

12/7

Grant.
12-7-16

KILDARE COUNTY COUNCIL

PLANNING DEPARTMENT

Planning Report



Pl. Ref No: 15/189

Name of Applicant Kilsaran Concrete

Address of Development Halverstown, Kilcullen, Co. Kildare

Type of Development Waste recovery facility

Type of Permission Permission

Due Date 12/07/2016

Note on Pl. Ref. No. 15/189

Following the issuing of an Article 103 notice, an EIS was received by the Planning Authority on the 18th May 2016. In a cover letter submitted, it is stated that following a review of their operations Kilsaran have made a decision not to carry out Construction and Demolition Waste Recovery recycling at this site in Halverstown.

It is stated that planning permission is only required for the importation and recovery of inert soil and stone waste to partially restore the former extraction and silt settlement lagoon in the southern part of the Kilsaran landholding.

Revised Public Notices:

- Further Information response received on the 6th August 2015 was deemed to constitute "significant Further Information".
- The applicant was requested to re-advertise accordingly.
- Revised public notices were received on the 16th September 2015.
- The Planning Authority require that any new notice reference back:
 - (i) Quantity and type of material for filling of the site and for C&D facility
 - (ii) Life/duration of the permission being sought

It is noted that the revised notices mention that the lifetime of the development is for a 6 year period but the Additional details have not been included in the notices.

Description of Proposed Development (original development description)

Permission is sought for an inert soil & stone / construction and demolition waste recovery facility. The proposed development involves:

- The importation and recovery of inert soil and stone/construction and demolition waste to partially restore the former extraction and silt settlement lagoon in the southern part of the Kilsaran landholding (up to 90,000 tonnes in total (approximately 15,000 tonnes per annum for a 6 year period
- The importation, crushing and recycling of up to a maximum of 10,000 tonnes of inert construction and demolition waste per annum (principally concrete, block, brick, paving stones, granular fill, ceramics etc) for sale and re-use as secondary aggregate on off-site development projects
- The establishment of a hard-standing area for waste stockpiling and recycling activities.
- The construction of a waste quarantine and inspection facility.

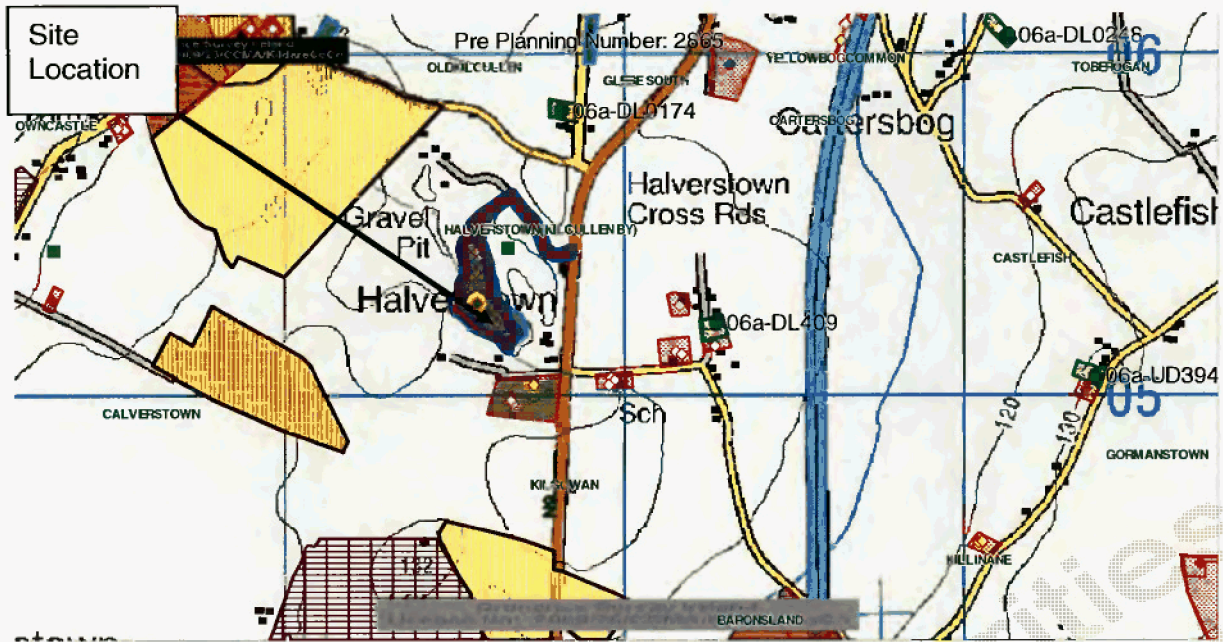
It is stated that the inert materials to be imported for recovery at this facility will be sourced from sites where inspection and/or construction and demolition waste. The inert waste materials will be imported by permitted waste contractors.

It is stated that the partial restoration of the former extraction and silt settlement lagoon area in the southern part of the Kilsaran landholding will reduce the overall development footprint of the sand pit.

Site Location / Context

The subject site measures 3.34ha and is located in the townland of Halverstown, approximately 4km to the south of Kilcullen. The subject site lies to the south of an established quarrying facility. The site is accessed through the existing Kilsaran facility located to the west of the R448 Regional Road- (former N9). There are a number of one-off dwellings in this rural area and the dominant land use is agriculture.

