

8 February 2019

Environmental Licensing Programme,  
Office of Environmental Sustainability,  
Environmental Protection Agency,  
PO Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

Our Ref : 501.00180.00109  
Your Ref : W0293-01

Dear Sir / Madam

**Re: WASTE LICENCE APPLICATION FOR SOIL WASTE RECOVERY FACILITY AT CALARY QUARRY, KILLOUGH UPPER AND GLENCAP COMMONS UPPER, KILMACANOGUE, CO. WICKLOW (REF. NO. W0293-01) : RESPONSE TO OBJECTION TO PROPOSED DECISION**

This submission is made in response to an objection lodged by Mr. Albert Kerr to the proposed decision of the Environmental Licensing Division of the EPA Office of Environmental Sustainability dated 11<sup>th</sup> December 2018 to issue a waste licence to Roadstone Limited in respect of a proposed soil waste recovery facility at Calary Quarry, near Kilmacanogue, Co. Wicklow.

At the outset, Roadstone wishes to highlight that many of the issues raised by Mr. Kerr in his objection to the Agency's proposed decision of 11 December last have previously been raised by him in multiple submissions, including

- (i) his objection to the original planning application to Wicklow County Council (Ref. 16/574);
- (ii) his subsequent appeal of the Council's decision to grant permission to An Bord Pleanála (Ref. PL17.248297) and
- (iii) his initial objection to the waste licence application.

On each occasion, the objections were duly considered and rigorously assessed by the competent authority in reaching its decision. It is Roadstone's view that no new issues or substantive evidence has been introduced by Mr Kerr in his latest appeal and that, on this basis, there is little justification for a detailed or prolonged review or appraisal of the issues raised by him.

For this reason, and in view of the recognised demand for additional soil waste recovery capacity in the Greater Dublin Area<sup>1</sup>, Roadstone urges the Agency to expedite its consideration of this objection and to make its final determination on the proposed licenced activity at the earliest practicable opportunity.

In response to a number of points raised by Mr. Kerr in his appeal, Roadstone responds as follows :

- Mr Kerr merely asserts that he and unnamed / unidentified others have identified newts and birds of prey on a number of occasions at the quarry, but does not provide any supporting evidence of same. The ecological assessment undertaken as part of the overall environmental impact assessment process recognised the habitat potential for both species

<sup>1</sup> Construction and Demolition Waste : Soil and Stone Recovery / Disposal Capacity, Report by RPS Consultants for Dublin City Council, May 2017

at the application site, but failed to identify any newts or evidence that the site was being used for breeding purposes by peregrine falcon.

- Comments regarding ‘fire fighting and recreation’ uses have no relevance to this waste licence application. The sole function of planning control and environmental licensing authorities is to decide on the merits of consenting applications submitted to them. They have no need or responsibility to consider hypothetical development which has not been applied for and/or is unlikely to ever materialise.
- It is clear from the documentation submitted in support of the waste licence application, the establishment and operation of the proposed soil waste recovery facility at Calary Quarry will ultimately provide for backfilling to original ground level using imported inert soil and stone on the long-term restoration of the site to agricultural use / natural habitat more in keeping with the surrounding landscape.
- As was indicated in the EIS and other supporting information submitted to the Local Authority in the course of the planning approval process, the proposed vehicular movements generated by the proposed waste facility are permitted and comparable to those generated when the quarry was active. The associated traffic movements will not give rise to any additional adverse environmental impacts, over and above those that arose prior to suspension of quarry operations.
- As regards the potential for the adverse road-related impacts alluded to by Mr. Kerr, it is noted in the first instance that these issues are primarily within the competence of the planning authorities rather than the EPA. Notwithstanding this, it should be noted that
  - (i) planning permission for the proposed waste recovery facility includes a requirement for payment of a special contribution of €139,480 in respect of roads improvement works to the R755 Regional Road leading to the proposed recovery facility. The nature and extent of these road improvement works are clearly identified in submissions made to the planning authorities;
  - (ii) the traffic impact assessment chapter of the EIS in respect of the proposed recovery facility identified that the R755 Regional Road is currently operating at approximately 18% of its actual traffic-carrying capacity and that any additional traffic generated by the waste recovery facility can be readily accommodated without any significant effect on road traffic flows;
  - (iii) there will be no additional traffic generated in backfilling and restoring the quarry over and above that already previously permitted at this location.
- Roadstone refutes Mr. Kerr’s assertion that the proposed development will destroy the environment. The recovery of soil and stone waste in the backfilling and restoring a quarry void in a valued and sensitive landscape around the Great Sugar Loaf has been fully assessed and determined to be an acceptable land-use by both the Local Authority and An Bord Pleanála.

## CLOSE

In conclusion, Roadstone considers that a waste licence should be issued in respect of the proposed soil and stone waste recovery facility at Calary Quarry as it simultaneously provides for the controlled backfilling and restoration of a quarry in a sensitive landscape and addresses the demand for authorised outlets for inert soil and stone waste generated by construction and development activity in the Greater Dublin Area.

As the Agency will be aware, the planning and waste licence consenting process for the proposed recovery facility at Calary Quarry has been ongoing since May 2016 (32 months) and all of the issues raised in the objection to the proposed decision have been repeatedly raised and assessed on multiple occasions by the relevant competent authorities.

In view of these delays and the urgent requirement for additional soil and stone waste recovery capacity in the Greater Dublin Area, Roadstone urges the EPA to expedite its consideration of Mr. Kerr's objection and to make its final determination on the proposed licenced activity at the earliest practicable opportunity.

Yours sincerely,  
**For SLR Consulting (Ireland)**



**Derek Luby**  
Technical Director

cc. John Glynn / Shane Geraghty Roadstone Ltd.

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