenity of adjoining landowners

- 8
- i) Within 3 months of the final grant of planning permission the applicants shall submit full details of the existing pumping regime, including quantities currently discharged
  - ii) The applicants shall submit details of any proposed changes (for the duration of the planning permission) to the existing pumping regime, including proposed arrangements/quantities being discharged to adjacent streams (Ballystrahan and Finglas Stream) This shall be agreed in writing with the Planning Authority prior to the implementation
  - iii) The operator shall ensure that the development does not affect or cause deterioration in water quality, water levels or yields in the domestic wells in the vicinity of the quarry In the event of quarrying activities having a proven adverse impact on private wells in the vicinity, the operator shall undertake appropriate remedial measures as agreed with the planning authority, at the expense of the operator In the event of any disruption of any water supplies, the quarry operator shall cease any operations causing such disruption until water supply has been restored or replaced
  - iv) No direct emissions including discharges of List I and List II substances as specified in Directive 76/464/EEC to groundwater shall occur
  - v) Prior to the importation of inert soils and stone for the backfilling of quarry voids(inert waste recovery) the applicants shall
    - (a) hold a waste licence from the Environmental Protection Agency
    - or
    - (b) produce evidence of a determination by the Environmental Protection Agency under Article 27 of the European Communities (Waste Directive) Regulations 2011 for any soil imported
  - vi) The applicant shall ensure that all hauliers of waste hold a valid waste collection permit for the material collected/delivered to the site
  - vii) Prior to the 31/11/14 or prior to the stripping of the overburden in the central quarry area whichever is the first, the applicants shall submit for the written agreement of the Planning Authority an interim restoration plan for the central quarry area
  - viii) The applicants shall review the Waste Management Plan (November 2010) for the site (submitted by the applicant (EMS21)) every five years and submit a copy for the written agreement of the Planning Authority This plan shall include the management of stockpiles of unsaleable product

REASON In the interest of public health

- 9
- (a) Within 12 months from the date of this order, a comprehensive Restoration Plan for the entire site and individual quarries shall be submitted to the planning authority for written agreement The plan shall include details on access arrangements, slope stability, vegetation proposed, proposals for biodiversity enhancement and for ongoing maintenance The plan shall include a programme to include ongoing restoration throughout the life of the quarry The restoration plan shall be prepared in consultation with Aer Rianta, Dublin Airport Bird Hazard Committee and the Irish Aviation

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

Reg Ref.. FW12A/0022

Authority

(b) Restoration shall be carried in accordance with the revised restoration plan as agreed by the planning authority

REASON To ensure the satisfactory restoration of the site in the interest of visual amenity and environmental protection

- 10 Any changes proposed to the discharge regimes from the subject site to the Ballystrahan Stream and/or the Finglas stream shall require Screening for Appropriate Assessment This shall be submitted to the Planning authority for its written agreement

REASON In the interest of protecting the amenities of the area

- 11 At least 24hours advance notice of each blasting operation to be carried out shall be given to occupants of residential properties, and industrial and business park occupants of land within a 500metre radius of the site boundaries Further warning by way of siren shall also be given not later than 30 minutes prior to each detonation The developer shall employ the best available technology, not entailing excessive cost, in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting

REASON In the interest of public safety and the amenities of surrounding properties

- 12 The operational hours of the development, including all quarrying and all processing operations, shall be between 0700 hours and 1800 hours, Monday to Saturday Blasting operations shall take place only between 1000 hours and 1600 hours Monday to Friday No operation of any kind shall be carried out on Sundays or public holidays

REASON In the interest of protecting the amenities of the area

- 13 The wheel wash facility (as included within the significant additional information details received on the 26/11/12) shall be put in place within 2 months following the final grant of planning permission All trucks leaving the site shall go through this facility Effective measures shall be taken by the operator to prevent the undue emission of dust from the site and site roadways A water bowser(s) or similar facility shall be available on site at all times during dry weather, so that all vehicle and plant roadways can be watered to lay dust as necessary

REASON In the interests of minimising nuisance caused by the emission of dust

- 14 Notwithstanding the above, all public roads and footpaths immediately adjoining the site entrances shall be cleaned at regular intervals, not less than once per week to the

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

Reg Ref · FW12A/0022

satisfaction of the Planning Authority The applicant/developer shall pay particular attention to the North Rd entrance and residential dwellings opposite

REASON In the interest of road safety and the general amenity of the area

- 15 All vehicles carrying quarried material or other dust producing materials to or from the site shall be securely sheeted

REASON In the interests of traffic safety

- 16 Appropriate measures shall be taken by the developer at all times to ensure the security of the site In particular notices shall be erected at prominent positions along the boundaries of the site alerting the general public to the danger of the quarry, associated plant and machinery

REASON In the interest of public safety

- 17 The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site In this regard, the developer shall -
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any soil stripping (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination

REASON In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

- 18 The developer shall submit once every three years for the lifetime of this permission, an aerial photograph of each quarry area which adequately enables the planning authority to assess the progress of extraction each quarry area The first photograph shall be taken and submitted in 2014

REASON In order to facilitate monitoring and control of the development by the planning authority

- 19 Foul Sewer
- 1) No foul drainage shall discharge into the surface water system under any

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

Reg Ref FW12A/0022

circumstances

ii) The foul drainage shall be in compliance with the "Greater Dublin Regional Code of Practice for Drainage Works Version 6.0" FCC April 2006

Surface Water

iii) No surface water/ rainwater shall discharge into the foul sewer system under any circumstances

iv) The surface water drainage shall be in compliance with the "Greater Dublin Regional Code of Practice for Drainage Works Version 6.0" FCC April 2006

Water Supply

v) All water fittings and installations shall incorporate best current practices in water conservation

vi) The water supply for the development shall comply with the "Guidelines for Drinking Water Supply" FCC February 2009 Revision 1

REASON In the interest of proper planning and sustainable development

- 20 Prior to the cessation of quarrying in the northern quarry, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company or other form of security (to be agreed with the Planning Authority) to secure the provision and satisfactory implementation of permanent pumping/de-watering of the worked out extractive void pending the completion of reinstatement works to fill the extracted areas with inert material. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or in default of agreement, shall be determined by An Bord Pleanála.

REASON In the interest of proper planning and sustainable development of the area

- 21 The applicant shall pay to the planning authority a financial contribution of €500,000 in respect of ongoing road maintenance and improvements of the R135 North Road, which benefit the proposed development of the site that is provided or intended to be provided by or on behalf of the authority in accordance with section 48(2)(c) of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the applicant or, in default of such agreement, the matter shall be referred to the Board to determine.

REASON It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance section 48 of the Planning and Development Act 2000 (as amended) be applied to the permission.

# COMHAIRLE CONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

Reg Ref FW12A/0022

- 22 The applicant, over the lifetime of the quarry operations, shall annually set aside a fund. The purpose is to provide appropriate projects/community gain in the general area and shall be decided on by Fingal County Council in consultation with the applicants. The initial contribution to the fund shall be €0 10 per tonne of extracted material and thereafter the contribution shall be updated in accordance with the consumer price index. The community gain fund shall be lodged into a special community gain account for Fingal County Council.

REASON To mitigate the impacts of the quarry operations on the local community

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**COMHAIRLE CONTAE FHINE GALL**

**RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER**

Reg Ref FW12A/0022

Uolaine 6/2/13  
**Senior Executive Planner**  
Joan Coffey SP  
6/2/13

Endorsed: [Signature]  
**Administrative Officer**

**Order:** A decision pursuant to Section 34 of the Planning and Development Act 2000 (as amended) to **GRANT PERMISSION** for the above proposal subject to the(23) condition(s) set out above is hereby made

**Dated** 7<sup>th</sup> February, 2013

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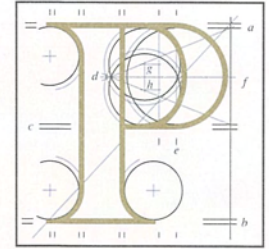
[Signature]  
**Senior Planner**  
**Director of Services**

To whom the appropriate powers have been delegated by Order of the County Manager, dated

~~29/03/2012~~  
20/08/2012 ut.  
(CM 5823)

**Our Ref:** PL 06F.241693  
**P.A.Reg.Ref:** FW12A/0022  
**Your Ref:** Roadstone Wood Limited.

An Bord Pleanála



SLR Consulting,  
7 Dundrum Business Park,  
Windy Arbour,  
Dublin 14.

*AP/SMC/D*  
SCAN & E-MAIL TO:  
*R. GRIFFIN*

26 AUG 2014

**Appeal**                      **Re:** Continuance of all existing authorised facilities and activities within an application area authorised by Reg.Ref: F03A/1430 and PL06F.206789.  
Huntstown Quarry, North Road, Finglas, Dublin 11.

Dear Madam,

An order has been made by An Bord Pleanála determining the above-mentioned matter under the Planning and Development Acts 2000 to 2014. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

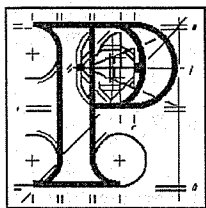
Yours faithfully,

Miriam Baxter  
Executive Officer  
Encl:  
BP 100n.ltr

Teil (01) 858 8100 Tel  
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# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

## Fingal County

**Planning Register Reference Number: FW12A/0022**

An Bord Pleanála Reference Number: PL 06F.241693

**APPEAL** by Roadstone Wood Limited care of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, Dublin against the decision made on the 7<sup>th</sup> day of February, 2013 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Continuation of use of all existing authorised facilities and activities within a planning application area of circa 167.5 hectares as follows:

- Extraction, crushing, screening and processing of rock (authorised by planning register reference number F03A/1430 (appeal reference number PL 06F.206789) from the northern, western, central and southern deposits for a period of 35 years.
- Total extraction area of circa 55.9 hectares within a total landholding of circa 211 hectares.
- Crushing, screening and processing plant.
- Block manufacturing facility and block yard.
- Paving display centre and offices.
- Machinery maintenance building.

MIC

- Offices, staff facilities, laboratory.
- Concrete batching plant and associated plant.
- Asphalt plant and associated plant.
- Stockpile materials shed associated with asphalt plant, granted under planning register reference number F06A/0923 (appeal reference number PL 06F.219655).
- Weighbridge, bunded fuel storage and oil interceptor.
- Security huts (three number), truck wash bays and HGV load spray bars (planning register reference number FW09A/0099 in respect of amendment to condition number 14 of planning register reference number F03A/1430).
- Bord na Mona moving bed biological reactor and percolation area.
- Stockpiles storage areas and plant storage yard.
- Stables (22 number) and horse exercise paddock.
- Existing site accesses (two number) onto the R135 North Road (revised entrance - planning register reference number F06A/0164 and appeal reference number PL 06F.217413) and Kilshane Road.
- Restoration of any worked out extraction areas, including for five years after the cessation of quarrying activities.
- All other ancillary buildings, plant and facilities for the production of building products, including aggregates, ready-mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works.

all at Huntstown Quarry, Huntstown, Johnstown, Coldwinters, Kilshane, Grange and Cappogue townlands, North Road, Finglas, Dublin. The proposed development was revised by further public notice received by the planning authority on the 5<sup>th</sup> day of December, 2012.

MK

## DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE conditions numbers 5 and 22 and the reasons therefor, AMEND conditions numbers 1, 4, 6, 8(iii), 11, 12, 14, 15 and 21 so that they shall be as follows for the reasons set out and ATTACH a further two conditions so that they shall be as follows for the reasons set out.

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 26<sup>th</sup> day of November, 2012 and by the further plans and particulars received by An Bord Pleanála on the 6<sup>th</sup> day of February, 2014, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the operator shall agree such details in writing with the planning authority and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

4. All ameliorative proposals contained in the Environmental Impact Statement and subsequent alterations by way of additional information received by the planning authority on the 26<sup>th</sup> day of November, 2012 and by An Bord Pleanála on the 6<sup>th</sup> day of February, 2014, shall be strictly complied with.

**Reason:** In the interest of clarity and of the proper planning and sustainable development of the area.

M.K

6. Vibration levels from blasting shall not exceed a peak velocity of 12 millimetres per second, when measured in any three mutually orthogonal directions at any sensitive location. The peak particle velocity relates to low frequency vibration of less than 40 hertz where blasting occurs no more than once in seven continuous days. Where blasting operations are more frequent, the peak particle velocity limit is reduced to 8 millimetres per second. Blasting shall not give rise to air pressure values at sensitive locations which are in excess of 125 dB (linear maximum peak value), with a 95% confidence limit. No individual air pressure value shall exceed the limit value by more than 5dB(L<sub>m</sub>).

**Reason:** In the interest of maintaining the amenity of adjoining landowners.

8. (iii) (a) A groundwater monitoring programme shall be implemented to monitor the cone of depression induced by dewatering at the quarry. The existing groundwater monitoring wells within the landholding of the operator shall be maintained and monitored on a monthly basis. In addition a comprehensive survey shall be undertaken by a competent Hydrogeologist to identify further monitoring wells within a 2.5 kilometre radius of the site. The characteristics of the wells shall be established to determine their suitability for inclusion in a groundwater monitoring programme with the consent of the well owner. Upon completion of this survey and within six months of the date of this order, the Hydrogeologist is required to submit to the planning authority a proposal for a long term groundwater monitoring programme that will allow the cone of depression to be adequately monitored within its predicted extent. The water levels in all wells shall be recorded every month and an interpretative report of the results shall be submitted to and agreed in writing with the planning authority on a six monthly basis over the life of the quarry.

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- (b) The operator shall make provision, as necessary, for the immediate mitigation or alleviation or off-setting of adverse impacts to water supply sources which are adversely affected by the development during the operational period and/or closure period. In the event of water supply disruption being caused by operations on site, such operations shall immediately cease and shall not recommence until water supplies are restored or replaced, as required by the planning authority.

**Reason:** In the interest of protecting local amenity and water supply.

11. At least 24 hours advance notice of each blasting operation to be carried out shall be given to occupants of residential properties and industrial/commercial premises within a 500 metre radius of the quarry pit perimeter as delineated on plan Figure AI 1-1 submitted to the planning authority on the 26<sup>th</sup> day of November, 2012. Further warning by way of a siren shall also be given not later than 30 minutes prior to each detonation. The operator shall employ best available technology not entailing excessive cost in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting.

Within two months of the date of this order, the operator shall submit to the planning authority an up to date map delineating the 500 metres radial catchment for each quarry pit based on the pit delineation of Figure 1-2 in the Environment Impact Statement submitted at application stage.

**Reason:** In the interest of public safety and protection of amenities of the surrounding properties.

12. The operational hours of the development shall be as follows: MIC
- Processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar and asphalt shall be between 0600 hours and 2000 hours Monday to Friday and 0700 hours and 1800 hours on Saturdays.
  - All other quarry operations (except blasting) shall be between 0700 hours and 1800 hours Monday to Saturday.

- Blasting operations shall be only between 1000 hours and 1600 hours Monday to Friday.
- No operation of any kind shall take place on Sundays or Public Holidays.

**Reason:** In the interest of protecting the amenities of the area.

14. All public roads and footpaths immediately adjoining the site entrances shall be cleaned at regular intervals not less than once per week to the satisfaction of the planning authority unless otherwise agreed as part of the Environmental Management System.

**Reason:** In the interest of road safety and to protect the amenities of the area.

15. All vehicles carrying quarried material or other dust producing materials to or from the site shall be sprayed and/or sheeted in accordance with best practice as agreed as part of the Environmental Management System.

**Reason:** In the interest of traffic safety and amenity.

21. The operator shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of the resurfacing of the roadway from the R135 North Road site entrance to Kilshane Cross (a distance of circa 1.65 kilometres). The amount of the contribution shall be agreed between the planning authority and the operator or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index-Building and Construction (Capital Goods), published by the Central Statistics Office.

**Reason:** It is considered reasonable that the operator should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.



## Further Conditions

1. Within three months from the date of this order, the operator shall submit to the planning authority for written agreement a proposal for an Environmental Management System (EMS) for the facility which shall have regard to Appendix C of the Environmental Management Guidelines - Environmental Management in the Extractive Industry (Non-Scheduled Minerals), Environmental Protection Agency 2006. The Environmental Management System shall include the following:
  - (a) Monitoring of groundwater and surface water levels, quality and discharges.
  - (b) Continuous updating of the conceptual site model using the observational method as the excavation proceeds and actual ground conditions are revealed.
  - (c) Monitoring of dust and noise at the application site boundaries/sensitive receptors.
  - (d) Monitoring of dust/debris deposition, haul load management and cleaning schedule on the surrounding road network in the vicinity of the entrances.
  - (e) Monitoring of bird control as a potential hazard to aircraft.
  - (f) Full details of site manager, contact numbers (including out of hours) and public information signs on the entrance to the facility.
  - (g) Proposals for refuelling of plant/machinery including emergency action in the event of accidental spillage.

Monitoring and frequency of reports shall be in accordance with the requirements of the planning authority and an annual Environmental Report showing detailed results of all monitoring shall be submitted to the planning authority each year.

**Reason:** In the interest of orderly development, public safety and to safeguard local amenities.

2. The operator shall, in accordance with the requirements of the planning authority carry out a channel impact assessment of the first kilometre of the Ward and Fingal Rivers downstream of the discharge points from the quarry in the context of the hydromorphology, channel carrying capacity and ecological impact. A report on this impact assessment which shall be carried out by a competent person shall be submitted to the planning authority within six months of the date of this order and thereafter on an annual basis for the life of the quarry or as otherwise agreed with the planning authority.

**Reason:** In the interest of protecting local surface water features and the proper planning and sustainable development of the area.

## REASONS AND CONSIDERATIONS

The Board considered that it was necessary to amend condition numbers 1 and 4 to reflect the amended documentation submitted to the Board in response to the request for further information under section 132 of the Planning and Development Act, 2000, in the interest of clarity.

The Board considered that **condition number 5** should be removed as it repeated condition number 3 of the planning authority's decision and was, therefore, unnecessary.

**Condition number 6** was amended as the Board considered it appropriate to correct a typographical error in the interests of clarity.

In deciding to amend **condition number 8 (iii)**, the Board considered that a more specific condition to reflect the documentation submitted to the Board in response to the section 132 request was necessary in the interests of protecting local amenity and water supply.

The Board considered that **condition number 11** should be amended so that the blasting and public notification procedure is more relevant to the proposed development in the interest of public safety and protection of amenities of the surrounding properties.

The Board considered that **condition number 12** should be amended to facilitate the on-going commercial operation while attaching operational hours in the interest of protecting the amenities of the area.

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In deciding to amend **condition number 14**, the Board considered it appropriate, in the interest of road safety and to protect the amenities of the area, to require the cleaning of the road once per week unless otherwise agreed with the planning authority as part of an Environmental Management System.

In deciding to amend **condition number 15**, the Board considered it appropriate, in the interest of traffic safety and amenity, to require that all vehicles carrying quarried material or other dust producing materials to or from the site be sprayed and/or sheeted in accordance with best practice or as otherwise agreed as part of the Environmental Management System.

In deciding to amend **condition number 21**, the Board considered that a section of the R135 road should be re-surfaced having regard to the volumes of heavy goods vehicles, generated by the quarry, using the roadway and considered that the calculation of the amount of contribution for the identified works was a matter to be agreed between the planning authority and the operator.

Having regard to the planning history of the site the Board did not consider a planning gain condition was appropriate in this instance and decided to remove **condition number 22**.

In deciding to attach two further conditions, the Board considered that an Environmental Management System would be appropriate for the development in the interest of orderly development, public safety and to safeguard local amenities and that having regard to the documentation submitted in response to the section 132 request it was appropriate to attach a new condition in relation to monitoring the impact of the development on hydromorphology, the channel carrying capacity and ecological impact on the Ward and Fingal Rivers in the interest of protecting local surface water features and the proper planning and sustainable development of the area.

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## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Mary Kelly

Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.

Dated this 27th day of August 2014.

**An Bord Pleanála  
Inspector's Report  
PL06F.241693**

**DEVELOPMENT:** Continuation of use of all existing authorised facilities and activities within a planning application area of c. 167 ha, components of development being:

- extraction, crushing, screening and processing of rock (authorised by Reg. Ref. No. F93A/1134 and PL206789) from the northern, central, western and southern deposits for a period of 35 years (total extraction area of 55.9ha total extractive area in a 211ha landholding);
- crushing, screening and processing plant,
- block manufacturing plant and block yard
- paving display centre and offices
- machinery maintenance building
- offices, staff facilities, laboratory,
- concrete batching plant and associated plant
- stockpile materials shed associated with asphalt plant granted under reg ref F06/0923 (PL06F 219655)
- weighbridge, bunded fuel storage and oil interceptor
- security huts (3no) truck wash bays and HGV Load Spray Bars ( ref FW09A/0099 in respect of amendment to condition 14 of F03A/1430)
- Bord na Mona Moving Bed Biological Reactor and Percolation Area
- stockpiles Storage areas and Plant Storage Yard
- stables (22) and Horse exercise paddock
- existing Site Access (2no. onto R135 North Road (revised entrance ref F06A/0164 and PL06F 217413P) and Kilshane Road
- Restoration of any worked out extraction areas, including 5 years after cessation of quarrying activities.
- all other ancillary buildings plant and facilities for the production of building products, including aggregates, ready mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works.

at its Huntstown quarry in the townlands of Huntstown, Johnstown, Coldwinters and Kilshane, Grange and Cappogue at North Road, Finglas, Co. Dublin.

The application is accompanied by an Environmental Impact Statement.

**PLANNING APPLICATION**

<b>Planning Authority:</b>	Fingal County Council
<b>Planning Authority Reg. No:</b>	FW12A/0022
<b>Applicant:</b>	Roadstone Wood Ltd
<b>Application Type:</b>	Permission
<b>Planning Authority Decision:</b>	Grant, subject to 22 conditions

**APPEAL**

<b>Appellant:</b>	Roadstone Wood Ltd
<b>Type of Appeal:</b>	First Party - v - Conditions

<b>INSPECTOR:</b>	Suzanne Kehely
<b>DATE OF SITE INSPECTION:</b>	4 <sup>th</sup> June 2013

## 1 INTRODUCTION

- 1.1 This is first party appeal against 9 of the 22 conditions of the Planning Authority's decision to grant permission for this development. There are no observations on the appeal. I inspected the development site on 5<sup>th</sup> June in the company of Mr. Peter Harty, Roadstone Wood Ltd. by prior arrangement. I also inspected the peripheral roads and lands. Photographs are contained in the Appendix. The EIS also contains some useful photographs.

## 2 SITE CONTEXT

- 2.1 The subject planning site comprises 167.5 ha out of a total landholding of 211 ha and hosts an extensive operational quarry which has been in existence since the 1970s. It is strategically sited at the northwest of the N2/M50 interchange on the urban fringe of Dublin city. The site area and context is illustrated in fig 1-1 of the EIS.
- 2.2 As compared to the previous continuance application before the Board the site frontage on the former N2 has been reduced and confined to the new entrance now sited more north on the same road. It is in close proximity to the newly aligned N2/M2 and the southern boundary and is in the order of 350m at its nearest point from the M50 to the south. The site also has frontage on a local road to the west - Kilshane Road /Cappagh Road - which serves an extensive industrialised area and ties into a radial corridor between the city and south Meath.
- 2.3 The site wraps around a power station to its east. To the south-east of the site is an actively farmed holding (Kildonan House), and beyond this a large ESB 220 Kv station complex where construction work was taking place. There is extensive industrial and office development to the west and south west and beyond (Millennium Business Park, Stadium Business Park, North West Business Park, Ballycoolin industrial/warehousing) which in part bounds the site or is sited on the opposite of the newly aligned Cappagh road. There is a golf course on the other side of the N2 and the end of a runway in Dublin airport is about 2.5 km directly to the east.
- 2.4 There is frontage development along the N2 comprising a number of small businesses (vet, garden patio centre,) and some residential development. Kilshane Road to the west also features some established frontage residential development and but is predominantly industrial. Two dwellings on the east side of Cappagh Road adjoining the site were in derelict condition and vehicular entrances were blocked up.
- 2.5 The surrounding road network was quite clean with no obvious presence of a quarry operation e.g. No visible pits, dust deposition or noise. Although background noise was quite evident from the M50, local roads and landing/take-off aircraft.

## 3 SITE DESCRIPTION

- 3.1 The Underlying limestone bedrock is classed as
- Malahide Limestone Formation - (majority north and south) described as well
  - Lucan Formation western and north

- Tober Colleen Formation central (minority)
  - Feltrim Limestone Formation (waulsortian)
- 3.2 The EIS refers to Desk based data such as GSI maps, literature (Jones 1988 - pre south quarry) and to a site survey of 6 ground water monitoring wells. Based on review of this and on rock chip samples and hydro chemical analysis and examination of quarried areas an assessment is made on the lithological formations and site structure. From this inspection and analysis it is stated that the same limestone will continue to be worked. The rock is strong to very strong and weathering is rarely significant. The limestone bedrock is generally considered to be locally important karst aquifer. Typically of rising aquifers groundwater flow is almost entirely secondary fissure permeability. No recorded karst features within 5km
- 3.3 The water drains naturally to two separate river basins. The Ward (via Ballystrahan stream to the North and the Tolka (via Finglas stream) to the south. The channel in the vicinity of W3 in the submitted plans to the north east of the south quarry had evidence of some silt deposition and was banked up with sandbags
- 3.4 Based on GSI national well database there are 12 wells or drill holes within 1km of site – 2 for abstraction.
- 3.5 In terms of site layout there are five distinct areas comprising :
- Central plant area which contains the offices, workshops, laboratory, block plant, concrete, asphalt and tarmac plants, and block storage and display areas, all associated with the extraction and processing operations.
  - North quarry – bench system – partly infilled.
  - Central quarry – bench system – not presently operational.
  - Western quarry – early stage bench - over burden removed – not operational.
  - South quarry – newest- This was being worked in a bench system at time of inspection having been recently blasted. The activity related to loading blasted aggregate and transporting and dumping into a small mobile screen/crushing plant before stockpiled and contemporaneously trucks travelling to and from quarry floor to load and transport to processing plant. The larger quarry floor plant was not in use. There were small amounts of surface water on the quarry floor. Water was pumped across the quarry floor to the north-west to a sump and piped through a pipeline running a northerly direction.
- 3.6 There are distinct stretches of pasture land and extensive hedgerow, berm planting throughout the site. Horses were grazing to the north of the south quarry at time of inspection.
- 3.7 To the north-west of the power station site is a stable block, with ancillary exercise paddock and running track.
- 3.8 Traffic volumes along the road network in the area are heavy and continuous, particularly along the Kilshane/Cappagh Roads which provide access between the industrial area and the N2 corridor. Background traffic noise from the surrounding road network was apparent from ground level between the south quarry and site perimeter.

- 3.9 A gas pipeline runs under the main haul route through the site. A multiplicity of high voltage electricity power lines also traverse the site overhead.

#### 4 PROPOSED DEVELOPMENT

4.1 Permission is sought for the continuance of quarrying activities and associated activities on site for a further 35 years.

- Continue, for a period of 35 years, the extraction, crushing, screening and processing of rock in the four quarry areas (extraction area of 55.9ha (previously c. 57.5 ha), as originally permitted in 2004 (F03/1430- PL206789)
- retain entrance as permitted in F06A/0164 - PL217413) and shelter for stockpiles (as permitted in F06A0923 - PL219655)
- retain amendment to condition no14 of 2004 permission to allow option of spraying with water all vehicles carrying quarried or other dust producing materials to or from the site as an alternative to sheeting.
- Maintain existing buildings with a total floor area of 6,145 sq.m. and retain 212sq.m.

4.2 The table below illustrates the changes between the extant permission and the subject application (in bold)

Quarry	Area: of extant permission and( <b>subject application</b> )	Working to depth extant and ( <b>s.a.</b> )	Est. reserve for extant and ( <b>s.a 35m.t.</b> )
North	13.5ha ( <b>4.2</b> )	29mOD <b>23mOD</b>	3million tonnes
West	10.5ha ( <b>10.3</b> )	29mOD <b>25mOD</b>	6million tonnes
Central	11.5ha ( <b>16.4</b> )	44mOD <b>18m</b>	3 million tonnes
South	22ha ( <b>25ha</b> )	8m OD ( <b>-65mOD</b> )	15million tonnes

4.3 The principle elements of the proposed development are set out in section 2 of the EIS. Briefly key elements include

- Extraction of 1 million tonnes per annum avg over 35 year (as compared to 1.75million tonnes for first 10 years followed by 5 restoration -all subject to economic conditions)
- Extension of operation hours for concrete/asphalt
- No changes to working operations – although reduced frequency of blasting from 1-2 per week.
- No significant increase in area but increase in depth
- Removal of phasing (condition 5 in F03A/ 'no quarrying of the western quarry shall take place until all extraction works have ceased and been exhausted in the northern quarry, no quarrying of the revised central quarry shall commence until all extraction works have ceased has been exhausted in the western quarry.') In previous application (extant) that extraction would not take place in more than 2 quarry areas as the same time.
- Retention of ancillary plant operations for during of extraction – i.e. not restricted to temporary permission – only future quarry

#### 4.4 Environmental Impact Statement

The application was accompanied by an EIS in the form of both a full technical statement and a non-technical summary. Substantial further information was submitted in relation to drainage, groundwater/ drawdown, water supply, water quality; dust monitoring, noise assessment, landscaping/restoration and traffic impact.



## 5 PLANNING HISTORY

### 5.1 The site

**F03A/1430(PL.206789 File attached)** refers to an application for Continuation of extraction, crushing, screening and processing of rock (authorised by planning register reference number F93A/1134) from the northern, central, western and southern deposits for 20 years (circa 57.5 hectares total extractive area in a circa 205 hectare overall site); the continuance indefinitely of all authorised crushing, screening and processing plant, block manufacturing plant (2,452 square metres), block yard (17.2 hectares), paving display area (636 square metres), paving centre (180 square metres), machinery maintenance building (1,456 square metres), offices (174 square metres), staff facilities (48 square metres), laboratory (68 square metres), concrete batching plant, semi-mobile concrete batching plant, asphalt plant, weighbridge, two number truck wash bays, four number security huts, Bord na Mona moving bed biological reactor and percolation area, stockpiles and all ancillary buildings, plant and facilities for the production of building products including aggregates, ready-made concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works; progressive restoration of the worked out extractive areas including for five years after the cessation of quarrying; and for the retention of plant storage yard (site area circa 1.74 hectares), 22 number stables (394 square metres) and horse exercise paddock (site area circa 1.86 hectares) on substantially the same site.

The planning authority decided to grant permission but there was a first party appeal against 7 conditions. The Board decided to

**ATTACH** condition 4 (*This decision permits the developer/operator to continue quarrying/extraction and processing operations on the site for a period of **ten years** from the date of this decision and a further five years for restoration work. The existing buildings, hard standing areas and plant machinery shall be permitted for the 'lifespan' of quarrying operations. After that time, all quarrying/extraction works shall cease and all buildings, plant and machinery shall be removed from the site unless a further grant of planning permission is obtained from the planning authority or from An Bord Pleanála on appeal.*)

*Reason: In the interest of proper planning and sustainable development of the*

**ATTACH** condition 6 (*"Total dust emissions arising from the on site operations associated with the proposed development shall not exceed 100 mg/square metre/day, averaged over a continuous period of 30 days, when measured as a deposition of insoluble particulate matter at any point along the boundaries of the site. Reason: To protect the amenities of adjoining properties."*)

**AMEND** condition 8 such that

(1) The air over pressure arising from any blast carried out at the quarry shall, when measured outside the nearest inhabited house and business/industrial park unit, not exceed 125 dB (linear) pressure at frequencies of two Hertz or over.

(2) The transmitted ground vibrations arising from any blast carried out at the Western Quarry, when measured, at the foundations of the nearest dwelling house and industrial/business park unit to the site, shall not exceed a peak particle velocity of eight millimetres per second in any one of three mutually orthogonal planes.

(3) The transmitted ground vibrations arising from any blast carried out at the **Northern, Central or Southern Quarries**, when measured at the foundations of the nearest dwelling house and industrial/business park unit to the site, shall not exceed a peak particle velocity of **12mm per second** in any one of three mutually orthogonal planes. (changed from *"The air overpressure arising from any blast carried out at the*

quarry shall, when measured outside the nearest inhabited house and business/industrial park unit, not exceed 124 dB (linear) pressure at frequencies of 2 Hertz or over.

The transmitted ground vibrations arising from any blast carried out, when measured, at the foundations of the nearest dwelling house and industrial/business park unit to the site, shall not exceed a peak particle velocity of **8mm/second** in any of three mutually orthogonal planes. Reason: To protect the amenities of property in the vicinity”

**AMEND condition11** such that . The operational hours of the development, including all quarrying and all processing operations, shall be between **0700** hours and 1800 hours, Monday to Saturday. Blasting operations shall take place only between 1000 hours and 1600 hours Monday to Friday. No operation of any kind shall be carried out on Sundays or public holidays. (changed from “The operational hours of the quarry shall be between **0800** and 1800 hours, Monday to Saturday. Blasting operations shall take place only between 1000 and 1600 Monday to Friday. No operation of any kind shall be carried out on Sundays or public holidays. Reason: In the interest of protecting the amenities of the area.”

**REMOVE** condition 12 a. (a prohibition on any blast detonation being carried out within 200 metres of any residential dwelling or industrial/business park unit.)

**AMEND** condition 24 such that the developer shall pay to the planning authority a financial contribution of €132,250 (one hundred and thirty-two thousand two hundred and fifty euro) in respect of water provision (calculated for the North Fringe Water Main related on the average water consumption for the development) benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. (“Prior to the commencement of development, the applicant/developer shall pay a financial contribution of €132,250, updated in accordance with the Wholesale Price Index – Building and Construction (Capital Goods), as published by the Central statistics Office to the value pertaining at the time of payment, to Fingal County Council towards the costs of water provision, calculated for the North Fringe Water Main related to the average water consumption for the development. Reason: The provision of such services will facilitate the proposed development and it is considered necessary that the developer should contribute towards the cost of providing same.”)

**ATTACH condition 25**The developer shall pay to the planning authority a financial contribution in respect of roads infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Dev. Act, 2000.

**Reason:** It is considered reasonable that the developer make a contribution in accordance with the terms of the Development Contribution Scheme adopted by Fingal County Council on the 8th December 2003, in respect of roads infrastructure and facilities benefiting development in the area of the planning authority that is provided, or is intended to be provided, by or on behalf of the local authority (reworded from “A financial contribution in the sum of €5000,000 as on the date of this permission, updated in accordance with the Wholesale Price Index – Building and Construction (Capital Goods), as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Fingal County Council towards the costs of road improvements and traffic management proposals in the area serving this site, in particular towards Kilshane

Road and the existing N2 (Old Road) upgrading. This contribution to be paid prior to the commencement of development on the site.)

**FW09A/009** refers to a grant of permission to omit condition 14 which required sheeting of loads. (attached report which includes recommendation to refuse on grounds of traffic safety having regard to the considered inadequacy of spraying/damping loads and debris. The planning report noted the EPA guidelines which recommend either spraying or sheeting. The applicant argues that they are at unfair disadvantage due to time and cost burden on customers associated with sheeting of loads.

