



## Comhairle Chontae 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

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Email: [planning@fingalcoco.ie](mailto:planning@fingalcoco.ie)

PLANNING DEPARTMENT

### NOTIFICATION OF DECISION TO GRANT PERMISSION LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order No. 1694	Decision Date 19 June, 2001
Register Ref. F00A/0862	Registered 20 April, 2001

**Applicant** Irish Asphalt Limited

**Development** Development of a quarry (the quarry void will extend over an area of 8.59 hectares (21.2 acres) and associated primary crushing facilities, offices, weighbridge, wheelwash, portable toilets, water treatment facility and all associated landscaping and development works. Permission is also being sought for the restoration of the quarry on its completion to existing ground levels. The proposed development is contained on an overall site area of 13.86 hectares (34.3 acres). The site is located in the townland of Bay, St. Margarets, Co. Dublin. This application for planning permission is accompanied by an Environmental Impact Statement.

**Location** Baylane Bay, St. Margarets, Co. Dublin.

**Floor Area** 0.00 Sq Metres

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

**Additional Information Requested / Received** 18/10/2000 / 23/01/2001

~~In pursuance of its functions under the above mentioned Acts, the Fingal County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to GRANT PERMISSION in respect of the above proposal.~~

Subject to the ( 16 ) conditions on the attached Pages.

**Frank L. Benson & Partners**  
Hainault House,  
69 St. Stephen's Green,  
Dublin 2.



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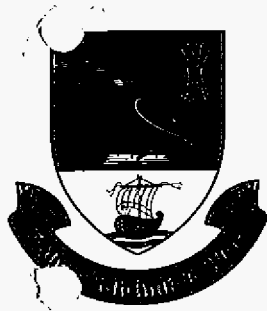
**PLANNING DEPARTMENT**

Signed on behalf of the Fingal County Council

*C. Bedford*  
for **Senior Executive Officer**

19 June, 2001.

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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 as amended by way of additional information as received on 23rd January 2001 and by way of Clarification of Additional information as received on 20th April 2001, 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. All ameliorative proposals contained within the EIS and subsequent alterations by way of additional information and clarification of additional information shall be strictly complied with.

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

3. The following requirements of the Environmental Services Dept. shall be strictly adhered with;

Surface water is available subject to the following requirements

(1) No abstraction of rock to take place in commercial quantities prior to the installation of the surface water/ petrol oil interceptor and wheel wash and storage provision having been installed;

(2) Maximum discharge from to the outfall stream to be limited to 28L/s. The applicant will be held responsible for any improvements done, should flooding occur as a result of an oversight with respect to information supplied or any discharge over the maximum stated within the submitted EIS. Where the Council is required to carry out the improvements, on foot of the above, the work must be funded in advance by the applicant;

(3) The applicant is to apply for a license to discharge to the stream under the water pollution acts;

(4) Before works commence the applicant is to enter into a formal agreement with Aer Rianta with respect to the on-going inspection by that body with respect to methods to ensure that the site does not form an attraction for Birds. With regard to water supply the applicants shall treat the Ward Tower (over ground high level water reservoir) as a



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sensitive building located 1.2 miles to the north of the site. Before works commence the applicant is to contact the structural section of Fingal Co. council with a view to establishing the existing condition of the building and fitting a seismic indicator. Any water supply is to be metered. The applicant is to contact the Sanitary Services Department prior to any re-submission.

REASON: In the interests of public health.

4. The following requirements of the Irish Aviation Authority shall be strictly adhered to;

Prior to the commencement of development the applicant is to enter into a formal agreement with Aer Rianta which shall put in place agreed measures with regard to the carrying out of blasting on site and ameliorative measures for minimising bird attractions to the site. The final agreement shall be submitted to the Planning authority prior to commencement of works.

The final control for the timing of any blasting in the quarry shall rest with the Watch manager, Air traffic Control, Dublin Airport. As part of the above required agreement, details of the communications measures to be undertaken between the quarry operators and air traffic control are to be submitted.

No explosives are to be stored on site.

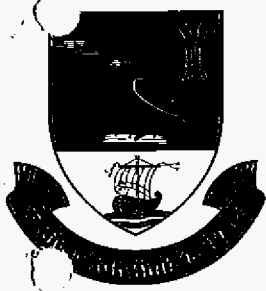
All generators and electrical plant, used within the quarry must be compliant with the standards contained within BS EN 50081.2(1994), Electromagnetic compatibility- Generic emission standard, industrial environment and BS EN 50082- (1995) Electromagnetic compatibility- Generic immunity standard, Industrial environment.

