

**WEXFORD COUNTY COUNCIL PLANNING AUTHORITY**  
**PLANNING AND DEVELOPMENT ACT 2000 (as amended)**  
**NOTIFICATION OF DECISION ON PLANNING APPLICATION**

The Decision of Wexford County Council on the application described in the Schedule to this Notice is as shown therein. Please be advised that in making this Decision, Wexford County Council has taken into account any observations or submissions received. Please read the notes supplied with this Notice.

Signed on behalf of *Wexford County Council*

*H. Fean*

Date 16 April 2018

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**SCHEDULE**

**PARTICULARS OF PLANNING APPLICATION**

PLANNING REG. NO.: 20171532

DATE OF APPLICATION: 23 November 2017

APPLICANT: SEAN & MICHAEL KELLY  
Ballinrobaun  
Screen  
Co. Wexford

TYPE OF APPLICATION: PERMISSION

PROPOSED DEVELOPMENT: 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 HECTARES. 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

DECISION: GRANTED subject to CONDITIONS **as listed hereinafter.**

DATE OF DECISION: 16 April 2018

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## Planning Register No. 20171532

Having regard to provisions of the Wexford County Development Plan 2013-2019, the referral responses received and all other material considerations, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenity of the area and would therefore be in accordance with the proper planning and sustainable development of the area.

**CONDITIONS AND REASONS THEREFOR**

1. The proposed development shall be carried out in accordance with:
  - (i) The plans and particulars lodged with the planning application; and,
  - (ii) The further information date stamped 21/02/18 except as otherwise required by the conditions of this permission.

**REASON:**

To ensure the proposed development accords with the permission and that effective control is maintained.

2. The developer shall pay to Wexford County Council an annual contribution towards the expenditure that was and/or is proposed to be incurred by the Local Authority in respect of works which have facilitated or which will facilitate the proposed development. The amount of contribution shall be thirty three thousand, eight hundred and forty euro (€33840) per annum. The first contribution will be payable at the time of commencement of the development and each payment thereafter will be due on the 1st April each year for the duration of the permission.

**REASON:**

In accordance with the Development Contribution Scheme as provided for under the Planning and Development Acts 2000 (as amended).

3. The developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The amount of the security shall be sixty thousand euro (€60,000.00) cash deposit or one hundred and twenty thousand euro (€120,000.00) bond from an insurance company.

**REASON:**

To ensure the satisfactory reinstatement of the site.

4. a) The maximum rate of extraction shall be a maximum of 100,000 tonnes per year.
  - b) The means of working the site shall be as detailed in the submitted application unless as otherwise agreed by the planning authority. No blasting at the site is authorised by this permission.
  - c) No extraction shall take place below 38m OD.

**Reason:**

In the interests of clarity, the amenities of the area and protection of the environment.

5. The period of the extraction shall be 15 years only and infilling and restoration works shall be permitted to continue for a further 5 years at this quarry with a total maximum of 20 years from the notification of decision date of this permission. The use of the site as a quarry shall be discontinued after this time.

**REASON:**

In the interests of orderly development, having regard to Section 34 (4)(n) of the Planning and Development Act 2000 ( as amended )

6. The applicant shall submit to the planning authority evidence of having obtained the required EPA licence to allow for the importation of inert fill material to carry out the restoration works. In the event of an EPA waste licence not being in place by the end of the third year of extraction no further excavation works shall be carried out and the planning authority shall be notified and restoration proposals shall be submitted for their agreement prior to closure of the quarry.

**REASON:**

In the interests of orderly development, having regard to Section 34 (4)(n) of the Planning and Development Act 2000 ( as amended )

7. a) The total dust emission arising from the on-site operations when measured at any point along the site boundary ( i.e. boundary with land not under the owner/operators ownership / control ) shall not exceed 350 milligrams per square metre per day in accordance with the the German TA Luft Air Quality Standard.
- b) The total suspended particles arising from the on-site operations when measured at any point along the site boundary ( i.e. boundary with land not under the owner/operators ownership / control ) shall not exceed 150ug/m<sup>3</sup> over a 24 hour averaging time period. Dust is to be monitored utilising continuous monitoring equipment with 15 minutes averaging intervals, which are capable of continuously indicating the concentration of Total Suspended Particulates and PM10.
- c) Monitoring of dust and suspended particles shall be undertaken by suitably qualified persons on behalf of and at the expense of the owner/operator in accordance with the requirements of the planning authority.

**Reason:**

To minimise the generation of dust by the proposed development and in the interests of the amenities of the area and proper planning and sustainable development.