**F06A/09230 (ABP ref 219655)** refers to a grant of permission for stockpile material shed

**F06A/0164 (ABP ref 217413)** refers to an application for a new entrance and to amend condition 11 re hours of operation. sought to operate certain activities between 0530 hours and 2000 hours Monday to Saturday. On appeal the following condition was attached (changed from PA condition

The operational hours of the development shall be as follows:

(1) Processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar shall be between 0600 hours and 2000 hours, Monday to Friday and between 0700 hours and 1800 hours on Saturdays.

(2) All other operations (except blasting) shall be between 0700 hours and 1800 hours, Monday to Saturday.

(3) Blasting operations shall be only between 1000 hours and 1600 hours Monday to Friday.

(4) No operation of any kind shall be carried out on Sundays or Public Holidays.

**Reason:** To protect the amenities of the area and of property in the vicinity.

(changed from *The operational hours of the development, including all quarrying and all processing operations, shall be between 0700 hours and 1800 hours, Monday to Saturday. Blasting operations shall take place only between 1000 hours and 1600 hours Monday to Friday. No operation of any kind shall be carried out on Sundays or public holidays. Reason: In the interest of protecting the amenities of the area*)

**93A/1134 (ABP ref. 092622)** refers to an application to retain indefinitely all existing plant buildings, services and ancillary development (including block plant, macadam plant, stone plant and block plant) as previously approved in 1984 (ref. WA.2282), and for permission to quarry Northern, Western and Central limestone deposits as approved under ref. WA.2282 and Southern deposit on the applicants' lands. The Planning Authority decided to grant permission, but there was a third party appeal against the decision and a first party appeal against some of the conditions. The Board granted permission but retained most of the conditions imposed by the Planning Authority; including a restriction on the development of the western quarry without a separate approval, and a ten year limit (expiring in May 2004) on all extractive and processing operations, with restoration to conclude by June 2007. Time limits were also placed on the hours of blasting.

**F01A/0231 (ABP ref 130638)** refers to an application for approval for extraction and processing of the limestone of the Western Quarry as per condition 1 of ref. 93A/1134, and retention of previously approved WA.2282. The Planning Authority decided to grant permission, subject to 10 conditions. Following a third party appeal the Board granted permission, subject to conditions that included a time limit on all extractive and processing operations to May 2004, with restoration to conclude by June 2007, unless a further grant of permission was obtained, and limits on the operational hours of quarrying and of blasting.

**F02A/0606 (Bord ref. 200623)** refers to an application for the recovery of pre-sorted construction and demolition waste on a 1.5 hectare site within the “central quarry” of the applicants’ overall landholding, together with the construction of a hard standing area and provision of portacabin office. The Planning Authority granted permission, subject to 10 conditions. There was a first party appeal against a financial contribution condition, and the Board decided to amend the condition.

## **5.2 Outside quarry site**

**F98/1313** (Bord ref. 110954) refers to application for a Gas Fired Combined Cycle Gas Turbine Electricity Generation Station with an output of up to 600MW to include two heat exchange boilers, 4nom 33.5m high stacks, 2 no.. air cooled condenser units, two storey admin/control building, workshop, stores, electrical switchyard, above ground installation for gas supply, reserve fuel storage tanks, miscellaneous plant and equipment, landscaping, wastewater treatment plant and demolition of dwelling.

## **6 PLANNING AUTHORITY REPORTS**

### **6.1 External Consultees**

#### **6.1.1 Department of Arts, Heritage and the Gaeltacht**

No objection subject to conditions.

**6.1.2 Dublin Airport Authority** supports the mitigation measures in the EIS in relation to restoration of ground levels and avoidance of large water body which would have negative effect on Dublin Airport. It is requested that wording of a condition as that previously used should refer to DAA rather than Aer Rianta. (The previous submission DAA objected to water body as it would attract birds and lead to a bird strike hazard for aircraft.) In a letter of 11<sup>th</sup> December this is reiterated and a condition is attached.

**6.1.3 Irish Aviation Authority:** In letter of 11<sup>th</sup> April 2012 and 12<sup>th</sup> December 2012) it confirms it has no observations.

**6.1.4 Health and Safety Authority** (11<sup>th</sup> April 2012) refers generally to its policy advice on land-use planning and provides a reference to its website. In the context of SI74 of 2006 the development is considered to be category level 1. Based on the information provided, the authority does not advise against permission in context of Major Accident Hazards.

**6.1.5 Inland Fisheries Ireland (3<sup>rd</sup> April 2012)** Refers to the location within the catchments of the Ward and Tolka Rivers (notably salmonid systems - Atlantic Salmon Annex II and Brown Trout)

- Scale and nature could release sediments and pollutants and poor on site practices could have a significant negative impact on the fauna and flora of this important freshwater system.
- Any discharges to surface streams must not impact negatively on the salmonid status of the system.
- It is essential that sufficient treatment capacity is available in the sewerage treatment facility to protect integrity of receiving water. There can be no deterioration in the surface water quality.

- It is clear that the existing development has had significant impacts on regional water regimes (ref cone of depression in EIS section 4 and 6) and on small stream drying up. It appears that the base flows are highly reliant on continuous pumping operations from the quarry.
- Reference is made to the lowering of the quarry floor from 27mOD to -65mOD and the change in the water balance and that a net removal of and reduction in groundwater of volumes in the Ward catchment and associated increase in the Tolka catchment. It is essential that the flows in the Ballystrahan Stream (and other local streams potentially within cone of depression) are maintained at sustainable levels into the future.

In a subsequent letter (**15<sup>th</sup> January**) following further information it is stated that the concerns include the long term maintenance of flow in the Ballystrahan stream and its contribution to the headwaters of the River Ward. All measures should be undertaken to prevent further deterioration in the existing status of water and that degraded surface and ground water are restored to good status. The local authority is urged in this regard to include a condition requiring that all watercourses are reinstated to the predevelopment (pre 1970) condition during site restoration.

**6.1.6 NRA** In letter of 15<sup>th</sup> May 2012 it is stated that it has 'no further comments on further information.'

## **6.2 Internal Reports**

**6.2.1 Heritage Officer (19<sup>th</sup> April 2012)** concerned that no consideration of potential impacts to Natura 2000 sites in the EIS particularly via The Ward River and the river Tolka. Further information required.

In a report of 5<sup>th</sup> February 2013 it is considered that the concerns relating to potential impacts of the proposed development to Natura 2000 sites via the Ward River and the River Tolka have been addressed in the ecologist's report. The conclusions are accepted and based on the current discharge regimes to the Ballystrahan Stream and the Finglas Stream there will be no significant adverse impacts.

The issue of changes to discharge regimes and the need to maintain flow rates in the long-term in stream also needs to be addressed as part of the on-going operation of the quarries and eventual restoration. The condition of the senior executive scientist (R. McGrath) are noted regarding pumping regimes and changes and also the requirement for a restoration plan

**6.2.2 Environment Department:** (R. McGrath) In a report of 1<sup>st</sup> February 2013 it is stated there is no objection. It is noted that the quarry operation could take place in all 4 quarries at the same time and the extraction planned could potentially impact on the protection of the groundwater. The applicant is requested to address the issue of protecting the groundwater at restoration stage although it is noted that cessation dates and details are unclear. The storage of the stockpiles on the quarry floor will need to be managed.

### **Conditions**

- Details of pumping regime to be submitted and then any change will require agreement.

- Mitigation measure for potential impact on water supply (same as PI27.234347 –Wicklow quarry)
- No emission of List 1 and 2 substances to groundwater
- Appropriate EPA compliance re importation of inert soils for backfilling.
- Details of interim restoration plan for the central quarry
- Restoration plan detail 5 years prior to exhaustion of deposits of after 6months cessation.
- Waste management plan review every 5 years – needs to address stockpiles of unsalable product.

**6.2.3 Planning and Strategic Infrastructure/Water Services Planning Report (11<sup>th</sup> April 2012)** it is stated that there is insufficient information in respect of foul sewer, surface water, and water supply. Following submission of further information in a later report (**13<sup>th</sup> December**) the water services section has no objections subject to conditions.

**6.2.4 Transportation Planning Section 19<sup>th</sup> April 2012:** The existing entrance on the N2 is described as being of a high standard whereas the entrance on to Kilshane has restricted visibility due to hedge growth and the road is also poorly aligned. Further information was sought in respect of: annual production and traffic generation, a revised TIA based on max annual production of facility, justification for retaining access onto Kilshane Road subsequent to opening of new link (Tyrrellstown to Cherryhound), a profile of the axle loadings of the vehicles accessing the site and pedestrian segregation.

In a later report of **12<sup>th</sup> December 2012** these matters have been satisfactorily addressed. It is considered that the proposed development would have no significant traffic impact. It is noted that the Kilshane Rd Access is only for emergencies. No objection to proposal.

**6.2.5 Architects Department 25<sup>th</sup> April 2012)** The Conservation officer has no specific comments having regard to, the non-existence of archaeological remains and the location of the proposed extraction being removed from the site of former protected structures monuments.

### **6.3 Objections**

William Byrne, Kildonan House: Mr.Byrne explains how his home and business are closest to the site and operations and that he has been suffering intolerable and unreasonable environmental conditions throughout its operation. He states that his health has suffered and there has been damage/impact on his house, lands and livestock. He refers to episodes of blasting, air pollution, and impact on water supply yet no evidence of monitoring/enforcement. He essentially objects to continued suffering due to environmental degradation and concludes that commercial interests should not override rights to reasonable environment.

### **6.4 Planner's Report**

The initial report (27<sup>th</sup> April 2012) refers to the Development plan objectives regarding rural, heavy industry and general employment which pertain to the area. Objectives EE35, EE36, LR02, LR03, and BD13 refer to aggregate extraction and appropriate assessment. Key issues are considered to relate to principle

- Removal of phasing
- Extraction Depths
- Noise
- Dust
- Surface water and groundwater
- Appropriate assessment
- Wheel wash
- Geology
- life
- Traffic and transportation

Further information was requested in respect of:

- Air quality and noise and vibration re monitoring in context of removal of phasing.
- More detailed noise survey
- Screening of Appropriate Assessment
- Wheel wash provision
- Traffic impact
- Backfilling soils and progressive restoration details
- Management of extractive waste
- storage details for aggregates
- Foul sewer details
- Surface water details
- Groundwater –pollution control
- Water supply

In the subsequent report (6/2/13) the issues were responded to the satisfaction of the planning authority.

## 7 PLANNING AUTHORITY'S DECISION

The Planning Authority decided to grant permission for the development, subject to 22 conditions.

Condition 1 – standard

Condition 2 – **20 year** permission for extraction operations. After this time all quarrying/extraction works shall cease and all building plant and machinery are removed.

Condition 3 – restricts **noise** at sensitive receptors to 55dBA /45dBA limit for day/night times with no noise level exceeded limit by more than 2dBA

Condition 4- adherence to **mitigation measures in EIS** generally

Condition 5- repeat of 3

Condition 6 – relates to **vibration** levels

Condition 7 – restricts to **dust level** to not exceeding 350 mg/sq.m. /day on average over 30 days. Monitoring programme amended as required flowing annual review.

Condition 8- agree **pumping regime** within 3months of grant and other conditions of environment section. Most notable section.(iii) states that 'The operator shall ensure that the development does not affect or cause deterioration in water quality , water levels or yields in the domestic wells in the vicinity of the quarry. In the event of quarrying activities having a proven adverse impact on private wells in the vicinity the operator shall undertake appropriate remedial measures as agreed with the planning authority at the expense of the operator. In the event of any disruption of any water supplies the quarry operator shall cease any operation causing such disruption until water supply has been restored or replaced.'

Condition 9 – relates to the **restoration plan** to be submitted with 12 months of date of decision. Details to include access arrangements, slope stability, vegetation, biodiversity enhancement and maintenance and on-going restoration during the life of the quarry. Consultation with relevant airport authorities/bodies required.

Condition 10- any **changes to discharge regimes** to Ballystrahan stream and Finglas Stream shall require Screening for **AA**. Written agreement required.

Condition 11 – requires 24 hours' notice of **blasting** of occupant of land within 500m of the site boundaries. BATNEC technology required to minimise noise, dust, vibration and changes in air pressure.

Condition 12 – restrict **operational hours** to between 0700 and 1800 hours Monday to Saturday and blasting to between 1000hrs and 1600 hours Monday to Friday. No operation on Sunday or Bank holidays.

Condition 13 – The **wheel wash** facility shall be put in place within 2 months following the final grant or permission. All trucks leaving the site shall go through the facility. Effective measures shall be taken by the operator to prevent the undue emission of dust from the site and site roadways. A water bowser (s) or similar facility shall be available on site at all times during dry weather so that all vehicle and plant roadways can be watered to lay dust as necessary.

Condition 14- requires **cleaning of roads** and footpaths not less than **once a week**.

Condition 15 requires all vehicles carrying quarried material or other dust producing materials to or from site to **securely sheeted** in the interest of traffic safety.

Condition 16 – requires **security** measures in the interest of public safety.

Condition 17 – relates to **archaeological** matters

Condition 18 requires a tri-annual **aerial photograph** commencing 2014

Condition 19 relates to foul and **surface water drainage** and **water supply** generally.



Condition 20 – requires a cash deposit, **bond** or other security to secure satisfactory implementation of permanent pumping/dewatering of the worked out void pending completion of reinstatement works to fill with inert material.

Condition 21 – requires a **€500,000 contribution** in respect of ongoing road maintenance and improvements of the R135 North Road which benefits the proposed development in accordance with section 48(c)

Condition 22 – requires that over the lifetime of the quarry operations the applicant shall annually set aside a fund. The purpose is to provide appropriate projects/community gain in the general area and shall be decided on by Fingal County Council in consultation with the applicants. The initial contribution shall be updated in accordance with the consumer price index. The **community gain fund** shall be lodged into a special community gain account so as to mitigate the impacts of the quarry operation in the local community.

## 8 APPEAL SUBMISSION

8.1 SLR consulting on behalf of the applicant has submitted appeal against the imposition of conditions 5, 6, 8, 11, 12, 14, 15, 21 and 22 as worded.

### 8.2 Condition 5 (noise levels)

The applicant requests that this condition be omitted as it repeats condition 3.

### 8.3 Condition 6 (vibration)

The applicant requests that the word 'even' is replaced with 'seven' in line with Quarries and Ancillary Activities: Guidelines for planning authorities

### 8.4 Condition 8 (iii) (water supply disruption)

Rather than the wording 'In the event of any disruption of any water supplies, the quarry operator **shall cease any operation** causing such disruption until water supply has been restored or replaced', the condition should read 'In the event of any disruption of water supplies, the owner/operator **shall provide a temporary water supply** until the original water supply has been restored or replaced.'

### 8.5 Condition 11 (blasting notice)

The applicant requests that the requirement to notify all relevant parties within 500m of the site boundary be modified to 500m of the blast location. This as submitted is in line with section 4.7(d) of the Guidelines which state that 'nearby residents (e.g. within 500meters) need to be given advance notice when blasting operations are due to take place.

### 8.6 Condition 12 (operational hours)

The applicant refers to previous board decision 217413 and 206789(attached) and requests that hours being extended and that asphalt and ready mix concrete and mortar processing be included such that the condition requires

- Processing manufacturing and despatching operations in relation only to ready-made concrete and mortar and asphalt shall be between the 0600 hours and 2000 hours Monday to Friday and 0700 and 1800 hours on Saturdays.
- All other quarry operations (except blasting ) shall be between 0700 hours and 1800 hrs Monday to Saturday

- Blasting operation shall be only between 1000hrs and 1600hours Monday to Friday
- No operation of any kind on Sundays or Public Holidays.

#### 8.7 **Condition 14 (cleaning of public roads)**

The applicant requests that this condition be amended to omit the '*at least once a week*' requirement having regard to the relocation of the entrance as there are now no residential dwellings opposite the entrance

#### 8.8 **Condition 15 (dust control)**

The applicant seeks the removal of the requirement to sheet quarried/dust producing loads having regard to the success of the overhead spray bar dust suppression system through which all laden heavy goods vehicles pass. This was condition was previously amended for the F03A/1430 permission by a later application Fw09A/099.

#### 8.9 **Condition 21 (€500,000 s.48 (2) (c) contribution towards roads)**

This condition should be omitted as

- There is no basis for it in the Transportation Planning section report
- There is no detail in the manager's order to support the level of contribution
- No provision of itemised breakdown
- The applicant has paid significant contribution. Contribution under F03A/1430 included €500000 which continue to be paid on a phased basis in addition to once payment of €132000 towards water.
- No significant road works have been carried out on either the Kilshane Road or North Road other than those specific to the N2 dual carriage way and link roads which would have been financed by the NRA.

#### 8.10 **Condition 22 (contribution for community gain)**

The applicant is part of the CRH which acts in a socially responsible manner. CRH has contributed €2.9m to the Simon community over 4 years (2007-2011)

### 9 **PLANNING AUTHORITY'S RESPONSE TO GROUNDS OF APPEAL**

#### 9.1 **Condition 5 and 6**

The applicant's case is considered to be reasonable.

#### 9.2 **Condition 8**

The planning authority does not consider the requirement to cease an operation which causes disruption to a water supply to be inappropriate. It is explained that this **does not mean all operations on site should cease**. This condition should be upheld.

#### 9.3 **Condition 11**

The planning authority explains that the requirement to notify people within a specified distance from the boundary means that the same people are notified all the time. If it was based on the location of each blast, the list would be different all the time and this would create a difficulty from an **enforcement** point of view.

#### 9.4 **Condition 12**

The planning authority explains that more restrictive hours have been imposed due to the number of **residential properties** within the vicinity of the site but is satisfied that the Board considers this on its merits.

#### 9.5 **Condition 15**

The requirement for sheeting is on the basis of recent inspections and road conditions in the area but is satisfied that Board considers this on its merits.

#### 9.6 **Condition 21**

In relation to the €500,000 special contribution financial contribution towards roads, it is explained that the senior executive engineer, Roads Maintenance advised that in the past, a levy of €1 per tonne of excavation /deposited material per year is a reasonable contribution for the additional damage caused by HGVs. This has applied to quarried and landfill sites. This was applied to Murphy's quarry in Hollywood. It is further explained that the damage to road pavements is exponentially related to HGV axle loadings. For this application the average HGV with 4.75 tonnes per axle would cause as much damage to a road pavement as 3000 cars with .75 axles. While the applicant is proposing extraction of 1,000,000 tonnes per year the special contribution was drastically reduced as the site entrance is close to the national road network and the maintenance of such is covered by general taxation. This condition is in line with section 4.7(j) of the Guidelines for planning authorities and accordingly is in line with national policy.

#### 9.7 **Condition 22 community gain**

By way of general mitigation the creation of a community gain fund proportionate to the tonnage is proposed in line with national policy and has been used it is explained in waste management developments to support community initiatives. This is considered by the planning authority to be reasonable given the long established quarry operations and impacts on the local community. The Board is requested to uphold this.

### 10 **FURTHER RESPONSES**

10.1 The applicant responded to the submission from the Planning Authority in a letter dated 22<sup>nd</sup> March 2013 wherein the following comments are made:

10.2 **Condition 5 and 6** – comments noted

#### 10.3 **Condition 8**

The applicant reaffirms that this condition should be amended and refers to QC2123

#### 10.4 **Condition 11**

The planning authority's concerns about the enforcement issues are noted, however the applicant explains that the quarry operator is required under health and safety regulations to keep records of each blast and this factual information can be used to demonstrate compliance. The applicant proposes a condition requiring that *'at least 24hr notice of each blasting operate to be carried out shall be given to occupants of residential properties and industrial and business park occupants of mad within 550m distance of the blast location. Further warning by way of siren shall also be given not later than 30*

*minutes prior to each detonation. The developer shall employ the best available technology not entailing excessive cost in order to minimise noise, dust, vibration and changes in air overpressure caused by blasting.'*

**10.5 Condition 12**

The Board is asked to have regard to existing operational hours that were approved in the grant of permission for new access and extension of hours to operations PL06F.217213

**10.6 Condition 14**

Having regard to the change in entrance arrangements and the wheel washing requirements, the applicant restates the case that the road and footpaths in the immediate vicinity of the site entrance be cleaned on 'as needed' basis only.

**10.7 Condition 15**

The applicant reiterates the success of the overhead spray bar dust suppression system at the site through which all HGVs pass. The applicant was unaware of the planning authority's concerns as no comments were made during a site inspection nor was any formal notice lodged. A condition is proposed to the effect that HGVs transporting fine aggregate products off-site shall be dampened down using overhead spray bar dust suppression system prior to leaving the quarry.

**10.8 Condition 21**

The grounds of appeal are elaborated. It is submitted that planning authority has again failed to justify the financial contribution. It appears to be arbitrarily applied for every continuance application. The similar contribution in the Murphy quarry is irrelevant in the context of each case is on its merits. Despite the express concern about road damage by HGV, it is submitted that no significant road improvement or maintenance works have been carried out on either the Kilshane road of the R135 North Road. It is further submitted that there has been no benefit to the site to date of contributions paid by the applicant totalling €460,000 under the previous grant of permission in 2004. It is submitted that planning authority should demonstrate how the previous contribution has been spent to date on local road improvements on the R135. If it has not been spent then it should be set aside for future proposed maintenance and improvement of the R135

**11 FINGAL DEVELOPMENT PLAN 2011-2017 and CONTRIBUTION SCHEME 2013 – 2015**

**11.1 Development plan policy and objectives**

The core of the site is zoned RU 'to protect and promote In a balanced way the development of agriculture and rural related enterprise, bio-diversity, the rural landscape and the built and cultural heritage'. The peripheral parts of the site are zoned HI 'to provide for heavy industry'. The site is also substantially adjoined by this zoning except for lands to the south of the site which are zoned GE – 'General enterprise and employment'.

Section 2.6 of the written statement refers to quarrying and aggregate extraction.

*'The aggregate industry provides an essential input to the construction industry. By their nature, aggregates can only be worked where they occur. There is a continuing need for new and expanded aggregate quarrying operations on land to meet regional and local requirements. There is thus a need to identify and protect aggregate resource areas to meet the likely scale of future demand while at the same time protecting the natural environment and communities from environmental impacts including noise, dust, traffic and vibration. Guidelines for Planning Authorities on Quarries and Ancillary Activities were published by the DoEHLG in 2004. These Guidelines recognise the contribution that extractive industries make to economic development but they also identify the land use and environmental issues which require mitigation and management through the planning system. Proposed development which would compromise aggregate rich areas requires careful consideration to avoid compromising aggregate reserves. The potential use of environmentally friendly products should be employed where possible to reduce the need for excessive quarrying. A number of guidelines relating to quarrying have been produced by various bodies for example 'Geological Heritage Guidelines for the Extractive Industry' (GSI) and 'Wildlife, Habitats and the Extractive Industry' Notice Nature). The various guidelines, not all of which are listed here, provide useful references and suggestions for potential restoration and reuse.'*

## **11.2 Fingal County Council Development Contribution Scheme 2013 – 2015**

This Scheme is effective in respect of permissions granted from 1<sup>st</sup> January 2013. Paragraph 11 refers to special development contributions.

*'A special development contribution may be imposed under Section 48 of the Act where exceptional costs not covered by the Fingal County Council Development Contribution Scheme 2013 – 2015 are incurred by the Council in the provision of a specific public infrastructure or facility. (The particular works will be specified in the planning conditions when special development contributions are levied). Only developments that will benefit from the public infrastructure or facility in question will be liable to pay the special development contribution. Conditions imposing special contributions may be appealed to An Bord Pleanála.'*

## **12 NATIONAL POLICY GUIDANCE**

### **12.1 Guidelines for Planning Authorities on Quarries and Ancillary Activities, 2004**

This document provides guidance on environmental implications of quarries and on assessment of planning applications and EIS. Section 3.10 refers to Environmental Management Systems. Section 4.7 sets out possible planning conditions and refer to: (b) times of operation, (*normal operations should be confined to the hours between 07.00 and 18.00hrs*), (d) control of blasting (notice to residences) within 500m) (g) groundwater wells and water supply (*'in the event of disruption ... should cease any operation causing such disruption*) (H) monitoring and (j) special contributions.

## **12.2 Guidelines For Planning Authorities and An Bord Pleanala on Carrying out Environmental Impact Assessment (Department of the Environment, Community and Local Government, march 2013).**

These guidelines take account of the most recent changes in legislation in the transposition of the European Directive in relation to EIA. They are pursuant to section 28 and are intended as a guide to competent authorities carrying out an assessment at consent stage. They refer to recent changes in the legislation the following of which are pertinent to this appeal. Notably they refer to:

- section 172(1E) which provides that the competent authority must require the applicant to furnish any further information considered necessary to enable it to carry out an EIA.
- Section 172 (F) which provides where this information is not provided the application shall be deemed to be withdrawn.
- Section 172 (1i) which permits that attachment of conditions to any grant of permission in order to avoid, reduce and if possible off set major adverse effects save as controlled by certain licensable developments. In this regard reference is made to interface between the competent authority and the EPA required since September 2012.
- Information to be made available on a decision must include an evaluation of the direct and indirect effects of the proposed development on the matters set out in section 271(A). This may involve an elaboration or addition to conditions imposed. The assessment must include analysis and evaluation and identify, describe and assess in an appropriate manner in light of each individual case the direct and indirect effects.

Chapter 5 sets out the EIA process.

## **12.3 Environmental Management in the Extractive Industry (Non-Scheduled Minerals) EPA**

I have consulted these guidelines in respect of good practice in quarry environment management systems and appropriate conditions of permission. E.g. section 3.9 refers to transport and traffic.

## **12.4 The Karst of Ireland – Limestone Landscapes, Caves and Groundwater Drainage Systems, GSI 2000**

This document provides descriptions of the properties of limestones. It states that 'the nature of the limestone strongly influences its susceptibility to karstification. Purer limestones are more susceptible than impure limestones. Another strong influence is the geological structure: folding of the limestone causes fracturing and the formation of a network of fissures along which water can penetrate and begin to dissolve the rock. In general pure limestones tend to be brittle, allowing extensive open fractures, while impure limestones tend to deform more readily, sealing up the fractures and impeding water movement.'

The mantling of the limestone by the glacial deposits may be hiding more karstification than we are aware of. Deep karsts have been found at 60m below ground and this can present problems. Engineering problems have

been encountered in mining due to the presence of deep karst. One recent mining development in the Irish midlands encountered peat filled karst solution features at a depth of about 60 m.

## 12.5 The Development Contributions Draft Guidelines for Planning Authorities, Department of the Environment, Community and Local Government

These guidelines state that 'A special development contribution may be imposed under section 48(2)(c) where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development, such as a new road junction or the relocation of piped services. The particular works should be specified in the condition. Only developments that will benefit from the public infrastructure or facility in question should be liable to pay the development contribution'

## 12.6 Planning and Development Act

### Section 139.—(1) Where—

(a) an appeal is brought against a decision of a planning authority to grant a permission,

(b) the appeal relates only to a condition or conditions that the decision provides that the permission shall be subject to, and

(c) the Board is satisfied, having regard to the nature of the condition or conditions, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted, then, subject to compliance by the Board with subsection (2), the Board may, in its absolute discretion, give to the relevant planning authority such directions as it considers appropriate relating to the **attachment, amendment or removal** by that authority either of the condition or **conditions to which the appeal relates or of other conditions.**

## 13 LICENSES

W0277-01 refers to a waste licence submitted to the EPA in 2011. As part of this application an EIS was submitted and the local authority was consulted. There has been no decision to date.

WPW/1/87 refers to a discharge license for the northern part of the site which is stated as being under review at the time of the EIS preparation.

No reference – A discharge license has been submitted to the Fingal County Council in respect of the southern part of the site.

## 14 ENVIRONMENTAL IMPACT ASSESSMENT REPORT

14.1 An Environmental Impact Statement has been submitted with the planning application and it is has also been supplemented in response to a request for further information. I have read this documentation in conjunction with technical reports and guidance referred to in section 12 of this report.

The original EIS is in a single volume in which there are 14 sections

- Introduction

- Development Proposal
- Human Beings
- Ecology (Flora and Fauna)
- Soils/geology
- Hydrology/hydrogeology
- Climate
- Air Quality
- Noise/Vibration
- Landscape/Visual
- Cultural Heritage
- Material Assets
- Traffic/Transport
- Interaction of the Foregoing

A summary of the receiving environment and impacts are summarised in the Planners report. The key assessment issues are set out below.

#### 14.2 General

The EIS describes the proposed development in detail and consideration of alternative is confined to recycled aggregate sources as an alternative to quarry continuation. It does not examine alternative location as the site is established.

While I consider this to generally reasonable the alternative phasing/restoration options could have been examined.

#### 14.3 Human Beings

Impact on amenity by reason of noise, dust, traffic and quality of water are the potential key direct negative impacts. There are 13 dwelling and an industrial estate within 250m of the site. In further information it is now proposed to relocate and provide monitoring equipment for dust and noise to take account of the new development and likely sensitive receptors in the immediate environs. As part of ongoing Environmental monitoring programme all air bourne and water bourne impacts are to be controlled.

A positive impact is identified in terms of the contribution to the economy by way of products and employment.

While account is taken of the positive impact on the local economy there is no examination of the indirect impact on local industry in the event of a loss of ground water. There are no risks identified to the adjacent power plant which relies on abstraction of over 150m<sup>3</sup> water a day.

#### 14.4 Ecology (Flora and Fauna)

A comprehensive range of desk based and field surveys were conducted for the site. The desk based survey extended to within a 2km radius of the site. It is stated that the site is not subject of any statutory conservation designations.

The quarry site supports a wide range of habitats most of which have a low overall ecological value except for areas of dry calcareous and neutral grassland and some hedgerow. However the majority of these habitats are outside the quarry excavation area so there will be no significant direct loss.



The continuation of quarrying will not have a significant impact on any individual population of bird species.

As there will be no increase in the permitted quarry area and quarrying will extend downwards there will be no loss of natural surface water features.

In terms of dust deposition, the level of 1000mg/m<sup>2</sup>/day is deemed (Highways Agency standards, 2007) to be the likely level at which sensitive species/ecosystems can be affected. As the levels are restricted to 350mg by way of mitigation measures which are operational at present an adverse impact is highly unlikely.

The rehabilitation of the site over the longer term to agricultural land has the opportunity to enhance and develop natural habitats.

#### **14.5 Soils/geology**

The nature of the development will result in a direct and irreversible loss of bedrock. As the quarry footprint will not be significantly increased there will be no large scale loss of soil.

The soil and geological profile is mapped by reference to desk based studies, field visits of the operational quarry and analysis of wells/boreholes. From this the quarry bedrock is classified accordingly.

- The south quarry is developed with limestone of the Malahide Formation which dips steeply. The limestones are dominated by well bedded limestones with minor shales.
- The central quarry which is not being presently worked is developed in pale micritic Waulsortian limestone of the Feltrim Limestone Formation. Contact between the Waulsortian and Tober Colleen Formation is evident here.
- The north quarry is developed in a sequence of well bedded limestone and research indicates that it is also developed within the sub-Waulsortian limestone of the Malahide Formation. The borehole reveals a dominance of shale in parts of this quarry.

It is surmised that the future development will continue to work the same limestone deposits as are presently being worked.

The quarrying operation to date has revealed an unusual juxtaposition of two rock types. The quarry restoration scheme will retain exposure of this contact between the Waulsortian and Tober Colleen Formation for geological heritage as recommended by the Geological Survey of Ireland.

It is interpreted from the angles and exposure of existing exposed formations that the Tober Colleen Rock formation is c.200m thick in the area and that the sub crop would be 100m in width and that it should be underlain by Lucan Formation limestone. The rocks are described as well jointed and that the rock is strong to very strong and weathering is rarely significant more than few centimetres below the rock surface. No significant karstification was observed in the ground water boreholes.

The baseline data is I consider compromised by the conjectural nature of the rock classification below the base of the boreholes ( ref. Appendix 6A of FI) and down to a depth of -65mOD which is 98m below the lowest quarry floor at

present and an overall depth in the region of 147m from the original ground level. The following list sets out the depths of the boreholes.

Well no. GW01 – bored from a ground elevation of 80.98mOD to a depth of 61m  
Well no. GW02 – bored from a ground elevation of 81.51mOD to a depth of 55m  
Well no. GW03 – bored from a ground elevation of 77.94mOD to a depth of 49m  
Well no. GW04 – bored from a ground elevation of 81.21mOD to a depth of 61m  
Well no. GW05 – bored from a ground elevation of 84.95mOD to a depth of 55m  
Well no. GW06 – bored from a ground elevation of 82.16mOD to a depth of 80.5m

Having regard to the nature of the limestone and I refer to geological guidance cited in section 12 of this report, it would seem that the proposed quarrying depths has undetermined implications for groundwater and its hydraulic connectivity with sensitive receptors.

#### 14.6 Hydrology/hydrogeology

The underlying Waulsortian and Malahide formations are considered to be locally important karstified aquifers. The hydrochemistry is stated as being typical of that from dolomitised limestone. The groundwater is classified as having high to extreme vulnerability status.

The groundwater levels are stated at being between c.70 and 95mOD and the lowest extraction floor is stated at 27mOD - although survey drawings show 33m.

The quarry excavations have already intersected the groundwater table and lowered it around the periphery with the excavation of each quarry bench. There are minor groundwater inflows to each of these quarries which was apparent on site and water is pumped from the floors as and when required. The northern quarry has an estimated discharge rate of 20litres/second when pumps are active. Discharge from the northern quarry has reduced in volume from an average of 2600m<sup>3</sup>/day (2009) to winter flow of 1470m<sup>3</sup>/day (2010). The average groundwater flow for 2010 is estimated to be 750m<sup>3</sup>/day. Discharge from the south quarry is estimated to range for a summer average of 2000m<sup>3</sup>/day to a winter average of 3500m<sup>3</sup>/day Of this volume an average 1000m<sup>3</sup>/day is estimated to be intercepted groundwater.

The site is drained by two water catchments – Ballystrahan stream drains the northern section of the site and is part of the River Ward catchment and a channel drains the southern half to Finglas Stream and is part of the River Tolka. Both rivers have a recorded 'poor' status. (EPA 2010)

Rainfall infiltrates to ground for the majority of the site – this includes run-off from roadways, hardstanding and roof areas. Rainfall in the quarry floor is mostly channelled to sumps. Groundwater inflow to quarries is similarly routed to a channel and pumped to settlement lagoons. Process water for crushing and dust control is sourced at quarry sumps.

The North stream takes the treated wastewaters from the concrete/asphalt production plant. Waters from the north and central quarry plant is monitored at w2.

It is stated that there will be no significant residual impacts with respect to groundwater or surface water subject to mitigation measures.

The Planning authority requested more analysis on the groundwater. In section 9.5 of the response it is confirmed that there will be an estimated 1.1km drawdown cone around the north and south quarries and 2km cone around the south quarry after 35 years which is based on real ground water measurements. This distance is based on assuming uniform bulk aquifer properties for the bedrock aquifer. The current situation is described as having a radius of groundwater influence of 1.1km with the steepest drawdown of 10m within a 400m radius of the north and south quarries. This reduces rapidly so that beyond 1.1km it is less than 2m. As the quarry deepens there will be a steepening of the cone of depression.