Figs 1-3 Site Location and Context



For inspection purposes only.
 Consent of copyright owner required for any other use.



Note: Refer to Appendix II for site photographs.

Natural Heritage- Appropriate Assessment

There is no designated site located in the vicinity of the subject site. An AA Screening was carried out and submitted with the application. The Screening report submitted finds that there will be no significant effect in the integrity of the Natura 2000 network. The findings of the AA Screening report are noted and correlate with KCC AA Screening (attached). I also note that the Heritage Officer has no objection subject to conditions.

Built Heritage

There are no protected structures in the vicinity of the site. The nearest recorded monument is KD028-054- Burial approximately 450 metres to the north of the site and another recorded moment KD028-055- Cist to the south of the site.

Internal Reports

This application was referred to the following, reports received as indicated below. Please refer to the specific report on file should further details be required.

Area Engineer:	No objection subject to conditions
Transportation:	No objection subject to conditions
NRO:	No objection
Water Services:	No conditions
Environment:	No objection subject to conditions
Heritage Officer:	No objection subject to conditions
EHO:	No updated report received to date

Prescribed Bodies

Irish Water: No objection subject to conditions

Submissions & Observations / Representations

A number of initial submissions were received. These should be read in conjunction with this planning report. The following provides a summary only:

Fergus and Gabrielle Aspell:

- It is stated that they live 600 metres from the facility and that the application plays down the impact on residential properties in the area, almost ignoring the Old Kilcullen Road and the dwellings at that location. There is little activity at the pit but there is noise from the few plant in operation.
- EIA Screening: Uncertainly as to how many vehicles will be entering the facility each day. Is there a finish date?
- Noise: Crushing machines should not be allowed operate at the weekend. Screen planting should be erected.
- It is stated that the proposed development is contrary to CDP policy on economic development as the majority of waste is coming and going from Dublin
- Air pollution: the quality of the air must be reduced- respiratory diseases.
- Traffic: Junction of R418 and R448 is a serious problem, and there have been several accidents. No mention of local school which is 500m from the site.

Pat Griffin:

- Development is for a change of use of existing sand, gravel and concrete operation which was first established in the 1940's.
- The site is located close to heritage sites of Old Kilcullen and Knockaulin. Halverstown national school and a national reservoir of water are located in close proximity.
- Concerns regarding the HGV routes.
- Concern regarding traffic movements in and out of the site.
- No scientific information to show the sites capacity to handle any further material without impacting the long term water quality of groundwater.
- Stage 1 Screening Assessment is inadequate.

Matthew Jennings:

- Development will increase the HGV traffic on small, narrow, country roads which will expose residents to danger, dust, pollution and noise
- Facility will give rise directly to dust and noise.

Martin Whyte:

- Concerns regarding the impact of dust, noise and additional traffic.

Mart Howard:

- Health concerns regarding the recycling process will lead to even more dust cloud and that the material will be drawn in from other sites and therefore it is stated that it will be impossible to assure that materials will not contain toxic materials.
- Corners regarding noise impacts
- Concerns regarding traffic implications.

Kevin and Victoria O' Brien:

- Concerns regarding exposure to cement fibres that will be released from the plant when the crushing activity occurs.
- Concerns regarding noise and pollution.
- Concerns regarding potential increase in traffic.

Thomas Howard:

- Concerns regarding impact of dust.
- Concerns regarding noise impacts.
- Concerns regarding traffic implications.

Sean and Anne Candy:

- Concerns regarding noise impacts.

Christine and Eileen Howard:

- The existing facility is pre- 1964 and the local residents never have the opportunity to comment on the development.
- EIS: It is not clear if the application is on a permanent basis or for a period of time to fill the lagoon for 6 years. There is confusion regarding the volumes of materials to be trafficked to and from the site, sections 1.1 and 1.2 give different quantities.
- Important that EIS is carried out for the new development of waste recovery
- Hedgerows and woodland is insignificant on all boundaries to the site. Clear visual exposure.
- Concerns regarding dust and noise.
- The impact on the surrounding area- planning report states there are 9 houses but does not mention the school, if extend the area to 750m there are 30 dwellings.

Board of Management- St. Josephs National School

- Major concerns for the pupils and staff on health issues arising from the proposed development- noise pollution, increase in traffic and air pollution from dust.

Ciaran O'Donnell:

- Concerns regarding noise levels
- Concerns regarding traffic
- Opening hours noted but concern regarding traffic movements outside those hours.
- Concerns regarding dust
- County Kildare has broad range of waste facilities already in operation- employment will be minimal

Note: *The content of the submissions have been taken into consideration in the assessment of this application.*

Since the revised notices, an additional submission has been received from Pat Griffin in which the following was stated:

- It is stated that page 2 and 3 of the August submissions section 16.1.1 shows clear contradiction between the previous paragraphs and that no capacity analysis has been provided. The response fails to provide any actual real evidence of the need for this facility at this location.
- The proposed development has no association with the previous use of the site as a quarry or with the rural area. There is no justification for another C&D facility.
- Traffic: Given the nature of the proposed use not just back filling of a quarry, the impact of the new traffic generated by processing and sale of 10,000 tonnes of C&D waste per year.
- The findings of the EIS screening do not include sufficient findings on the import and processing sale of 10,000 of C&d waste on site and surrounding rural area.
- The EIS screening fails to provide information on the actual current seepage of pollution if any to the underground aquifer at present.