8. A monthly monitoring programme of dust emissions shall be undertaken to provide compliance with the limits attached. Details of this programme, including the location of dust monitoring stations shall be submitted to and agreed in writing with the planning authority within 3 months of the grant of permission. This frequency of monitoring may be reviewed depending on the results submitted.

**Reason:**

To protect the amenities of the properties in the vicinity of the area and in the interests of proper planning and development.

9. The floor of quarry is to be maintained a minimum of 5m above the high winter groundwater table level at all times.

Reason:

In the interests of protection of groundwater.

10. Final restoration contours shall match the original topographical survey submitted to Wexford County Council 21/02/18. Upon completion of restoration the applicant shall submit to Wexford County Council Planning Section for their written agreement a digital topographical survey of the final restored contours.

Reason:

To ensure full restoration of the landscape.

11. a) Noise emanating from the development shall not cause to be measured at the facing elevation (outside ) of any existing dwelling in the area at a noise level of 55dB(A) ( Laeq 1 hour ). Any noise shall not be tonal in nature or have any tonal element which is 5 dB(A) above the adjacent frequencies.

b) A Monitoring programme of noise emissions shall be undertaken by suitably qualified persons on behalf of and at the expense of the developer to provide compliance with the limits attached. The minimum monitoring shall be once every 2 years when the facility is in full use. The results must be submitted to the planning authority. This frequency of monitoring may be reviewed depending on the results submitted..

Reason:

In the interests of the amenities of the area and proper planning and sustainable development.

12. All machinery and vehicles employed on site shall be fitted with effective silencers of a type appropriate to the specification and at all times the best available technology, not entailing excessive costs, shall be employed to prevent or counteract defects of noise emitted by vehicles, plant machinery or otherwise arising from the site activities.

Reason:

To protect the amenities of the properties in the vicinity of the area.

13. In the event of refuelling taking place on site the refuelling shall only take place a concrete hardstand area with a bund lip so as to contain any spillage.

Reason:

In the interests of protection of the environment and groundwater.

14. The site shall be effectively secured at all times with appropriate warning signage displayed to prevent and deter unauthorised or accidental access. The access gate shall be closed and locked when there is no authorised person at the quarry.

Reason:

In the interests of public safety and proper planning and sustainable development.

15. Unless as otherwise agreed with the planning authority, on or before 1 year before expiry of the permitted period for extraction at the site, full details of proposals including time scales for the closure and restoration of the quarry shall be submitted for the agreement of the planning authority.

In the event of the quarry closing prior to the permitted time, closure and restoration proposals shall be submitted for the agreement of the planning authority prior to closure.

Proposals for closure shall include measures to effectively secure the site and the removal of all plant, equipment and material not used in restoration.

The closure and restoration of the site shall take place in accordance with the details as agreed by the planning authority.

Reason:

In the interests of visual amenity and proper planning and sustainable development.

16. a) Existing sightlines at the site access shall be retained with landscaping at the frontage of the sight regularly trimmed;  
 b) Signage shall be provided on the approaches to the site to warn other road users of quarry related traffic;  
 c) No dust, stones, mud etc giving rise to traffic safety hazards shall be brought onto the public road by vehicles accessing or leaving the site.  
 d) All vehicles using the site shall have loads effectively covered.  
 e) The planning authority shall be notified of any proposed measures to prevent dust, stones, mud etc from being brought onto the public road by vehicles accessing or leaving the site.  
 f) All public roads shall be kept clean at all times with the use of a mechanical sweeper when required.

Reason:

In the interests of public safety and proper planning and sustainable development.

17. A wheel wash facility shall be maintained and operated to the satisfaction of the planning authority. All vehicles carrying material off site shall pass through the wheel wash and shall be washed so that no material is deposited upon the public road network.

Reason:

In the interests of public safety and proper planning and sustainable development.

18. All on-site operations associated with the permitted development shall take place between the following hours:  
 0800 to 1800 Monday to Friday  
 0900 to 1400 Saturdays.

No on-site operations associated with the permitted development shall take place outside of these hours or on Sundays or public holidays.

Reason:

In the interests of amenity and proper planning and sustainable development.

19. All on-site operations associated with the permitted development, including refuelling operations and waste management shall be undertaken in a manner which prevents the risk pollution of ground water.

Any on-site incidents giving rise to the risk of pollution of ground water shall be reported immediately to the planning authority.

No contaminated water shall be discharged to ground or surface waters.

Reason:

In the interests of protection of ground water and proper planning and sustainable development.

20. Earth stripping operations and the storage of such material shall take place at a time and in a manner which does not give rise to dust nuisance affecting adjoin lands.