#### 14.7 Critical Issues – South quarry excavation and dewatering

While I note a lot of information on groundwater is available through the extensive excavation to date and pumping regime consequent on groundwater interception, together with the borehole data, the fact remains that the extension of the quarry floor depth by a further 95 m below the existing low point of the quarry floor is a considerable excavation. Notably it is going some 68m deeper than borehole testing depths and there is accordingly a question about the basis for determining future bedrock characteristics and groundwater abstraction quantities. With the potential for more fissures and conduits in deeper rock and I refer in this regard to the Geological Survey of Ireland document *The Karst of Ireland – Limestone Landscapes, Caves and Groundwater Drainage Systems, GSI 2000* it cannot in my opinion be ruled out with certainty that a significant body of groundwater may be intercepted. There is it would seem an inadequate conceptual understanding of the future groundwater flow system and the hydraulic connectivity to receptors.

Critically the EIS identifies an interaction of drawdown between the extraction areas. (Refer to EIS, sections 6.114, 6.126.) This interconnectivity with the north quarry and south quarry (as evidenced by the reduced groundwater quantities in the North quarry as the south quarry deepens) hence between two river basins is a source of potential significant quantitative and qualitative impacts. I note that in the Eastern River Basin Management Plan 2009-2015, the River Ward is classified as 'Poor and 'Bad' yet it is a salmonid river – a particularly sensitive receptor. The consequences of a loss of water from the Ward River catchment to the Tolka River catchment as the south quarry deepens much much further, while recognised as having a mild magnitude of risk, has not been fully examined in the submitted documentation in terms of its ecological impact – despite such issues being raised by Inland Fisheries Ireland e.g. potential critical drop in base flows in Ballystrahan Stream a tributary of the River Ward which is highly reliant on continuous pumping from the quarry.

It would be preferable to base the concept modelling on more site investigation and pumping tests in order to give a clearer indication of groundwater characteristics. The Board may wish to seek an independent expert view on this aspect for a more thorough assessment or alternatively seek this information from the applicant. The Board could also seek to restrict quarrying to the depth of the borehole only.

I note, however that the conditions of permission require, agreement of pumping regimes, protection of water quality and ultimately ceasing of causal activities where water supplies are interfered with – the latter requirement

being challenged in this appeal. I also note the EIS refers to an established Environmental Monitoring System although this system is not explicitly addressed in the conditions of permission. While implicit in condition 4, it would I consider be prudent to attach a condition specifically addressing EMS and monitoring to ensure compliance with the conditions of permission. This is in accordance with the EPA guidance.

While the data in the EIS indicates a satisfactory level of control of the impacts, to date and through licensing, there is a possibility of potential conflict with adhering to the required pumping regime and complying with the Dublin Airport Authority requirements. For example, in event of an extensive groundwater drawdown and restricted assimilative capacity in surface water catchment there may be a need for extensive lagoons to comply with the pumping regime. The EIS is cognisant of the risks of certain birds to aircraft and particularly in the Restoration plan stage and is presently controlled by design. This could be dealt with on an on-going basis through the EMS in order to pre-empt and control bird risk.

The risk of salination of groundwater has not been explicitly ruled out. Although having regard to the distance from the coast – in the order of 10km, I do not consider this to be a likely significant risk.

#### **14.8 Climate**

It is stated that the development is not of sufficient scale to have any direct impacts on the regional or local climatic conditions. No monitoring or mitigations measures are therefore proposed.

#### **14.9 Air Quality**

Dust is the principal contributing element to degrading the air quality and this is emitted from the quarrying, crushing, screening and ready-mix concrete and asphalt production plant. Road traffic is also a source.

Chemically the dust is inert and does not include harmful compounds. Dust monitoring to date show that levels are generally in compliance with industry guideline limits. Impact will be direct, temporary and non-cumulative.

Deposition levels are set out in table 8-1 (Page 8-6) and with the exception of one incident at D2 all levels were within EPA guidance limits. 350mg/m<sup>2</sup>/day was exceeded at D2 for March 2011 east of processing area

Mitigation measures are in place and proposed which include prevention by way of plant /site layout and dust suppression though dampening and planting of berms. Cleaning measures and vehicle maintenance measures are also proposed. Although it is proposed to reduce the existing required road cleaning regime from weekly to on 'as needs' basis. On-going monitoring results will be submitted to Fingal county Council on a regular basis.

In further information the dust monitoring locations have been altered and supplemented with a further two stations to be closer to residences (Figure AI 1-1.) Dust levels are regulated by condition.

#### **14.10 Noise/Vibration**

Assuming a worst case scenario whereby plant and machinery at all 5 locations are running at 100%, the predicted cumulative noise levels arising from quarrying/stone processing/loading activities comply with the daytime

noise emission limit value of 55dB(A) at sensitive locations in line with EPA guidance for the sector. These predicted cumulative noise levels are lower than the existing background noise levels arising from traffic on the external road network. Noise sensitive receptors are well screened through barriers (berms) and high topographical features. The maximum reading was 82d(b). The south quarry activity peaked at 53L<sub>Aeq</sub> at residence R5 for general activity excluding Drill Rig and 54L<sub>Aeq</sub> for activity including Blast Hole drill rig. The processing plant generated a 25-29L<sub>Aeq</sub>. The methodology employed is BS5228-2:2009 *Code of Practice for noise and vibration control on construction and open sites* and is also to the satisfaction of the environmental section of Fingal County Council.

The location of R5 is shown in Figure 9-2 in the main body of the EIS. It is to the west of the south quarry on the east side of Cappagh Road and at time of site inspection was vacant/derelict.

#### **14.11 Landscape/Visual**

The vast majority of the proposed extraction works will be carried out within the footprints of the north central and south quarries as well as the western quarry footprint. The impact on the landscape is accordingly perceived to be minor.

It is stated that none of the extraction works will be visible from any location outside the development site save for the construction of screening berms and planting will be temporarily visible from the west. Such works will ensure permanent screening of extraction works from public areas.

The site is classed as a low lying agricultural landscape character area in the development plan. There are no protected views or landscape features within or immediately adjoining the site.

The restoration to a beneficial agricultural and ecological land use will have a positive impact on the landscape. The unusual exposed rock formation is to be retained as a point of geological interest and incorporated into this plan. In the shorter term the deposition of dust has the potential to detract from visual amenities. However through dust control, suppression and cleaning this will be controlled.

I note the site is located in an urban fringe location between heavy and extensive industrial development to the west, the airport to the east and the M50 to the south. Lands to north are strongly rural in character but tracts of agricultural land immediately adjoining lands to the south and grassland also weaves throughout the site. Accordingly there are views of a pastoral landscape from within and external to the site that are apparent and which aid present and future assimilation.

#### **14.12 Cultural Heritage**

The site of the one protected structure listed in the development plan within the development site has been extracted to geological levels. The proposed continuation of quarrying largely within the footprint of approved excavation sites will have no direct or indirect impact on any known archaeological, architectural or cultural feature.

I note that there are 8 other structures/archaeological sites in the order of 400m from the site. There is no examination of lowering of water table or vibration impacts.

#### 14.13 Material Assets

The site is within the metropolitan area of Dublin and key infrastructural development include:

- Roads: The quarry is anticipated to generate 42 HGV two way movements per hour and is not anticipated to increase as a result of the planning application and will not have any adverse impact on existing traffic capacity. The Roads department of the planning authority however refer to the heavy loading on the road and exponential influence of axle load – 1 HGV could be equivalent to 3000 .75tonne axle loaded cars. This is addressed though a special financial contribution.
- Dublin airport – the end of runway 10/28 is 2.5km directly east of the quarry site. There is a risk of birds being attracted to a future habitat on the site and creating a hazard for aircraft. The ponds have been designed to avoid the congregation of birds. By infilling with inert material and avoiding a substantial body of water this risk is considered to be eliminated. The airport authority seeks to be consulted with future rehabilitation. It is notable that this is a condition of permission.
- Housing: Significantly, the quarry straddles a locally important aquifer. The continued quarrying presents risks to groundwater through pollution and loss of supply and thereby potentially affects domestic water supply. The Huntstown and Kilshane areas are supplied with potable water from Ballycoolin reservoir c. 2km west of the site. Impacts on air quality also potentially detract from the local amenities.
- Commercial/Utilities: The lowering of ground water and potential loss of supply could also have implication for local businesses The EIS does not present these indirect impacts.
- Utilities: In respect of hazardous impacts on Gas pipeline along the paved central access and Combined Cycle Gas Turbine power plant is immediately east, I note that the Health and Safety Authority states no objections. As the quarry has been operational for a considerable length of time no risks are anticipated.
- The development will have no impact on the Metro West urban light rail corridor south of the site (north of the M50)

#### 14.14 Traffic/Transport

A revised Traffic Impact Assessment based on a different methodology was submitted in further information. Forecasting takes account of extraction and removal of materials and importation associated with processing and backfilling. 2008 was a peak year recording an export of almost 2million tonnes and importation of 183,100tonnes. This resulted in an average daily HGV trip generation of 742 (68/hr). This peak is used in the forecasting. Traffic impact has been assessed in accordance with the National Roads Authority document 'Traffic and Transportation Guidelines,' 2007.

In the worst case scenario the additional committed traffic to the forecasted traffic on the North Road is such that the North Road would continue to operate within the guidelines at approximately 27% theoretical capacity during its busiest period.

The surrounding road network will operate adequately and the development traffic will have minimal impact.

### 14.15 Interactions

This section of the EIS simply refers to chapters 3-13 of the EIS although refers in particular to section 6 in relation to geology and groundwater flow and also to the interact of operational landscape such as screening and its contribution to air quality and noise attenuation. A matrix summary would be useful and give more clarity.

### 14.16 Conclusion

From my appraisal of the EIS and further information, while present a substantially comprehensive statement of direct and indirect impacts in accordance with the regulations, there are I consider certain limitations to the basis for determining the nature of the underlying bedrock in terms of permeability in the form of large fissures and conduits for groundwater. This has implications on water supply both in terms of quantity and quality. This issue may merit further analysis by way of further site investigations and or independent expert opinion or restriction of activities by condition. While it is open to Board to consider the application de novo, condition 8 under appeal relates to this issue and accordingly having regard to the provisions of section 139 the Board can I consider confine the appeal to consideration of the conditions under appeal and address potential deficiencies within this context.

## 15 APPROPRIATE ASSESSMENT

### 15.1 General

EC Guidance on undertaking new non-energy extractive activities in

accordance with Natura 2000 requirements' *'NEEI projects in and around Natura 2000 sites are not automatically excluded. Instead, if they are likely to have a significant effect on the site in question, they must be subject to an Appropriate Assessment. Depending on the outcome, a decision will be taken whether or not to approve the plan or project and if so under what conditions. The aim is to avoid an adverse effect on the integrity of the Natura 2000 site.'*

Information was submitted as part of further information in respect of potential impact on Nature 2000 sites to the satisfaction of the Heritage Officer who initially raised the issue. The information is contained in Appendix B of the Additional Information bound document and it is entitled a *Natura Impact Statement : stage 1 screen Assessment*. It is essentially a screening report.

There are 11 Natura 2000 site within a 14km radius. The South Dublin Bay and River Tolka site is closest at a distance of 8.41km at its closest point.

### 15.2 Changes in Hydrological Regime

The South Dublin Bay and River Tolka, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA/Ramsar site have a source-pathway-receptor link from the surface water discharge from the southern part of the quarry to a tributary stream of the River Tolka that outflows to the Tolka Estuary and into Dublin Bay. Similarly, the Malahide Estuary SAC and SPA have a source-path-receptor link from the surface water discharge form the northern part of the quarry site to Ballystrahan Stream a tributary of the River Ward that flows to Malahide Estuary.

Based on the size of the Ballystrahan sub-catchment the contribution of the discharge to the flows in the Ballystrahan stream and the daily volumes of tidal water flowing in and out of the Malahide Estuary, no significant alterations are predicted from the continued discharge from the northern part of the quarry on the daily flow rates experienced in these transitional water. Accordingly it is concluded that no likely exposure to hazard and no significant adverse effect on the Estuary.

Similarly, in the case of the Tolka Estuary it is stated that based on the size of the contribution of the discharge flows (1.5% in February 2010) in the River Tolka and the daily volumes of tidal flowing in and out of the Estuary no significant alterations are predicted from the continued discharge from the southern part of the quarry on the daily flow rates experienced in these transitional waters.

### **15.3 Changes in Water quality**

Having regard to potential hazards such as toxic contamination, change in pH, nutrient enrichment and sedimentation and the characteristic of the estuarine waters and the water quality data it is concluded that the potential exposure to hazard is not likely as a direct result of discharge waters from the quarry.

### **15.4 Conclusion**

I am satisfied that the only potential risk is by way of changes and degradation of the aquatic ecosystems but having regard to the distances of the quarry from any Natura 2000 site and the coastal/estuarine nature of the designated sites I consider it is reasonable to screen out further appropriate assessment. I consider therefore that the proposed development is not likely to have a significant effect on any Natura 2000 site.

Inland Fisheries has raised concern about the net removal of groundwater in the Ward catchment when quarrying in the southern area exceeds depth in the northern area and the consequent potential critical drop in base flows in Ballystrahan Stream which is highly reliant on continuous pumping for the quarry. The conditions in relation to pumping regime and water quality address this issue. While a sensitive ecological issue it is I consider, outside the scope of an appropriate assessment and more appropriately assessed within the scope of environmental impact assessment.

## **16 ASSESSMENT of APPEAL ISSUES**

### **16.1 General**

This appeal relates to a cumulative quarry area of c. 55.9 ha in an operational quarry that is part of a total holding of 211ha which also contains a co-located cement /block and asphalt plant. The current quarry floor level is at 33mOD. It is proposed to excavate 35 million tonnes at an average rate of 1 million tonnes p.a. over 35 years. The principle of a quarry excavation is well established and most recently supported in the 10 year permission in 2004. However there are some quite significant differences in the nature of the quarrying operation proposed as a consequence of this application. Most significantly it is now proposed to lower the quarry to a floor level of minus 65m OD from a present level of 33mOD and from an original ground level of



c.82mOD. There is also relaxation in phasing whereby all four quarries will potentially operate simultaneously instead of the ordered approach submitted in further information in the attached history file and that is presently subject of a condition of permission.

This application has come about at this time due to the need to restrict the duration in 2004 to 10 years so as to enable a review of the development. Since the application there has been a change in zoning objectives from purely agricultural related to a more industrial focus. There has also been a raft of environmental assessment and management guidance.

It is now proposed to continue business substantially as usual and the EIS indicates that no significant adverse environmental impacts have arisen to date that would warrant a reversal of the permission. Following a request for additional information, the planning authority decided to grant permission and restricted permission to a further 20 years in addition to a range of other conditions. The applicant has submitted a first party appeal against 9 of the conditions of permission.

Having considered, primarily, the long established use of the site as a quarry and also the established related plant operations and the decisions of the Board, the principle of the continuance is acceptable. There are nevertheless significant changes in relation to the scale and depth of the quarrying as reflected in the extraction as compared to the extant permission e.g. volume to be 35million and depth to increase to 65mOD. The scale and extent on a daily basis is however ultimately moderated by a limit of 20 years and the continuance of extraction rate of c.1 million tonnes per annum subject to conditions.

From my appraisal of the EIS and further information there are I consider certain limitations to the basis of determining the full nature of the underlying bedrock in terms of aquifer properties and hydraulic connections. This has implications on extent of drawdown and water supply both in terms of quantity and quality. While it is open to the Board to consider the application *de novo*, Condition 8 (iii) relates to this issue and accordingly having regard to the provisions of section 139 which allows the Board to omit, amend, attach conditions under appeal or other conditions, I consider there is sufficient scope to confine the appeal to the conditions under appeal and matters arising without invoking the *de novo* provisions.

#### **16.2 Condition 5 (noise levels)**

The applicant requests that this condition be omitted as it repeats condition 3. The planning authority states no objection to this. I consider it is reasonable and appropriate to omit this condition.

#### **16.3 Condition 6 (vibration)**

The applicant requests that the word 'even' is replaced with 'seven' in line with Quarries and Ancillary Activities: Guidelines for planning authorities. This appears to be a typographical error and the planning authority has no issue with the amendment. I consider it reasonable and appropriate to amend this condition.

#### **16.4 Condition 8 (iii) (water supply disruption)**

The applicant opposes the wording 'In the event of any disruption of any water supplies, the quarry operator shall **cease any operation** causing such

disruption until water supply has been restored or replaced'and proposes that the condition should only require that 'In the event of any disruption of water supplies, the owner/operator shall **provide a temporary water supply** until the original water supply has been restored or replaced.'

However the planning authority's condition is in accordance with that proposed in the EIS page 19 under the heading Mitigation: Replacement Water Supply: '*The operator shall ensure that the development does not affect or cause deterioration in water quality , water levels or yields in the domestic wells in the vicinity of the quarry. In the event of quarrying activities having a proven adverse impact on private wells on the vicinity the operator shall undertake appropriate remedial measures as agreed with the planning authority at the expense of the operator. In the event of any disruption of any water supplies the quarry operator shall cease any operations causing such disruption until water supply has been restored or replaced.*' This was as required for Ballylusk quarry (PL27.234347) in 2010. The applicant now however, holds that this condition is unduly onerous and should be amended and refers to a more previous case determined in 2008 - QC2123.

In response to a request for further information in respect of groundwater analysis, it is confirmed that the applicant will provide a replacement water supply at their own cost in the event of quarrying operations being demonstrated by the well monitoring programme to impact on the water supply of any third party in the vicinity. This replacement is proposed to be by way of a deeper well or public mains supply.

Having regard to my appraisal of the hydrological/hydrogeological aspects of the EIS and the scale of excavation and potential dewatering and the potential to intercept fissures and conduits and possibly drawdown more water than anticipated I consider it reasonable that the planning authority take a precautionary approach and require that the causal operations cease. In the absence of an accurate hydraulic model at 0 to -65m level range that is based on more comprehensive site investigation, this is appropriate and proportionate to the potential impacts. I refer in particular to the nearby domestic wells, the adjacent power station abstraction, the adjacent farming activities and the Dunboyne water supply further afield. The planning authority states that the requirement to cease operations only relates to the specific activity which causes the interference with water supply and not all operations on site.

In order to ensure no potential conflict with adherence to other conditions, it may be prudent to amend the phrase to 'shall cease any operation causing such disruption in a manner as agreed with the planning authority until water supply has been restored or replaced.' The scenario should ideally be pre-empted in an Environmental Monitoring System that is routinely audited. Accordingly I recommend conditions be attached to this effect.

#### **16.5 Condition 11(blasting notice)**

The applicant requests that the requirement to notify all relevant parties within 500m of the site boundary be modified to 500m of the blast location. This it is submitted is in line with section 4.7(d) of the Quarries and Ancillary Activities Guidelines. The planning authority is concerned about the logistical enforcement issues with shifting catchments; however the applicant explains that the quarry operator is required under health and safety regulations to

keep records of each blast and this factual information can be used to demonstrate compliance. The applicant proposes a condition requiring that 'at least 24hr notice of each blasting operate to be carried out shall be given to occupants of residential properties and industrial and business park occupants of mad within 550m distance of the blast location. Further warning by way of siren shall also be given not later than 30 minutes prior to each detonation. The developer shall employ the best available technology not entailing excessive cost in order to minimise noise, dust, vibration and changes in air overpressure caused by blasting..'

I note the guidelines are not quite so specific in that they state that the '*nearby residents (e.g. within 500meteres) need to be given advance notice when blasting operations are due to take place*'. I note that the condition in this regard usually states distance from site boundary. Having regard to the size of the site and number of pits I consider it reasonable to confine the notification to those within 500m of the boundary of the relevant quarry pit as delineated in the submitted drawings. The applicant should submit a map of the catchments for each quarry pit for clarity. I therefore consider it reasonable and appropriate to amend the condition to this effect.

#### **16.6 Condition 12 (operational hours)**

The planning authority has reduced the operational hours back to between 0700 and 1800hrs in line with the principal extant permission having regard to number of residential properties. However it is satisfied that this issue is assessed on its merits.

The applicant refers to previous board decisions 217413 and 206789 and requests that hours be extended and that asphalt and ready mix concrete and mortar processing be included such that the condition states:

- Processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar and asphalt shall be between the 0600 hours and 2000 hours Monday to Friday and 0700 and 1800 hours on Saturdays.
- All other quarry operations (except blasting ) shall be between 0700 hours and 1800 hrs Monday to Saturday
- Blasting operation shall be only between 1000hrs and 1600hours Monday to Friday
- No operation of any kind on Sundays or Public Holidays.

The Board is asked to have particular regard to existing operational hours that were approved in the grant of permission for new access and extension of hours to operations PL06F.217213

I note that the current operational hours are governed by two permissions. The principal permission for the quarry operation (206789) restricts hours to between 0700 and 1800 hours, Monday to Saturday and Blasting operations to between 1000 and 1600 Monday to Friday. This was determined on appeal where the applicant had previously made the case for operating 0700 to 2300hrs instead of 0800 to 1800hrs. A subsequent application/appeal for extended hours for certain activities namely processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar was permitted to operate between 0600 hours and 2000 hours, Monday to Friday and between 0700 hours and 1800 hours on Saturdays. The applicant is seeking to retain these hours but also extend it to asphalt production which is carried out in the central area adjacent to the concrete processing plant.

I note from the noise monitoring points at sensitive receptors that the plant operation in the central quarry scores the lowest in terms of LAeq level. I also note that the area is characterised by extensive heavy industry /industrial zoning in the current plan. In this context and having regard to the site size I consider there is some scope for a modest extension in hours. I would further point out that there is a shift towards a longer working day and more segregation/ restriction of heavy goods vehicle through the city since the guidelines for planning authorities in 2004 and there is I consider a need for more flexibility to accommodate these patterns. Extending hours for deliveries and asphalt/cement production is in keeping with these trends, although it is predicated on operating at an acceptable noise level. The applicant does not explain what is meant by processing in the proposed condition. It could in fact include primary crushing and screening on the quarry floor. Ultimately it is about controlling noise to within reasonable levels. While the principal of a moderate extension in hours is acceptable the detailed nature and extent of activities should be a matter for monitoring in an EMS in the context of changing technologies and standards. Accordingly an extension of hours in tandem with a condition requiring and specifying the terms of an EMS is appropriate.

#### **16.7 Condition 14 (cleaning of public roads)**

The applicant requests that this condition be amended to omit the '*at least once a week*' requirement having regard to the relocation of the entrance whereby there are now no residential dwellings opposite the entrance and there are wheel washing requirements which will reduce dust generation. The applicant makes the case that the road and footpaths in the immediate vicinity of the site entrance be cleaned on an '*as needed*' basis only.

The planning authority however considers that having regard to the nature of the facility, the quantum of material being moved and the traffic generation that it is reasonable that the applicant keeps the area within the vicinity of the site clean.

Road Sweeping is an important mitigation measure in terms of dust control and visual amenity. I note in the inert waste recovery facility licence application, periodic sweeping is an integral part of it and it is stated that '*The amount of mud carried onto the public road network is further reduced by periodic sweeping of the paved internal access road and the existing local road in front of the site*'. To relax the condition may be warranted or may be a retrograde step and to attach a condition so that it reflects the particular needs of the day is I consider at a level of micro-management inappropriate for a planning condition and enforcement. Ideally this is something that needs to be subject to ongoing management and monitoring as part of an EMS such that it can be appropriate to weather, traffic or other unforeseeable circumstances.

On balance I consider the condition of the planning authority should be attached and amended to take account of the new entrance and in tandem, this matter should also be subject of an EMS.

#### **16.8 Condition 15 (dust control)**

The applicant seeks the removal of the requirement to sheet quarried/dust producing loads having regard to the success of the overhead spray bar dust

suppression system through which all laden heavy goods vehicles pass. This condition was previously amended for the F03A/1430 permission by a later application Fw09A/099. A condition is proposed to the effect that HGVs transporting fine aggregate products off-site shall be dampened down using overhead spray bar dust suppression system prior to leaving the quarry.

I note that on page 11 of the EPA Environmental Management Guidelines it is recommended that that an extensive range of measures will be taken to minimise wind blown dust. In addition to controlling source at quarrying processing stage it recommends to

- Use water bowsers, sprays and vapour mists
- Spray exposed surfaces (roads stockpiles)
- Provide vehicle wheel washing facilities
- **Use covered (closed or sheeted) vehicles, or spraying for the transport of fine materials.**

Page 14 of the planning guidelines (2004) state *'wheel washing of vehicle leaving the site covering of fine loads or spraying of loads prior to exiting the site and if necessary cleaning the public roads in the vicinity of the entrance.'* However the guidelines state that best practice dust control measures should be proposed by the applicant and that these and any other special additional matters deemed necessary by the planning authority should be specifically referred to in a planning condition. In this regard I note that the decision in the case of FW09A/0099 which permits spraying as an alternative is very specific in its conditions

*'Vehicles carrying material should damp down dry or dusty material following collection and prior to transport and/or should provide suitable covering to avoid nuisance being created...*

*Any vehicle carrying quarried material that does not have a suitable covering and is damped down shall carry a level load only...*

*The methods employed should prevent the deposit of material on the public road during its collections and transportation to and from the site'*

This latitude has now effectively been revoked by condition 15.

Having regard to the guidelines which recommend an either or option but defers to the planning authority requirements, I consider it appropriate to permit the option but that this be subject to ongoing review in an EMS. This I consider would be an appropriate means to address ongoing issues in relation to haul load management and road safety and maintenance and concerns of the planning authority.

#### **16.9 Condition 21 (€500,000 s.48 (2)(c) contribution towards roads)**

The applicant makes the case that this condition should be omitted as:

- There is no basis for it in the Transportation Planning section report.
- There are no details in the manager's order to support the level of contribution.
- No provision of itemised breakdown.
- The applicant has paid a significant contribution towards these roads. Contribution under F03A/1430 included €500000 which continues to be paid on a phased basis in addition to once off payment of €132000 towards water.

- No significant road works have been carried out on either the Kilshane Road or North Road other than those specific to the N2 dual carriage way and link roads which would have been financed by the NRA. In relation to the €500,000 special financial contribution towards roads it is explained that the senior executive engineer in Roads Maintenance advised that in the past a levy of €1 per tonne of excavation /deposited material per year is a reasonable contribution for the additional damage caused by HGVs. This has applied to quarried and landfill sites. This was applied to Murphy's quarry in Hollywood. It is further explained that the damage to road pavements is exponentially related to axle loadings. For this application the average HGV with 4.75 tonnes per axle would cause as much damage to a road pavement as 3000 cars with .75 axles. While the applicant is proposing extraction of 1,000,000 tonnes per year the special contribution was drastically reduced as the site entrance is close to the national road and the maintenance of the road is covered by general taxation.

Guidance on the application of a special contribution is provided in the Development Contributions Draft Guidelines for Planning Authorities, Department of the Environment, Community and Local Government. The Department Circular PD 5/2007 refers to section 48 development contribution schemes and the need for transparency and advises that *'However, the issue of transparency is also important in relation to the extent to which linkages between the revenues collected and the infrastructure projects funded from those revenues are demonstrated. Developers should reasonably expect to be able identify the infrastructural gain to which their contribution has been put. This is an essential element not only in terms of transparency, but also in terms of garnering support for the entire mechanism'*.

I note the main site entrance is located on the R135, the North Road - a regional road in an urban area. There is a second access on a busy local road- Kilshane Road - and this is for emergency use only as clarified in further information. Traffic exiting the main site entrance travelling to the western suburbs is likely to use this road. The proposed development including extraction of 1million cubic metres of aggregate in addition to the co-located production plant and backfilling will generate significant volumes of traffic of a nature and scale that will contribute to substantial wear and tear of the local road network in the care of the local authority. Page 36 section 4.7(j) of the guidelines refers to special contributions: 'In certain cases the additional traffic particularly in terms of HGV generated by the proposed quarry may result in additional expenditure by the planning authority on the surrounding road network including additional maintenance costs'. Accordingly I consider the principle of seeking a special contribution towards the upkeep and maintenance of the local road network to be wholly reasonable and in line with national policy. The planning authority's proportionate application of a rate based on tonnage and traffic volume is I consider a reasonable basis to apportion cost and its explanation is also reasonable. I note account is taken of the realigned N2 and improved access to the national road network. As this permission relates to 20 years I also note that this is proportionately significantly less than that sought for in the previous 10 year permission.

One of the main grounds for objecting to the contribution is that the applicant is not satisfied that the planning authority has used the previous paid contribution for the purposes for which it was sought and the Board is requested to seek further details of specific works and costs. I note in the

previous appeal that the planning authority costed the resurfacing of the N2 and the Kilshane Road in conjunction with minor improvements and upkeep at €500,000. While it may or may not be the case that the planning authority has carried out or intends to carry out works on foot of that contribution I consider this is a separate matter and recourse is provided for in the Act in that it expressly provides for reimbursement (12) *Where payment of a special contribution is required in accordance with subsection (2) (c), the following provisions shall apply—*

(a) *the condition shall specify the particular works carried out, or proposed to be carried out, by any local authority to which the contribution relates,*

(b) *where the works in question—*

(i) *are not commenced within 5 years of the date of payment to the authority of the contribution,*

(ii) *have commenced, but have not been completed within 7 years of the date of payment to the authority of the contribution, or*

(iii) *where the local authority decides not to proceed with the proposed works or part thereof.*

*the contribution shall, subject to paragraph (c), be refunded to the applicant together with any interest that may have accrued over the period while held by the local authority,*

Accordingly I consider it appropriate to attach condition 21.

#### **16.10 Condition 22 (contribution for community gain)**

The applicant makes the case that there is no basis for this community gain condition in the development contribution scheme. It is also pointed out that the applicant is part of CRH which acts in a socially responsible manner and has contributed €2.9m to the Simon community over 4 years (2007-2011). The applicant further argues that the concept of a community gain condition is only applicable to waste facilities.

The planning authority however considers that a general mitigation by the creation of a community gain fund proportionate to the tonnage is in line with national policy and has been used it is explained in waste management developments to support community initiatives. The planning authority considers this reasonable given the long established quarry operations and impacts on the local community.

The concept of a specific 'community gain' condition is relatively new in Irish Planning law – being provided for in the strategic infrastructure applications (s.37 (G)(7)(d)(ii). It is not specifically mentioned in section 34. This does not necessarily preclude its application. I also note that the restoration phase of the quarry is effectively a form of waste management. S.2.69 of the EIS states *'the backfilling of the ultimate quarry voids will be through the importation of inert soils and stone which is deemed to constitute inert waste recovery through deposition.... These recovery operations will be through the issuing of a waste licence from the EPA.'* In this context in line with national policy I consider the application of such a condition is feasible. The attachment of special contribution towards a specific project would also be

feasible. This would have the benefit to the applicant of being a more transparent means of application or recourse for reimbursement. While there are mechanisms for this to be feasible, the question is – is it reasonable?

I consider the community (residential and commercial) interests are best served by the more immediate access to monitoring data and to such that is independently audited. The planning authority has not availed of applying a special contribution towards monitoring despite the provision for such in section 4.7(j) of the planning guidelines (2004) – ‘*a contribution may be required towards the cost of local authority inspections and monitoring*’. Section 48 (2) (C) is seen as the means to levy this cost. I am of the opinion that a contribution towards such monitoring and data provision is appropriate. As already stated in relation to my assessment of the foregoing conditions regarding water supply, dust control and road cleaning I consider these among other sources of environmental nuisance are best managed by a combination of comprehensive EMS and independent audit that is readily accessible to the public. I consider the funds are best employed in this way and the principle of seeking a contribution for such is expressly recommended in the guidelines. Given the burden of duty and costs in implementing this system which will be borne by both the developer and the planning authority I consider it reasonable to revert half of the amount to the applicant while the planning authority retain the other half toward its costs. This I consider is best as a special contribution and in this context the planning authority is still required to demonstrate the use of such funds.

This condition should therefore be amended to a rate of €0 .05 a tonne and in accordance with section 48(c). The applicant will then have recourse to seek a refund where appropriate.

#### 16.11 Other conditions

In light of the review of the foregoing conditions I consider it appropriate to specify the requirement of an EMS and Environmental Audit which will give context to and facilitate implementation of the conditions as amended and are therefore an integral element of these conditions as reviewed. They provide a degree of flexibility that is I consider appropriate to a 20 year permission and are in line with best practice. This will facilitate the developer, the planning authority and the local community in achieving the proper planning and sustainable development of the area. This is in accordance with section 139 which permits, the Board, in its absolute discretion, to give to the relevant planning authority such directions as it considers appropriate relating to the **attachment**, amendment or removal by that authority either of the condition or conditions to which the appeal relates or **of other conditions**.

### 17 RECOMMENDATION

I recommend that the Board consider this appeal pursuant to Section 139 of the Act, and that the Planning Authority be directed to:-

Omit condition 5, amend conditions 6, 8, 11, 12, 15, 22 and attach conditions 14 and 21 and attach other conditions so that they read as set out below. Condition 21 and other conditions could be numbered 21 (i), (ii) and (iii)



6. Vibration levels from blasting shall not exceed a peak velocity of 12 millimetres per second, when measured in any three mutually orthogonal directions at any sensitive location. The peak particle velocity relates to low frequency vibration of less than 40 hertz where blasting occurs no more than once in seven continuous days. Where blasting operations are more frequent, the peak particle velocity limit is reduced to 8 millimetres per second. Blasting shall not give rise to air pressure values at sensitive locations which are in excess of 125 dB (linear maximum peak value), with a 95% confidence limit. No individual air pressure value shall exceed the limit value by more than 5dB(L<sub>m</sub>)

Reason: In the interest of maintaining the amenity of adjoining landowners.

- 8(iii) The operator shall ensure that the development does not affect or cause deterioration in water quality, water levels or yields in operational wells in the vicinity of quarry. In the event of quarrying activities having a proven adverse impact on private wells in the vicinity, the operator shall undertake appropriate remedial measures as agreed with the planning authority, at the expense of the operator. In the event of any disruption of water supplies, the quarry operator shall cease any operation causing such disruption in a manner as agreed with the planning authority until water supply has been restored or replaced.

Reason: In the interest of public health

- 11 At least 24 hours advance notice of each blasting operation to be carried out shall be given to occupants of residential properties and industrial/commercial premises within a 500 metre radius of the quarry pit perimeter as delineated in the submitted plans (Figure AI 1-1). Further warning by way of a siren shall also be given not later than 30 minutes prior to each detonation. The developer shall employ best available technology not entailing excessive cost in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting.

Within two months of the date of this permission the applicant shall submit an up to date map delineating the 500m radial catchment for each quarry pit based on the pit delineation of Figure 1-2 in the EIS.

Reason: In the interest of public safety and protection of amenities of the surrounding properties.

- 12 The operational hours of the development shall be as follows:
- Processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar and asphalt shall be between the 0600 hours and 2000 hours Monday to Friday and 0700 and 1800 hours on Saturdays.
  - All other quarry operations (except blasting) shall be between 0700 hours and 1800 hrs Monday to Saturday.
  - Blasting operation shall be only between 1000hrs and 1600hours Monday to Friday.
  - No operation of any kind on Sundays or Public Holidays.

Reason: In the interest of protecting the amenities of the area

- 14 All public roads and footpaths immediately adjoining the site entrances shall be cleaned at regular intervals not less than once per week to the satisfaction of the planning authority unless otherwise agreed as part of the Environmental Monitoring System.

Reason: In the interest of road safety and to protect the amenities of the area.