Note: *The comments raised in the above submission are noted and taken into consideration.*

Pre-Planning

A pre-planning meeting took place in relation to the proposal. (PP2899)

Relevant Planning History

There is no recent planning history traced to the subject site.

The following relates to the adjoining lands to the north of the subject site:

02/850: Permission **granted** to Kilsaran Concrete for sand & gravel development and associated processing on 32.4 hectares.
(Appealed to ABP: PI. 09.203493 and upheld)

Section 261 and 261A

The adjoining sand and gravel site was subject to the S261 process. Under S.261a the overall quarry was registered to Kilsaran Concrete. The information submitted at that time indicated that the quarry commenced operation in the early 1900s. The Planning Authority, in its determination under Section 261 indicated that the quarry commenced operation before 1st October 1964.

Under S. 261A Kilsaran registered the landholding/ Quarry under QRA-28-012 Under this file, it was further determined that the quarry commenced prior to 1964. The Planning Authority determined that the applicant should seek substitute consent from an Bord Pleanala on the basis of Appropriate Assessment. ABP set aside the Council's determination. No further action required.

The following relates to previous use on the landholding:

79/1453: Permission **granted** to Spollen Concrete (Naas) Ltd. for an extension to existing washing Plant. Note: It appears that there are other uses on site such as on-going concrete block making facility which has not been subject to planning permission.

Policy Context

The National Development Plan

The National Development Plan promotes the development of recycling and recovery through the Waste Management Sub-Programme and the development of alternative sources of energy such as biomass through the Sustainable Energy Sub-Programme. Emphasis is placed on reducing the extent of waste generation, maximizing recycling and recovery of waste and minimizing the environmental impacts of final disposal, particularly through reducing reliance on landfill.

National Waste Policy Documents

There are three national policy documents relevant to waste management in Ireland, with the most recent "Waste Management - Taking Stock and Moving Forward"

(2004) joining the earlier publications "Waste Management – Changing Our Ways" (1998) and "Preventing and Recycling Waste – Delivering Change" (2002). In addition a Draft National Strategy for Biodegradable Waste reiterates the objective of a minimum reduction of 65% of biodegradable waste going to landfill by 2013.

Eastern-Midlands Regional Waste Plan (May 2015)

The Plan sets out a clear strategy, policies and actions for the prevention and management of wastes in a safe and sustainable manner. The scope of the waste plan is broad and ultimately it needs to provide policy direction, setting out a roadmap of actions. The waste management plan is a statutory document prepared by the local authorities in the region, including Kildare. The plan covers a period from 2015 to 2021.

Kildare County Development Plan 2011-2017

Chapter 5 –	Economic Strategy
Chapter 6 –	Movement & Transport
Chapter 7 –	Water, Drainage & Environmental Services
Chapter 8 –	Energy & Communications
Chapter 10 –	Rural Development
Chapter 13 –	Natural Heritage & Biodiversity
Chapter 14 –	Landscape, Recreation and Amenities (scenic viewpoints nearby site)
Chapter 19 –	Development Management Standards

Current Planning Status/Assessment

- **Please refer to previous reports on file for the initial assessment is recommendations.**
- Further information was requested on the 07/05/2015 and responded to on the 06/08/2015.
- Further information was initially requested in relation to the proposed activities on site, the history of the landholding and in relation to the nature of the proposed waste facility. The further information response clarified the need for the waste facility and also clarified the nature of the lagoon restoration. A noise report was submitted and further details were provided in relation to haulage routes and in relation to sightlines etc.
- Following the response to the further information, it was deemed necessary by the Planning Authority to issue an Article 103 notice advising that

significant environmental impacts could not be excluded and that therefore the applicant was requested to submit an EIS.

- An EIS has been received by the Planning Authority on the 18th May 2016 and a separate Environmental Impact Assessment is included as Appendix I of this planning report.
- The cover letter indicates that Kilsaran have made a decision not to carry out Construction and Demolition Waste recycling at this site and therefore that permission is being sought for the importation and recovery of inert soil and stone waste to partially restore the former extraction and silt settlement lagoon on the southern part of the landholding.
- The principle of the partial restoration of the lagoon was previously determined to be acceptable in principle. The previous concerns related to the lack of information and the potential recycling facility. It is clear now that the lagoon at the southern part of the site is to be partially restored. This restoration will require the intake of 20,000-25,000 tonnes of soil and stones/ C&D waste per year for a period of 4-5 years. It is important to note that the importation, crushing and recycling of C&D waste is no longer proposed as part of this planning application. A condition would be included in a grant of permission to clarify this.
- I note that internal sections such as the Transportation Department, Environment, Area Engineer have assessed the further information responses and the EIS and have updated their reports by stating that there is no objection to the proposed development subject to conditions.
- It is considered that the EIS has been carried out in accordance with relevant legislation.