REASON: In the interests of air traffic safety.

5. No overburden or topsoil shall be removed from the site but shall be stockpiled on the site for use in land restoration. Such stockpiled material shall be banked around the perimeter of the site in accordance with the submitted details contained within the submitted EIS.

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

6. The operational hours of the quarry shall be between 08.00 hours and 18.00 hours, Monday to Friday and 08.00 hours to 13.00 hours Saturday. No blasting shall take place on Saturdays. No operations shall be carried out on Sundays or public holidays.



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REASON: In the interests of amenities of the area.

7. Monitoring arrangements relating to the requirements requiring noise and dust attenuation and the monitoring of ground water quality shall be submitted to and agreed in writing with the Planning authority prior to the commencement of development. The monitoring arrangements 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 developer. All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the best available technology not 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. Noise as a result of the development shall not exceed the EPA BATNEEC Guidance value for noise, as measured at the nearest inhabited dwelling house

REASON: In the interests of monitoring pollution control.

8. Appropriate measures shall be taken by the applicants at all times to ensure the security of the site. Prominent notices shall be erected at positions to be agreed with the Planning Authority, warning the general public of the danger of the quarry, associated plant and machinery.

REASON: In the interests of public safety.

9. The following requirements of the Roads Dept. shall be strictly complied with;
  - (1) Prior to the commencement of development the details, as received by way of Clarification of Additional Information with respect to the upgrading of Bay-lane to a six metre carriageway with passing bays shall be agreed with the Roads Dept.
  - (2) Quarrying works shall not commence until the proposed road improvements are in place.
  - (3) A mobility management plan shall be submitted by the operator to the Roads Dept., for agreement in respect of the quarrying operation prior to the commencement of quarrying. A mobility management plan shall be submitted to the roads Dept. for the infill operation prior to commencement of infilling.

REASON: In the interests of traffic safety.

10. No vehicles, except in an emergency, carrying materials from the site or infill into the



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site shall use the Bay Lane road to the east of the site entrance. All the above traffic shall solely use the up-graded portion of Bay-lane, connecting to the Ratoath road.

REASON: In the interests of traffic safety.

11. Prior to the commencement of quarrying on the site the operator shall install a suitable wheel wash facility at the entrance to the development. 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.

12. 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.

13. With regard to site restoration works the applicant shall;

Prior to the commencement of development the applicant shall have a licence for the backfilling works from the Environmental Protection Agency. The operator shall comply with all requirements pertaining to the securing and implementation of the above licence.

Notwithstanding the above licence requirement, backfill for the scheme, shall be, as far as possible from local sources. The applicant prior to the commencement of backfilling shall submit details of sources for fill, for the approval of the Planning Authority.

The applicant shall sample each truck upon entering the site with backfill and the results of such tests shall be retained. Backfill shall strictly comply with that stated within the EIS. These details shall be made available to the planning authority upon request. All monitoring shall be at the applicants expense.

Prior to the commencement of development the applicant shall lodge with the Planning Authority a bond of an insurance company, to secure the satisfactory reinstatement of the lands and to indemnify the Local Authority from any future public liability, coupled with a legal agreement empowering the Planning Authority to apply such security or part thereof to the satisfactorily reinstate the land. The details and amounts of such bonds shall be submitted and agreed with the Planning Authority prior to





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commencement of back filling.

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

14. Notwithstanding the submitted requirements within the EIS and the above conditions, at all times the operator of the quarry shall at all times employ the best available technology not entailing excessive cost in devising a suitable blasting regime for the site. All blasts shall be suitably monitored, as per the measures laid out in the submitted EIS. The planning authority shall have freedom to access all blasting records and results from the site. Blasting charge shall be so regulated to ensure that vibration as measured by the peak particle velocity arising from the blast does not exceed 11mm/sec. The operator shall cause any blast to be so designed so as to eliminate any projection of fly rock and will adopt systems of stemming explosive placement and initiation which are consistent with the containment of fly-rock.

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

15. That a financial contribution in the sum of £849,200 (Euro 1,078,262) be paid to Fingal County Council towards the cost of road improvements and traffic management in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development of the site.

REASON: The provision of such services 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.

16. That a trees bond in the sum of £150,000 (Euro 190,461) be paid by the proposer to Fingal County Council as a cash deposit, or a bond of an insurance company as security for the protection of trees on the site.

REASON: In the interest of the amenities of the area.