- 15 All vehicles carrying quarried material or other dust producing materials to or from the site shall be sprayed and /or sheeted in accordance with best practice as agreed as part of the Environmental Monitoring System.

Reason: In the interest of traffic safety and amenity.

22. The developer shall pay the sum of €0.05 (five cent) per extracted tonne (updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000 in respect of on-going monitoring and associated community facilities. This contribution shall be paid prior in such phased payments as the planning authority may facilitate. The application of indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine.

**Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

- 23 Within three months from the date of this order the developer shall submit to the planning authority for written agreement a proposal for an Environmental Management System (EMS) for the facility which shall have regard to Appendix C of the Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-Scheduled Minerals), Environmental Protection Agency 2005. The Environmental Management System shall include the following:

- (a) Monitoring of groundwater and surface water levels, quality and discharges.
- (b) Monitoring of dust and noise at the application site boundaries/sensitive receptors.
- (c) Monitoring of dust/debris deposition, haul load management and cleaning schedule on the surrounding road network in the vicinity of the entrances
- (d) Monitoring of bird control as a potential hazard to aircraft
- (e) Full details of site manager, contact numbers (including out of hours) and public information signs on the entrance to the facility
- (f) Proposals for refuelling of plant/machinery including emergency action in the event of accidental spillage.

Monitoring and frequency of reports shall be in accordance with the requirements of the planning authority and an annual Environmental Report showing detailed results of all monitoring shall be submitted to the planning authority each year.

Reason: In the interest of orderly development, public safety and to safeguard local amenities.

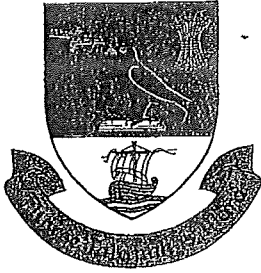
- 24 On an annual basis, for the lifetime of the facility (before the 1<sup>st</sup> day of March every year) the developer shall submit to the planning authority five copies of an environmental audit. Independent environmental auditors approved in writing by the planning authority shall carry out this audit. This audit shall be carried out at the expense of the developer and made available to the public for inspection at all reasonable hours at a location to be agreed with the planning authority. This report shall contain.
- (a) A record of groundwater levels measured at monthly intervals
  - (b) A full record of all monitoring result over the previous year for noise, dust and water quality monitoring.
  - (c) A written record of all complaints, including actions taken on each complaint.
  - (d) A review of the Environmental Management System performance and update of associated performance targets.
- Incidents of surface or groundwater pollution or incidents that may result in groundwater pollution shall be notified to the planning authority within seven working days.

Reason: In the interest of environmental protection and of safeguarding local amenities.

**Suzanne Kehely**  
**Senior Planning Inspector**  
**24<sup>th</sup> June 2013**

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Reg. Ref.: F03A/1430



## Comhairle Contae Fhine Gall

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PLANNING DEPARTMENT

### Development

The continuation of extraction, crushing, screening and processing of rock (authorised by Reg. Ref. No. F93A/1134), from the northern, central, western and southern deposits for 20 years (c.57.5ha. total extractive area in a c. 205 ha. overall site); the continuance indefinitely of all authorised crushing, screening and processing plant, block manufacturing plant (2,452 sq.m.) block yard

(17.2 ha.), paving display area (636 sq.m.), paving centre (180 sq.m.), machinery maintenance building (1,456 sq.m.), offices (174 sq.m.), staff facilities (48 sq.m.), laboratory (68 sq.m.), concrete batching plant, semi-mobile concrete batching plant, asphalt plant, weightbridge, 2 no. truck wash bays, 4 no. security huts, Bord na Mona moving bed biological reactor and percolation area, stockpiles and all ancillary buildings, plant and facilities for the production of building products including aggregates, ready made concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works; progressive restoration of the worked out extractive areas including for 5 years after the cessation of quarrying; and for the retention of plant storage yard (site area c.1.74 ha.), 22 no. stables (394 sq.m.) and horse exercise paddock (site area c. 1.86 ha.). Existing access will continue at the N2 North Road and Kilshane Road. This application is accompanied by an Environmental Impact Statement. This development is in the townlands of Coldwinters, Kilshane, Huntstown, Johnstown, Grange and Cappogue.

### Location

Huntstown Quarry, Finglas, Co. Dublin

### Floor Area

575000 Sq Metres

### Time extension(s) up to and including

**Additional Information Requested / Received** 13-Feb-2004 / 20-Feb-2004

In pursuance of its functions under the above mentioned Acts, as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION & GRANT RETENTION** in respect of the above proposal.

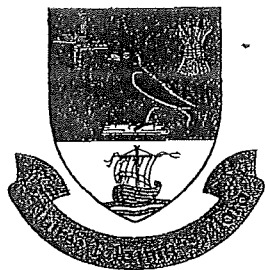
Subject to the (25) conditions on the attached Pages.

Signed on behalf of the Fingal County Council

*C Bedford*

16 March, 2004.

Reg. Ref.: F03A/1430



## *Comhairle Contae Fhine Gall*

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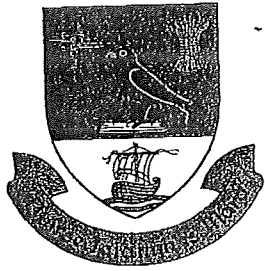
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**PLANNING DEPARTMENT**

for Senior Executive Officer

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Reg. Ref.: F03A/1430



## Comhairle Contae Fhine Gall

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PLANNING DEPARTMENT

### Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged on 13/11/03 under Reg. Ref. F93A/1134, and the additional information submitted 13/01/04, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

3. That the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of health.

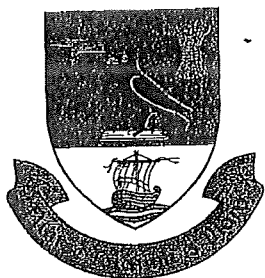
4. This decision permits the developer/operator to continue quarrying/extraction and processing operations on the site for a period of ten years from the date of this decision and a further five years for restoration works. The existing buildings, hardstanding areas and plant machinery shall be permitted for the 'lifespan' of quarrying/extraction operations. After that time, all quarrying/extraction works shall cease and all buildings, plant and machinery shall be removed from the site unless a further grant of planning permission is obtained from the planning authority or from An Bord Pleanála on appeal.

REASON: In the interest of proper planning and sustainable development of the area.

5. Notwithstanding the above condition, the applicant shall strictly accord with the proposed or anticipated quarrying phasing/sequencing programme as per Appendix D of the response to the Additional Information request, (from Kieran O'Malley & Co. Ltd, letter dated 20/02/04). In this regard, no quarrying of the western quarry shall take place until all extraction works have ceased, has been exhausted in the northern quarry; and no quarrying of the revised central quarry shall commence until all extraction works have ceased, has been exhausted in the western quarry.

REASON: In the interest of proper planning and sustainable development of the area

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## Comhairle Contae Fhine Gall

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Sord, Contae Átha Cliath.

## Fingal County Council

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6. Total dust emissions arising from the on site operations associated with the proposed development shall not exceed 100mg/square metre/day, averaged over a continuous period of 30 days, when measured as a deposition of insoluble particulate matters at any point along the boundaries of the site.

REASON: To protect the amenities of adjoining properties

7. At least 24hours advance notice of each blasting operation to be carried out shall be given to occupants of residential properties, and industrial and business park occupants of land within a 500metre radius of the site boundaries. Further warning by way of siren shall also be given not later than 30 minutes prior to each detonation. The developer shall employ the best available technology, not entailing excessive cost, in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting.

REASON: In the interest of public safety and the amenities of surrounding properties.

8. The air over pressure arising from any blast carried out at the quarry shall when measured outside the nearest inhabited house and business/industrial park unit not exceed 125dB (linear) pressure at frequencies of 2 Hertz or over.

The transmitted ground vibrations arising from any blast carried out, when measured, at the foundations of the nearest dwelling house and industrial/business park unit to the site, shall not exceed a peak particle velocity of 8mm/second in any one of three mutually orthogonal planes.

REASON: To protect the amenities of property in the vicinity of the site.

9. During the operation and restoration phase of the quarries, the noise level from the operations measured at the boundaries of the respective quarry shall not exceed

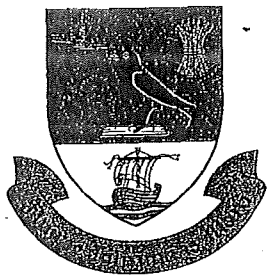
(a) an Laeq T value of 55dB(A) during the period of 0800hrs to 1800hrs Monday to Saturday;

(b) an Laeq T value of 45dB(A) at any other time.

All sound measurements shall be carried out in accordance to ISO Recommendations 1996 (assessment of noise with respect to community response) as amended by ISO Recommendations 1996/1, 2 and 3 (description and measurement of environmental noise) as appropriate.

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to the specification and at all times the best available technology, not

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entailing excessive cost, shall be employed to prevent or counteract the effects of noise emitted by vehicles, plant, machinery or otherwise arising from the quarrying activities.

REASON: To protect the amenities of properties in the vicinity of the site.

10. Monitoring arrangements relating to the requirements regarding noise and dust attenuation, blasting and the structural condition of nearby properties shall be submitted to and agreed in writing with the Planning Authority. The monitoring Data shall be submitted to the Planning Authority at regular intervals and shall be available for public inspections at the planning authority offices and at the site office. The monitoring arrangement shall be open for annual review and alterations at the discretion of the Planning Authority. All costs relating to monitoring shall be borne by the developers.

REASON: To provide for a satisfactory standard of development and protect the amenities of property in the vicinity of the site.

11. The operational hours of the quarry shall be between 0800 and 1800 hours Monday to Saturday. Blasting operations shall take place only between 1000 and 1600 Monday to Friday. No operation of any kind shall be carried out on Sundays or public holidays.

REASON: In the interest of protecting the amenities of the area.

12. Prior to the commencement of development the applicant shall enter into a formal agreement with the Planning Authority to agree measures to be put in place with regard to the carrying out of blasting on site and ameliorative measures for minimising bird attraction to the site. The agreement shall include

(a) a prohibition on any blast detonations being carried out within 200metres of any residential dwelling or industrial/business park unit,

(b) a schedule of proposed blasting operations at the quarry to be submitted to the Irish Aviation Authority and the air traffic control at Dublin Airport,

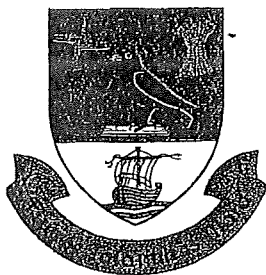
(c) details of communication measures to be undertaken between the quarry operators and the air traffic control

REASON: To ensure that the proposed development shall not prejudice air traffic safety.

13. Appropriate measures shall be taken by the developer at all times to ensure the security of the site. In particular notices shall be erected at prominent positions along the boundaries of the site alerting the general public to the danger of the quarry, associated



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plant and machinery.

REASON: In the interest of public safety.

14. All vehicles carrying quarried or other dust producing materials to or from the site shall be securely sheeted.

REASON: To protect the amenities of the area

15. The developer shall facilitate the planning authority in preserving, recording or otherwise protecting archaeological materials or features that may exist within the site. In this regard, the developer shall

(a) notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geo-technical investigation) relating to the proposed development

(b) employ a suitably qualified archaeologist who shall monitor all site investigations and other extraction works, and

(c) provide satisfactory arrangements for the recording and removal of any archaeological material which may be considered appropriate to remove.

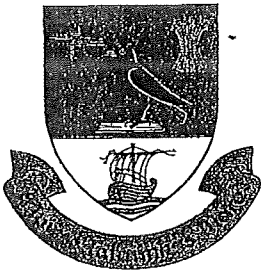
REASON: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains that may exist within the site.

16. Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highways caused by vehicles visiting and leaving the site. Any accidental deposition shall be immediately removed by the operator to the satisfaction of the Planning Authority. In the event that mud/dust is being carried onto the adjoining public highway from vehicles visiting and leaving the site, then the operators shall install and thereafter utilise as appropriate, wheel washing facilities on the site for the duration of the operation. Should such equipment prove necessary, then prior to its installation on site, full details of its specification and siting shall be first agreed with the Planning Authority.

REASON: In the interest of road safety and the general amenity of the area.

17. Notwithstanding the above, all public roads and footpaths immediately adjoining the site entrances shall be cleaned at regular intervals, not less than once per week to the satisfaction of the Planning Authority. The applicant/developer shall pay particular

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attention to the North Rd entrance and residential dwellings opposite.

REASON: In the interest of road safety and the general amenity of the area.

18. That the following requirements of the Water Services Department shall be strictly adhered to:

### Foul Sewer

(a) The applicant shall within 6 months of the date of grant of planning permission, submit details of the on-site water treatment plant demonstrating adequate capacity to cater for for expected loadings in compliance with the requirements of the Water Services Department, Fingal County Council.

### Surface Water

(a) All storage tank areas shall be rendered impermeable to the materials stored therein. In addition, storage tank areas shall be bunded either locally or remotely to a volume of 110% of the largest tank within each individual bunded area. Drainage from bunded areas shall be diverted for collection and safe disposal.

(b) The applicant shall within 6 months of the date of grant of permission, submit details confirming that all remedial works proposed in the Nutrient Management Plan has been carried out. Notwithstanding the above, the applicant shall comply with all the requirements of the submitted Nutrient Management Plan for the stables site.

### Water Supply

(a) The applicant shall provide a 'magflow' bulk water meter at his own expense at an agreed location, to regularise the supply of water to this development. To be wired for connection to the telemetry system

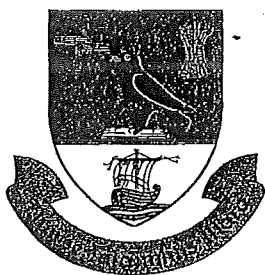
(b) The applicant is to provide for 24hour water storage to ensure a continuation of water supply.

(c) All water fittings and installations shall incorporate best current practices in water conservation.

(d) To protect the public water supply, no cross-connection between a private water supply and a public water supply to be constructed.

(e) The applicant shall within 6 months of the date of grant of permission, submit details for the written approval from the Water Services Department of their policy with regard to re-use of water. The applicant shall demonstrate that they are maximising the re-use of water from the settling pond for production water requirements. Notwithstanding the

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above, the applicant shall not increase water usage above current levels of 50cubic metres/day average consumption without prior written approval of the Water Services Department.

REASON: In the interests of public health.

19. The applicant shall submit details for the written approval of the Planning Department, a scheme of restoration of each extraction area, three years prior to the cessation of quarrying operations in that particular extraction area. The scheme shall include the detailed restoration of the land for the purposes of agriculture, recreation or other such appropriate purposes, the making safe of the worked out extraction area and the removal of all plant and structures from it, together with a programme for implementation. This restoration scheme shall be prepared in consultation with the Parks Division, Aer Rianta, Dublin Airport Bird Hazard Committee and the Irish Aviation Authority.

REASON: In the interest of proper planning and sustainable development of the area.

20. The applicant shall within 6 months of the date of grant of planning permission, submit details of a management protection plan for the 'orchid stand' and 'wetland' area. This shall include detailed protection measures during and after quarrying operations.

REASON: In order to preserve these ecologically important habitats.

21. No further works to be carried out to the wildlife area on top of the 'spoilheap' northwest of the central quarry, east of the western quarry, without prior written agreement of the Planning Authority.

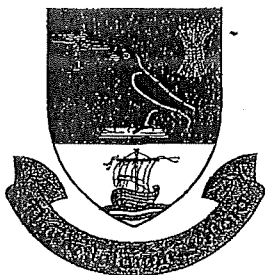
REASON: In order to reserve this spoil for future infilling of quarries.

22. In order to ensure regular monitoring of the areas of ecological interest and evaluate the impact of the quarrying operations on these sites, the applicant should be conditioned to submit for the written agreement of the Planning Authority an ecological monitoring program for the lands in its ownership. The said program shall be submitted within 6 months of the date of grant of planning permission.

REASON: In order to preserve these ecologically important habitats, In the interest of proper planning and sustainable development of the area.

23. Prior to the cessation of quarrying in the northern quarry, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company or other form of security (to be agreed with the Planning Authority) to secure the provision and satisfactory implementation of permanent/pumping/de-watering of the worked out

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PLANNING DEPARTMENT

extractive void pending the completion of reinstatement works to fill the extracted areas with inert material. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or in default of agreement, shall be determined by An Bord Pleanála

REASON: In the interest of proper planning and sustainable development of the area.

24. Prior to the commencement of development, the applicant/developer shall pay a financial contribution of €132,250 updated in accordance with the Wholesale Price Index- Building and Construction (Capital Goods), as published by the Central Statistics Office to the value pertaining at the time of payment, to Fingal County Council towards the costs of water provision, calculated for the North Fringe Water Main related to the average water consumption for the development.

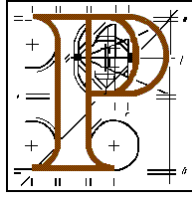
REASON: The provision of such services will facilitate the proposed development and it is considered reasonable that the developer should contribute towards the cost of providing same.

25. A financial contribution in the sum of €500,000 as on the date of this permission, updated in accordance with the Wholesale Price Index - Building and Construction (Capital Goods) as published by the Central Statistics Office to the Value pertaining at the time of payment shall be paid by the developer to Fingal County Council towards the costs of road improvements and traffic management proposals in the area serving this site, in particular towards Kilshane Road and the existing N2 (Old Road) upgrading. This contribution to be paid before the commencement of development on the site.

REASON: The improvements will facilitate the proposed development. It is considered reasonable that the developer contributes towards the cost of these improvements.

**NOTE: A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000.**

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

## Fingal County

**Planning Register Reference Number: F03A/1430**

An Bord Pleanála Reference Number: PL 06F.206789

**APPEAL** by Roadstone Dublin Limited care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 16<sup>th</sup> day of March, 2004 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Continuation of extraction, crushing, screening and processing of rock (authorised by planning register reference number F93A/1134) from the northern, central, western and southern deposits for 20 years (circa 57.5 hectares total extractive area in a circa 205 hectare overall site); the continuance indefinitely of all authorised crushing, screening and processing plant, block manufacturing plant (2,452 square metres), block yard (17.2 hectares), paving display area (636 square metres), paving centre (180 square metres), machinery maintenance building (1,456 square metres), offices (174 square metres), staff facilities (48 square metres), laboratory (68 square metres), concrete batching plant, semi-mobile concrete batching plant, asphalt plant, weighbridge, two number truck wash bays, four number security huts, Bord na Mona moving bed biological reactor and percolation area, stockpiles and all ancillary buildings, plant and facilities for the production of building products including aggregates, ready-made concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works; progressive restoration of the worked out extractive areas including for five years after the cessation of quarrying; and for the retention of plant storage yard (site area circa 1.74 hectares), 22 number stables (394 square metres) and horse exercise paddock (site area circa 1.86 hectares) at Huntstown quarry in the townlands of Coldwinters, Kilshane, Huntstown, Johnstown, Grange and Cappoge, Finglas, County Dublin. Existing access will continue at the N2 North Road and Kilshane Road.

## DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH conditions numbers 4, 6 and 25 and the reasons therefor, to REMOVE condition number 12(a) and the reason therefor and to AMEND conditions numbers 8, 11 and 24 so that they shall be as follows for the reasons set out.

8. (1) The air over pressure arising from any blast carried out at the quarry shall, when measured outside the nearest inhabited house and business/industrial park unit, not exceed 125 dB (linear) pressure at frequencies of two Hertz or over.
- (2) The transmitted ground vibrations arising from any blast carried out at the Western Quarry, when measured, at the foundations of the nearest dwellinghouse and industrial/business park unit to the site, shall not exceed a peak particle velocity of eight millimetres per second in any one of three mutually orthogonal planes.
- (3) The transmitted ground vibrations arising from any blast carried out at the Northern, Central or Southern Quarries, when measured at the foundations of the nearest dwellinghouse and industrial/business park unit to the site, shall not exceed a peak particle velocity of twelve millimetres per second in any one of three mutually orthogonal planes.

**Reason:** To protect the amenities of property in the vicinity of the site.

11. The operational hours of the development, including all quarrying and all processing operations, shall be between 0700 hours and 1800 hours, Monday to Saturday. Blasting operations shall take place only between 1000 hours and 1600 hours Monday to Friday. No operation of any kind shall be carried out on Sundays or public holidays.

**Reason:** In the interest of protecting the amenities of the area.

24. The developer shall pay to the planning authority a financial contribution of €132,250 (one hundred and thirty-two thousand two hundred and fifty euro) in respect of water provision (calculated for the North Fringe Water Main related on the average water consumption for the development) benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000.

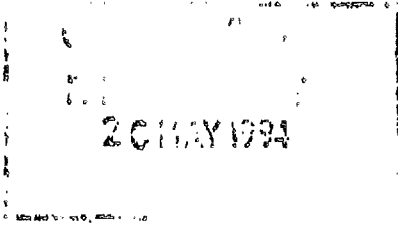
**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2004.**

Our Ref: PL 06F.092622  
P.A.Reg.Ref: 93A/1134  
YOUR Ref: Roadstone Dub. Ltd.



Kiaran O'Malley & Company Ltd.,  
St. Heliers,  
Stillorgan Park,  
Blackrock,  
Co. Dublin.

Date: 19 MAY 1994

Appeal Re: RETAIN PLANT BUILDINGS SERVICES  
& ANCILLARY DEVELOPMENT, QUARRY  
200 HECTARE SITE, HUNTSTOWN  
QUARRY, FINGLAS, DUBLIN 11

Dear Sirs,

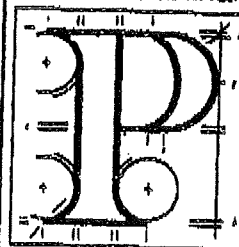
An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Local Government (Planning and Development) Acts, 1963 to 1993. A copy of the order is enclosed.

Yours faithfully,

Marie Kennedy  
Encl:

NA 102

An Bord Pleanála



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Irish Life Centre  
Lower Abbey Street  
Dublin 1  
tel (01) 872 8011

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PL 06F.092622

20 MAY 1994

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993County FingalPlanning Register Reference Number: 93A/1134

APPEAL by Shane Connaughton of "Conmoy", Kilshane, Finglas, Dublin and by Roadstone Dublin Limited care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 13th day of December, 1993 by the Council of the County of Dublin to grant subject to conditions a permission to the said Roadstone Dublin Limited to retain indefinitely all existing plant, buildings, services and ancillary development (including concrete plant, macadam plant, stone plant and block plant) as previously approved (under planning register reference number WA 2282) and permission to quarry northern, western and central limestone deposit as previously approved (under planning register reference number WA 2282) and southern deposit at their 200 hectare Huntstown Quarry in the townlands of Huntstown, Grange, Cappogh, Coldwinters, Johnstown and Kilshane, Finglas, County Dublin in accordance with plans and particulars lodged with the said Council.

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission to retain indefinitely the said plants, buildings, services and ancillary development as previously approved and permission to quarry the said northern, western and central limestone deposit as previously approved and southern deposit at their 200 hectare Huntstown Quarry in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the planning history of the site, it is considered that, subject to compliance with the conditions set out in the Second Schedule hereto, the proposed development would not seriously injure the amenities or depreciate the value of property in the vicinity and would, therefore, be in accordance with the proper planning and development of the area.

PL 06F.092622

SECOND SCHEDULE

*Autonomous Application*

1. No development shall take place in the area outlined on the submitted drawings as the western quarry area without a grant of approval by the planning authority or by An Bord Pleanála. Any submission for such approval shall provide details of how this particular western area may be quarried without detriment to the operations of the existing high technology manufacturing industries located in the vicinity, and without detriment to the operations of any future industrial development on the lands zoned for that purpose immediately west of the appeal site.

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

2. All extractive and processing operations on the site shall cease not later than ten years from the date of this order. All buildings, plant and machinery shall be removed from the site and all reclamation/restoration works shall be completed by the 1st day of June, 2007 unless a further grant of planning permission is obtained from the planning authority or from An Bord Pleanála on appeal.

Reason: To facilitate review of the situation at that time, having regard to the proper planning and development of the area.

3. If, within the period during which this permission will have effect, the planning authority consider it necessary that a grade separated entrance from the N2 should be constructed to serve the quarry complex, the developer shall be responsible for its construction in accordance with the detailed requirements of the planning authority. If the grade separated entrance has to be constructed by the planning authority, the developer shall be responsible for payment of the cost involved to the planning authority. In that event, the amount to be paid and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be as determined by An Bord Pleanála.

Reason: To ensure that access arrangements are improved, if traffic conditions so require.

\* The developer shall furnish details to the planning authority from time to time, as requested by the planning authority, of the number and type of vehicles using the N2 access and the Kilshane Road access each day.

Reason: To allow the planning authority to monitor the traffic situation in the interest of the proper planning and development of the area.

00.

PL 06P.092622

20 MAY 1994

SECOND SCHEDULE (CONTD.)

5. <sup>50</sup>  
*done*  
*Co. C. Dev. Plan*  
*£10,000*

The developer shall pay a sum of money to Fingal County Council as a contribution towards the expenditure that is proposed to be incurred by the said Council in respect of works (comprising road improvement works) facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed upon between the developer and the Council or, in default of agreement, shall be as determined by An Bord Pleanála.

*Discussion with Roads Dept. Write to Planning Dept.*

The requirement to pay this contribution is subject to the stipulations set out in sub-paragraphs (i), (ii) and (iii) of section 26 (2)(h) of the Local Government (Planning and Development) Act, 1963 and for the purposes of the said sub-paragraphs (i) and (ii) the specified period shall be the period of 7 years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure proposed to be incurred by the Council in respect of works facilitating the proposed development.

*S.B. deal with 6/11/95*

\*  
 Effective measures shall be taken by the developer to prevent the deposition of mud, dust and other materials on the adjoining public highways caused by vehicles leaving the site. In this regard, detailed proposals for wheel washing facilities in the site and for the spraying of water onto road surfaces shall be submitted to the planning authority for agreement and shall be implemented by the developer, as required by the planning authority.

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

7. At least 24 hours advance notice of each blasting operation to be carried out shall be given to the occupants of lands adjoining the site and to the occupants of the Ballycoolin Business Park (IDA/Forfas). Blasting shall be limited to between 0800 hours and 1900 hours. The developer shall employ the best available technology not entailing excessive cost in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting.

*With it to be reqd. by neighbours*

Reason: In the interest of public safety and amenity of nearby property.

*E. etc.*

8. The transmitted ground vibration arising from any blast carried out on the site shall, when measured at that inhabited house or industrial property nearest the location of the blast (whichever is nearer), not exceed a peak particle velocity of 8 millimetres per second in any one of three mutually orthogonal planes.

*Make proposal to be C.*

BATWA

Reason: To protect the amenity of nearby properties.

*Principal Offices - Planning Dept.  
 Attn. Also Danny O'Connell  
 Ditto Nos 9 & No 10.*

*@ 30/8/1994*

PL 05F.092622

SECOND SCHEDULE (CONTD.)

9. *E.O.K.* The dust outfall measured at any point on the site boundary shall not exceed 100 milligrammes per square metre per day averaged over 30 days.

Reason: To protect the amenity of nearby property.

10. *E.O.K.* The noise level due to the development shall not exceed an equivalent continuous sound level Leq of 55 dB(A) over the period 0800 hours to 2000 hours or 35 dB(A) over the period 2000 hours to 0800 hours, when measured at the boundary of the site in accordance with ISO Recommendations.

Reason: To protect the amenity of nearby property.

11. *dealt with NB* The developer shall monitor the matters the subject of conditions numbers 8, 9 and 10 and shall provide and install all necessary monitoring equipment. Details of this and of frequency of monitoring shall be agreed with the planning authority prior to the 31st day of December, 1994 or, in default of agreement, the details shall be as determined by An Bord Pleanála.

Reason: In the interest of the amenity of property in the vicinity.

12. *E.O.K.* All data obtained from monitoring and recording in compliance with conditions numbers 8, 9, 10 and 11 shall be made available to the planning authority. The planning authority shall be afforded the opportunity, at all times during working hours, to inspect, examine and check, or to have inspected, examined and checked all apparatus and equipment used or required to carry out monitoring and recording operations in compliance with conditions numbers 8, 9, 10 and 11.

Reason: In the interest of amenity and safety.

\* 13 *NB*  
*Chief Consulting Engineer*  
*check to do*  
*K.O.'s draft*  
*T.G.*  
*Coman*  
Water supply and drainage arrangements shall comply with the requirements of the planning authority and details in this regard shall be submitted to and agreed with the planning authority. Such details shall include the method of disposal of wash water from the concrete plant, the surface water disposal system for the tarmac plant, and measures to protect the natural field drainage system and to ensure, where water is pumped to existing field drains, that capacity to lands downstream is not reduced and that deleterious matter is not discharged to the drains. In addition, arrangements for the private treatment plant including percolation area, as well as details of pumping machinery for dewatering, shall be submitted to and agreed with the planning authority.

*Get this one attached to also L.V.R. for D.O.C. 20/5/94*

Reason: In the interest of public health and the proper planning and development of the area.

00.

PL 06F.002632

SECOND SCHEDULE (CONTD.)

14. All fixed fuel and oil supply tanks must be surrounded by bund walls of sufficient height to contain the contents of the tank. The floor and walls of the bund must be impervious to water.

*J. C. K. shall write to tanks & to the other side*

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

15. No quarry workings shall take place within 18 metres of any public road, or within 5 metres of the Church Well at Kilshane (listed in the current development plan for the area, List 2). The area around the Church Well shall be enclosed by a secure fence, details of which shall be submitted to and agreed with the planning authority.

*St. J. C. K. & fence to be enclosed by a secure fence*

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

16. The developer shall facilitate both the planning authority and the Commissioners of Public Works in Ireland in the archaeological appraisal of the site and in safeguarding, preserving and recording otherwise protecting archaeological material or features that may exist within the site.

*Deal with 1996 with Southern Development*

In this respect the developer shall

- (a) notify the said authorities in writing at least four weeks in advance of the commencement of any operation relating to the proposed southern quarry area, and
- (b) engage, at the expense of the developer, before development of the southern quarry is commenced, a suitably qualified archaeologist to assess the site and to monitor site development works.

*Notify*

In particular, the areas of archaeological potential in the southern quarry area, identified in the archaeologist's report received by An Bord Pleanála on the 31st day of March, 1994 shall be assessed and monitored by the archaeologist. Satisfactory arrangements for the recording and removal of any archaeological remains that it may be considered appropriate to remove shall be agreed with the planning authority. In default of agreement the matter shall be as determined by An Bord Pleanála.

Reason: In order to conserve the archaeological heritage of the site and to secure the protection of any remains that it may possess.

00.

PL. 06F.092822

SECOND SCHEDULE (CONTD.)

17.

A scheme for the restoration of the site shall be submitted to the planning authority for approval by the 1st day of June, 2003 or upon cessation of quarrying operations, whichever is sooner. The approved scheme shall be carried out by the developer. The scheme shall include the restoration of the land for the purposes of agriculture, recreation or other such appropriate purposes, the making safe of the site and the removal of all plant and structures from it, together with a programme for its implementation.

Reason: To ensure that the site is left in a condition which does not detract from the amenities of the area.

The developer shall lodge with Bingley County Council a cash deposit, a bond of an insurance company, or other security acceptable to the Council to secure the provision of landscaping, screening, fencing, clearing of derelict machinery, final restoration and making safe of the site as required in connection with the development, coupled with an agreement empowering the Council to apply such security or part thereof for the satisfactory completion or maintenance of any part of the development. The form and amount of the security and the arrangements for lodged at it shall be as agreed between the developer and the Council or, in default of agreement, shall be as determined by an Board.

Amount to be agreed  
£50,000  
Bond  
Agreed  
30/8/94

Reason: To ensure the site is left in a condition which does not detract from the amenities of the area.

A detailed landscaping scheme, to include screening, shall be submitted to and agreed with the planning authority by the 31st day of December, 1994 and shall include a tree and hedgerow survey of existing species on the site.

All topsoil and subsoil shall be stripped in advance of working and separately stacked in the locations indicated on the submitted plans. The stacks shall not be traversed by vehicles or machinery except for the purposes of spreading/re-spreading. The stacks shall be maintained in a weed free condition and shall be available for subsequent reinstatement of the site.

Reason: In the interest of the amenity of the area.

B.S.M.  
30/8/94  
Tree & Hedgerow Survey - ml. Lynch - first  
B.S.M.

2 Submit Proposal then  
30/8/1994.

aa.

PL 061 092622

SECOND SCHEDULE (CONTD.)

20. A scheme shall be submitted to and agreed with the planning authority by the 31st day of December, 1994 indicating the steps to be taken to protect the peregrine falcon and details of the resources to be made available by the developer to secure the translocation of the smooth newt to safe areas within the site and also protect the colonies of marsh orchid and pyramidal orchid identified in the Environmental Impact Statement.

\* Discuss with Board

Reason: In the interest of the ecology of the area.

21. A scheme shall be submitted to and agreed with the planning authority before the 31st day of December, 1994 setting out the measures proposed to be taken by the developer to minimise the risk to air navigation safety by reason of the concentration of large numbers of birds. This scheme shall be generally as indicated in the ecologist's report submitted to An Bord Pleanála on the 31st day of March, 1994.

\* Ecologist Report Study

Reason: In the interest of air navigation safety.

24/5/1994

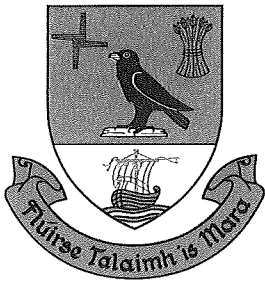
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Ann C. Quinn

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this 19<sup>th</sup> day of May, 1994.

20 MAY 1994



## Comhairle Contae Fhine Gall

Bosca 174,  
Aras Contae Fhine Gall,  
An Phríomh Shraid,  
Sord, Contae Atha Cliath.

## Fingal County Council

P.O. Box 174,  
Fingal County Hall,  
Main Street, Swords,  
Co. Dublin.

Tel: (01) 890 5670

Fax: (01) 890 5789

Email: [planning@fingalcoco.ie](mailto:planning@fingalcoco.ie)

Received JBA 02.09.2002

Copy to P. Martin (R.D.).

PLANNING DEPARTMENT

### NOTIFICATION OF DECISION TO GRANT PERMISSION PLANNING AND DEVELOPMENT ACT, 2000 AND ALL REGULATIONS MADE THEREUNDER

Decision Order No. 2809	Decision Date 30 August, 2002
Register Ref. F02A/0602	Registered 6 August, 2002

**Applicant** Roadstone Dublin Ltd.,

**Development** Recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles, ceramics, and asphalt) on a 1.5 hectare site within its existing landholding. The development will consist of construction of a hardstanding area for stockpiling and waste recovery and waste inspection area (200 sq.m). Provision is also made for portakabin office (39 sq.m.). Operations to be carried out include crushing and stockpiling of material using mobile plant.

**Location** Huntstown Quarry, Huntstown, Finglas, County Dublin.

**Floor Area** 39.00 Sq Metres

**Time extension(s)** up to and including

**Additional Information Requested / Received** 11/07/2002 / 06/08/2002

In pursuance of its functions under the above mentioned Act as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

Subject to the ( 10 ) conditions on the attached Pages.