Conclusion

- The content of the Environmental Impact Statement is noted and accepted. Please refer to Appendix I of this planning report for the Environmental Impact Assessment.
- It is considered that the principle of the partial restoration of the southern lagoon is acceptable at this location and would not cause significant environmental impacts. The submitted EIS contains mitigation measures to reduce any environmental impacts such as those arising from noise, dust or traffic movements.

- It is noted that the facility will have a dual role in taking inert material from construction sites in order to partially restore a former gravel pit to its previous landform.
- I note that all internal sections of KCC have revised the information submitted and have recommended that permission be granted subject to conditions.
- It is therefore recommended to grant permission subject to the mitigation measures contained in the EIS and subject to the conditions set out below.

Recommendation:

It is recommended to **grant** permission subject to the following conditions:

Schedule 1: Considerations and Reasons

Having regard to the nature of the proposed development and the existing uses on site and the policies and objectives of the Kildare County Development Plan 2011-2017, it is considered that, subject to compliance with the conditions set out below and the implementation of mitigation measures as outlined in the EIS, the proposed development would not seriously affect the amenities of the residential property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

Schedule 2: Conditions

1. The development shall be carried out and completed in accordance with drawings received by the Planning Authority on the 16th March 2015, and as altered by revised documentation and details submitted on the 16th ^{6th} ~~16th~~ ^{August} ~~September~~ 2015 and on the 18th May 2016, except where altered or amended by conditions in this permission.

Reason: To enable the Planning Authority to check the proposed development when completed, by reference to approved particulars.

2. This permission authorises the importation and recovery of inert soil and stone/construction and demolition waste to partially restore the former extraction and silt settlement lagoon in the southern part of the Kilsaran landholding at Halverstown only and does not authorise a waste recycling facility.

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

3. The development shall be carried out, completed and maintained in accordance with undertakings for measures to mitigate its impacts as ^{outlined} given in the Environmental Impact Statement received by the Planning Authority on the 18th May 2016, ~~and any additional measures undertaken subsequently,~~ except where altered by the conditions of this permission. MK
MK

Reason: To enable the Planning Authority to check the proposed development when completed, by reference to approve particulars and to restrict and minimise any adverse environmental impacts resulting from the development.

4. Activities at the facility shall be restricted to the partial restoration of the site with materials as set out in the documentation contained in the Environmental Impact Statement received by the Planning Authority on 18th May 2016, or as subsequently amended. No further excavation of material for sale/transport off the site is permitted.

Reason: In the interest of clarity.

5. The applicant shall submit an annual topographical survey and site section drawings to detail the annual progression of the restoration relative to the final restoration plan. Details shall receive the written agreement of the Planning Authority.

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

6. The applicant shall provide a weighbridge and shall provide annual data of tonnage imported to the site. Details of the annual tonnage shall be submitted to the Planning Authority for its written agreement.

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

- pc 7. The hours of operation shall be 08.00-18.00hours Monday to Friday (excluding bank holidays) and 08.00-13.00 hours on Saturdays. There shall be ^{no} ~~not~~ operations on site on Sundays.

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

- pc 8. This permission is for a period of **5 years** from the date of this permission unless before the end of this period a further permission has been granted by the Planning Authority or ~~An Bórd Pleanála~~ for its continuance on site. MK

Reason: To regulate the development and to clarify the duration of the operation hereby permitted and to limit the life of the development, in the interests of amenity and proper planning and sustainable development and to allow the Planning Authority assess the development at the end of the stated time period.

9. **Prior to the commencement of development**, the applicant shall carry out and submit a breeding birds survey for the written agreement of the Planning Authority. Any mitigation measures required from the findings of the survey shall be put forward and also agreed in writing with the Planning Authority.

Reason: In the interest of ecological protection

10. Inert material only shall be used for the purposes of restoration of the site.

Reason: In order to protect the local environment and to protect the residential amenities of the area

11. All former internal field boundaries to be reinstated as part of the restoration plan. Native hedgerows and tree species to be used in hedgerows/tree lines. All site boundary hedgerows are to be retained and infilled where gaps exist.

Reason: In order to ensure the restoration of the site within the specified period

12. Within 3 months of the completion of restoration of the site, an inspection shall be carried out by a suitably qualified person(s) in order to confirm that the site has been restored. A detailed report, which shall include survey plans, sections and a coloured photographic survey of the site showing the restored landform shall be submitted to the Planning Authority for agreement.

Reason: In the interest of the proper planning and sustainable development of the area and of adequate development management.

13. When the proposed development is completed the site shall be used for agricultural-related and amenity purposes only, and not for any commercial, industrial, or other non-agricultural use, without the benefit of a separate planning permission.

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

14. Any on-site lighting during restoration shall be cowled and directed away from any public road and dwellings and be shielded horizontally and vertically to prevent glare, light spillage and light pollution outside the site. All external lighting shall be of the sodium type. No mercury vapour lamps are to be used on the site.

Reason: To regulate the development and to control emissions from the site to prevent light pollution and in the interests of traffic safety and adjoining residential amenity.

15. The applicant shall apply for and obtain a Waste Facility Permit under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended from the Environment Section of Kildare County Council prior to waste activities commencing on site.

Reason: To prevent pollution and in the interest of public health.