Reason:

In the interests of amenity and proper planning and sustainable development

21. Unless as otherwise agreed by the planning authority, all processing and stockpiling of extracted material shall take place in a manner to ensure potential noise and dust generation is minimised.

Reason:

In the interests of amenity and proper planning and sustainable development.

22. Unless as otherwise may be agreed by the planning authority, surface water shall not be discharged from the site onto adjoining land or the public road.

Reason:

In the interests of amenity and proper planning and sustainable development.

23. Inspections must be scheduled and take place to ensure that the imported inert soil infill does not host invasive species. No offsite top soil shall be imported for use in the infill or restoration works.

Reason:

To prevent the introduction of invasive species and in the interests of proper planning and sustainable development.

24. Upon completion of restoration works regular monitoring of the restored ground levels shall continue to address any settlement issues. Any settlement and potential gullying will need to be assessed and remediated, as appropriate, to pre-excavation levels.

Reason:

To ensure full restoration of the landform and in the interests of amenity and proper planning and sustainable development.


**END OF SCHEDULE**

Please note you are now required to remove your site notice(s) immediately.

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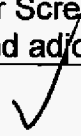
<b>Registered Date</b>	<b>23 November 2017</b>
<b>Date Received Decisions Office</b>	
<b>Due Date</b>	<b>17<sup>th</sup> April 2018</b>
<b>FI Date</b>	<b>21<sup>st</sup> February 2018</b>

On receipt of F I's refer to:	Date Referred
Environment	
Roads	
Area Engineer	
Other	
<b>No Referral</b>	
<b>Reason for Refusal</b>	Public Health
	Road Safety
	Neighbour Amenity
	Development Plan

**WEXFORD COUNTY COUNCIL  
PLANNING REPORT**

<b>Application No.</b>	20171532
<b>Applicant</b>	✓ SEAN & MICHAEL KELLY
<b>Location</b>	✓ The site is located in the Townland of BALLINROOAUN (ED CASTLE ELLIS), CASTLE ELLIS
<b>Description</b>	<p>Development Proposal - 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.</p> <p>Site Description – The existing quarry is located at Ballinrooaun near Screen, with an area of approximately 5ha, and approximately 10ha of land adjoining to the west,</p>

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currently in agricultural use ( grazing ). It is now proposed to extend this quarry by approximately 8.54ha (5.83 extraction area), which comprises of 3 agricultural fields and part of the existing sand and gravel quarry. This also includes part of the existing haul access road. There are a number of dilapidated former farm buildings located to the south-west of the site.



The land characteristic of kettle and kame landscape is generally undulating with a general rise in levels to the north. There are expansive views from the northern part of the site to the south, and west. To the north of the site, land is in agricultural use, with a general drop in ground levels.

The site lies within Screen Hills pNHA and adjoining the Screen Hills cSAC.

Site Size - 8.45

Relevant Planning History / Site History -

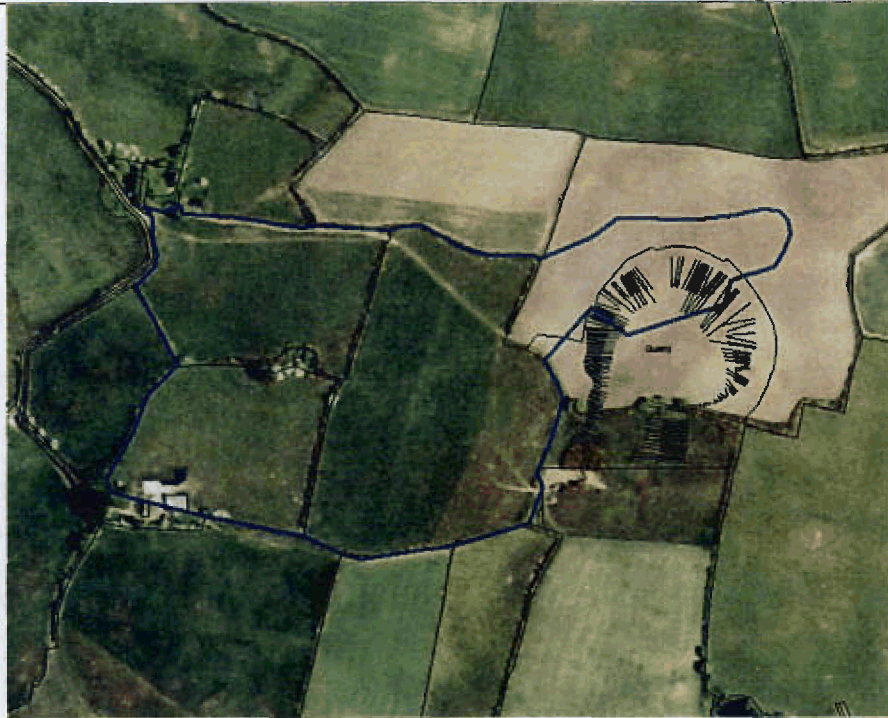
There may have been periodic extraction of sand on the overall landholding over the years but there is no evidence of any significant extraction on the site in 1973 and 1995 aerial photographs. Limited extraction activity could be observed on the 2000 and 2005 aerial photographs with a larger area of extraction noted on a 2007 aerial photograph. No planning permissions were granted for this extraction. Subsequent to 2008 extraction activity has developed further to permission 20082323.