Signed on behalf of the Fingal County Council

John Barnett & Associates Ltd.,  
Unit 7, Dundrum Business Park,  
Windy Arbour,  
Dublin 14.





## Comhairle Contae Fhine Gall

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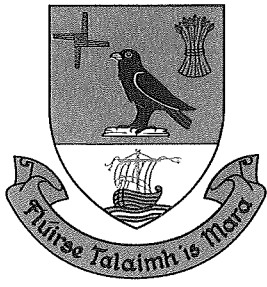
Tel: (01) 890 5670  
Fax: (01) 890 5789  
Email: [planning@fingalcoco.ie](mailto:planning@fingalcoco.ie)

**PLANNING DEPARTMENT**

*C Bedford*  
\_\_\_\_\_ **for Senior Executive Officer**

30 August, 2002.

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Email: [planning@fingalcoco.ie](mailto:planning@fingalcoco.ie)

PLANNING DEPARTMENT

### Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged on 20/05/02, and the additional information submitted 06/08/02, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

3. That the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of health.

4. That only bricks, tiles and ceramics, and asphalt as defined under the European Waste Catalogue shall be brought to the subject site for recovery and re-sale.

REASON: In the interest of orderly development.

5. That no HGV's serving the proposed development shall enter and/or egress the subject site via the existing Kilshane Road entrance, but shall instead use the existing N2 site entrance only.

REASON: In the interests of traffic safety.

6. All vehicles carrying materials to or from the subject site shall be securely sheeted.

REASON: In the interest of road safety.

7. That the proposed portakabin shall be used for office and canteen purposes only, ancillary to the industrial operations/use permitted by this decision or omit portakabin.

REASON: In the interest of the proper planning and development of the area.

8. Effective steps shall be taken by the operator to prevent the deposition of mud, dust and



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**PLANNING DEPARTMENT**

other materials on the adjoining public highways caused by vehicles visiting and leaving the site. Any accidental deposition shall be immediately removed by the operator to the satisfaction of the Planning Authority. In the event that mud/dust is being carried onto the adjoining public highway from vehicles visiting and leaving the site, then the operators shall install and thereafter utilise as appropriate, wheel washing facilities on the site for the duration of the operation. Should such equipment prove necessary, then prior to its installation on site, full details of its specification and siting shall be first agreed with the Planning Authority.

REASON: In the interest of road safety and the general amenity of the area.

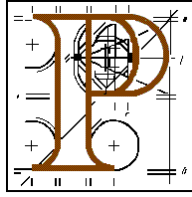
9. Notwithstanding the exempted development provisions of the Planning and Development Regulations, no additional signs shall be erected at the existing site entrances at the N2 and Kilshane Road, without prior written agreement of the Planning Authority.

REASON: In the interest of visual amenity.

10. That a financial contribution, in the sum of money equivalent to the value of Euro 235,500 as on the date of this permission updated in accordance with the Wholesale Price Index-Building and Construction (Capital Goods) as published by the Central Statistics Office, to the value pertaining at the time of payment shall be paid by the developer to Fingal County Council towards the cost of road improvements and traffic management proposals in the area serving this site. This contribution to be paid before the commencement of development on site.

REASON: The provision of such services/works in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

An Bord Pleanála Reference Number: PL 06F.200623

## Fingal County

**Planning Register Reference Number: F02A/0602**

**APPEAL** by Roadstone Dublin Limited care of John Barnett and Associates Limited care of CSA House, Unit 7, Dundrum Business Park, Windy Arbour, Dublin against the decision made on the 30<sup>th</sup> day of August, 2002 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles and ceramics and asphalt). The development will consist of construction of a hardstanding area for stockpiling and waste recovery and waste inspection area (200 square metres). Provision is also made for portacabin office (39 square metres). Operations to be carried out include crushing and stockpiling of material using mobile plant on a 1.5 hectare site within the existing landholding at Huntstown Quarry, Huntstown, Finglas, County Dublin.

## DECISION

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 10 so that it shall be as follows for the reason set out.

10. Prior to commencement of development, the developer shall pay the sum of €23,500 (twenty three thousand, five hundred euro) (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of road improvement works and traffic management proposals facilitating the proposed development.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this permission.

**Reason:** It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

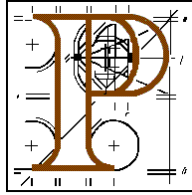
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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2003.**

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2004

## Fingal County

**Planning Register Reference Number: F06A/0164**

An Bord Pleanála Reference Number: PL 06F.217413

**APPEAL** by William Ryan of Coldwinters, North Road, Finglas, Dublin and by Roadstone Dublin Limited care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 5<sup>th</sup> day of April, 2006 by Fingal County Council to grant subject to conditions a permission to the said Roadstone Dublin Limited in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** A development consisting of a new 7.3 metre wide vehicular access located approximately 140 metres to the north of the existing permitted access at north road (former N2 national route) to link into existing access road; the proposed outbound lane measures approximately 3.65 metres wide by 200 metres long and the proposed inbound lane measures approximately 3.65 metres wide by 240 metres long, all ancillary site works and to amend condition number 11 of the permission granted under planning register reference number F03A/1430 so the operational hours for processing and manufacturing activities in the central plant area only shall be between 0530 hours and 2000 hours, Monday to Saturday. The proposed access will be used by quarry traffic and Huntstown Power Plant Traffic. The existing access at the former N2 North Road will be closed. Existing access will continue at Kilshane Road, all at Huntstown Quarry in the townlands of Coldwinters, Kilshane, Huntstown, Johnstown, Grange and Cappoge, Finglas, County Dublin.

## DECISION

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## REASONS AND CONSIDERATIONS

Having regard to the established use of the site and to the pattern of development in the vicinity, including the layout of the public road network, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of impact on residential amenity and traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the strategic location of the quarry development in the Dublin area and to its well established use over several decades. The Board considered that the relocated entrance would constitute a material improvement in relation to the amenity of certain residential property in the vicinity and that extended hours of operation would be acceptable in this context.

## CONDITIONS

1. The operational hours of the development shall be as follows:
  - (1) Processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar shall be between 0600 hours and 2000 hours, Monday to Friday and between 0700 hours and 1800 hours on Saturdays.
  - (2) All other operations (except blasting) shall be between 0700 hours and 1800 hours, Monday to Saturday.
  - (3) Blasting operations shall be only between 1000 hours and 1600 hours Monday to Friday.
  - (4) No operation of any kind shall be carried out on Sundays or Public Holidays.

**Reason:** To protect the amenities of the area and of property in the vicinity.

2. Prior to commencement of development, details of the proposed closure of the existing access onto the North Road (former N2) shall be submitted to the planning authority for written agreement.

**Reason:** In the interest of amenity and traffic safety.

3. The proposed development shall strictly comply with the relevant conditions of planning register reference number F03A/1430, An Bord Pleanála appeal reference number PL 06F.206789, as they pertain to this site.

**Reason:** In the interest of the proper planning and sustainable development of the area.

4. The disposal of surface water shall comply with the requirements of the planning authority. Prior to commencement of development, the developer shall submit road drainage drawings to the planning authority for written agreement.

**Reason:** In order to ensure adequate drainage provision.

5. The developer shall comply with the following requirements:-

- (1) An assessment of the existing hard shoulder and carriageway at the proposed entrance location shall be made to confirm that its construction is appropriate for the traffic loading to which it shall be subjected. Where such confirmation is not forthcoming, the road/hard-shoulder shall be reconstructed in accordance with a scheme designed to the National Roads Authority Design Manual for Roads and Bridges and shall be submitted to the planning authority for written agreement.
- (2) The developer shall implement a scheme to ensure the security of the site at the proposed and former entrance sites. Prior to commencement of development, this scheme shall be submitted to the planning authority for written agreement. Physical and/or management measures shall be implemented as part of the scheme to ensure that no vehicles park, or any goods or objects are stored or located, within the proposed entrance area at any time or on its approaches.
- (3) The entrance area shall be illuminated in order to facilitate users in identifying and accessing the site and to highlight the access point/junction to other road users. Prior to commencement of the development, the developer shall submit technical details of lamp installations and illumination levels to the planning authority for written agreement. The lighting scheme shall not cause excessive glare or distraction to road users or nuisance to adjoining property owners. In this regard, the level and/or nature of illumination may be reviewed at any time by the planning authority and adjustments shall be made by the developer upon request at his/her own expense.



- (4) The visibility requirements at the site entrance shall be agreed in writing with the planning authority prior to commencement of the development. The area between the existing carriageway and the back of the agreed visibility envelope shall be levelled and grassed to National Roads Authority Standards. This area shall be maintained as grass verge and shall be kept clear of all forms of development. A scheme of compensation planting/landscaping shall be agreed with the planning authority and implemented by the developer in the first planting period following construction works. This shall be at the developer's own expense.
- (5) A scheme of additional signage/markings shall be implemented on the public road (former N2) on the northern approach to the proposed new entrance. Prior to commencement of the development, this scheme shall be submitted to the planning authority for written agreement.
- (6) A permanent written record shall be maintained of all goods vehicles entering and leaving the site which record shall contain the following details: vehicle description/registration, time and date of weighing, gross/tare/net weights and nature of the load. This record shall be made available to the planning authority for inspection/review upon demand.

**Reason:** In the interest of proper planning and sustainable development.

6. All necessary measures, including the provision of wheel wash facilities, shall be taken by the developer to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

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

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2006.**

**COMHAIRLE CONTAE FHINE GALL**

**FINGAL COUNTY COUNCIL**

**LICENCE TO DISCHARGE TRADE EFFLUENT TO WATERS**

To: Roadstone Wood Ltd.,  
Fortunestown,  
Tallaght,  
Dublin 24.

Ref. Number in Register: **WPW/F/075**

Fingal County Council (hereinafter referred to as "the Council") in exercise of the powers conferred on it by the Local Government (Water Pollution) Acts 1977 and 1990, hereby grants a Licence, Reference Number WPW/F/075 to Roadstone Wood Ltd., Fortunestown, Tallaght, Dublin 24 (hereinafter referred to as "Licensee") to discharge trade effluent to waters from their premises at Huntstown South Quarry, Ashbourne Road, Finglas, Dublin 11, subject to the following conditions:-

1. The temperature of the treated effluent shall not exceed **25 degrees Centigrade**, or **ambient temperature** if it exceeds **25 degrees Centigrade**.
2. The **pH** of the treated effluent shall lie in the range **6.0 to 9.0**.  
The **pH** of the receiving waters shall not be altered by more than **+/- 0.5 pH** units by the effluent discharge.
3. Over any 24 hour period, the mean concentration of **biochemical oxygen demand (B.O.D.)** in the effluent shall not exceed **3 mg/litre O<sub>2</sub>** and the maximum concentration of **B.O.D.** shall not exceed **5 mg/litre O<sub>2</sub>**. The total quantity of biochemical oxygen demand discharged in this period shall not exceed **21.9 Kgs. (P.E. = 365)**
4. Over any 24 hour period, the mean concentration of **chemical oxygen demand (C.O.D.)** in the effluent shall not exceed **30 mg/litre** and the maximum concentration of **C.O.D.** shall not exceed **50 mg/litre**. The total quantity of chemical oxygen demand discharged in this period shall not exceed **219 Kgs.**
5. Over any 24 hour period, the mean concentration of suspended solids in the effluent shall not exceed **20 mg/litre** and the maximum concentration of **suspended solids** shall not exceed **30 mg/litre**. The total quantity of suspended solids discharged in this period shall not exceed **146 Kgs.**
6. The concentration of mineral oils in the effluent shall not exceed **10.0 mg/l**.  
The total quantity of mineral oils discharged per day shall not exceed **73 Kgs.**

Petroleum hydrocarbons shall not be present in the effluent which would:

- (a) Form a visible film on the receiving water surface or form coatings on the substratum.
- (b) Impart a detectable hydrocarbon taste to edible finfish and/or shellfish.
- (c) Cause deleterious effects on aquatic life.

7. The concentration of detergents in the effluent shall not exceed **10.0 mg/l**.  
The total quantity of detergents discharged per day shall not exceed **73 Kgs**.
8. The concentration of **Ammonium ( as N )** in the effluent shall not exceed **1 mg/l as N**.  
The total quantity of **Ammonium** discharged per day shall not exceed **7.3 Kg as N**.
9. The concentration of **Phosphates ( as PO<sub>4</sub>-P )** in the effluent shall not exceed **0.1 mg/l as P**.  
The total quantity of **Phosphates** discharged per day shall not exceed **0.73 Kg as P**.
10. The concentration of **Sulphates (as SO<sub>4</sub>)** in the effluent shall not exceed **300 mg/l**.  
The total quantity of **Sulphates** discharged per day shall not exceed **2190 Kgs as SO<sub>4</sub>**.
11. Over any 24 period, the maximum volume of effluent discharged shall not exceed **7300 cubic metres**.
12. Materials classifiable as Hazardous Waste under the Waste Management Acts, shall not be discharged to waters.
13. Other wastewaters (including firewater, accidental spillages etc.) arising on the site shall not be discharged to waters without prior authorisation of Fingal County Council.
14. The effluent discharged shall be of the same nature and composition as described and conditioned in this licence. The effluent shall contain no other substances in such a concentration, nor to be discharged in such a manner as to be harmful or detrimental to public health or to domestic, commercial, industrial agricultural or recreational uses of the receiving waters.
15. All storage tanks for fuel and/or chemicals shall be surrounded by a bund capable of retaining 110% of the volume of the largest single tank within the bunded area. The intake and outlet for the tanks shall be positioned inside the bund. Provision shall be made to remove and dispose of the rainwater so as to ensure the specified volume is always available within the bund. The bund shall be constructed and maintained by the Licensee to specifications agreed with Fingal County Council.
16. The Licensee shall keep records, in such form as required, of volume, rate of discharge, nature and composition of the trade effluent discharged and these shall be available at all reasonable times for inspection by duly authorised persons as defined in Section 28(9) of the Local Government (Water Pollution) Acts 1977 & 1990. Copies of such records shall be sent to the Council on demand.
17. A record or log-book of cleaning, maintenance and performance of each settling pond shall be kept and made available for inspection at all times by duly authorised persons as defined in Section 28(9) of the Local Government (Water Pollution) Acts 1977 & 1990.
18. The Licensee shall display in a prominent position a notice to the effect that in the event of an accidental discharge, spillage or deposit of any polluting matter which enters or is likely to enter any waters or a sewer, the person responsible shall notify the Council as soon as practicable after the occurrence and the and that failure to do so is an offence under Section 14, Local Government (Water Pollution) Acts 1977 & 1990.

19. The Licensee shall monitor the discharge of treated effluent to ensure compliance with the conditions of this licence. Representative samples of the treated final effluent shall be taken by the Licensee and tested for the chemical and physical characteristics conditioned in this licence using standard methods. The frequency of sampling shall be as necessary but shall not be less than **12 times per year (monthly)**.

The costs of all such tests shall be borne by the Licensee.

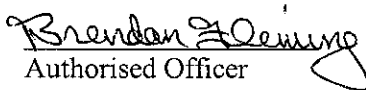
20. A fee of **€205.00** per sample collected by the Fingal County Council representative for compliance monitoring is payable to Fingal County Council, to cover the cost of sample collection and chemical analysis and is payable on demand. This charge will be reviewed annually by Fingal County Council.

21. The Licensee shall permit authorised persons as defined in Section 28(9) of the Local Government (Water Pollution) Acts 1977 & 1990 as Amended, to inspect, examine and test, at all reasonable times, any works and apparatus installed in connection with the trade effluent and to take samples of the trade effluent.

22. The Licensee shall submit monitoring results to Fingal County Council on an annual basis, but not later than **January 15<sup>th</sup>** for the previous year.

23. The Licensee shall comply with all of the conditions of this Licence.

(Note: Failure to comply with any of these conditions will result in prosecution under section 16(9) of the Local Government (Water Pollution) Acts 1977 & 1990. A conviction could result in substantial fines (up to €5,000) and/or imprisonment).

  
Authorised Officer

Dated this 7<sup>th</sup> day of December 2012



**Comhairle Contae Fhine Gall**  
Fingal County Council

**WASTE FACILITY PERMIT  
GRANTED BY:**

**FINGAL COUNTY COUNCIL**

**ON**

**22<sup>ND</sup> JANUARY 2010**

**GRANTED TO:**

**ROADSTONE WOOD LIMITED,**

**HUNTSTOWN QUARRY,**

**HUNTSTOWN, FINGLAS,**

**CO. DUBLIN.**

**WASTE FACILITY PERMIT NO. WFP-FG-09-0006-01**

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**GENERAL**

Fingal County Council, having carried out a review of waste facility permit WPT108 has granted a waste facility permit to ROADSTONE WOOD LIMITED

Herein after called the permit holder.

Of: [Principal office address]

<b>Address:</b>	<b>FORTUNESTOWN</b>
	<b>TALLAGHT</b>
	<b>DUBLIN 24</b>

Operating a facility at:

<b>Address:</b>	<b>HUNTSTOWN QUARRY</b>
	<b>FINGLAS</b>
	<b>CO. DUBLIN</b>

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Issued on:

<b>Date:</b>	<b>22nd January 2010</b>
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Expires on:

<b>Date:</b>	<b>21<sup>st</sup> January 2015</b>
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Permit Reference Number

<b>WFP-FG-09-0006-01</b>
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Subject to the attached schedule of conditions.

This waste facility permit and attached conditions supercedes the previous waste facility permit WPT108.

Fingal County Council may at any time review, and subsequently amend conditions of, or revoke this permit.

Signed:

\_\_\_\_\_  
Senior Engineer  
Environment Department  
Fingal County Council

Date:

### Part 1 Activities Permitted

In pursuance of the powers conferred on it by the Waste Management Acts 1996 -2009 and the Waste Management (Facility Permit and Registration) Regulations S.I No.821 of 2007 as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I. No. 86 of 2008, Fingal County Council under Article 18 of the regulations hereby grants this permit to Roadstone Wood Limited. at Huntstown Quarry, Finglas, Co. Dublin.

### Permitted Recovery Activity in accordance with the Fourth Schedule, Part 1 of the Waste Management Act 1996 to 2007

Class No.	Details
4	Recycling or reclamation of other inorganic materials

### Interpretation

All terms in this permit should be interpreted in accordance with the definitions in the Waste Management Acts 1996 to 2009 (the Act), and its associated regulations.



## CONDITION 1 SCOPE

- 1.1. This facility permit is for the purpose of waste activity authorisation under the Waste Management (Facility Permit & Registration) Regulations S.I No 821 of 2007 as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I No.86 of 2008 only, and nothing in this permit shall be construed as negating the permit holders statutory obligations, or requirements under any other enactments or regulations.
- 1.2. This waste facility permit is granted to Roadstone Wood Limited for the waste activities listed and described in Part 1 Activities Permitted only. The Planning Permission granted for this activity is F02A/0602.
- 1.3. This waste facility permit is granted for a period of no more than 5 years.
- 1.4. For the purposes of this facility permit, the facility authorised is the area of land outlined in red on *Drawing No. D03* and entitled "*Existing Site Layout*" of the application. Any reference in this permit to "facility" shall mean the area thus outlined in red. The authorised activity/activities shall be carried on only within the area outlined.
- 1.5. The permit holder shall ensure that the facility is managed, operated, maintained and that emissions are controlled as set down in this permit.
- 1.6. The permit holder shall ensure that the facility is compliant with the objectives of the relevant Waste Management Plan and the National Hazardous Waste Management Plan as relevant.
- 1.7. In order to facilitate recycling and recovery of waste the permit holder shall not dispose of waste which has previously been collected in source segregated form. Similarly he/she shall not collect, transport, handle or mix waste in a manner so as to make it unsuitable for recycling or recovery.
- 1.8. The permit holder shall notify Fingal County Council in writing of any proposed changes in the information furnished in the application process and shall obtain written approval from Fingal County Council prior to these changes occurring/taking effect.
- 1.9. Any proposed changes in the activity shall be submitted in writing to Fingal County Council for agreement prior to that change taking effect. Should the submission identify a material or significant change in ;
  - (a) the nature, extent or focus of the waste activities;
  - (b) the nature or extent of any emission;a facility permit review application may be required before the proposed change can be assessed.
- 1.10. Any non-conformance with the conditions of this permit are an offence under the Waste Management (Facility Permit & Registration) Regulations 2007 as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I No.86 of 2008.
- 1.11. Where Fingal County Council considers that a non-compliance with the conditions of this permit has occurred, it may serve a notice on the Permit Holder.

## CONDITION 2 MANAGEMENT OF THE ACTIVITY

2.1 The permit holder shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced deputy shall be present at the facility at all times during its operation.

The activities shall be managed and operated:

in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and closure and those drawn to the attention of the operator as a result of complaints; and

by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.

2.2 The permit holder shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience, as required, and shall be aware of the requirements of this permit. In addition, the facility manager and his/her deputy shall successfully complete a FAS waste management training programme or the FAS site operatives training programmes or an equivalent agreed by the Local Authority.

2.3 The permit holder shall establish corrective action procedures which shall be followed in the event of any condition of this permit is not complied with.

2.4 Within one month of the date of grant of this permit, the permit holder shall develop procedures for the following;

- (a) waste inspection procedures.
- (b) waste acceptance and handling procedures.
- (c) waste sampling, analysis and characterisation procedures.
- (d) requirements for the pre-treatment of wastes.
- (e) waste quarantine procedures.
- (f) waste rejection and notification procedures.
- (g) other appropriate procedures and arrangements relating to the acceptance of waste.

2.5 The permit holder shall ensure that authorised staff of shall have unrestricted access to the premises at all reasonable times on production of their identification, for the purpose of the Local Authority's functions under the Waste Management Acts, 1996 to 2007.

### CONDITION 3 RECORD KEEPING AND REPORTING

3.1 Unless otherwise agreed with the Local Authority, all written communications, including reports and notifications related to this permit, shall be submitted to the local authority as follows:

<b>Title: Senior Engineer, Environment Department</b>
<b>Name: Fingal County Council</b>
<b>Address of Local Authority: County Hall, Main Street, Swords, Co. Dublin</b>
<b>Email: <a href="mailto:Envserv@fingalcoco.ie">Envserv@fingalcoco.ie</a></b>
<b>Tel: 01-8905000      Emergency out of Hours No: 01-8731415</b>
<b>Fax: 01-8906270</b>

3.2 The permit holder shall ensure that a copy of this waste facility permit is retained on site, in an easily accessible location, at all times and at the principal office of business. A copy of this permit shall be issued by the permit holder to all relevant personnel whose duties relate to any condition within it.

3.3 The permit holder shall ensure that a copy of the layout plan is retained on site, in an easily accessible location, at all times and at the principal office of business. The layout plan shall include the following;

- (a) site boundary;
- (b) ordnance survey sheet reference number(s);
- (c) elevation levels (metres) and Ordnance datum;
- (d) dimensions (metres);
- (e) orientation of north point; and
- (f) location of monitoring and sampling points

3.4 The permit holder shall maintain a register in relation to the activity to which the waste facility permit relates, which shall be available for inspection by the local authority. The register shall detail the following:

- (a) The dates, time of arrivals and quantities of each waste consignment delivered to the facility, (by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments)
- (b) Names of the carriers, including details of vehicle registrations and waste collection permits numbers,
- (c) Origin of waste delivered,
- (d) Quantities and composition of wastes rejected/quarantined at the facility, &
- (e) Quantities, composition and destination of waste consigned for onward transport from the facility;
- (f) Details of all facilities, including permit/licence numbers, which are being used to receive such waste.

See Appendix 4 for example table.

3.5 All written communication, reports etc shall:

Be formatted in accordance with any written instruction or guidance issued by Fingal County Council.

Include whatever information as is specified in writing by Fingal County Council.

Be submitted in accordance to the relevant reporting frequencies specified in this permit;

Be accompanied by a written interpretation setting out their significance in the case of all monitoring data.

Be transferred electronically to Fingal County Council computer system if required by Fingal County Council.

3.6 The permit holder shall compile and maintain specified records in a specified format agreed with the local authority for a period of not less than 7 years in relation to the activity to which the permit relates of;

- (a) the types and quantities of waste dealt with in the course of business (including European Waste Catalogue Code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16<sup>th</sup> January 2001 or subsequent amendments);
- (b) the treatment, recovery or disposal activities to which the waste is subject, including the compilation of commercial documentation for all collected waste deposited at the facility

3.7 The permit holder shall submit to the local authority, an Annual Environmental Report. The Annual Environmental Report form is available on the County Council website at the following internet address

<http://www.fingalcoco.ie/Environment/WasteEnforcement/WasteManagementPermits/FileDownload,20853,en.xls>

3.8 The completed form shall be submitted on or before the *28th February* each year, electronically to [Envserv@fingalcoco.ie](mailto:Envserv@fingalcoco.ie) or by post to Waste Enforcement Section, Environment Department, Fingal County Council, County Hall, Swords, Co. Dublin. The completed form shall relate to waste activities in the preceding calendar year.

This Annual Environmental Report, which shall be to the satisfaction of the local authority, shall include as a minimum the following information and shall be prepared in accordance with any relevant guidelines issued by the local authority.

- (a) The management and staffing structure of the site;
- (b) Any court order or conviction under the Act;
- (c) The tonnages and EWC code for the waste materials imported and/or sent off-site for disposal/recovery within the reporting year
- (d) The names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);

- (e) Quantity, type and composition of all wastes accepted at the site during the reporting year;
- (f) Any loads rejected/quarantined at the site
- (g) Reportable incidents during the reporting year;
- (h) All complaints received during the reporting year;
- (i) The destination of all wastes accepted and disposed of at the facility during the year
- (j) Schedule of environmental improvements on the site for the report year
- (k) A report on the contribution by this facility to the achievement of the recovery targets stated in national and European Union waste policies and shall include the following :
  - (a) The requirement under Class 7, Third Schedule, Part I of the Waste Management (Facility Permit and Registration) Regulations 2008

3.9 The permit holder shall immediately notify the local authority by telephone/fax of any incident which occurs as a result of the activity at the facility and which has;

- (a) has the potential for environmental contamination of surface water or ground water, or
- (b) poses an environmental threat to air or land, or
- (c) requires an emergency response by the Local Authority.

Full details shall be forwarded in writing on the next working day. The permit holder shall include as part of this notification:

- (a) the date and time of incident, or when incident was noticed;
- (b) details of the incident and the causes or potential causes of it;
- (c) an evaluation of environmental pollution caused, if any;
- (d) actions taken to minimise the effect on the environment;
- (e) steps taken to avoid reoccurrence;
- (f) details of any site investigations instigated by the permit holder;
- (g) any other remedial action taken.

The permit holder shall make a record of any such incident in a register to be maintained at the facility. See Appendix 5 for example table.

- 3.10 The permit holder shall maintain on the site a register of all complaints received relating to the operation of the activity. Each such complaint entry in the register should give details of the following:
- (a) time and date of the complaint;
  - (b) the name of the complainant
  - (c) details of the nature of the complaint
  - (d) actions taken to deal with the complaint, and the results of such actions;
  - (e) the response made to each complainant.

After the receipt of a complaint, the Local Authority shall be notified in writing as soon as possible and in any event not later than *five working days* of receipt of the complaint. See Appendix 6 for example table. This condition applies to all activities on the site including quarrying.

- 3.11 The permit holder shall make all records maintained on the site available to staff of the Local Authority at all reasonable times, and shall provide any relevant information when so requested by an authorised person of the Local Authority.
- 3.12 Where the operator including as body corporate any relevant officers / partnership any partner is convicted of any offence, prescribed under article 19(3) (a) of the Waste Management (Facility Permit and Registration) Regulations 2007, the operator shall inform the local authority within 7 days of the conviction, including information in relation to the court hearing the case, the nature of the offence and any penalty or requirement imposed by the court.
- 3.13 The permit holder shall inform the Local Authority when an activity ceases at the facility, within a week of the activity ceasing.
- 3.14 The permit holder shall notify Fingal County Council by email/telephone, 2 working days in advance of crushing (or other processing) of waste materials on site.

## CONDITION 4 INFRASTRUCTURE AND OPERATION

### Facility Notice Board

4.1 The permit holder shall provide and maintain a Facility Notice Board at the facility, within *1 month* of grant of this permit, so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm.

The board shall clearly show:-

- (a) the name and telephone number of the facility;
- (b) the normal hours of opening;
- (c) the name of the licence holder;
- (d) an emergency out of hours contact telephone number;
- (e) the permit reference number; and
- (f) where environmental information relating to the facility can be obtained.

### Traffic Management

- 4.2 The operator shall restrict the movements of HGV's egressing or entering the site in compliance with the conditions of any planning permission granted for the site. Currently under planning permission F02A/0602 HGV's are restricted to using the 'North Road' entrance and prohibited from using the Kilshane Road entrance.
- 4.3 The permit holder is required to erect and maintain adequate temporary advance warning signage at the proposed vehicular entrance to allow safe use of the proposed entrance and to eliminate any potential traffic hazard. All signing, lighting and guarding to be erected and maintained in accordance with Traffic Signs Manual, Chapter 8 "Signs for Roadworks" issued by Department of the Environment, Heritage and Local Government.
- 4.4 The proposed vehicular entrance to the facility is required to meet National Roads Authority Design Manual for Roads and Bridges standards for sight lines and stopping sight distances, i.e. 75m x 4m x1.05m. The permit holder must demonstrate compliance with these standards to Fingal County Council prior to any vehicular traffic exiting the facility.
- 4.5 In order to protect the pavement integrity of the public road the volume of HGV traffic entering the facility shall be limited to 40 vehicles in a given day.
- 4.6 The permit holder shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by Fingal County Council.

**Tank, Container and Drum Storage Areas**

- 4.7 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds should be designed having regard to Agency guidelines *Storage and Transfer of Materials for Scheduled Activities* (2004).
- 4.8 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:-
  - (a) 110% of the capacity of the largest tank or drum within the bunded area; or
  - (b) 25% of the total volume of substance which could be stored within the bunded area.
- 4.9 All drainage from bunded areas shall be treated as hazardous waste unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal.
- 4.10 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 4.11 All tanks, containers and drums shall be labelled to clearly indicate their contents.
- 4.12 The permit holder shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used the absorbent material shall be disposed of at an appropriate facility.

**Silt Traps and Oil Separators**

- 4.13 The permit holder shall install and maintain an oil separator to ensure that all runoff from waste storage areas is treated prior to discharge to the sump area prior to discharge to groundwater. Alternatively, the permit holder may submit to Fingal County Council for its agreement other techniques to prevent the discharge of hydrocarbons to water.
- 4.14 All pump sumps, storage tanks or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separator, shall be fitted with high liquid level alarms (or oil detectors as appropriate).
- 4.15 A catchment system to collect any leaks from flanges and valves of all over ground pipes used to transport material other than water shall be provided.

**4.16 Facility Security**

- (a) Security and stockproof fencing and gates shall be installed and maintained. The base of the fencing shall be set in the ground.



- (b) Gates shall be locked shut when the facility is unsupervised.
- (c) The permit holder shall remedy any defect in the gates and/or fencing or wall as follows:-
- (d) A temporary repair shall be made by the end of the working day; and
- (e) A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.

#### **Facility Roads and Surfaces**

- 4.17 Facility haul road(s) shall be in place prior to any vehicular traffic entering the facility and prior to the commencement of waste activities at the facility.
- 4.18 Effective or adequate site roads and surface shall be provided and maintained to ensure the safe and nuisance free movement of vehicles within the facility.

The above requirements shall be considered fulfilled if they are provided for the whole of the quarry site.

#### **Facility Office**

- 4.19 The permit holder shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.
- 4.20 The permit holder shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.

#### **Waste Inspection and Quarantine**

- 4.21 A waste inspection area(s) and waste quarantine area(s) shall be provided and maintained at the facility.
- 4.22 These areas shall be constructed and maintained in a manner suitable, and be of a size appropriate, for the inspection of waste and subsequent quarantine if required. The waste inspection area(s) and waste quarantine area(s) shall be clearly identified and segregated from each other.

#### **Weighbridge**

- 4.23 The permit holder shall provide and maintain at the facility, a weighbridge or alternative method of recording the waste tonnage.

**CONDITION 5 WASTE HANDLING**

**Permitted Wastes**

- 5.1 The permit holder shall ensure that only wastes permitted at this facility are accepted. The permissible wastes are presented in Table A below. The listing is by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.
- 5.2 The permit holder shall only accept such wastes for recovery at this permitted facility provided for in this permit and which are listed in the table below. Wastes not listed within this table are not permitted for recovery at this facility unless agreed in writing by Fingal County Council.
- 5.3 The maximum permitted annual intake of waste at the facility shall not exceed 24,950 tonnes.

**Table A: Types and Quantities of permissible wastes to be handled at the facility**

<b>EWG Code</b>	<b>Description of Waste</b>	<b>Quantity (Tonnes) per Annum</b>
17 01 01	Concrete	10,000
17 01 02	Bricks	5,000
17 01 03	Tiles and ceramics	500
17 01 07	Mixture of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06	2,000
17 03 01*	Bituminous mixtures containing coal tar	500
17 03 02	Bituminous mixtures containing other than those mentioned in 17 03 01	6,500
17 04 05	Iron and steel	450

**Waste Acceptance**

- 5.4 The permit holder shall establish and maintain detailed written procedures for the acceptance and handling of all wastes permitted at the facility. [Specific details of these procedures are listed in 2.34]
- 5.5 Waste arriving at the facility shall be inspected at the point of entry to the facility and subject to this inspection, weighed, documented and directed to the designated waste storage area. Each load of waste arriving at the designated waste storage area shall be inspected upon tipping. Only after such inspections shall the waste be recovered.
- 5.6 Waste shall only be accepted by the operator at the site between 0800 and 1700 hours, Monday to Friday inclusive, and between 0800 and 1300 hours on Saturdays unless otherwise approved in writing by Fingal County Council. No waste shall be accepted at the site on Sundays or Public Holidays.
- 5.7 The permit holder shall ensure that adequate steps are taken to prevent unauthorised entry of waste to the facility. The permit holder shall make provisions to control access to the site to prevent fly tipping of waste. Such provisions shall be agreed with Fingal County Council prior to the commencement of waste activities at the facility.

- 5.8 Any waste deemed unsuitable for recovery at the facility and/or in contravention of this permit shall be immediately separated and removed from the facility at the earliest possible time. Temporary storage of such wastes shall be in a designated Waste Quarantine Area. Waste shall be stored under appropriate conditions in the quarantine area to avoid putrefaction, odour generation, the attraction of vermin and any other nuisance or objectionable condition. All such incidents shall be reported to the local authority in writing on the next working day and recorded in a Quarantine Register.
- 5.9 Recovery of waste shall only take place in accordance with the conditions of this permit and in accordance with the appropriate National and European legislation and protocols.

**Waste Movement**

- 5.10 Waste sent off-site for recovery, recycling, or disposal shall be transported only by an authorised waste collector in accordance with the Waste Management (Collection Permit) Regulations, 2001 (where the permit holder has a valid permit granted under such Regulations) or the Waste Management (Collection Permit) Regulations, 2007, (where a valid permit was granted since 31<sup>st</sup> March 2008). The waste shall be transported only from the site of the activity to the site of recovery, recycling or disposal in a manner which will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.