16 14 Only the following waste type:- List of Waste Code (2015 edition) 17 05 04 – soil and stones other than those mentioned in 17 05 03, is permitted at the site.

ml **Reason:** To prevent pollution and in the interest of public health.

ix 15 All hauliers importing waste to or removing waste from the facility shall hold a valid waste collection permit in accordance with the Waste Management (Collection Permit) Regulations 2007, as amended.

Reason: To prevent pollution and in the interest of public health.

16 16 Mitigation, Enhancement and Compensation Measures specified in Sections 4.108 – 4.110 and Specific Ecological Mitigation, Enhancement and Compensation Measures specified in Sections 4.111 to 4.115 of the Environmental Impact Statement, written by SLR Consulting Ireland, received on the 18th May 2016 shall be implemented.

Reason: To prevent pollution and in the interest of public health.

17 Surface and Groundwater Mitigation Measures specified in Section 6 of the
19 Environmental Impact Statement, written by SLR Consulting Ireland, received
on the 18th May 2016 shall be implemented.

Reason: To prevent pollution and in the interest of public health.

20 18 Air Quality Mitigation Measures specified in Sections 8.93 to 8.98 of the
Environmental Impact Statement, written by SLR Consulting Ireland, received
on the 18th May 2016 shall be implemented.

21 19 Noise Mitigation Measures specified in Sections 9.52 to 9.55 of the
Environmental Impact Statement written by SLR Consulting Ireland, received
on the 18th May 2016 shall be implemented.

Reason: To prevent pollution and in the interest of public health.

22-20 Noise Control
(a) Noise from the development shall not give rise to sound pressure levels
(LAeq 30 minutes) measured at *noise sensitive locations which exceed the
following limits:

**55 dB(A) between the hours of 0800 and 1800 Monday to Friday inclusive
(excluding bank holidays)**

45 dB(A) at any other time.

(b) There shall be no clearly audible tonal component or impulsive component
in the noise emission from the development at any *noise sensitive location.

Note: *Noise sensitive location:

Any dwelling house, hotel or hostel, health building, educational establishment,
place of worship or entertainment, or any other facility or area of high amenity
which for its proper enjoyment requires the absence of noise at nuisance
levels.

Reason: To prevent pollution and in the interest of residential amenity.

23 -21 The total dust emission arising from all the on-site operations associated with the proposed development shall not exceed 350 milligrams per metre squared per day, averaged over a continuous period of 30 days, when measured as deposition of insoluble particulate matter at any position along the boundary of the site.

Reason: To prevent pollution and in the interest of public health.

24 -22 The applicant shall use "Best Practicable Means" to prevent/minimise noise and dust emissions during the operational phase of the development, through the provision and proper maintenance, use and operation of all machinery all to the satisfaction of the Planning Authority.

Reason: To prevent pollution and in the interest of public health.

25 -23. All overground oil, chemical storage tank(s) shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal or greater than 100% of the capacity of the largest tank within the bunding area or 25% of the total volume of the substance which could be stored within the area, whichever is greater. Filling and offtake points shall be located within the bunded areas.

Reason: To prevent pollution and in the interest of public health.

26 -24. The applicant shall erect appropriate warning signage in the vicinity of the proposed entrance for the benefit of all those passing the entrance and those entering and exiting from the site.

Reason: In the interest of traffic safety.

27 -25. **Prior to the commencement of development**, the applicant shall submit full details of permanent advance warning signage on both approaches to the site entrance at the R448 to warn drivers of the entrance, as well as the quarry and landfill site. Details shall be agreed in writing with the Planning Authority.

Reason: In the interest of traffic safety.

28 -26. **Prior to the commencement of any development**, the applicant shall contact the Roads and Transportation Section and/or the Naas Municipal District Engineer to agree on the locations of permanent advance warning signage on the R448 for the proposed development.

Reason: In the interest of traffic safety.

27. No queuing of delivery trucks shall take place on the R448. Should a large volume of deliveries take place on a given day, the site entrance and access road shall be capable of accommodating all deliveries to the site.

Reason: In the interest of traffic safety.

~~28.~~ The applicant shall install a wheelwash facility for all trucks exiting the site. Prior to the commencement of development on site the applicant shall submit an updated site layout plan showing the location of the required wheelwash facility. Details shall be agreed in writing with the Planning Authority.

Reason: In the interest of traffic safety and ensuring no muck/dirt is deposited onto the R448 during periods of wet weather.

29. No spoil, dirt, debris or other materials shall be deposited on the public road or verge by machinery or vehicles travelling to or from the development site during the landfill operational phase. The applicant shall arrange for vehicles leaving the site to be kept clean. A special bond of €10,000 shall be paid to Kildare County Council to ensure satisfactory compliance with this condition.

Reason: In the interest of traffic safety.

~~30.~~ No surface water runoff from the site shall discharge onto the public road.

Reason: In the interest of traffic safety.

~~31.~~ Lines of sight at entrance to the site shall be provided *strictly* in accordance with the requirements of the Design Manual for Roads and Bridges.

Reason: In the interest of traffic safety.

~~32.~~ The development shall not impair existing land or road drainage.

Reason: To prevent interference with existing land or road drainage in the interests of proper development.

