

20171532

24 January 2018

REGISTERED POST

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C/O Gavin Lawlor  
80 Harcourt Street  
Dublin 2

PLANNING AND DEVELOPMENT ACTS 2000 (as amended)

Planning No: 20171532

Applicant: SEAN & MICHAEL KELLY

Proposed: PERMISSION FOR A PERIOD OF 20 NO. YEARS ON A SITE OF C.8.45 HECTARES PERMISSION IS SOUGHT FOR THE EXTENSION OF THE EXISTING QUARRY (PERMITTED UNDER WEXFORD COUNTY COUNCIL REG. REF. 20082323) ONTO ADJOINING LANDS TO THE WEST COMPRISING AN EXTRACTION AREA OF C. 5.83 HECTACRES. THE QUARRY EXTENSION IS SOUGHT TO A MAXIMUM DEPTH OF C. 38 METRES OD AND WILL BE EXTRACTED AT A RATE OF C. 100,000 TONNES PER ANNUM. THE PROPOSED DEVELOPMENT INCLUDES ALL ANCILLARY SITE DEVELOPMENT, AREAS OF STOCKPILING, LANDSCAPING AND BOUNDARY TREATMENT WORKS ABOVE AND BELOW GROUND, INCLUDING THE PROGRESSIVE RESTORATION OF THE FINAL PIT VOID (EXTRACTIVE AREA) TO ORIGINAL LEVEL THROUGH THE IMPORTATION OF INERT SOILS. AN ENVIRONMENTAL IMPACT STATEMENT ( NOW REFERRED TO AN ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) WILL BE SUBMITTED TO THE PLANNING AUTHORITY WITH THE APPLICATION.

Location: BALLINROOAUN (ED CASTLE ELLIS), CASTLE ELLIS

A Chara,

I wish to refer to the above application for **PERMISSION** under the above Acts. To enable your application to be considered, it will be necessary for you to submit the following:

1. As the significant geoh heritage value of this kame-kettle topography is entirely inherent in its overall surface expression, the Planning Authority would emphasise the fact that in order to fulfil a full and entire restoration to 2017 landform topography, any proposed extraction would be dependent on a successful application for an Inert Waste Licence with an accompanying EIS. The Planning Authority is therefore concerned about guarantees on how this condition would be met.
2. The surface of the 'restored to previous levels' will be prone to settlement and preferential gulying during heavy rainfall, which commonly happens with newly planted land, especially when there are small amount of fines in the subsoils. After a number of years this could potentially result in a scoured surface, especially as there area relatively high slope angles over much of the proposed extraction area. The re-profiling measures outlined in 11.5.1 to 11.5.3 will need to be repeated after three years with follow up post-monitoring, submit proposals for same.
3. The Planning Authority consider that the application as described does not adequately inform the public and therefore the applicant is requested to re-advertise to clearly include for the importation of 1,300,000 tonnes of clean inert material which in itself requires an EIAR.
4. The application has failed to include a reference that the proposed restoration/infill will be subject to the requirement to obtain a Waste Licence from the EPA in the Public notices as required under S.18 of the Regulations... '(iv) where the application relates to development which comprises or is for the purposes of an activity requiring an integrated pollution prevention and control licence or a waste licence, an indication of that fact,..' Re-advertisement therefore required.
5. The EIAR as submitted includes insufficient detail on the material to be imported for the restoration of the landform. The EIAR should be amended to include for more detailed assessment, mitigation and specification on the type of material to be imported and used in the restoration of the quarry. The EIAR shall also sufficiently demonstrate or model how soil erosion or slippage will be avoided where the less permeable infill material meets the relain sandy overburden upon completion of restoration.
6. The applicant is requested to clarify the locations and methods of storing the overburden for the years before restoration is complete.
7. Submit revised drawings showing the distance of the quarry face from all adjoining landholdings demonstrating a minimum of 100m distance at all times.

8. The Planning Authority considers the AA Screening Report as submitted doesn't adequately screen the project in its entirety which includes the importation of 1,300,000 tonnes of inert soil. The importation of that volume of material has the potential for impacts on groundwater and potential for introduction of invasive species etc unless mitigated or controlled. The applicant is requested to submit a revised or separate AA Screening report or Natura Impact Statement if so required with revised public notices including for same. Please note that as a minimum all material to be imported should be checked for presence of invasive species at the source site.
9. It is noted that a sprinkler system is to be installed for dust suppression during periods of drought. It is noted that this water supply is in fact from a well water supply at the farm and therefore groundwater abstraction is required. Based on the existing operation the applicant is requested to provide further detail and estimation on the approximate volumes of water to be used in dust suppressions measures and the impact this may have on the ground water and well yield at such times of drought.
10. The applicant is requested to address the outstanding issue of no bond having paid on previous permission Plan Reg: 20082323, which means the existing quarry to which this application is looking to extend through is currently non compliant with the particulars of the permission.
11. Please clarify under Section 8.6.5 of the EIAR the high winter water table is stated as being between 29AOD and 38AOD and the proposed sandpit floor is stated as being 38m AOD however there should remain a minimum of 5m above the high water table at all times. Also in the Planning report specifies that the quarry is to be quarried to 40mAOD at its lowest point. Submit clarification on this statement and revised section drawings showing the quarry floor a minimum of 43mAOD and/or 5m above the high winter water table.
12. As the southern side of Ballinrooan terrain and feature is virtually unspoiled and is visible from a wide landscape area including Wexford Town itself the applicant is requested to submit additional views and photomontages of the proposed development at extraction phase from distances further south from public view points such as Wexford Racecourse or other elevated land within Wexford Town and near the N11 Ferrycarrig bridge.
13. It is noted in Section 9.5 of the EIAR regarding mitigation measures that a pumped water wheel and underbody washing facility is to be installed at the entrance to the quarry. A fixed sprinkler system is also to be installed at the exit gate to dampen down dry loads leaving the site. Please clarify if this is a new proposed system under this application, which is outside of the application site boundary. The applicant is therefore required to submit revised details and specifications for same and a revised site layout showing location

of same within the site edged red. The description of same should also be included within the amended public notices if new wheel wash and sprinkler system proposed.


14. The EIAR states that there is to be a decrease in the number of vehicle movements associated with the proposed development which is unrealistic as there will be extraction of 100,000 tonnes per annum and traffic associated with infilling 80,000 tonnes per annum concurrently, which is a significant increase in traffic movements. It is noted that this assessment relies on the trucks on the return leg of an outward journey to have the material for backfilling. The applicant is requested to elaborate on how this is to be orchestrated with some customers arriving in their own vehicles and while the sites for sourcing the infill is still an unknown. The statement in Section 12.4.2 of the EIAR that an additional 36 vehicles per day, which equates to 72 trips (2 for each vehicle) is insignificant on the local minor road requires some addressing. This figure may also be unrealistic depending on how the two loads can be arranged so efficiently.

Note: The applicant is advised that this request for further information does not necessarily indicate that permission would be subsequently granted.

**NOTE: 6 no. copies of all documentation must be submitted. All plans/maps/drawings/specifications must bear the full name and address of the person by whom they were prepared. In accordance with Article 33(4) of the Planning and Development Regulations 2001 (as amended), please note that where there is failure to reply to a request for further information within 6 months of the date of the request, the application shall be declared withdrawn.**

Please note that Niamh Lennon, Case Officer, is dealing with this matter and can be contacted at the *Planning Department*, tel. (053) 919 6000 if you have any queries.

*Mise, le meas,*

  
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Staff Officer  
Planning and Development