**Waste Storage**

- 5.11 The loading and unloading of materials shall be carried out in designated areas and protected against spillage and run-off.
- 5.12 Waste shall be stored in designated areas, protected as may be appropriate, against spillage and leachate run-off.
- 5.13 The designated waste storage area for recovery shall not be used for the disposal of any liquid other than rainwater, or the disposal of any waste save for C&D waste stored on a temporary basis only for crushing.

## CONDITION 6: ENVIRONMENTAL PROTECTION AND EMISSIONS

### Environmental Protection

- 6.1 The only environmental emissions to any media allowed from the facility are those detailed within the application and provided for in this permit. Any such emission shall only be allowed from the emission points marked on site plan drawing no. D06 entitled Environmental Monitoring Locations. Emissions shall not exceed the emission limit values specified in this permit, as relevant.
- 6.2 The permit holder shall take preventative measures to ensure that the activity is carried out in a manner which does not have any adverse effect on drainage of lands, watercourses, shallow wells, bored wells, raw water intakes or other sources of water supply.
- 6.3 The permit holder shall take preventative measures to ensure no dust or mud shall be deposited on public and private roads or footpaths.
- 6.4 The permit holder shall take preventative measures to ensure that the activity does not result in unreasonable noise, dust, grit and other nuisances, which would result in the impairment of, or significant interference with, the amenities or the environment beyond the site boundary.
- 6.5 Effective site roads shall be provided and maintained to ensure the safe and nuisance-free movement of vehicles within the facility. [Specific details are listed in Condition 4.17 & 4.18 of this permit]

### Emissions

#### Noise Emissions

- 6.6 Noise emissions from the facility shall not give rise to noise levels at noise sensitive locations in the vicinity of the activity in excess of:
- (i) 55 dBA Leq, <sub>LT</sub> during the hours 08.00 - 20.00
  - (ii) 45 dBA Leq, <sub>LT</sub> during the hours 20.00 - 08.00
  - (iii) There shall be no clearly audible tonal component, or impulsive component, in the noise emission from the development at any noise sensitive location.

### Air Pollution Control

- 6.7 The permit holder shall ensure that all operations on site shall be carried out in a manner such that air emissions and / or odours do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site boundary.

**Surface Water Emissions**

- 6.8 No trade effluent, leachate and/or contaminated storm water shall be discharged to surface water drains and surface water courses or groundwater.
- 6.9 Prior to acceptance of bitumous mixtures containing coaltar the permit holder shall submit an assessment of the likely contamination of surface water runoff from the blacktop storage area. No such material shall be accepted without the approval of Fingal County Council.
- 6.10 Monitoring frequency for SW1 and SW2

PARAMETER	FREQUENCY
BOD	Quarterly
Suspended Solids	Monthly
pH	Monthly
Hydrocarbons	Quarterly
List I / II Substances	Annually

- 6.11 Settlement lagoons/sumps used for the control of water management should be adequately sealed with an impermeable layer and a works programme operated for their regular cleaning and maintenance. The conditions to be met relating to the use of this collected water for dust suppression should be agreed in advance with Fingal County Council.

**Ground Water Emissions**

- 6.12 There shall be no direct emissions of List I & II substances as classified by Directive 76/464/EEC & 80/68/EEC. Within 3 months of the date of grant of this permit, the permit holder shall submit to Fingal County Council for its agreement ground water monitoring trigger level for List I & List II substances.

## CONDITION 7 ACCIDENT PREVENTION AND EMERGENCY RESPONSE

- 7.1 The permit holder shall, within one month ensure that a documented Accident Prevention Policy is in place which will address the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 7.2 The permit holder shall ensure that all significant spillages occurring at the facility shall be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects.
- 7.3 No waste shall be burnt within the boundaries of the facility. A fire at the facility shall be treated as an emergency and immediate action shall be taken to extinguish it and notify the appropriate authorities.
- 7.4 The permit holder shall immediately notify Fingal County Council by telephone/email/fax of any incident which occurs as a result of the activity at the facility and which
- (i) has the potential for contamination of surface or ground water, or
  - (ii) poses an environmental threat to air or land, or
  - (iii) is classified as an emergency

As part of the notification process the permit holder shall include, within the 24 hours of any such incident occurring

details as to -

- (i) the date and time of the incident,
- (ii) details of the incident,
- (iii) evaluation of the pollution caused, and
- (iv) remedial corrective measures undertaken or to be undertaken, including details of preventative measures. Further details are requested under Condition 3.9 of this permit.

## 8 CONDITION 8 CHARGES AND FINANCIAL PROVISIONS

### Annual Fees

- 8.1 The permit holder shall pay to Fingal County Council an annual contribution of €2,500 or such sum as Fingal County Council determines from time to time, having regard to variations in the extent of reporting, auditing, inspections or other functions carried out by the local authority. This cost shall be paid towards the cost of administering the facility permit and monitoring the activity as the local authority considers necessary for the performance of its functions under the Waste Management (Facility Permit and Registration) Regulations 2007.
- 8.2 The first payment shall be a pro-rata amount for the period from the date of grant of this permit to the 31<sup>st</sup> day of December, and shall be paid to the local authority within one month from the date of grant of the permit.
- 8.3 In subsequent years the permit holder shall pay to the local authority such revised annual contribution as the local authority shall determine to enable performance by the local authority of its relevant functions under the Waste Management (Facility Permit and Registration) Regulations 2007, and all such payments shall be made within one month of the date upon which demanded by the local authority.

### Financial Provisions

- 8.4 Prior to the commencement of works and waste activities on site the Permit Holder shall lodge with Fingal County Council a cash deposit of €50,000 or an equivalent bond or other approved financial provision as a security for the satisfactory compliance by the Permit Holder with the terms and conditions attached to this permit. In the event of non-compliance by the Permit Holder with any terms or conditions attached to this permit Fingal County Council shall be empowered to apply the said funds or part thereof for the satisfactory compliance with the terms and conditions attached to this permit as necessary. Any amount not so used by the Council will be released to the Permit Holder when all activities on site have ceased and the Permit Holder has fully complied with the terms and conditions attached to the permit to the satisfaction of Fingal County Council.
- 8.5 The permit holder shall effect and maintain a policy of insurance insuring him or her as respects any liability on his or her part to pay any damages or costs on account of injury to persons or property arising from the activities concerned or for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity. **[Waste Management Act Section 34 (7) (h) provides for a condition to allow for public liability insurance]**
- 8.6 All insurance policies shall be extended to indemnify Fingal County Council. The permit will be automatically revoked if any part of the insurance is either removed or not renewed.

## CONDITION 9: RESTORATION AND AFTERCARE

### Cessation of Operations

- 9.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the authorised activity, the permit holder shall, to the satisfaction of Fingal County Council decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution. The permit holder shall carry out such tests, investigation or submit certification, as requested by Fingal County Council to confirm that there is no risk to the environment.
- 9.2 The applicants, their heirs or assigns, remain responsible in perpetuity for the proper and nuisance free operation of all drainage systems at the facility, and for ensuring that no pollution of surface or ground waters shall occur at any time as a result of the waste recovery operation.

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APPENDICES

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1. BREACH OF PERMIT CONDITION

Table 1. Breach of Permit Condition

Date of Non-Compliance	Condition	Details of non-compliance	Measures taken to Rectify Non-Compliance	Date on which Compliance with Condition is achieved	Date of Notification to Local Authority

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**2. REGISTER OF EMPLOYEE RECEIPT OF WASTE MANAGEMENT PERMIT**

**Table 2. Condition 2.2: Register of Employee Receipt of Waste Management Permit**

Name of Employee	Issue Date of Permit to Employee	<b>Declaration:</b> I have read and understand the conditions of the above waste management permit. (Signature of Employee)	Date

**Table 3. Condition 2.2: Register of Employee Training**

Name of Employee	Training Course	Date of Course

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### 4. CONDITION 3.9 REGISTER OF INCIDENT WHICH HAS POTENTIAL TO CAUSE ENVIRONMENTAL POLLUTION

Table 5. Condition 3.9: Register of Incident which has Potential to Cause Environmental Pollution

Date of Incident	Time of Incident	Details of Incident	Evaluation of Environmental Pollution	Measure taken to Minimise Environmental Pollution	Actions Taken to Avoid Reoccurrence	Date of Notification to Local Authority

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### 5. CONDITION 3.10 REGISTER OF COMPLAINTS

Table 6. Condition 3.10: Register of Complaints

Date of Complaint	Time of Complaint	Name of Complainant	Details of Complaint	Actions Taken	Response to Complainant	Date of Notification to CCC / Method

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**6. REGISTER OF SITE PERIMETER INSPECTION**

**Table 7. Register of Site Perimeter Inspection**

Date of Perimeter Inspection	Name of Person to Carry Out Inspection	Observations of Inspection	Actions Taken	Signature of Person who Carried Out Inspection

\_\_\_\_\_  
*Rita McGrath,  
A/Senior Executive Scientist,  
Environment Department.*

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# CHOMHAIRLE CHONTAE GALL

## WASTE PERMIT

**TO: Roadstone Dublin Ltd,  
Fortunestown,  
Tallaght,  
Dublin 24**

**Permit Ref: WPT 96  
Order Reference No:FENV/56/06**

---

Fingal County Council, in exercise of the powers conferred on it by the Waste Management Act, 1996 and Waste Management (Permit) Regulations, 1998 hereby grants a Waste Permit, Reference Number WPT 96, to Roadstone Dublin Ltd, Fortunestown, Co. Dublin (hereinafter referred to as the Permit Holder) for the treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system at the location mentioned below:-

Located at: **Huntstown Quarry,  
Finglas,  
Co. Dublin.**

Subject to 9 conditions as set out on the schedule hereto.

Dated this 21<sup>st</sup> day of January, 2006

SIGNED: Éamonn Walsh  
Éamonn Walsh  
Senior Engineer  
Environmental Department



# **WASTE PERMIT**

ISSUED UNDER

**THE WASTE MANAGEMENT ACT, 1996**

AND

**THE WASTE MANAGEMENT (PERMIT) REGULATIONS, 1998**

**Waste Permit Register Number:**

WPT 96

**Applicant:**

Roadstone Dublin Ltd.

**Address:**

Fortunestown  
Tallaght,  
Dublin 24.

**Location of Facility:**

Huntstown Quarry,  
Finglas,  
Co. Dublin.

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## Activities Permitted

In pursuance of the powers conferred on it by the Waste Management Act, 1996 and the Waste Management (Permit) Regulations, 1998 Fingal County Council grants this waste permit under Article 5(1) of the said Regulations to Roadstone Dublin Ltd., Fortunestown, Co. Dublin to carry on the waste activity listed below at Huntstown Quarry, Kilshane, Finglas, Co. Dublin subject to nine conditions with the reasons thereof set out in the permit.

### Permitted Waste Recovery Activity in accordance with the Fourth Schedule of the Waste Management Act, 1996:

*Activity 10: The spreading of any waste on land with a consequential benefit for an agricultural activity or ecological system.*

### Permitted Waste Activity in accordance with the First Schedule of the Waste Management Act (Permit) Regulations, 1998

*Activity 5: The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the amount of compost and waste held at the facility exceeds 1000 cubic metres at any time).*

### **NOTE:**

**THE GRANTING OF THIS PERMIT AND ANY CONDITION IMPOSED BY IT DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.**

## CONDITION 1: Scope

- 1.1 This waste permit is issued under the waste Management (Permit) Regulations, 1998 to Roadstone Dublin Ltd., Fortunestown, Co. Dublin in respect of a facility at Huntstown Quarry, Kilshane, Finglas, Co. Dublin.
- 1.2 This waste permit is granted for a period not exceeding **36 months** from the date of issue.
- 1.3 Fingal County Council reserves the right to review and/revoke this permit at any time and shall give written notice to the permit holder in such an event.
- 1.4 The waste activities shall be confined to the area outlined in the location drawing submitted with the permit application on the 05 September 2005 and shall take place only as specified in the application as modified and/or controlled by the terms of this permit.
- 1.5 Finished ground levels at the site shall not exceed those indicated on the long and cross sections, submitted with the application on the 05 September 2005.
- 1.6 The Permit Holder shall give notice in writing to Fingal County Council of any significant changes in the information furnished in the application for the permit. Such notice shall be given within three (3) weeks of any such change arising. On receipt of this information Fingal County Council may require a new waste permit application to be submitted.
- 1.7 The Permit Holder shall be responsible for ensuring that the waste activities shall be controlled, operated and maintained in strict accordance with the terms of the application as modified and/or controlled by the conditions attached to this permit. Fingal County Council shall be immediately notified of any such breach by telephone/fax, and full details shall be forwarded in writing on the next working day.

1.8 Where Fingal County Council considers that a non-compliance with the conditions of this permit has occurred it may serve a notice on the Permit Holder specifying:

- (a) that only those waste as specified, if any, in the notice are to be accepted at the facility after the date specified in the notice and
- (b) that the Permit Holder shall undertake the works stipulated in the notice and/or otherwise comply with the requirement of the notice as set therein within any time-scale contained in the notice.

When the notice has been complied with the Permit Holder shall provide written confirmation to the local authority that the requirements of the notice have been carried out. No waste other than that which is stipulated in the notice shall be accepted at the facility until written confirmation from the Council that the notice is withdrawn.

1.9 The Permit Holder shall comply at all times with the provisions of the European Community Acts detailed in the table below insofar as such provisions are relevant to the waste activity to be carried out:

<b>Relevant Provisions</b>	<b>Community Act</b>
Article 9 and 14	Council Directive 75/442/EEC of 15 July 1995 on waste, as amended by Council Directive 91/156/EEC of 18 March, 1991
Articles 4, 5, 8, 9, 10, and 18	Council Directive 80/68/EEC of 17 December, 1979 on the protection of groundwater against pollution caused by certain dangerous substances.

**REASON:** To clarify the scope of this waste permit.

## **Condition 2: Management of the Activity**

- 2.1 The Permit Holder shall acquaint all staff, employees, lessees and agents, including replacement personnel of the provisions and conditions of this permit. A copy of this permit shall be kept on site at all times.
- 2.2 The Permit Holder shall appoint a suitably experienced facility manager. The manager or a suitably experienced deputy shall be present at the facility at all times during the hours of waste acceptance and handling. The facility shall be maintained to the satisfaction of Fingal County Council and adequate precautions shall be taken to prevent unauthorised access to the site.
- 2.3 Waste material shall only be accepted at the site between the hours of 08.00 and 18.00 Monday to Friday inclusive (excluding Bank and National Holidays), and between the hours of 09.00 and 14.00 on Saturdays. No waste shall be accepted on Sundays and public holidays.
- 2.4 The Permit Holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. In such instances Fingal County Council shall be immediately notified by telephone/fax and full details be forwarded in writing on the next working day.

**REASON: To make provision for the proper management of the activity.**

### **Condition 3: NOTIFICATION AND RECORD KEEPING**

- 3.1 All communication with Fingal County Council shall be addressed to the Senior Engineer, Environmental Department:

Address: County Hall,  
Main Street,  
Swords,  
Co Dublin.

Telephone Number: (normal working hours) 01-890-5000

Fax Number: 01-890-6270

- 3.2 The Permit Holder shall maintain a written record of the following details at the facility for a period of three years. (Some of these records may be maintained electronically subject to the prior written agreement of Fingal County Council):

- (a) The date of each waste delivery received at, or dispatched from, the facility.
- (b) The name of the carrier and the vehicle registration number of (a) above.
- (c) The origin, quantity in tonnes and composition of each load of waste received at the site.
- (d) The destination, quantity in tonnes and composition of each load of waste dispatched from the site, together with documentary evidence that each load was subsequently accepted at the destination facility.
- (e) The origin, quantity in tonnes and composition of each load of waste rejected at the site and details of where such loads were forwarded to, recorded together with (a) and (b) above.
- (f)

- 3.3 The Permit Holder shall immediately notify the Senior Engineer, Environmental Department, Fingal County Council by telephone/fax of any incident which occurs as a result of the activity on the site and which:

- (a) has the potential for environmental contamination of surface water or ground water or
- (b) poses an environmental threat to air or land or
- (c) requires an emergency response by the Council.

Full details shall be forwarded in writing on the next working day. The Permit Holder shall include as part of the notification:

- the date and time of the incident
- details of the incident and circumstances giving rise to it
- an evaluation of environmental pollution caused, if any
- actions taken to minimise the effect on the environment
- steps taken to avoid reoccurrence
- any other remedial action taken

The Permit Holder shall make a record of any such incident in a register to be maintained on the site.

3.4 The Permit Holder shall maintain on the site a register of all complaints received relating to the operation of the activity. Each such record should give details of the following:

- time and date of the complaint
- the name of the complainant
- details of the nature of the complaint
- actions taken to deal with the complaint and the results of such actions
- the response made to each complaint

Fingal County Council shall be immediately notified by telephone/fax after the receipt of the complaint and full details shall be forwarded in writing on the next working day. The Permit Holder shall make a record of any such complaint in a register to be maintained on the site.

3.5 The Permit Holder shall make all records maintained on the site available to Fingal County Council staff at all reasonable times and shall provide any relevant information when so requested by an authorised officer of Fingal County Council.

3.6 The Permit Holder shall notify Fingal County Council, in writing, within 7 days of:

- the imposition of any requirement on the permit holder by order under Section 57 or 58 of the Waste Management Act 1996 or
- any conviction of the permit holder for an offence prescribed under the Waste Management Act, 1996.



- 3.7 The permit holder shall submit to Fingal County Council an Annual Environmental Report (AER) for the preceding calendar year by no later than the 28<sup>th</sup> February of each year.

The report shall include a summary of waste types and quantities accepted at the facility during the relevant period along with total quantities and types of waste dispatched from the facility to each individual destination facility. In relation to each destination facility, breakdown is required showing the amount of the Permit Holder's waste was recovered at the facility and the amount of waste disposed of, if any, during the relevant period. The report shall be in a Microsoft Office recognisable electronic format.

The report shall also include details of any impositions or convictions imposed under the Waste Management Act, together with details of:

- (a) The management and staffing structure of the facility.
- (b) Reportable incidents.
- (c) Details of all complaints.

In addition, the permit holder shall include in the written report, a written summary of compliance with all of the conditions attached to this permit.

<b>REASON:</b> To provide for the notification of incidents to update information on the activity and to provide for the keeping of proper records.
---

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## **CONDITION 4: SITE ACCESS**

- 4.1 No dump trucks shall be allowed to access the site, excluding site specific dump trucks working fulltime on site. Only trucks, not exceeding 22 tonne, shall be allowed to import waste onto the site.
- 4.2 The Permit Holder shall erect warning signs on the approaches to the site entrance indicating that heavy vehicles/trucks are crossing the road. The location of these signs shall be agreed with Fingal County Council.
- 4.3 The number of loads of waste received, under this permit, at this facility shall not exceed 50 per day.
- 4.4 Vehicular traffic to and from this site shall be adequately managed and evenly distributed to ensure no interference with existing traffic. Failure to maintain the traffic flow in a satisfactory condition will result in this permit being revoked.

**REASON: In the interest of safety for other vehicular traffic.**

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## **CONDITION 5: WASTE ACCEPTANCE AND HANDLING**

5.1 Only the following waste material(s) can be recovered under this permit:

- ❖ **Uncontaminated soil and stones** that conforms to the European Waste Catalogue code reference 17 05 04.

No other waste types are permitted to be deposited at this facility. The Permit Holder shall ensure that adequate steps are taken to prevent acceptance of any other waste types.

**No liquid or sludge waste or any waste deemed to be hazardous in accordance with the Council Decision (94/904/EC) may be accepted, handled or stored at the facility.**

- 5.2 All waste arriving at the facility shall be subjected to a visual inspection by the Permit Holder or his staff, employees, lessees or agents. Materials other than those permitted shall be removed immediately from the site. Such waste shall be disposed of (or recovered) at an alternative facility with an appropriate waste permit or waste license. Following delivery of such unauthorised waste to the site Fingal County Council shall be immediately notified by telephone/fax and full details shall be forwarded in writing on the next working day.
- 5.3 The Permit Holder shall ensure that adequate steps are taken to prevent unauthorised entry of waste to the site. The Permit Holder shall make provisions to control access to the site and to prevent the fly tipping of waste by person or persons unknown. Such provisions shall be agreed with Fingal County Council prior to the commencement of waste activities on the site.
- 5.4 The Permit Holder shall remove immediately any waste placed on or in the vicinity of the site other than in accordance with the requirements of the permit. If such waste is discovered it shall be taken to a facility with a waste license or waste permit authorising of such waste.
- 5.5 The Permit Holder shall ensure that all vehicles transporting waste to and from the premises shall have a waste collection permit. The waste collection permit shall include the facility reference number (WPT 96) and shall be available for inspection at all times. Allowing vehicles without waste collection permits access to the site shall result in the revocation of this permit.

**REASON: To provide for the acceptance and management of waste authorised under this waste permit.**

**CONDITION 6: NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS**

- 6.1 The Permit Holder shall ensure that the waste activities on the site shall be carried out in such a manner so as not to have an adverse effect on the drainage of adjacent land, on watercourses, on field drains or on any other drainage system.
- 6.2 The Permit Holder shall take adequate precautions to prevent undue noise, fumes, dust, grit, untidiness and other nuisances during the course of the works which would result in a significant impairment or a significant interference with amenities or the environment beyond the site boundary. If unacceptable levels occur the Permit Holder shall abide by the Council's abatement requirements which may include immediate cessation of operations.
- 6.3 If in the opinion of the Roads Maintenance Area Engineer damage is being caused to public roads being used to haul material to the site by the Permit Holder, he shall be empowered to verbally instruct the Permit Holder to cease using these haul roads until the damage has been repaired to the satisfaction of Fingal County Council. The Permit Holder shall comply with any such instruction.
- 6.4 The Permit Holder shall be responsible for the removal of any debris on the approach road for a distance of 250 metres either side of the main entrance. The permit Holder shall be responsible for the clearance of any material deposited on roadways in transit to the site. Any material deposited onto the roadway shall be removed without delay. Failure to maintain roadways in a satisfactory condition will result in this permit being revoked and possible prosecution.

**REASON: To ensure compliance with the requirements of the conditions of this permit.**

## CONDITION 7: ENVIRONMENTAL MONITORING

- 7.1 Authorised officers of Fingal County Council shall have unrestricted access to the site at all reasonable times on production of identification for the purpose of their functions under the Waste Management Act, 1996 including such inspections, monitoring and investigations as are deemed necessary by the Council.
- 7.2 If so requested by Fingal County Council the Permit Holder shall, at his own expense, make a suitable plant and machinery for the purposes of excavating trial holes and other investigation in the waste material deposited on the site.
- 7.3 If so requested by Fingal County Council the Permit Holder shall at his own expense carry out such further investigations and monitoring of the facility as required by the Council. The scope, detail and programme, including report structure and reporting schedule for any such investigations and monitoring shall be in accordance with any written instruction by the Council.
- 7.4 In the event of environmental pollution in the vicinity of the site or of a leachate discharge onto adjoining lands input of waste onto the site shall cease and remedial measures shall be carried out immediately as directed by the Council.
- 7.5 Should environmental pollution occur at the site Fingal County Council shall review this permit.

**REASON: To ensure compliance with the requirements of the conditions of this permit.**

## **CONDITION 8: RESTORATION AND AFTERCARE**

- 8.1 All damaged/removed hedges, trees and bushes will be repaired/replaced as soon as is practicable, following completion of the waste activities.
- 8.2 As soon as is practicable following completion of the waste activities the site shall be seeded with grass and returned to beneficial agricultural use.
- 8.3 Prior to seeding topsoil shall be spread evenly over the site to minimum depth after compaction and firming, of 300mm. The topsoil shall be good quality medium loam and shall comply with B.S. 3882:1991. The topsoil shall not be spread in wet conditions.
- 8.4 The topsoil shall be adequately prepared for seeding by raking or harrowing and by rolling. Only certified quality grass shall be used. Seed shall be spread at a minimum of 40 grams per square metre. Seeding shall take place during appropriate weather conditions.
- 8.5 The applicant, his heirs or assignees remain responsible in perpetuity for the proper nuisance-free operation of all drainage systems on the site and for ensuring that no pollution of ground waters shall occur at any time as a result of the proposed filling/waste recovery operations.

**REASON: To provide for the restoration and aftercare of the facility.**

## **CONDITION 9: CHARGES AND FINANCIAL PROVISIONS**

- 9.1 The Permit Holder shall pay to Fingal County Council a contribution of €5.00 per load towards the costs incurred by the Council of monitoring the activity to the extent that it considers it necessary for the performance of its duties under the Waste Management Act, 1996. This payment is non-refundable and includes a road contribution levy towards the cost of future road maintenance works over the proposed route due to depreciation and damage resulting from the additional heavy vehicle movements. This contribution shall be calculated at the end of each calendar month and paid to the Council within a fortnight.

In the event that the frequency or extent of monitoring or other functions carried out by Fingal County Council need to be increased for whatever reason the Permit Holder shall contribute such sums as are determined by the Council to defray costs.

- 9.2 Prior to the commencement of works and waste activities on site the Permit Holder shall lodge with Fingal County Council a cash deposit of €2,000 or an equivalent bond or other approved financial provision as a security for the satisfactory compliance by the Permit Holder with the terms and conditions attached to this permit. In the event of non-compliance by the Permit Holder with any terms or conditions attached to this permit Fingal County Council shall be empowered to apply the said funds or part thereof for the satisfactory compliance with the terms and conditions attached to this permit as necessary. Any amount not so used by the Council will be released to the Permit Holder when all activities on site have ceased and the Permit has fully complied with the terms and conditions attached to the permit to the satisfaction of Fingal County Council.

- 9.3 The Permit Holder shall indemnify Fingal County Council in respect of all claims, losses, damages arising out of injury to any person or loss of or damage to any property whatsoever caused by or in connection with the operation and management of the facility.

**REASON: To provide for adequate financing for monitoring and measures to protect the environment.**



global environmental solutions

**HUNTSTOWN QUARRY,  
FINGLAS, DUBLIN**

**WASTE LICENCE APPLICATION FOR  
INERT SOIL RECOVERY FACILITY**

**NATURA IMPACT STATEMENT:  
STAGE 1 SCREENING ASSESSMENT**

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**DECEMBER 2013**  
**SLR Ref: 501.00180.00074Rev0**



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## 1.0 INTRODUCTION

### 1.1 Background

This report provides a Natura Impact Statement (NIS) and information to inform a Stage 1 Screening Assessment to identify any likely significant effects on Natura 2000 sites from the operation of a proposed inert soil waste recovery facility at Huntstown, Finglas, Dublin 11.

It has been prepared by SLR Consulting Ireland (SLR) on behalf of Roadstone Wood Limited (RWL) in support of its Waste Licence Application (WLA) for the inert soil recovery facility at Huntstown Quarry.

### 1.2 Appropriate Assessment Overview

The requirements for an Appropriate Assessment are set out under Article 6 of the EU Habitats Directive (92/43/EEC) transposed into Irish law through The European Communities (Birds and Natural Habitats) Regulations 2011. This legislation requires a Competent Authority to make an Appropriate Assessment of the implications for Natura 2000 sites in view of a site's conservation objectives, before deciding to undertake, or give consent, permission or other authorisation for, a plan or project which:

- i. is not directly connected with or necessary to the management of that site; and
- ii. is likely to have a significant effect thereon, either individually or in combination with other plans and projects in view of its conservation objectives.

The European Commission's methodological guidance<sup>1</sup> promotes a four stage process, as set out below, to complete an Appropriate Assessment:

- Stage 1 – Screening for Appropriate Assessment;
- Stage 2 – Appropriate Assessment;
- Stage 3 – Alternative Solutions; and
- Stage 4 – The 'IROPI Test' (Imperative Reasons of Overriding Public Interest).

A person applying for any such consent, permission or other authorisation must provide such information in Stage 1, as the Competent Authority may reasonably require, for the purposes of the assessment or to enable them to determine whether an Appropriate Assessment is required.

In considering whether a plan or project will adversely affect the integrity of any Natura 2000 site or sites, the Competent Authority should consider whether the effects of the proposal on the site or sites, either individually or in combination with other plans or projects, is likely to be significant in terms of the conservation objectives and in respect of each interest feature for which the site was designated a Special Area of Conservation (SAC) under the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), or classified a Special Protection Area (SPA) under the EEC Council Directive on the Conservation of Wild Birds (Directive 79/409/EEC – The Birds Directive), or Ramsar site under the Ramsar Convention.

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<sup>1</sup> European Communities (2002). *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. European Communities, Luxembourg.

In the light of the conclusions of the assessment, and in consideration of Imperative Reasons of Overriding Public Interest (IROPI), the Competent Authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the Natura 2000 site.

### **1.3 Purpose of this Report**

This report has been produced to provide a screening statement, as required under Stage 1 of the Appropriate Assessment process, and includes all relevant information to the Competent Authority (in this case the Environmental Protection Agency (EPA)) in order for it to determine whether the granting of a Waste Licence in respect of the inert soil facility at Huntstown is likely to have a significant effect on the integrity of any Natura 2000 site, or sites, within its zone of influence and whether there is a requirement for an Appropriate Assessment (Stage 2 Assessment) to be undertaken.

### **1.4 Ecologist and Experience**

The Screening Assessment has been conducted by Steve Judge who is a Senior Ecologist with 13 years experience in ecological consultancy and a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). All work produced is subject to internal SLR technical review and quality assurance.

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## 2.0 METHODOLOGY

### 2.1 Baseline Data Collection

Baseline information was gathered through a combination of desk-based study and technical assessments consistent with current standard methodologies and published best practice guidelines, in order to provide relevant data to allow an assessment of likely significant effects of the operation of the inert soil recovery facility on any individual Natura 2000 site, or sites, within the zone of influence of this project.

The principal source of information on Natura 2000 sites and key qualifying features has been data collected through information publically available through the National Parks and Wildlife Service (NPWS)<sup>2</sup> and with other relevant sources used to provide data on current baseline conditions at the site of the proposed development and within its potential zone of influence.

### 2.2 Assessment Likely Significant Effects

Under the "Habitat Regulations", the first test that has to be considered is whether the development, either alone or in combination with other relevant projects and plans, would be likely to have a significant effect. Effects are judged to be significant where they affect the integrity of a Natura 2000 site with respect to the conservation objectives of the features for which the site was designated/classified.

The purpose of Stage 1 assessment is twofold, firstly to screen out those aspects of the proposal that can be considered not likely to have a significant effect, and secondly to screen the key qualifying features of the designation that may be significantly affected by the proposal.

In order to undertake an appropriate screening, the guidance produced by the NPWS in 2009<sup>3</sup> has been followed in order to:

- characterise the potential impacts to the qualifying interests of any Natura 2000 site or sites that may result from the proposed development at Huntstown Quarry;
- assess the likely significance of potential impacts on the qualifying interests of any Natura 2000 site or sites within the zone of influence of the quarry site; and
- assess the risk of an adverse effect on the integrity of the site or occurring to a qualifying interest feature for which it has been designated a European site.

The methodology for the assessment of impacts is derived from the guidelines published by the CIEEM<sup>4</sup>. Impacts are characterised in terms of whether specific hazards emanating from the project are likely to have potential significant effects on the integrity of a defined ecosystem and/or conservation status of individual habitats or species for which a site is of European interest, and on site as a whole.

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<sup>2</sup> <http://www.npws.ie>

<sup>3</sup> NPWS (2009 revised February 2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.

<sup>4</sup> Institute of Ecology and Environmental Management (2006). *Guidelines for Ecological Impact Assessment in the United Kingdom*.

### 2.3 Ascertaining the Threat to Site Integrity

The Competent Authority will be required to determine whether the inert soil recovery facility at Huntstown would adversely affect the integrity of any Natura 2000 site, or sites, in light of the conservation objectives for that particular site or sites. The integrity of a site is defined as:

*“The integrity of a site is the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated/classified.”*

Further to the above, an adverse effect on integrity can also be defined as one that is likely to prevent the site from making the same contribution to favourable conservation status for the relevant features as it did at the time of its classification/designation.

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### **3.0 DESCRIPTION OF THE PROJECT**

#### **3.1 Location and Setting**

Huntstown Quarry is a large operational limestone quarry that has been worked since the late 1960s. The site comprises four main extraction areas (i.e. north quarry, central quarry, south quarry and western quarry); an area that contains the ancillary infrastructure of the quarrying operations including offices, workshops and concrete, masonry and asphalt production plants; access routes; remnant former fields and areas of overburden stripped from the extraction areas that has been utilised for the provision of perimeter screening bunds.

The inert soil recovery facility lies in the northern part of the Huntstown Quarry complex. The application site covers an area of approximately 33.8 hectares (ha) out of a total landholding of 211 hectares and comprises the former North Quarry and associated perimeter screening and overburden mounds.

The northernmost section of the former north quarry has already been partially infilled as part of the quarry restoration in accordance with a previously issued waste recovery permit from Fingal County Council.

The surrounding land-use is a mixture of urban and commercial development with associated infrastructure (including the M50 motorway and Dublin Airport) and agricultural land. The local landscape is typical of a rural-urban fringe.

#### **3.2 Outline Description of Project**

The project basically involves the importation of inert material including soils and stones (with occasional construction / demolition waste) to infill the existing quarry void as part of the overall proposed quarry restoration scheme, as conditioned by Finglas County Council in its planning consent for continued quarrying operations at Huntstown Quarry.

Consent of appropriate authority required for any public use.

#### 4.0 NATURA 2000 SITES

There are eleven Natura 2000 sites within a 15km radius of Huntstown Quarry. These sites are listed Table 1 and their locations shown in Figure 1.

**Table 1: Natura 2000 Sites within a 15km Radius of Proposed Development**

Natura 2000 Site	Site Code	Location at Closest Point
South Dublin Bay and River Tolka SPA	004024	8.4km south east
Malahide Estuary SAC	000205	10.0km north east
Malahide Estuary SPA	004025	10.0km north east
North Dublin Bay SAC	000206	10.9km south east
North Bull Island SPA and Ramsar Site	004006	10.9km south east
South Dublin Bay SAC	000210	11.0km south east
Rye Water Valley/Carlton SAC	001398	11.1km south west
Baldoyle Bay SAC	000199	12.0km east
Baldoyle Bay SPA and Ramsar Site	004016	12.1km east
Rogerstown Estuary SAC	000208	13.1 km north east
Rogerstown Estuary SPA	004015	13.7km north east

#### 4.1 Potential Zone of Influence of Development and AA Screening

All of the Natura 2000 sites identified in Table 1 are of a sufficient distance from the application site that they would not be affected by any direct loss of habitat or impacted upon by any effects arising from disturbance (i.e. noise, vibration and human and visual disturbance), the effects of dust deposition or traffic emissions.

Given the separation distances to the Natura 2000 sites, the only potential source-pathway-receptor link between the inert soil recovery facility at Huntstown Quarry and any of the Natura 2000 sites is via the hydrological pathways created through a discharge of wastewater from the northern parts of the Huntstown Quarry site, in which the application site lies, to the Ballystrahan Stream a tributary of the Ward River that eventually outflows into the Malahide Estuary. Therefore the Malahide Estuary SAC and Malahide Estuary SPA are deemed relevant and have been screened-in for this assessment.

