

Meath County Council  
Planning Department  
Buvinda House  
Dublin Road  
Navan  
Co. Meath C15 Y291  
REG: 00172770

Phone: 046 909 7000 Fax: 046 909 7001

Planning & Development Act 2000 – 2016  
NOTIFICATION OF DECISION

TO: Kilsaran Concrete  
Unit 3, Second Floor  
Donohue Building, Kennedy Centre  
Kennedy Road, Navan,  
Co. Meath.

PLANNING REGISTER NUMBER: RA/170127  
APPLICATION RECEIPT DATE: 10/02/2017  
FURTHER INFORMATION DATE:

In pursuance of the powers conferred upon them by the above-mentioned Act, Meath County Council has by Order dated 05-04-2017 decided to **GRANT PERMISSION** to the above named for development of land, in accordance with the documents submitted namely:- the development will consist of the restoration of the existing excavated quarry (previously granted planning permission under Register Reference No. 99/1230 and TA/802731) to the original ground levels and use as agricultural land by importing 5,600,000 tonnes (i) of imported inert natural materials, soil and stones (ii) construct a community park and playing pitch with new entrance, fencing, landscaping and parking on existing ground (iii) reinstating existing overburden contained on site and all other associated site works for a period of 14 years. The planning application is accompanied by an Environmental Impact Statement (EIS). The application relates to a restoration development for the purpose of an activity requiring a Waste Licence to be issued by the Environmental Protection Agency at Tullykane, Kilmessan, Co. Meath, subject to the 23 conditions set out in the Schedule attached.

DATE: 05-04-2017

*Consent of Council must be obtained for any reuse.*  
M. Lough  
On behalf of MEATH COUNTY COUNCIL

Provided there is no appeal against this DECISION a grant of planning permission will issue at the end of four weeks.

**THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL GRANT OF PLANNING PERMISSION HAS ISSUED**

NOTE:

1. Any appeal against a decision of a Planning Authority under Section 34 of the Planning and Development Act, of 2000-2016 may be made to An Bord Pleanala. Any person may appeal **WITHIN FOUR WEEKS** beginning on the date of the decision.
2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. **In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.**

GRANT

### Guide to Fees payable to the Board

- a. Appeal against a decision of a planning authority on a planning application relating to commercial development<sup>1</sup> made by the person by whom the planning application was made, where the application included the retention of development is € 4,500 or € 9,000 if EIS/ NIS involved<sup>2</sup>.
- b. Appeal against a decision of a planning authority on a planning application relating to commercial development<sup>1</sup>, made by the person by whom the planning application was made, other than an appeal mentioned at (a) is € 1,500 or € 3,000 if EIS / NIS involved<sup>2</sup>.
- c. Appeal against a decision of a planning authority on a planning application made by the person by whom the planning application was made, where the application included the retention of development, other than an appeal mentioned at (a) or (b) is € 660.
- d. Appeal other than an appeal mentioned at (a), (b), (c) or (f)<sup>3</sup> is € 220
- e. Application for leave to appeal is € 110.
- f. Appeal following a grant of leave to appeal € 110.
- g. Any first party appeal solely against contribution conditions under section 48 or 49 of the 2000 – 2016 Acts, as amended, attracts a fee of €220 irrespective of the nature of the application

**An appeal will be invalid unless accompanied by the appropriate fee and evidence of payment of submission fee to the Planning Authority.**

Submissions or observations to An Bord Pleanála by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be submitted within four weeks of receipt of the appeal by An Bord Pleanála and must be accompanied by a fee of € 50.

#### Footnote

<sup>1</sup> Commercial development includes 2 or more dwellings. See Board's order determining fees and its appeal guide.

<sup>2</sup> The higher fee applies where an Environmental Impact Statement (EIS) or Natura Impact Statement (NIS) was submitted to the planning authority under section 172(1) and / or 177T of the 2000 - 2016 Planning Act or article 103(1) of the 2001-2015 Planning Regulations, as amended except where the appeal relates solely to a section 48 / 49 development / supplementary development contribution scheme and/or a special financial contribution. (refer to (g) above.

<sup>3</sup> Applies to:- (i) All third party appeals except where the appeal follows a grant of leave to appeal; (ii) First party normal planning appeals (section 37) not involving commercial or unauthorised development, or an EIS; (iii) All other appeals (non-section 37).

**While every care has been taken to ensure the accuracy and completeness of this information, it is the responsibility of any person / body making an appeal to ensure that their appeal is accompanied by the correct fee.**

**For more information on Appeals you can contact An Bord Pleanála at:**

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 - 8722684

E-mail: [bord@pleanala.ie](mailto:bord@pleanala.ie)

Web: [www.pleanala.ie](http://www.pleanala.ie)

### Schedule of Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 10/02/17. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. The duration of the permission shall be a maximum of 14 years from the date of commencement hereby permitted and shall be used for agricultural purposes only thereafter.

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

3. A maximum of 5,600,000 tonnes shall be accepted over the lifespan of the planning permission and a maximum of 400,000 tonnes of material per annum shall be accepted at the facility.

**Reason:** In the interest of development control and traffic safety.

4. Only clean, uncontaminated soil and stones shall be imported into the site. Construction and demolition waste shall not be imported into the site apart from the construction of haul roads.

**Reason:** In the interest of development control

5. Within two years of the date of grant of planning permission an agreement for the transfer and management of the proposed community facility between the applicant and a suitable community group shall be submitted to the Planning Authority for written agreement. Should agreement not be reached the applicant shall submit revised plans to the Planning Authority for written agreement showing the restoration of this area of the site consistent with the site as a whole.