~~33.~~ All surface water generated on-site shall be disposed of on-site and not allowed onto the public road.

Reason: To prevent interference with existing land or road drainage in the interests of proper development.

36 → 34. The applicant shall be responsible for the proper design, construction and maintenance of all surface water drains installed as part of the proposed development including soakways.

Reason: In the interest of sustainable drainage of the catchment.

37 → 35. **Development Contributions:** as appropriate.

Site area: 3.34 hectares, tonnage: 20,000-25,000 tonnes per year for 5 years. €50,100
See attached levy report
J.P.

Note to Admin:

Please inform the applicants of the requirements of the EHO by way of separate letter.

Signed: Elaine Donohue
Executive Planner

Date: 12/7/2016

Signed: P. Corbett
Senior Executive Planner

Date: 12.07.2016

Agreed

Michael Kury
M/DOS

12.7.16

Environmental Impact Assessment (EIA) Report
To accompany Planning Report for Reg. Ref. 15/189



The aim of the EIA Report is to identify and assess the effects of the proposed development on various environmental factors, in order to assist in considering whether it is consistent with the proper planning and sustainable development of the area. An assessment of the adequacy of the information contained in the planning application and Environmental Impact Statement (EIS) is therefore required. The content of a number of chapters of the EIS are more pertinent to the competent internal departments of the Planning Authority. The EIA Report has therefore also been informed by reports received from the Planning Authority's internal departments. In the interest of clarity and legibility for the reader it is proposed to structure this EIA Report in line with the sequencing of the information contained in the EIS. It is not the intention of this EIA Report to summarise the content of the EIS, but rather to address the information contained therein in a direct and succinct manner.

The content of this EIA report has had regard to the DECLG '*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2013)*'.

Project Description

It is stated that the expected environmental impacts of activities are consistent with the principles of sustainable development. The site is located close to markets in the region, eliminate requirement for HGV lorries to travel over extended section of the local road network on account of its access to the M9 motorway and that it will provide the necessary materials to allow rehabilitation of a section of the site back to rough grazing and nature conservation. It is stated that it is proposed to import stone and solids waste products from construction sites within the area and will be placed directly in the land. A separate waste permit application has been lodged with Kildare County Council. The total quantity of material to be recovered is expected to be up to a maximum of 99,000 tonnes and the facility will have an annual intake of approximately 20,000 to 25,000 tonnes per year. This section of the EIS is quite clear in the need for the facility at this location. Details of the working hours and employment, waste importation and traffic movements are clearly stated.

The previously proposed recycling facility of up to 10,000 tonnes is no longer proposed as part of this planning application.

It is noted that the EIS does not contain a separate chapter/section in relation to an assessment of alternatives, however it is considered that the section of the EIS

adequately describes the nature of the proposed development, the need for such a facility in the region and the suitability of this gravel pit as being part of a larger Kilsaran landholding where there are existing roads etc. It is considered that a satisfactory case has been made for this site being the preferred location for such a facility.

Human Beings

Details are provided in relation to the demography of County Kildare and the Kilcullen Electoral Area in the 2011 census. Details are provided in relation to the receiving environment and nearby one-off houses- approximately 9 dwellings within 500 metres of the proposed development with the majority being located to the east and south. It is stated that the proposed development will contribute to the reclamation of the former pit at Halverstown and is considered to be an essential element of infrastructure necessary to achieve the aims of local and national waste policy. In terms of positive impacts it is indicated that the development will employ 2 full time employees and that although there are potential negative impacts on human beings such as potential noise, dust and air quality, traffic and transportation and landscape and visual impact, each of these issues is addressed in mitigation measures being put in place.

It is considered that this section of the EIS satisfactorily identified and describes adequately the direct and indirect effects on the environment of the proposed development on human beings.

Ecology

This section of the EIS provides an assessment of the ecology effects of the proposed development. It describes the consequences of the proposal in terms of national, regional and local policies relevant to nature conservation and demonstrates that the proposed development meets the legal requirements relating to habitats and species. A habitat survey was carried out and is noted as not being the optimum time of year but that the survey was representative of the habitats and includes the dominant and characteristic species of flora within the application area. Ecological features were identified through desk- top study and field survey. Baseline ecological conditions, habitats on site which include exposed rock, woodland and scrub and grassland and marsh are described. The various species identified throughout the site are also listed. Valuable ecological receptors such as Dunlavin Marshes pNHA, Curragh (Kildare), pNHA are identified. Table 4.9 provides the sources of potentially significant impacts that may arise during the development and operation of the spoil and stone waste recovery facility in the absence of mitigation. Impacts such as habitat loss, damage to wildlife, changes in air quality, changes to groundwater etc are listed. It is stated that on decommissioning of the facility the site would be restored to agricultural and natural habitat and that through careful design and restoration techniques there is opportunity to create habitats of higher ecological value than the existing habitats.

It is considered that this section of the EIS satisfactorily identifies and describes the direct and indirect effects on the environment of the proposed development on ecology. The Heritage Officer report of the 4th July 2016 notes that the field survey was not carried out at the optimum time of the year and there does not appear to have been a breeding bird survey conducted. Having discussed this issue with the Heritage Officer, it is agreed that in this instance a condition may be included in a grant of permission that no works shall commencement until a breeding bird survey is carried out at the appropriate time of year and that mitigation measures are put forward pending the results of the survey.