Based on the above, all the following Natura 2000 sites are screened out from any further assessment as there will be no source-pathway-receptor link between the proposed development and these Natura 2000 sites:

- South Dublin Bay and River Tolka SPA;
- North Dublin Bay SAC;
- North Dublin Bay SAC and North Bull Island SPA/Ramsar Site;
- South Dublin Bay SAC;
- Rye Water Valley/Carlton SAC;
- Baldoyle Bay SAC;
- Baldoyle Bay SPA/Ramsar Site;
- Rogerstown Estuary SAC; and
- Rogerstown Estuary SPA.

## 4.2 Malahide Estuary SAC

### 4.2.1 Site Description

Malahide Estuary SAC, covering 809.69ha, comprises the estuary of the River Broadmeadow that has been dissected by a railway viaduct that has led to the inner estuary becoming lagoonal in character and only partly tidal. Much of the outer part of the estuary is well sheltered from the sea by a large sand spit, known as “the island”. This site is a fine example of an estuarine system with all the main habitats represented. A copy of the site synopsis is provided in Appendix A.

### 4.2.2 Qualifying Features

The Malahide Estuary was selected as a SAC for the following habitat types listed under Annex I of the EU Habitats Directive:

- Mudflats and sandflats not covered by seawater at low tide;
- Salicornia and other annuals colonizing mud and sand;
- Spartina swards (*Spartinion maritimae*);
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*);
- Mediterranean salt meadows (*Juncetalia maritimi*);
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes); and
- Fixed coastal dunes with herbaceous vegetation (grey dunes).

### 4.2.3 Conservation Objectives

The overarching conservation objectives for the Malahide Estuary SAC is to maintain or restore the favourable conservation condition of the Annex I habitats for which the SAC has been selected.

For each qualifying feature of the Malahide Estuary SAC a number of component objectives have been established and are used to form the basis of any condition assessment. A summary of the conservation objectives relating to each of the qualifying features as defined by NPWS<sup>5</sup> are provided at Appendix B.

### 4.2.4 Site Vulnerabilities

The site vulnerabilities, including any key pressures or trends within and around the Malahide Estuary SAC that have been identified as impacting upon the site, may be summarised as:

- agriculture, forestry and animal breeding:
  - fertilisation.
- urbanisation, industrialisation and similar activities:
  - urbanised areas, human habitation;
  - industrial or commercial areas.
- transportation and communication:
  - paths, tracks, cycling tracks;
  - railway lines;
  - bridge, viaduct.
- leisure and tourism:

<sup>5</sup> NPWS (2013). *Conservation Objective: Malahide Estuary SAC 000205*. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage & the Gaeltacht.



- nautical sports;
- walking, horse-riding and non-motorised vehicles.
- pollution and other human impacts/activities:
  - water pollution.
- human induced changes in hydraulic conditions:
  - reclamation of land from seas, estuary or marsh.
- natural processes:
  - acidification.

### 4.3 Malahide Estuary SPA

#### 4.3.1 Site Description

Malahide Estuary SPA (764.96ha) encompasses the estuary, saltmarsh habitats and shallow subtidal areas at the mouth of the River Broadmeadow estuary. The outer part empties almost completely at low tide and there are extensive intertidal flats exposed. The site is important for wintering birds that feed on the exposed flats. A copy of the site synopsis is provided in Appendix C.

#### 4.3.2 Qualifying Interests

Malahide Estuary qualifies under Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC) (Birds Directive) as a SPA because it regularly supports populations of European importance including:

- over winter:
  - Great Crested Grebe (*Podiceps cristatus*);
  - Light-bellied Brent Goose (*Branta bernicla hrota*);
  - Shelduck (*Tadorna tadorna*);
  - Pintail (*Anas acuta*);
  - Goldeneye (*Bucephala clangula*);
  - Red-breasted Merganser (*Mergus serrator*);
  - Oystercatcher (*Haematopus ostralegus*);
  - Golden Plover (*Pluvialis apricaria*);
  - Grey Plover (*Pluvialis squatarola*);
  - Knot (*Calidris canutus*);
  - Dunlin (*Calidris alpina*);
  - Black-tailed Godwit (*Limosa limosa*);
  - Bar-tailed Godwit (*Limosa lapponica*); and
  - Redshank (*Tringa totanus*).

The site also qualifies under Article 4.2 as a wetland of international importance by regularly supporting significant populations of waterbirds.

#### 4.3.3 Conservation Objectives

The overarching conservation objective for the Malahide Estuary SPA is to maintain or restore the favourable conservation status of bird species of Special Conservation Interest for this SPA.

For each qualifying bird species for which the Malahide Estuary SPA is of European importance a number of component objectives have been established and are used to form

the basis of any condition assessment. A summary of the conservation objectives relating to each of the qualifying birds as defined by NPWS<sup>6</sup> are provided at Appendix D.

#### **4.3.4 Site Vulnerabilities**

The site vulnerabilities, including any key pressures or trends within and around the Malahide Estuary SPA that have been identified as impacting upon the site, may be summarised as:

- agriculture, forestry and animal breeding:
  - fertilisation.
- fishing, hunting and collecting:
  - professional hunting;
  - hunting.
- urbanisation, industrialisation and similar activities:
  - urbanised areas, human habitation.
- transportation and communication:
  - routes, autoroutes.
- leisure and tourism:
  - golf course;
  - nautical sports;
  - walking, horse-riding and non-motorised vehicles.
- pollution and other human impacts/activities:
  - water pollution.
- human induced changes in hydraulic conditions:
  - reclamation of land from seas, estuary or marsh.

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<sup>6</sup> NPWS (2013). *Conservation Objective: Malahide Estuary SPA 004025*. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage & the Gaeltacht.

## 5.0 HAZARD IDENTIFICATION AND POTENTIAL EXPOSURE ASSESSMENT

This section identifies the potential hazards (i.e. the pathways through which the proposed development at Huntstown Quarry could affect interest features of the Malahide Estuary SAC and the Malahide Estuary SPA) and whether the exposure to a particular hazard is likely to have a significant effect.

The main purpose of this stage is to screen out those aspects of the proposed development that can be considered not likely to have a significant effect, as well as those qualifying features of the relevant Natura 2000 sites that are not likely to be significantly affected from the exposure to a potential hazard and/or pathway. This is essentially a risk assessment to decide whether a more detailed assessment is required, and if so, the scope of the issues and features to be addressed. If it cannot be concluded with confidence that adverse effects are unlikely, then under the precautionary principle, it is assumed that the issue requires more detailed consideration.

Significant effects are defined in terms of changes to the baseline conditions of one or more the qualifying interest features for which Malahide Estuary SAC and/or Malahide Estuary SPA were designated/classified, whether negative or positive, and which are likely to be directly and indirectly attributable to the inert soil recovery facility at Huntstown Quarry, either alone or in-combination with other plans or projects.

### 5.1 Hazard Identification and Potential Exposure

A review of the potential hazards, based on the proposed development and vulnerabilities of the relevant Natura 2000 sites, that might affect the interest features of for which these sites were designated / classified and the potential exposure of the interest features from the proposed operation of an inert soil recovery facility at Huntstown Quarry, has identified the following potential hazards:

- changes to surface water quality in the Ballystrahan Stream.

### 5.2 Changes to Surface Water Quality

#### 5.2.1 Nature of Hazard

Surface water discharges and diffuse pollution from surface water run-off can contribute to a reduction in water quality of any receiving watercourse through a net contribution of nutrients or contamination from a wide range of organic and inorganic compounds.

The main hazards to changes in water quality are outlined below:

#### a. Toxic Contamination

Toxins include anything poisonous to living organisms. Toxins can kill or damage organisms or result in changes of behaviour.

The effects on species may be direct or indirectly on supporting species i.e. on a food source of a particular bird species. An effect on a food source may cause a reduction in abundance of prey, change in the composition of prey species, or the palatability of prey through tainting.

For freshwaters, the discharge is likely to have a significant effect if it is liable to pollute with any particular substance and calculated to cause an increase in the

concentration in the receiving water at the point of discharge of more than 10% of any environmental quality standards (EQS), the discharge is predicted to exceed the EQS downstream or a hazardous substance exceeds any general standard.

For tidal waters, a significant effect is likely to occur when the discharge is liable to contain a substance and the EQS would be exceeded after initial dilution, or the discharge is to an inter-tidal zone for which any initial dilution cannot be calculated.

*b. Changes in pH*

The effect of a discharge will depend on the buffering capacity of the receiving watercourse. A reduction in pH may increase the solubility and toxicity of metals. An increase in pH may decrease the toxicity of some organic compounds.

At pH 8 bicarbonate is the predominant form of carbonate. Below pH 6 carbon dioxide predominates, resulting in reduced calcification with consequently effects on molluscs which in turn may affect prey sources for individual species of birds.

*c. Nutrient and Organic Enrichment*

Estuaries are highly individual environments with a range of physical, chemical and biological characteristics that alter their respective vulnerability and response to nutrient enrichment. Nutrients stimulate the growth of benthic and microscopic plants. Excessive algal growth can cause oxygen depletion and reduce water clarity which may result in changes in community structures. Organic enrichment can also result in reduced oxygen and produce anoxic sediments.

*d. Sedimentation*

Alterations in sedimentation rates can cover food for birds and kill macroinvertebrates or render them inaccessible. Increase in suspended solids can affect filter-feeding organisms through the clogging and damage to feeding and breathing organs. Young fish can also be affected by sediment becoming trapped in their gills. Fine sediments can smother gravel beds used by salmon for spawning.

Sedimentation may also affect turbidity levels associated with suspended solids affecting feeding behaviour of those birds and other animals that detect prey by sight. Increase turbidity can also result in reduced light penetration, which may affect photosynthesis that may affect directly invertebrates and other groups of species higher the food chain indirectly.

## **5.2.2 In-built Mitigation Measures**

### *Surface Water Management and Treatment*

Surface water in the North Quarry is allowed to drained to a sump in the quarry floor. From the sump water can then be pumped to a surface water management system consisting of a number of settlement lagoons in the northern part of the Huntstown Quarry complex where it is subject to treatment to remove suspended solids before wastewater is discharged into the Ballystrahan Stream.

All water discharged from the northern and central part of the Huntstown Quarry site, which includes the area of the inert soil recovery facility, are subject to a degree of treatment in a dedicated surface water management system before being discharged to the Ballystrahan Stream under consented licence WPW/F/0008-01 issued by Fingal County Council. The discharge licence sets limits for a number of parameters with which the effluent discharge must comply. The discharge water is regularly monitored to ensure compliance with the discharge consent limits.

The water discharged from the northern part of the quarry to the Ballystrahan Stream is comprised of incidental rainwater, groundwater from the North Quarry as well as treated surface water run-off from the area around the concrete, masonry and asphalt production plants.

All surface water run-off and drainage from the inert soil recovery facility will continue to be directed to the existing water management system for treatment before being discharged from Huntstown Quarry.

### *Pollution Prevention Measures*

In-built measures to minimise the risk of pollution occurring from the operation of the inert soil recovery facility and associated restoration of the North Quarry include the following measures:

- all refuelling of vehicles and plant will either take place at a dedicated hard-standing area outside the operational area of the inert soil recovery facility or from a double skinned bowser;
- no petroleum-based products (fuels, lubricating oils, waste oils, etc.) or chemicals will be stored within the operational area of the inert soil recovery facility to prevent groundwater pollution due to accidental leakages. All fuels will be stored in an existing bunded fuel storage area in the central part of Huntstown Quarry;
- all plant used within the operational area will be regularly maintained and inspected daily for leaks of fuels, lubricating oil or other contaminating liquids; and
- spill kits are kept on-site to stop the migration of any accidental spillages, should they occur.

### **5.2.3 Assessment of Potential Effects of Quarry on Surface Water Quality**

A discharge is considered likely to have an adverse effect if it can be shown that it has the potential to cause, or is likely to be attributable to, the failure of environmental water quality standards for the receiving waters at any of the identified Natura 2000 sites.

Where the environmental water quality standards are already being failed in the receiving waters at these European sites, it is important that any alteration in water quality caused by a discharges is considered, whether this is a deterioration or improvement of water quality. A significant effect is considered likely where any of the discharges would lead to a deterioration of, or improvement of, water quality >1% of any environmental water quality standards. It is important to note that the alteration in water quality is measured at the relevant Natura 2000 site and not at the point of discharge.

For the purpose of this screening assessment, no distinction has been made between the Malahide Estuary SAC and Malahide Estuary SPA as the two sites overlap each other. Rather than focus on the sites, this assessment focuses on the receiving waters of the Malahide Estuary as a whole entity and for which environmental water quality standards have been set for this transitional water.

### *Baseline Conditions – Malahide Estuary*

The Malahide Estuary, situated between the towns of Malahide and Swords, covers an area of approximately 3.4km<sup>2</sup> in size. Five watercourses, the Broadmeadow River, Turvey River, Ward River, Gaybrook Stream and Lissenhall Stream, flow into the Irish Sea via this estuary.

The Malahide Estuary has a tidal range in the region of 4m, however, where the Dublin to Belfast rail line crosses the estuary this has caused the impoundment of the inner estuary basically creating two bodies of water, which limits the tidal impact west of this feature (Broadmeadow Water) whilst to the east the estuary almost completely drains at low tide (Malahide Bay).

In the latest assessment of water quality in Ireland<sup>7</sup> the transitional waters of the Malahide Estuary are assessed as being “Potentially Eutrophic” under the EPA’s Trophic Status Assessment Scheme (TSAS) required for the Urban Waste Water Treatment Directive and Nitrates Directive whilst the Broadmeadow Water is assessed as “Eutrophic”. The Malahide Estuary also failed to comply with the EQS established for the Water Framework Directive (WFD) for dissolved inorganic nitrogen (DIN). In addition, the Broadmeadow Water had high winter and summer levels of molybdate reactive phosphorus (MRP). The main factors affecting water quality are diffuse agriculture pollution and wastewater/industrial discharges.

The EPA’s latest assessment of water quality in Ireland also shows the Ward River is classified as being of ‘Poor’ status with a median Q-rating of 2-3 (unsatisfactory). However, based on data within the Eastern River Board Programme of Measures 2009-2015<sup>8</sup>, the Ballystrahan Stream is assessed as having achieved “Good” status.

### *Baseline Conditions – Discharge of Effluent from Huntstown Quarry*

The discharge of incidental rainwater and groundwater from the North and Central Quarries as well as treated wastewaters from the concrete, masonry and asphalt production plants is to the Ballystrahan Stream (catchment c.7km<sup>2</sup>), a tributary of the Ward River, one of the five watercourses flowing into the Malahide Estuary, with a catchment area of c.152km<sup>2</sup>.

Under Discharge Licence WFW/F/008-01, the maximum volume of the discharge to the Ballystrahan Stream is set at 1800m<sup>3</sup>/day (0.021m<sup>3</sup>/s) over any 24 hour period. Whilst there is no primary flow gauge data for the Ballystrahan Stream, an estimation of the mean annual maximum flow for this watercourse has been calculated at Kilreesk Lane, St Margaret’s at 1.09m<sup>3</sup>/s, based on the Institute of Hydrology’s methodology to estimate mean annual maximum flows modified by Cawley and Cunnane for Irish small catchments<sup>9</sup>. The contribution of the quarry discharge is calculated to be approximately 1.9% of the mean annual maximum flows in the Ballystrahan Stream, based on the maximum volume limits set by the existing discharge licence.

The results of water quality monitoring at the point of discharge to the Ballystrahan Stream from the northern and central parts of Huntstown Quarry are provided at Table 2. The results demonstrate that the discharge waters generally comply with limits set under the existing discharge licence, except for two occurrences where the limits for total suspended solids have been exceeded.

<sup>7</sup> Environmental Protection Agency (2010). *Water Quality in Ireland 2007-2009*. Environmental Protection Agency, Wexford.

<sup>8</sup> Eastern River Basin District (2009). *Eastern River District - Programme of Measures 2009-2015*.

<sup>9</sup> Cawley, A.M. and Cunnane, C. (2003). *Comment on Estimation of Greenfield Runoff Rates*. National Hydrology Seminar 2003.

**Table 2: Water Quality Data : Discharge to Ballystrahan Stream (2013)**

Parameters	Units	Max Limit Value	Sampling Results 2013						
			20/2	27/2	8/3	15/3	25/3	22/9	19/11
Temperature	°C	25	7.5	8.1	7.6	19.1	6.3	15.5	9.1
DO <sub>2</sub>	%	-	91.3	85.1	98.5	107.3	89.6	98.3	89.8
pH	pH	6.0 - 9.0	7.86	7.87	7.72	7.78	7.38	7.79	8.69
BOD	mg/l	5	2.9	2.2	2.4	2.0	1.8	2.8	2.6
COD	mg/l	30	<1	<1	<1	<1	22	6	22
Suspended Solids (Total)	mg/l	20	<1	3.3	3.3	4.6	20.66	18	82.67
Ammonia (as NH <sub>3</sub> -N)	mg/l	1	0.02	0.24	<0.01	<0.01	0.51	0.01	0.18
Sulphate (as SO <sub>4</sub> )	mg/l	300	247.9	262.6	294.6	260.1	253.9	252.9	190.8
Phosphate (as P)	mg/l	1	<0.05	<0.05	<0.05	<0.05	<0.05	<0.01	0.03
Ammonium (as N)	mg/l	1	0.01	0.26	<0.01	<0.01	0.54	-	-
Detergents	mg/l	10	0.03	0.03	0.03	0.03	0.03	<0.001	0.021
Total Petroleum Hydrocarbons	mg/l	<10	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01
Petrol Range Organics	mg/l	<10	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005
Diesel Range Organics	mg/l	<10	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01
Mineral Oil		10	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1

Based on the sampling results, it is considered that the discharge of wastewater from the northern part of the Huntstown Quarry is not having a significant impact upon the overall water quality in the Ballystrahan Stream, the Ward River or on the transitional waters in the Malahide Estuary.

### Screening Assessment

The inert soil recovery facility is not anticipated to result in any increase surface water run-off rates or result in any changes in the volumes of wastewater generated from the North Quarry entering into the surface water management system and eventually being discharged to the Ballystrahan Stream. This system will remain in operation until such time as the area with the sump is infilled, by which time there will be no further requirement to pump groundwater and any incidental rainfall should be at or near greenfield run-off rates.

The inert soil recovery facility will process similar waste material for infilling of the North Quarry as previously used in the restoration of the northern part of this quarry void. The previous infilling operations have not had any measureable impact on water quality emanating from the North Quarry and on the quality of wastewater being discharged to the Ballystrahan Stream.

Given the nature of the waste materials that will be handled at the inert soil recovery facility and used for the further infilling of the North Quarry, there is no reason to believe that this will result in any measureable deterioration in the chemical and biological quality of water quality at this particular part of Huntstown Quarry from the current baseline conditions.

The handling, storage and infilling of waste materials may result in elevated sediment loadings in the wastewater emanating from the North Quarry. However, due to the likely particle size of this material it is considered that sufficient settlement of sediments will occur in the existing surface water management system and that there would be no measureable increase in the sediment loading of the Ballystrahan Stream, over and above the existing levels from the existing consented discharge from Huntstown Quarry.

It is considered that the inert soil recovery facility will not necessitate any submission for a change in the discharge licence in respect of volume or in the consented limited and/or exceedance of such limits.

The continuation of any such discharge with wastewater received from the inert soil recovery facility is not likely to affect the current 'good' status of the Ballystrahan Stream, nor would it

- lead to a deterioration in the overall water quality in the Ward River and the transitional waters of the Malahide Estuary (based on the EQS established under the WFD), or
- would be directly attributable to these waters not achieving "good" status by 2027.

It is assessed that potential exposure to changes in water quality is not likely and no adverse impact on current baseline water quality is predicted in the transitional waters of the Malahide Estuary, or on this waterbody achieving "Good" status by 2027, as a direct result of the inert soil recovery facility at Huntstown Quarry.

Therefore no significant effects are predicted on any of the qualify habitats in the Malahide Estuary SAC or on the qualifying birds of the Malahide Estuary SPA, in light of the conservation objectives for these features, or on the integrity of these Natura 2000 sites.



## 6.0 ASSESSMENT OF EFFECTS OF THE PROPOSED DEVELOPMENT

Based on the screening of potential hazards outlined above in Section 5.0, the operation of an inert soil recovery facility at Huntstown Quarry is not likely to have any significant stand-alone adverse effects on the integrity of the Malahide Estuary SAC and/or Malahide Estuary SPA, or on any of the qualifying habitats or birds for which these sites have been classified / designated as being of European importance respectively. It is therefore considered that no further assessment is required for the proposed granting of a waste licence for this development as a stand-alone project.

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## 7.0 AVOIDANCE AND MITIGATION

As no effects are predicted on the Malahide Estuary SAC and/or Malahide Estuary SPA or on any qualifying habitats and/or species, no other specific avoidance and mitigation measures are proposed in respect of the proposed development, over and above those measures included within the overall scheme design.

However, Roadstone Wood Limited will ensure the operation of the inert soil recovery facility will be undertaken in accordance with “best practice” and appropriate guidelines for example the Department of the Environment, Heritage and Local Government (DoEHLG) *Quarries and Ancillary Activities – Guidelines for Planning Authorities*<sup>10</sup> and the EPA’s guidelines on *Environmental Management in the Extractive Industry*<sup>11</sup> and in a sensitive manner, with all due regard to current wildlife legislation in respect of European sites and their qualifying habitats and species.

Under the existing discharge licence, WPW/F/008-01, Roadstone Wood Limited will continue to monitor water quality of any water discharged from the quarry site to ensure compliance with the parameters set under the conditions of this licence.

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<sup>10</sup> Department of the Environment, Heritage and Local Government (2004). *Quarries and Ancillary Activities – Guidelines for Planning Authorities*. DoEHLG.

<sup>11</sup> Environmental Protection Agency (2006). *Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-Scheduled Minerals)*. EPA, Wexford.

## 8.0 IN-COMBINATION ASSESSMENT

It is a requirement of The European Communities (Birds and Natural Habitats) Regulations 2011 that, when considering whether a plan or project will adversely affect the integrity of a Natura 2000 site that it must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

There is no single agreed method for addressing the issue of in-combination effects, however, current practice and available guidance suggests a staged approach which takes into account the following:

- i. if it can be clearly demonstrated that the plan or project will not result in any effects at all that are relevant to the integrity of a Natura 2000 site then the plan or project should proceed without considering the in-combination test, further; or
- ii. if there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a Natura 2000 site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

From the screening assessment undertaken here, it is considered that it can be clearly demonstrated that the inert soil recovery facility at Huntstown Quarry is not likely to result in any measureable effects on the qualifying habitats in Malahide Estuary SAC or on the qualifying birds of the Malahide Estuary SPA as a stand-alone project. Therefore it is considered that there is not a requirement in this case to undertake any further assessment in-combination with other plans and projects.

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## 9.0 SUMMARY AND CONCLUSIONS

This assessment has considered the potential effects associated with the inert soil recovery facility at Huntstown Quarry on the Malahide Estuary SAC and Malahide Estuary SPA.

The assessment has concluded that the inert soil recovery facility is not likely to have an adverse effect on the integrity of either the Malahide Estuary SAC or the Malahide Estuary SPA, or on any of the qualifying habitats and/or species for which these sites have been designated/classified as being of European importance, either as a stand-alone development or in-combination with other plans or projects.

### 9.1 Natura Impact Statement – Summary

A summary of the NIS and findings of no significant effects in line with the methodology set out in the 'Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC' is provided in Table 3.

**Table 3: Finding of No Significant Effects Report**

<b>Name of project or plan</b>	Waste Licence Application for the operation of an inert soil recovery facility at Huntstown Quarry, Finglas, Dublin
<b>Name and location of Natura 2000 site(s)</b>	<p>The following designated European sites lie within a 15km radius of the proposed development site:</p> <ul style="list-style-type: none"> <li>• South Dublin Bay and River Tolka SPA (004024) 8.41km southeast at closest point;</li> <li>• Malahide Estuary SAC (00205) 9.99km northeast;</li> <li>• Malahide Estuary SPA (004025) 10.02km northeast;</li> <li>• North Dublin Bay SAC (00206) 10.86km southeast;</li> <li>• North Bull Island SPA and Ramsar Site (004006) 10.86km southeast;</li> <li>• South Dublin Bay SAC (000210) 11.05km southeast;</li> <li>• Rye Water Valley / Carton SAC (001398) 11.08 km southwest;</li> <li>• Baldoyle Bay SAC (000199) 12.01km east;</li> <li>• Baldoyle Bay SAC and Ramsar Site (004016) 12.06k east;</li> <li>• Rogerstown Estuary SAC (000208) 13.07km northeast; and</li> <li>• Rogerstown Estuary SPA (0004015) 13.68km northeast.</li> </ul> <p>Of the above sites, only the Malahide Estuary SAC and Malahide Estuary SPA has been deemed relevant to this project</p>
<b>Description of the project/plan</b>	Waste Licence Application for the importation of inert soils and stones (and some inert construction / demolition waste) to infill the existing quarry void as part of the overall proposed quarry restoration scheme, conditioned by Finglas County Council as part of the planning consent for continued quarrying operations at Huntstown Quarry.
<b>Is the project or plan directly connected with or necessary to the management of the site?</b>	No

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**Are there other projects or plans that together with the project being assessed could affect the site?** No

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***The assessment of significance of effects***

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**Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 sites** No direct impacts predicted on the integrity of the Malahide Estuary SAC and Malahide Estuary SPA and on individual qualifying features for which these sites were designated/classified as being of European importance.

The inert waste recovery facility will contribute to an existing discharge to the Ballystrahan Stream, a tributary of the Ward River that flows into the Malahide Estuary. Any changes water quality discharged as result of the development has potential to affect water quality in the estuary with potential direct and indirect effects on qualifying habitats in the Malahide Estuary SAC and indirectly on the qualifying birds of Malahide Estuary SPA.

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**Explain why the effects are not considered significant**

All water discharged from Huntstown Quarry to the Ballystrahan Stream is subject to a consented discharge licence (WPW/F008-01 issued by Fingal County Council) that has set limits on a number of parameters in respect to water quality.

The inert soil recovery facility is not anticipated to result in any increase surface water run-off rates or result in any changes in the volumes of wastewater generated from the North Quarry entering into the surface water management system which ultimately discharge to the Ballystrahan Stream.

The inert soil recovery facility will process similar waste material for infilling of the North Quarry as previously used in the restoration of the northern part of this quarry void. The previous infilling operations have not had any measureable impact on water quality emanating from the North Quarry and on the quality of wastewater being discharged to the Ballystrahan Stream. Given the nature of the waste materials that will be handled at the inert soil recovery facility and used for the further infilling of the North Quarry there is no reason to believe that this will result in any measureable deterioration in the chemical and biological quality of water quality at this particular part of Huntstown Quarry from the current baseline conditions.

The handling, storage and infilling of waste materials may result in elevated sediment loadings in the wastewater emanating from the North Quarry. However, due to the likely particle size of this material it is considered that sufficient settlement of sediments will occur in the existing surface water management system that there would be no measureable increase in the sediment loading of the Ballystrahan Stream over and above the existing levels from the existing consented discharge from Huntstown Quarry.

The continuation of any such discharge with wastewater received from the inert soil recovery facility is not likely to affect the current 'Good' status of the Ballystrahan Stream nor would it either lead to deterioration in the overall water quality in the Ward River. Therefore no adverse impact on current baseline water quality is predicted in the transitional waters of the Malahide Estuary, or on this waterbody achieving "good" status by 2027, as a direct result of the inert soil recovery facility at Huntstown Quarry. Therefore no significant effects predicted on any of the qualify habitats in the Malahide Estuary SAC or on the qualifying birds of the Malahide Estuary SPA, in light of the conservation objectives for these features, or on the integrity of these Natura 2000 sites.

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**List of agencies consulted:** None.  
**provide contact name and telephone or e-mail address**

**Response to consultation** Not applicable

***Data collected to carry out the assessment***

<b>Who carried out the assessment</b>	<b>Sources of data</b>	<b>Level of assessment completed</b>	<b>Where can the full results of the assessment be accessed and viewed?</b>
Steve Judge Senior Ecologist MCIEEM and employee of SLR	NPWS, Eastern District	EPA and River Basin	Stage 1 – Screening Assessment  Review of desk-top information relating to the Natura 2000 sites and qualifying features.  The assessment is qualitative and is based on best practice and professional experience.

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## 10.0 CLOSURE

This report has been prepared by SLR Consulting Ireland with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

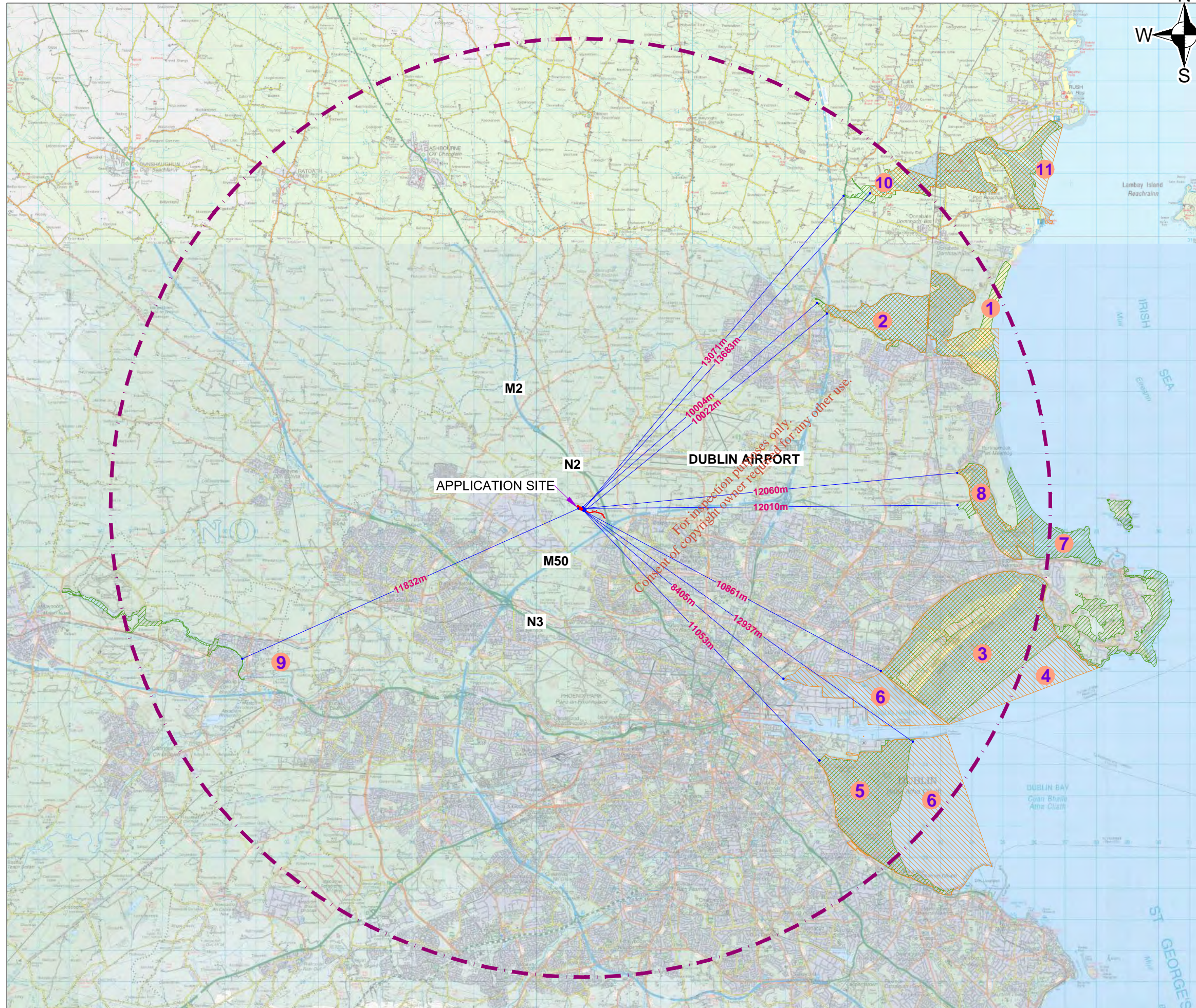
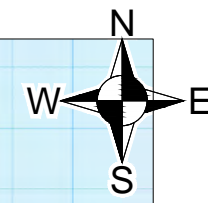
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NOTES

1. EXTRACT FROM 1:50,000 O.S DISCOVERY MAP NO. 50
2. ORDNANCE SURVEY IRELAND LICENCE NO. SU 0000713 (C) ORDNANCE SURVEY & GOVERNMENT OF IRELAND

LEGEND

- APPLICATION AREA
- 15km RADIUS
- SPECIAL PROTECTION AREA (SPA)
- SPECIAL AREA OF CONSERVATION (SAC)

1. MALAHIDE ESTUARY SAC (000205)
2. MALAHIDE ESTUARY SPA (004025)
3. NORTH DUBLIN BAY SAC (000206)
4. NORTH BULL ISLAND SPA (004006)
5. SOUTH DUBLIN BAY SAC (000210)
6. SOUTH DUBLIN BAY & RIVER TOLKA SPA (004024)
7. BALDOYLE BAY SAC (000199)
8. BALDOYLE BAY SPA (004016)
9. RYE WATER VALLEY / CARTON SAC (001398)
10. ROGERSTOWN ESTUARY SAC (000208)
11. ROGERSTOWN ESTUARY SPA (004015)

R0	EW	SJ	12/13	
Revision	Drawn By	Chkd By	Date	Comments

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**NATURA 2000 SITES WITHIN A 15km  
RADIUS OF THE DEVELOPMENT SITE**

**FIGURE 1**

Scale 1:125,000 @ A3	Date DECEMBER 2013
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00180.00074.18.001.R0.Natura 2000 Sites within a 15km Radius of the Development Site.dwg

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## Malahide Estuary SAC Site Synopsis

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# APPENDIX A

**SITE NAME:** Malahide Estuary SAC

**SITE CODE:** 000205

Malahide Estuary is situated immediately north of Malahide and east of Swords. It is the estuary of the Broadmeadow River. The site is divided by a railway viaduct built in the 1800s.

The outer part of the estuary is mostly cut off from the sea by a large sand spit, known as "the island". The outer estuary drains almost completely at low tide, exposing sand and mud flats. There is a large bed of Eelgrass (*Zostera noltii* and *Z. angustifolium*) in the north section of the outer estuary, along with Tassel Weed (*Ruppia maritima*) and extensive mats of green algae (*Enteromorpha* spp., *Ulva lactuca*). Cordgrass (*Spartina anglica*) is also widespread in this sheltered part of the estuary.

The dune spit has a well developed outer dune ridge dominated by Marram Grass (*Ammophila arenaria*). The dry areas of the stabilised dunes have a dense covering of Burnet Rose (*Rosa pimpinellifolia*), Red Fescue (*Festuca rubra*) and species such as Yellow Wort (*Blackstonia perfoliata*), Field Gentian (*Gentianella amarella*), Hound's Tongue (*Cynoglossum officinale*), Carline Thistle (*Carlina vulgaris*) and Pyramidal Orchid (*Anacamptis pyramidalis*). Much of the interior of the spit is taken up by a golf course. The inner stony shore has frequent Sea-holly (*Eryngium maritimum*). Well-developed saltmarshes occur at the tip of the spit. Atlantic salt meadow is the principle type and is characterised by species such as Sea Purslane (*Halimolobos portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Sea Arrowgrass (*Triglochin maritima*) and Common Saltmarsh-grass (*Puccinellia maritima*). Elsewhere in the outer estuary, a small area of Mediterranean salt meadow occurs which is characterised by the presence of Sea Rush (*Juncus maritimus*). Below the salt marshes there are good examples of pioneering Glasswort swards and other annual species, typified by *Salicornia dolichostachya* and Annual Sea-blite (*Suaeda maritima*).