**Reason:** In the Interest of development Control.

6. No topsoil shall be removed from the site, topsoil stripped from the site shall be stored in an appropriate manner and used in the site restoration.

**Reason:** In the interest of development control

7. The importation of soil and operation of associated machinery shall take place between the hours 0800 hours and 1800 Monday to Friday and 0800 and 1400 on Saturday. No works shall take place outside these hours or on Sundays or Bank Holidays.

**Reason:** To protect the residential amenities of the area.

8. Activities on-site shall not give rise to noise levels off-site, at noise sensitive locations, which exceed the following sound pressure limits ( $L_{Aeq}$ , 15 mins):

|      |  |         |
|------|--|---------|
| (i)  | 8am to 6pm Monday to Friday (inclusive): | 55dB(A) |
| (ii) | 8am to 2pm Saturday:                     | 55dB(A) |
| (ii) | Any other time:                          | 45dB(A) |

In addition, there shall be no clearly audible tonal component or impulsive component in the noise emission from the site at any noise sensitive location.

**Reason:** In the interest of public health and proper planning and development.

9. The applicant shall comply with the proposed mitigation and monitoring measures as detailed in Section 3.7.5 of the EIS. The applicant shall review on an annual basis the viability of the existing berms and need to modify same for the continued as a noise barrier.

**Reason:** In the interest of public health and proper planning and development.

10. Dust emissions shall not exceed 350mg/sqm/day. The applicant shall employ the mitigation measures as detailed in section 3.6.6.1 of the EIS.

**Reason:** In the interest of dust management

11. The applicant shall measure carbon emissions from the proposed activity, including vehicles to and from the site and plant and machinery used in the deposition. The Applicant, contractor and sub-contractors shall endeavour to utilise low energy and low emissions vehicles and plant where possible.

**Reason:** In the interest of a reduction of green house gas emissions.

12. All refuelling shall take place in a designated refuelling area. All hydrocarbons, chemicals, oils, etc. shall be stored in a dedicated bunded area capable of storing 110% of the container/tank capacity. The applicant shall ensure adequate supply of spill kits and hydrocarbon absorbent pads are stocked on site.

**Reason:** In the interest of environmental protection

13. In relation to soils and geology, the Applicant shall comply with the mitigation and monitoring measures detailed in Section 3.3.7 of the EIS. The Applicant shall establish a waste quarantine area for unauthorised materials to be removed from the site.

**Reason:** In the interest of environmental protection

14. The applicant shall ensure that all operations undertaken at the facility be carried out in such a manner so as not to have adverse effect on the drainage of adjacent lands, watercourse, field drains or any other drainage system.

**Reason:** In the interest of environmental protection

15. No muck, dirt, debris or other material shall be deposited on the public road or verge by machinery or vehicles travelling to or from the site. The applicant shall arrange for vehicles leaving the site to be kept clean.

**Reason:** In the interest of orderly development.

16. All vehicles other than private cars and vans exiting the site shall pass through the wheel wash facility, which is to be in place prior to the commencement of development.

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

17. All waste generated during the activity, including surplus material to be taken off site, shall be only recovered or disposed off at an authorised facility in accordance with the waste management Act 1996 as amended.

**Reason:** In the interest of development control

18. The Applicant shall prepare, update accordingly and communicate to all site personnel a Construction Environmental Monitoring Plan (CEMP). The CEMP shall include but not be limited to operational controls for dust, noise and vibration, waste management, protection of soils and groundwaters, protection of flora and fauna, site housekeeping, emergency response planning, site environmental policy, environmental regulatory requirements and project roles and responsibilities. The CEMP shall be treated as a live document.

**Reason:** In the interest of environmental protection

19. The Applicant shall maintain a Complaints Register to record any complaints regarding but not limited to noise, odour, dust, traffic or any other environmental nuisance. The Complaint Register shall include details of the complaint and measures taken to address the complaint and prevent repetition of the complaint.

**Reason:** In the interest of development control

20. The applicant must liaise with the Environment Section, Meath County Council prior to the importation of any material onto this site to ensure that the requisite authorisation is in place.

**Reason:** In the interest of proper planning.

21. The developer shall notify the Planning Authority in writing of progress of the development following the completion of each of the 3 phases, an update report including relevant drawings shall be prepared for each phase.

**Reason:** In the interest of orderly development.

22. Prior to commencement of development the developer shall lodge with the planning authority a cash deposit or bond in the amount of **€530,000.00** as a security for the satisfactory restoration of the site. The deposit/ bond amount and payment schedule can be altered subject to agreement with the Planning Authority prior to the commencement of development. In the event of the non-completion of the development the planning authority shall be empowered to apply the said funds or part thereof for the satisfactory restoration of the site.

**Reason:** To ensure that the development is carried out and completed to an acceptable construction standard.

23. The developer shall pay the sum of **€200,000** (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 towards expenditure that is proposed to be incurred by the planning authority in respect of restoration of the structural integrity of Local Road, L2206, in accordance with the provisions of Section 48 (2) (c) of the Planning and Development Act 2000-2016, unless otherwise agreed in writing with the planning authority. Payment of this sum shall be made prior to commencement of development. This contribution shall be paid prior to the commencement of development or 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.

#### Advice Note

**House Extensions and Single Residential Units (urban and rural).** Forward by e mail to [planning@mcathcoco.ie](mailto:planning@mcathcoco.ie) and shall include a cover letter outlining relevant compliance issues together with appropriate drawings in PDF format.

**All other Planning Compliance.** - Forward to Planning Compliance, Planning Department, Buvinda House, Dublin Road, Navan, C15 Y 291 and shall include a cover letter outlining relevant compliance issues together with a CD that includes all relevant maps and drawings in PDF format (high resolution).