It is considered that the other mitigation measures put forward in Section 4 of the EIS such as avoiding negative impacts to birds, any removal of habitat etc would be carried out outside the breeding season.

Soils and Geology

Baseline information has been provided, it is stated that it is considered that the importance of the sand and gravel subsoils at the site is low as the site has been worked out previously and that there are no soils present at the site and bedrock is not exposed at the site. There are no designated heritage features at the site. Direct impacts are highlighted but having ruled out potential impacts on the souls and bedrock geology at the site from the proposed development then these receptors will not be considered further in this assessment. Potential impacts are set out and mitigation measures are put forward.

Surface and Ground Water- Hydrology and Hydrogeology

It is stated that Halverstown pit lies within the Narraghmore Groundwater Body *GWB) under the Water Framework Directive. The subsoils are determined by gravels, which have high rates of infiltration. It is stated that the sand and gravel deposits are calcareous and that no limestone rock occur in the area. In terms of groundwater implications it is stated that no de-watering takes place within the infill area and therefore there is no requirement to manage any groundwater at the site. The potential impacts are assessed in terms of direct and indirect impacts. It is stated that the importation of inert soil and rock has the potential to have a direct impact on the water. Potential impacts on surface water and groundwater quantity have been screened out therefore the assessment focuses on groundwater quality. Detailed mitigation measures are set out in this section.

It is noted that the KCC Water Services section and the Environment Sections have assessed the original application and the EIS and have no objections subject to conditions. A number of conditions in the Environment report refer specifically to the

mitigation measures set out in Section 6 of the EIS in relation to surface water and groundwater.

Climate

Section 7 of the EIS deals with potential impacts on the climate. This section of the EIS is considered to be satisfactory.

Air Quality

This section primarily deals with the issue of potential dust related impacts from the proposed development and operation of an inert stone and soil recovery facility and landform restoration using inert materials. The impacts of dust emission from activities on site such as importation of waste, placement of quantities of imported inert soil and stones within an area within the existing site, stockpiling, placement and compaction of inert materials. It is stated that the key objective is to manage activities in order to ensure that air omissions are prevented where possible and the effects of any residual releases are minimised. Baseline characteristics are specified and it is stated that the closest air quality monitoring location to the proposed facility is 20km west of the site. Dust sensitive receptors are listed as ecological receptors and human receptors. 31 dust sensitive receptors are identified in Table 8.2 within 1 km of the site. A semi-quantitative assessment of dust emissions has been undertaken by constructing a conceptual model that takes into account potential sources. The risks of the impacts are highlighted and detailed mitigation measures are put forward. Mitigation includes minimising dust at the source, spraying water on dry unpaved road surfaces. It is stated that with a range of mitigation measures to be implemented and design measures to be incorporated into the working scheme, it is considered that the risk of dust impact at receptors 5-7 from the proposed development reduces slightly adverse to acceptable. This section of the EIS concludes by stating that dust deposition monitoring will be undertaken at the application site and reviewed/revised where and as when is necessary.

It is considered that the analysis of potential dust implications and mitigation measures set out in Section 8 of the EIS is acceptable.

Noise

Baseline monitoring at the former gravel pit was carried out in addition to a noise impact assessment. This section of the EIS states that the proposed facility noise sources will consist of mobile plant, such as bull dozer on occasion working close to the perimeter of the site, within 50 metres of houses, however it is stated that this work is transient in nature. This section sets out the receiving environment, existing noise conditions and potential impacts on the proposed Natural Heritage Area. Mitigation measures are put forward in sections 9.52 and 9.53, indicating that the established strategies for impact mitigation are avoidance, reduction and remedy. Where it is not possible or practical to mitigate all impacts, then the residual impacts

are clearly described and the adoption of best practicable means is listed as being the most effective way of controlling noise. A worst-case noise assessment has shown that in accordance with the scale in the Guidelines for Noise Impact Assessment, the cumulative long-term noise impact from plant associated with the development at the most sensitive receptors R1 and R12 is stated as being negligible. Table 9.1 summaries the impacts, mitigation measures and residual impact for the operational plant noise at each of the noise sensitive receptors considered.

It is considered that Section 9 of the EIS adequately assesses the potential noise impacts arising from the operational stage of the proposed development and provides adequate mitigation measures. It is noted that the Environment Section have recommended conditions in relation noise control.

Landscape

This section of the EIS indicates that the proposed waste recovery facility will be located in the southern part of the existing sand pit at Halverstown approximately 4km southwest of Kilcullen. A landscape and visual impact assessment was carried out in accordance with specific guidelines. Details of the baseline landscape and visual assessment are provided. A number of viewpoints were chose to illustrate how the planning application site is screened by intervening vegetation and topography in views from the surrounding landscape. It is stated that the rural environment surrounding the application site is of medium scenic quality due to the presence of many man-made structured. It is stated that the scale of the development is restricted in many locations due to the tree-lined boundary and roadside hedgerows. It is considered that this section of the EIS adequately describes the receiving environment and assesses any potential impacts on the landscaping arising from the proposed development. Given the existing vegetation on site and the proposed end result which will result in a landform similar to the previous use of the site as a gravel pit, there is potential to enhance the landscape and improve the visual amenities of the area.