The inner estuary does not drain at low tide apart from the extreme inner part. Here, patches of saltmarsh and salt meadows occur, with Sea Aster, Sea Plantain (*Plantago maritima*) and Sea Clubrush (*Scirpus maritimus*). Tassel Weed (*Ruppia maritima*) occurs in one of the channels.

The site includes a fine area of rocky shore south-east of Malahide and extending towards Portmarnock. This represents the only continuous section through the fossiliferous Lower Carboniferous rocks in the Dublin Basin, and is the type locality for several species of fossil coral.

The estuary is an important wintering bird site and holds an internationally important population of Brent Geese and nationally important populations of a further 15 species. Average maximum counts during the 1995/96-1997/98 period were Brent Geese 1217; Great Crested Grebe 52; Mute Swan 106; Shelduck 471; Pochard 200; Goldeneye 333; Red-breasted Merganser 116; Oystercatcher 1228; Golden Plover 2123; Grey Plover 190; Redshank 454; Wigeon 50; Teal 78; Ringed Plover 106; Knot 858; Dunlin 1474; Greenshank 38; Pintail 53; Black-tailed Godwit 345; Bar-tailed Godwit 99. The high numbers of diving birds reflects the lagoon-type nature of the inner estuary.

The estuary also attracts migrant species such as Ruff, Curlew Sandpiper, Spotted Redshank and Little Stint. Breeding birds of the site include Ringed Plover, Shelduck and Mallard. Up to the 1950s there was a major tern colony at the southern end of the island and the habitat remains suitable for these birds.

The inner part of the estuary is heavily used for water sports. A section of the outer estuary has recently been infilled for a marina and housing development.

# APPENDIX A

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This site is a fine example of an estuarine system with all the main habitats represented. The site is important ornithologically, with a population of Brent Geese of international significance.

3.10.2001

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## Malahide Estuary SAC Summary of Conservation Objectives

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## Malahide Estuary SAC Qualifying Features Conservation Objectives

Feature	Objective	Attribute	Targets
Mudflats and sandflats not covered by seawater at low tide	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in the Malahide Estuary SAC	Habitat area	The permanent habitat area is stable or increasing, subject to natural processes.
		Community extent	Maintain the extent of the <i>Zostera</i> -dominated community and the <i>Mytilus edulis</i> -dominated community complex, subject to natural processes.
		Community structure: <i>Zostera</i> density	Conserve the high quality of the <i>Zostera</i> -dominated community, subject to natural processes
		Community structure: <i>Mytilus edulis</i> density	Conserve the high quality of the <i>Mytilus edulis</i> -dominated community, subject to natural processes
		Community distribution	Conserve the following community types in a natural condition: Fine sand with oligochaetes, amphipods, bivalves and polychaetes community complex; Estuarine sandy mud with Chironomidae and <i>Hediste diversicolor</i> community complex; and Sand to muddy sand with <i>Peringia ulvae</i> , <i>Tubificoides benedii</i> and <i>Cerastoderma edule</i> community complex.
<i>Salicornia</i> and other annuals colonizing mud and sand	To maintain the favourable conservation condition of <i>Salicornia</i> and other annuals colonizing mud and sand in the Malahide Estuary SAC	Habitat area	Area stable or increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Malahide Estuary – 1.93ha.
		Habitat distribution	No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: sediment supply	Maintain, or where necessary restore, natural circulation of sediments and organic matter, without any physical obstructions.
		Physical structure: creeks and pans	Maintain creek and pan structure, subject to natural processes, including erosion and succession.
		Physical structure: flooding regime	Maintain natural tidal regime.
		Vegetation structure: zonation	Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.
		Vegetation structure: vegetation height	Maintain structural variation within sward.

# APPENDIX B

Feature	Objective	Attribute	Targets
		Vegetation structure: vegetation cover	Maintain more than 90% of area outside creeks vegetated
		Vegetation composition: typical species and sub-communities	Maintain the presence of species-poor communities with typical species listed in Saltmarsh Monitoring Project.
		Vegetation composition: negative indicator species – <i>Spartina anglica</i>	No significant expansion of common cordgrass ( <i>Spartina anglica</i> ). No new sites for this species and an annual spread of less than 1% where it is already known to occur.
<i>Spartina</i> swards ( <i>Spartinion maritimae</i> )	<i>Spartina</i> swards ( <i>Spartinion maritimae</i> ) was originally listed as a qualifying Annex I habitat for Malahide Estuary SAC due to historical records of two rare forms of cordgrass—small cordgrass ( <i>Spartina maritima</i> ) and Townsend’s cordgrass ( <i>S. x townsendii</i> ). However, Preston et al. (2002) considers both forms to be alien. In addition, all stands of cordgrass in Ireland are now regarded as common cordgrass ( <i>S. anglica</i> ) (McCorry et al., 2003; McCorry and Ryle, 2009). As a consequence, a conservation objective has not been prepared for this habitat. It will therefore not be necessary to assess the likely effects of plans or projects against this Annex I habitat at this site.		
Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> )	To restore the favourable conservation condition of Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> ) in Malahide Estuary SAC	Habitat area	Area stable or increasing, subject to natural processes, including erosion and succession. For sub-site mapped: Malahide Estuary – 25.33ha.
		Habitat distribution	No decline or change in habitat distribution, subject to natural processes.
		Physical structure: sediment supply	Maintain natural circulation of sediments and organic matter, without any physical obstructions.

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## APPENDIX B

Feature	Objective	Attribute	Targets		
		Physical structure: creeks and pans	Allow creek and pan structure to develop, subject to natural processes, including erosion and succession.		
		Physical structure: flooding regime	Maintain natural tidal regime.		
		Vegetation structure: zonation	Maintain range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.		
		Vegetation structure: vegetation height	Maintain structural variation within sward.		
		Vegetation structure: vegetation cover	Maintain more than 90% area outside creeks vegetated.		
		Vegetation composition: typical species and sub-communities	Maintain range of sub-communities with typical species listed in Saltmarsh Monitoring Project.		
		Vegetation composition: negative indicator species – <i>Spartina anglica</i>	No significant expansion of common cordgrass ( <i>Spartina anglica</i> ), with an annual spread of less than 1% where it is known to occur.		
		Mediterranean salt meadows ( <i>Juncetalia maritimi</i> )	To maintain the favourable conservation condition of Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) in Malahide Estuary SAC	Habitat area	Area increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Malahide Estuary – 0.64ha..
				Habitat distribution	No decline, or change in habitat distribution, subject to natural processes.
				Physical structure: sediment supply	Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions.
Physical structure: creeks and pans	Maintain creek and pan structure, subject to natural processes, including erosion and succession.				
Physical structure: flooding regime	Maintain natural tidal regime				
Vegetation structure: zonation	Maintain the range of saltmarsh habitats including transitional zones, subject to natural processes including erosion and succession.				
Vegetation structure: vegetation height	Maintain structural variation within sward.				
Vegetation structure: vegetation cover	Maintain more than 90% of area outside creeks vegetated.				
Vegetation composition: typical species	Maintain range of sub-communities with characteristic species listed in Saltmarsh Monitoring Project.				

# APPENDIX B

Feature	Objective	Attribute	Targets
Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)	To restore the favourable conservation condition of Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) in Malahide Estuary SAC	Vegetation composition: negative indicator species – <i>Spartina anglica</i>	No significant expansion of common cordgrass ( <i>Spartina anglica</i> ), with an annual spread of less than 1% where it is already known to occur.
		Habitat area	Area stable or increasing, subject to natural processes including erosion and succession. Total area mapped 1.80ha.
		Habitat distribution	No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: functionality and sediment supply	Maintain the natural circulation of sediment and organic matter, without physical obstructions.
		Vegetation structure: zonation	Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.
		Vegetation composition: plant health of dune grasses	95% of marram grass ( <i>Ammophila arenaria</i> ) and/or lyme-grass ( <i>Leymus arenarius</i> ) should be healthy (i.e. green plant parts above ground and flowering heads present).
		Vegetation composition: typical species	Maintain the presence of species-poor communities dominated by marram grass ( <i>Ammophila arenaria</i> ) and/or lyme-grass ( <i>Leymus arenarius</i> ).
Fixed coastal dunes with herbaceous vegetation (grey dunes)	To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation (grey dunes) in Malahide Estuary SAC	Vegetation composition: negative indicator species	Negative indicator species (including non-native species) to represent less than 5% cover.
		Habitat area	Area stable or increasing, subject to natural processes including erosion and succession. Total area mapped 21.42ha.
		Habitat distribution	No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: functionality and sediment supply	Maintain the natural circulation of sediment and organic matter, without physical obstructions.
		Vegetation structure: zonation	Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.
		Vegetation structure: bare ground	Bare ground should not exceed 10% of fixed dune habitat, subject to natural processes.
		Vegetation structure: sward height	Maintain structural variation within sward.

# APPENDIX B

Feature	Objective	Attribute	Targets
		Vegetation composition: typical species and sub-communities	Maintain range of sub-communities with typical species.
		Vegetation composition: negative indicator species (including <i>Hippophae rhamnoides</i> )	Negative indicator species (including non-native species) to represent less than 5% cover.

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## Malahide Estuary SPA Site Synopsis

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# APPENDIX C

**SITE NAME:** Malahide Estuary SPA

**SITE CODE:** 004025

Malahide Estuary is situated in north Co. Dublin, between the towns of Malahide and Swords. The site encompasses the estuary, saltmarsh habitats and shallow subtidal areas at the mouth of the estuary. A railway viaduct, built in the 1800s, crosses the site and has led to the inner estuary becoming lagoonal in character and only partly tidal. Much of the outer part of the estuary is well-sheltered from the sea by a large sand spit, known as "The Island". This spit is now mostly converted to golf-course.

The outer part empties almost completely at low tide and there are extensive intertidal flats exposed. Substantial stands of eelgrass (both *Zostera noltii* and *Z. angustifolia*) occur in the sheltered part of the outer estuary, along with Tasselweed (*Ruppia maritima*). Green algae, mostly *Ulva* spp., are frequent on the sheltered flats.

Common Cord-grass (*Spartina anglica*) is well established in the outer estuary and also in the innermost part of the site. The intertidal flats support a typical macroinvertebrate fauna, with polychaete worms (*Arenicola marina* and *Hediste diversicolor*), bivalves such as *Cerastoderma edule*, *Macoma balthica* and *Scrobicularia plana*, the small gastropod *Hydrobia ulvae* and the crustacean *Corophium volutator*. Salt marshes, which provide important roosts during high tide, occur in parts of the outer estuary and in the extreme inner part of the inner estuary. These are characterised by such species as Sea Purslane (*Halimione portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Sea Arrowgrass (*Triglochin maritima*) and Common Saltmarsh-grass (*Puccinellia maritima*).

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Great Crested Grebe, Light-bellied Brent Goose, Shelduck, Pintail, Goldeneye, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Knot, Dunlin, Black-tailed Godwit, Bar-tailed Godwit and Redshank. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

This site is of high importance for wintering waterfowl and supports a particularly good diversity of species. It has internationally important populations of Light-bellied Brent Goose (1,104 individuals or 5% of the all-Ireland total) and Black-tailed Godwit (409 individuals or 2.9% of the all-Ireland total) - figures given here and below are mean peaks for the five winters 1995/96-1999/2000. Furthermore, the site supports nationally important populations of an additional 12 species: Great Crested Grebe (63), Shelduck (439), Pintail (58), Goldeneye (215), Red-breasted Merganser (99), Oystercatcher (1,360), Golden Plover (1,843), Grey Plover (201), Knot (915), Dunlin (1,594), Bar-tailed Godwit (156) and Redshank (581). The high numbers of diving ducks reflects the lagoon-type nature of the inner estuary, and this is one of the few sites in eastern Ireland where substantial numbers of Goldeneye can be found.

A range of other species occurs, including Mute Swan (37), Pochard (36), Ringed Plover (86), Lapwing (1,542), Curlew (548), Greenshank (38) and Turnstone (112).

The estuary also attracts other migrant wader species such as Ruff, Curlew Sandpiper, Spotted Redshank and Little Stint. These occur mainly in autumn, though occasionally in spring and winter.

Breeding birds of the site include Ringed Plover, Shelduck and Mallard. Up to the 1950s there was a major tern colony at the southern end of Malahide Island. Grey Herons breed nearby and feed regularly within the site.

## APPENDIX C

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Malahide Estuary SPA is a fine example of an estuarine system, providing both feeding and roosting areas for a range of wintering waterfowl. The lagoonal nature of the inner estuary is of particular value as it increases the diversity of birds which occur. The site is of high conservation importance, with internationally important populations of Light-bellied Brent Goose and Black-tailed Godwit, and nationally important populations of a further 12 species. Two of the species which occur regularly (Golden Plover and Bar-tailed Godwit) are listed on Annex I of the E.U. Birds Directive. Malahide Estuary (also known as Broadmeadow Estuary) is a Ramsar Convention site.

23.8.2013

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## **Malahide Estuary SPA Summary of Conservation Objectives**

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## Malahide Estuary SPA Qualifying Features Conservation Objectives

Feature	Objective	Attribute	Targets
Great Crested Grebe ( <i>Podiceps cristatus</i> )	To maintain the favourable conservation condition of Great Crested Grebe in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by great crested grebe, other than that occurring from natural patterns of variation.
Brent Goose ( <i>Branta bernicla hrota</i> )	To maintain the favourable conservation condition of Light-bellied Brent Goose in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by light-bellied brent goose, other than that occurring from natural patterns of variation.
Shelduck ( <i>Tadorna tadorna</i> )	To maintain the favourable conservation condition of Shelduck in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by shelduck, other than that occurring from natural patterns of variation.
Pintail ( <i>Anas acuta</i> )	To maintain the favourable conservation condition of Pintail in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by pintail, other than that occurring from natural patterns of variation.
Goldeneye ( <i>Bucephala clangula</i> )	To maintain the favourable conservation condition of Goldeneye in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by goldeneye, other than that occurring from natural patterns of variation.
Red-breasted Merganser ( <i>Mergus serrator</i> )	To maintain the favourable conservation condition of Red-breasted Merganser in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by red-breasted merganser, other than that occurring from natural patterns of variation.
Oystercatcher ( <i>Haematopus ostralegus</i> )	To maintain the favourable conservation condition of Oystercatcher in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by oystercatcher, other than that occurring from natural patterns of variation.



## APPENDIX D

Feature	Objective	Attribute	Targets
Golden Plover ( <i>Pluvialis apricaria</i> )	To maintain the favourable conservation condition of Golden Plover in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by golden plover, other than that occurring from natural patterns of variation.
Grey Plover ( <i>Pluvialis squatarola</i> )	To maintain the favourable conservation condition of Grey Plover in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by grey plover, other than that occurring from natural patterns of variation.
Knot ( <i>Calidris canutus</i> )	To maintain the favourable conservation condition of Knot in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by knot, other than that occurring from natural patterns of variation.
Dunlin ( <i>Calidris alpina alpina</i> )	To maintain the favourable conservation condition of Dunlin in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by dunlin, other than that occurring from natural patterns of variation.
Black-tailed Godwit ( <i>Limosa limosa</i> )	To maintain the favourable conservation condition of Black-tailed Godwit in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by black-tailed godwit, other than that occurring from natural patterns of variation.
Bar-tailed Godwit ( <i>Limosa lapponica</i> )	To maintain the favourable conservation condition of Bar-tailed Godwit in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by bar-tailed godwit, other than that occurring from natural patterns of variation.
Redshank ( <i>Tringa totanus</i> )	To maintain the favourable conservation condition of Redshank in Malahide Estuary SPA	Population trend	Long term population trend stable or increasing.
		Distribution	No significant decrease in the range, timing or intensity of use of areas by redshank, other than that occurring from natural patterns of variation.

## APPENDIX D

Feature	Objective	Attribute	Targets
Wetlands	To maintain the favourable conservation condition of the wetland habitat in Malahide Estuary SPA	Habitat area	The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 765 hectares, other than that occurring from natural patterns of variation.

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Huntstown Quarry, Finglas, Dublin 11

**INCREASE OF WASTE IMPORTATION TO EXISTING  
INERT SOIL WASTE RECOVERY FACILITY  
HUNTSTOWN QUARRY  
(WASTE LICENCE REFERENCE NO. W0277-01)**

**APPROPRIATE ASSESSMENT : STAGE 1 SCREENING REPORT**

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## 1.0 INTRODUCTION

### 1.1 Background

This report provides information to inform an Appropriate Assessment: Stage 1 Screening Assessment of any likely significant effects on Natura 2000 sites arising from the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry, Finglas, Dublin 11.

It has been prepared by SLR Consulting Ireland (SLR) on behalf of Roadstone Limited in support of the application for review of the current Waste Licence (Ref. No W0277-01) in place at Huntstown Quarry under the Waste Management (Licensing) Regulations 2004.

### 1.2 Appropriate Assessment Overview

The requirements for an Appropriate Assessment are set out under Article 6 of the EU Habitats Directive (92/34/EEC) transposed into Irish law through The European Communities (Birds and Natural Habitats) Regulations 2011 and 2013. These regulations require a Competent Authority to make an Appropriate Assessment of the implications for Natura 2000 sites in view of a site's conservation objectives, before deciding to undertake, or give consent, permission or other authorisation for, a plan or project which:

- i. is not directly connected with or necessary to the management of that site; and
- ii. is likely to have a significant effect thereon, either individually or in combination with other plans and projects in view of its conservation objectives.

The European Commission's methodological guidance<sup>1</sup> promotes a four stage process, as set out below, to complete an Appropriate Assessment:

- Stage 1 – Screening for Appropriate Assessment;
- Stage 2 – Appropriate Assessment;
- Stage 3 – Alternative Solutions; and
- Stage 4 – The 'IROPI Test' (Imperative Reasons of Overriding Public Interest).

A person applying for any such consent, permission or other authorisation must provide such information in Stage 1, as the Competent Authority may reasonably require, for the purposes of the assessment or to enable them to determine whether an Appropriate Assessment is required.

In considering whether a plan or project will adversely affect the integrity of any Natura 2000 site or sites, the Competent Authority should consider whether the effects of the proposal on the site or sites, either individually or in combination with other plans or projects, is likely to be significant in terms of the conservation objectives and in respect of each interest feature for which the site was designated a Special Area of Conservation (SAC) under the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), or classified a Special Protection Area (SPA) under Council Directive 2009/147/EC on the Conservation of Wild Birds (The Birds Directive) that codifies Directive 79/409/EEC.

---

<sup>1</sup> European Communities (2002). *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. European Communities, Luxembourg.

In the light of the conclusions of the assessment, and in consideration of Imperative Reasons of Overriding Public Interest (IROPI), the Competent Authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the Natura 2000 site.

### **1.3 Purpose of this Report**

This report has been produced to provide a screening statement, as required under Stage 1 of the Appropriate Assessment process, and includes all relevant information to the Competent Authority (in this case the Environmental Protection Agency (EPA)) in order for them to determine whether the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry is likely to have a significant effect on the integrity of any Natura 2000 site, or sites, within its zone of influence and whether there is a requirement for an Appropriate Assessment (Stage 2 Assessment) to be undertaken.

### **1.4 Ecologist and Experience**

The Screening Assessment has been conducted by Steve Judge whom is an Associate Ecologist with 15 years' experience in ecological consultancy and a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). All work produced is subject to technical review and Quality Assurance.

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## 2.0 METHODOLOGY

### 2.1 Baseline Data Collection

Baseline information was gathered through a combination of desk-based study and technical assessments consistent with current standard methodologies and published best practice guidelines, in order to provide relevant data to allow an assessment of likely significant effects of the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry on any individual Natura 2000 site, or sites, within the zone of influence of this project.

The principal source of information on Natura 2000 sites and key qualifying features has been data collected through information publically available through the National Parks and Wildlife Service (NPWS)<sup>2</sup> and with other relevant sources used to provide data on current baseline conditions at the site of the proposed development and within its potential zone of influence.

### 2.2 Assessment Likely Significant Effects

Under the Habitats Directive, the first test that has to be considered is whether the development, either alone or in combination with other relevant projects and plans, would be likely to have a significant effect. Effects are judged to be significant where they affect the integrity of a Natura 2000 site with respect to the conservation objectives of the features for which a Natura 2000 site was designated / classified as being of European importance.

The purpose of Stage 1 is two parts, firstly to screen out those aspects of the proposal that can be considered not likely to have a significant effect, and secondly to screen the key qualifying features for which a site was designated / classified as being of European importance that are not likely to be significantly affected by the proposal.

A 'likely significant effect' (LSE) is one that cannot be ruled out on the basis of objective information<sup>3</sup>. Determining whether there will be a LSE does not imply that there will be such an effect or even that an effect is more likely than not. It would also not be correct to say that any effect is a likely significant effect, and the LSE test should be used to filter out effects that are clearly negligible or inconsequential.

In order to undertake an appropriate screening, the guidance produced by the NPWS in 2009<sup>4</sup> has been followed in order to:

- characterise the potential impacts to the qualifying interests of any Natura 2000 site or sites that may result from the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry;
- assess the likely significance of potential impacts on the qualifying interests of any Natura 2000 site or sites within the zone of influence of the existing waste facility; and
- assess the risk of an adverse effect on the integrity of the site or occurring to a qualifying interest feature for which the site is of European interest.

<sup>2</sup> <http://www.npws.ie>

<sup>3</sup> European Court of Justice (2004) Case C-127/02, ECR-I 7405 (Waddenzee case).

<sup>4</sup> NPWS (2009 revised February 2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.

The methodology for the assessment of impacts is derived from the guidelines published by the CIEEM<sup>5</sup>. Impacts are characterised in terms of whether specific hazards emanating from the project are likely to have potential significant effects on the integrity of a defined ecosystem and/or conservation status of individual habitats or species for which a site is of European interest, and on site as a whole.

### 2.3 Ascertaining the Threat to Site Integrity

The Competent Authority will be required to determine whether the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry would adversely affect the integrity of any Natura 2000 site, or sites, in light of the conservation objectives for that particular site, or sites. The integrity of a site is defined as:

*“The integrity of a site is the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated / classified.”*

Further to the above, an adverse effect on integrity can also be defined as one that is likely to prevent the site from making the same contribution to favourable conservation status for the relevant features as it did at the time of its designation / classification.

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<sup>5</sup> CIEEM (2016). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal 2<sup>nd</sup> edition*. Chartered Institute of Ecology and Environmental Management, Winchester.



### **3.0 DESCRIPTION OF THE PROJECT**

#### **3.1 Location and Setting**

Huntstown Quarry is a large operational quarry that lies in the townlands of Cappoge, Grange, Johnstown, Killshane and Part of Huntstown approximately 6km west of Dublin Airport. The quarry comprises four main extraction areas (i.e. north quarry, central quarry, south quarry and western quarry) within a total landholding of 211 hectares (ha).

The application site covers 57.3ha of land within the townlands of Part of Huntstown, Kilshane and Johnstown (please refer to Drawing 1). The application site encompasses: the North Quarry (36.1ha) along with associated perimeter screening and overburden mounds; the West Quarry (17.2ha) that was stripped of topsoils and overburden but which was never subsequently quarried; and existing ancillary site infrastructure (offices, sheds, hardstand areas, wheelwash, weighbridges, settlement ponds etc.), much of which is shared as part of the wider operations carried out at Huntstown Quarry.

The licensed soil waste recovery facility utilise the established quarry infrastructure associated with the quarrying operations at Huntstown Quarry.

The surrounding land-use is a mixture of urban and commercial development with associated infrastructure including the M50, Dublin Airport and agricultural land and is a landscape typical of a rural-urban fringe.

#### **3.2 Outline Description of the Project**

The inert soil waste recovery facility at Huntstown Quarry was consented in August 2014 (Fingal County Council Ref. No. FW12A-0022 / An Bord Pleanála Ref. No. 06F.241693) and a waste licence for a soil recovery facility was granted on 13<sup>th</sup> February 2015 (Waste Licence W0277-01).

The project relates to an application for a review of the existing Waste Licence W0277-01 under the Waste Management (Licensing) Regulations 2004 (as amended) for the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry. The licence review is to increase the maximum allowable waste imported to the site from 750,000 tonnes per annum to 1.5 million tonnes per annum.

An Appropriate Assessment Screening Report was submitted to the EPA as part of the Waste Licence Application (WLA) for the inert soil waste recovery facility at Huntstown Quarry and the EPA determined that an Appropriate Assessment was not required as the project, individually or in combination with other plans or projects, was not likely to have a significant effect on a Natura 2000 site(s).

## 4.0 NATURA 2000 SITES

There are eleven Natura 2000 sites within a 15km radius of Huntstown Quarry. These sites are listed Table 1 and their locations in relation to the project site shown in Drawing 1.

**Table 1: Natura 2000 Sites within a 15km of the Proposed Project Site**

Natura 2000 Site	Site Code	Location at Closest Point to Project Site
South Dublin Bay and River Tolka SPA	004024	8.4km south east
Malahide Estuary SAC	000205	10.0km north east
Malahide Estuary SPA	004025	10.0km north east
North Dublin Bay SAC	000206	10.9km south east
North Bull Island SPA and Ramsar Site	004006	10.9km south east
South Dublin Bay SAC	000210	11.0km south east
Rye Water Valley/Carlton SAC	001398	11.1km south west
Baldoye Bay SAC	000199	12.0km east
Baldoye Bay SPA and Ramsar Site	004016	12.1km east
Rogerstown Estuary SAC	000208	12.5 km north east
Rogerstown Estuary SPA	004015	13.2km north east

### 4.1 Potential Zone of Influence of Project and Screening of Natura 2000 Sites

Based on the size and nature of the inert soil waste recovery facility at Huntstown Quarry it is considered that the maximum distance for which the project should be evaluated in terms of Natura 2000 sites is up to a maximum radius of 2km from the application site, unless, there are any potential source-pathway-receptor links between the inert soil waste recovery facility and any Natura 2000 site(s) outside this distance.

At a distance greater than 2km and in the absence of any potential source-pathway-receptor link it is considered that no Natura 2000 sites would be affected by any direct loss of habitat or impacted upon by any effects arising from disturbance (i.e. noise, vibration and human and visual disturbance), the effects of dust deposition or traffic emissions.

Given the distances of the Natura 2000 sites, the only potential source-pathway-receptor link between the inert soil waste recovery facility at Huntstown Quarry and any of the Natura 2000 sites is via the hydrological pathways created through a discharge of wastewater from the North Quarry to the Ballystrahan Stream a tributary of the River Ward that eventually outflows into the Malahide Estuary. However, based on the nature and volume of the discharge from Huntstown Quarry and the overall contribution from the inert soil waste recovery facility it is considered that in terms water quality there is only a requirement to assess the potential implications of any such discharge up to a maximum of 5km downstream of the discharge point. The Malahide Estuary SAC and Malahide Estuary SPA are some 13.9km and 14.4km respectively downstream of the Huntstown Quarry discharge point. The review of the waste licence will not require any changes or modifications to the discharge limits set by the existing waste licence and that the only potential risk from the expanded facility is an increase in suspended solids that would have no effect on the estuarine systems. As such, it is considered that these sites can be screened out from any further assessment.

Based on the above, all the Natura 2000 sites within the Table 1 are screened out from any further assessment as they lie outside the potential zone of influence of the existing inert soil waste recovery facility at Huntstown Quarry and there are no other obvious source-pathway-receptor links between the development and these Natura 2000 sites.

## 5.0 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

Based on the screening of Natura 2000 sites in Section 4.1, it is assessed that the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry will not have any stand-alone effects on the integrity of any Natura 2000 site, or sites, or any of the qualifying habitats and/or species for which any such site has been designated / classified as being of European importance.

It is therefore considered that no further assessment is required for the waste licence review of the existing inert soil waste recovery facility at Huntstown Quarry as a stand-alone project.

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## 6.0 AVOIDANCE AND MITIGATION

As no effects are predicted on any Natura 2000 site or sites, no specific avoidance and mitigation measures are proposed in respect of the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry over and above the measures already carried out as part of the existing waste recovery operations and in respect to any conditions attached to the planning consent and existing Waste Licence.

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## 7.0 IN-COMBINATION ASSESSMENT

It is a requirement of The European Communities (Birds and Natural Habitats) Regulations 2011 that, when considering whether a plan or project will adversely affect the integrity of a Natura 2000 site that it must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

There is no single agreed method for addressing the issue of in-combination effects, however, current practice and available guidance suggests a staged approach which takes into account the following:

- i. if it can be clearly demonstrated that the plan or project will not result in any effects at all that are relevant to the integrity of a Natura 2000 site then the plan or project should proceed without considering the in-combination test, further; or
- ii. if there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a Natura 2000 site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

From the screening assessment undertaken here, it is considered that it can be clearly demonstrated that the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry will not have any effects at all on any Natura 2000 site or sites, as a stand-alone project. Therefore it is considered that there is not a requirement in this case to undertake any further assessment in-combination with other plans and projects.

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## 8.0 SUMMARY AND CONCLUSIONS

This assessment has considered the potential effects associated with the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry on Natura 2000 sites in line with the methodology set out in the '*Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*'.

The assessment has concluded that the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry will have no effects on the integrity of any Natura 2000 site or sites, or on any of the qualifying habitats and/or species for which a site has been designated or classified as being of European importance, either as a stand-alone project or in-combination with other plans or projects.

Based in the findings from this assessment, it is considered there is not a requirement to proceed to a Stage 2 Natura Impact Assessment for the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry under Article 6 of the Habitats Directive (92/43/EEC).

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## 9.0 CLOSURE

This report has been prepared by SLR Consulting Limited with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

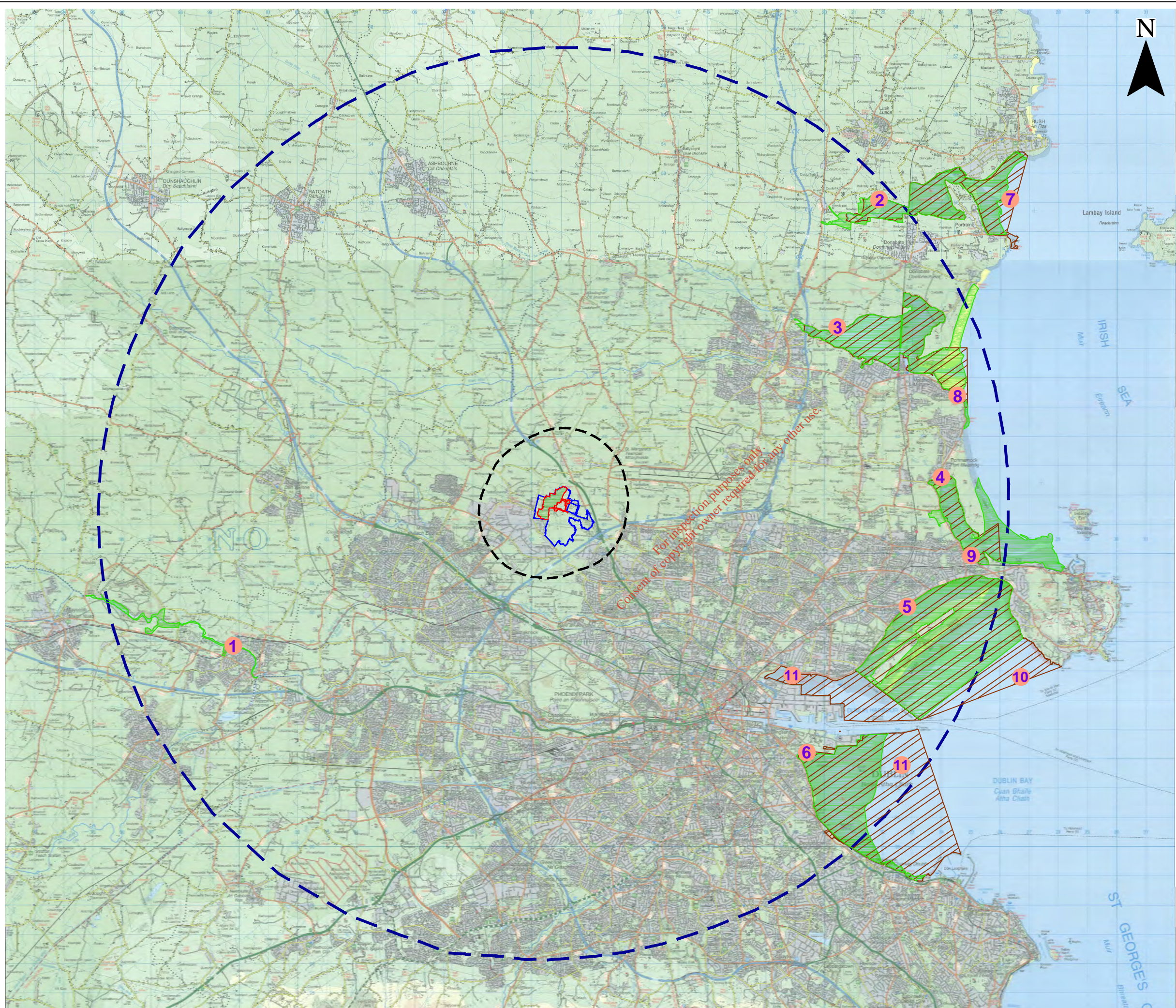
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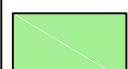





**NOTES**

1. EXTRACT FROM 1:50,000 O.S DISCOVERY MAP NO. 50
2. ORDNANCE SURVEY IRELAND LICENCE NO. SU 0000716 (C)  
ORDNANCE SURVEY & GOVERNMENT OF IRELAND

**LEGEND**

-  ROADSTONE LIMITED LAND INTEREST (c. 201.1 ha)
-  WASTE LICENCE APPLICATION AREA (c. 48.65 ha)
-  2km RADIUS FROM APPLICATION AREA
-  15km RADIUS FROM APPLICATION AREA
-  15km RADIUS FROM APPLICATION AREA
-  15km RADIUS FROM APPLICATION AREA

1. RYE WATER VALLEY / CARTON SAC (001398)
2. ROGERSTOWN ESTUARY SAC (000208)
3. MALAHIDE ESTUARY SAC (000205)
4. BALDOYLE BAY SAC (000199)
5. NORTH DUBLIN BAY SAC (000206)
6. SOUTH DUBLIN BAY SAC (000210)
7. ROGERSTOWN ESTUARY SPA (004015)
8. MALAHIDE ESTUARY SPA (004025)
9. BALDOYLE BAY SPA (004016)
10. NORTH BULL ISLAND SPA (004006)
11. SOUTH DUBLIN BAY & RIVER TOLKA SPA (004024)

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**ROADSTONE LIMITED**  
ENVIRONMENTAL IMPACT STATEMENT  
**HUNTSTOWN WASTE RECOVERY FACILITY**  
NORTH ROAD, FINGLAS, DUBLIN 11  
**DESIGNATED SITES**

**FIGURE 1**

Scale: 1:125,000 @ A3 Date: AUGUST 2016

**ABERDEEN**

214 Union Street,  
Aberdeen AB10 1TL, UK  
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