Cultural Heritage

Section 11 of the EIS assesses the significant effects if any, on the cultural heritage, archaeology, and architecture which may occur due to the proposed development. It is stated that the site was a former sand and gravel pit and that it is proposed to develop an inert soil and stone waste recovery facility. A field inspection was carried out and direct and indirect impacts are listed. It is indicated that there are no direct or indirect impacts on any known items of cultural heritage, archaeology or buildings or heritage interest in the application area or in the vicinity.

It is considered that this section of the EIS adequately assess any potential impacts on cultural heritage.

Material Assets

This section of the EIS provides an overview of the material and amenity resources within the vicinity of the proposed development. The potential impacts and mitigation measures in relation to each of the material assets is assessed. It is considered that this section of the EIS is adequate.

Traffic and Transportation

This section of the EIS provided an assessment of the traffic generation characteristics associated with the proposed inert soil and stone waste recovery operations on site. The study included a review of the traffic characteristics of the current development together with a detailed turning count surveys of the receiving local road network. Recommendations are made regarding traffic management at the development. Detail is provided in relation to the current traffic flows and specifies the number of HGV movements. It is indicated that waste materials incoming to the site will be transported by similar vehicles to those that are used to transport aggregates, based upon the import of 20,000 to 25,000 tonnes of material per annum and based on 5.5 working days and 46 working weeks and assume 20 per vehicles it is indicated that the operation is likely to give rise to additional 4-5 HGV trips per day. Mitigation measures are proposed in the form of advance signage.

It is considered that this section of the EIS satisfactorily assess the potential impacts of traffic generation on the receiving environment. It is noted that the Transportation Department have recommended that permission be granted subject to conditions, including details of advance warning signage etc.

Interaction of the Foregoing

Section 14 of the EIS states that the interactions of the various environment topics has been covered within each section of the EIS, Sections 3 to 13 where relevant. This is noted and is considered to be acceptable.

Conclusion

This report comprises an Environmental Impact Assessment of the proposed development. The aim of the EIA Report is to identify and assess effects of the proposed development on various environmental factors, in order to assist in considering whether the proposed development is consistent with the proper planning and sustainable development of the area.

It is considered that all anticipated effects on the environment from the proposed development as identified and detailed in this EIA Report have been comprehensively evaluated and addressed in the application plans and particulars (including the EIS) received on 16th March 2015 and in the Further Information response received on 6th August 2015 and 18th May 2016 and in all County Council

internal department reports, including the planning reports. Submissions and observations received from prescribed bodies and third parties in relation to the proposed development have also been considered in this regard.

It is considered that the nature and extent of the anticipated effects on the environment are such that they can be suitably mitigated, reduced and/or avoided, where required, by conditions in the grant of planning permission. These conditions are necessary to ensure that the mitigation measures contained in the EIS and in the response to the request for Further Information, are implemented and that further measures are carried out where required by condition.

Signed: Elaine Dechae
Executive Planner
12/7/2016

Signed: P. Conlon
Senior Executive Planner
12.07.2016

Signed: Muhamed Kemal
Director of Services
12.7.16.

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16.

Written Statement of Decision Maker (Chief Executive)

It is noted that the Environmental Impact Assessment carried out by the Executive Planner and reported on in the EIA Report dated 12/07/2016, and approved by the Senior Executive Planner and Director of Services, has been carried out giving full consideration to the Environmental Impact Statement and all plans and other particulars received by the Planning Authority 16th March 2015, the further information received on the 6th August 2016 and the Environmental Impact Statement received on the 18th May 2016, all County Council internal department reports, and all submissions and observations received from prescribed bodies and third parties made in relation to the environmental effects of the proposed development.

It is considered that the EIA Report dated 12/07/2016 contains a fair and reasonable assessment of the likely significant effects of the proposed development on the environment. The EIA Report is adopted as the assessment of the Planning Authority of Kildare County Council.

It is considered that all anticipated effects on the environment from the proposed development have been comprehensively evaluated in the EIA Report. The nature and extent of the anticipated effects on the environment as identified in the EIA Report can be suitably mitigated, reduced and/or avoided, where required, subject to specific conditions in the grant of planning permission.

Signed: 
Chief Executive

Development Contributions Calculations

**File ref: 15/189 – Kilsaran Concrete
Halverstown, Kilcullen, Co. Kildare.
Waste Recovery Facility**

As per page 1 of Planners Report dated 12/07/2016;
"The Planning Permission is only required for the
importation and recovery of inert soil and stone
waste to partially restore the former extraction and
silt settlement lagoon in the southern part of the
Kilsaran landholding"

Waste Recovery Developments – Para 8 (viii) of the CDS 2015-2022			
Hectare	Rate per Hectare	Levy to be applied	
3.34ha	€15k	€50,100.00	
Comments ***	€15,000 X 3.34ha = €50,100.00		
Levies Applicable		€50,100.00	
Signature:		Joanne Percival	<i>Joanne Percival</i>
Date:		12/07/2016	<i>12/7/2016</i>

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