1995



2000



2005



2007 ( at southern boundary of current application site )



2012



2016

**Planning history –  
Section 261 Ref. Q19 2005**

The operator sought to register a sand pit of approximately 4.5ha, claiming that the sand pit had been in periodic operation since the 1940s with continuous use since 1999. ✓

Wexford County Council did not register the quarry as it was considered that the quarrying did not benefit from pre-1964 'authorisation' and that no planning permissions had been granted. The extraction work undertaken



was considered to unauthorised.

**Enforcement file 0288/2005**

File opened ( re. possible unauthorised quarrying and damage to SAC)  
EN issued 2006

**Enforcement file 256/2007**

File opened ( re operation of unauthorised sand pit and associated site works )

EN issued 2008

Conviction 2009

**Planning application 20082323**

RETENTION FOR DEVELOPMENT ON A SITE OF 5.52 HECTARES. RETENTION AND CONTINUED OPERATION, INCLUDING EXTENSION OF THE EXISTING SAND AND GRAVEL PIT TO PROVIDE A FINAL OVERALL EXTRACTED AREA OF 3.45 HECTARES AND TO A DEPTH OF 60 METRES OD. RETENTION IS ALSO SOUGHT FOR THE EXISTING MOBILE SAND AND GRAVEL SCREENING PLANT; LOADING AREAS; AND VEHICLE PARKING AREAS. THE SAND AND GRAVEL PIT WILL BE SERVED BY THE EXISTING ON SITE HAUL ROUTE FROM THE EXISTING VEHICULAR ACCESS POINT ALONG THE L-7003-1 COUNTY ROAD. THE PROPOSED DEVELOPMENT ALSO INCLUDES AN EXTENSION TO THE EXISTING ON-SITE HAUL ROUTE AND NEW EGRESS POINT ALONG THE L-7003-1 COUNTY ROAD; A WHEELWASH, AREAS OF STOCKPILING; LANDSCAPING; AND ALL OTHER SITE DEVELOPMENT WORKS ABOVE AND BELOW GROUND, INCLUDING THE RESTORATION OF THE FINAL PIT VOID (EXTRACTIVE AREA).

( Sean and Michael Kelly )

Wexford County Council: Grant with conditions June 2009 ( following fi and clarification )

**Condition 2:**

*2. The period of the extraction at this quarry shall be for a maximum of 7 years from the notification of decision date of this permission. The duration of the permission is further extended for a period of 6 months for the carrying out of the works required under the closure plan referred to in Condition No. 26. Restoration and habitat management within the area of extraction and management of the 'compensation area' referred to in Condition No. 3 shall continue for so long as is agreed in accordance with restoration and management plans required under Condition No. 3.*

**REASON:**

*In the interests of orderly development and to ensure that there is no net damage to the natural heritage in the area*

**S261a 2012**

Wexford County Council:

3a Notice ( need for SC application ) Extraction had taken place to a deeper level than was permitted in 20082323. This unauthorised deepening required AA

An Bord Pleanala:

3a Notice set aside. The unauthorised deepening did not raise Appropriate

Assessment issues.

**Enforcement file 0035/2011**

File opened with regard to possible non-compliance with conditions  
 Enforcement Notice issued 2011  
 Warning Letter 2015

**Planning application 20160156**

Similar proposal to extract in larger area to the north  
 Application invalidated 11 March 2016 ( Site Notice reason )

**Planning Application 20160261 –**

PERMISSION FOR A PERIOD OF 25 NO YEARS ON A SITE AT BALLINROOAUN. THE APPLICATION SITE COMPRISES AN AREA OF C. 15.02 HECTARES. PERMISSION IS SOUGHT FOR THE CONTINUED OPERATION OF THE EXISTING QUARRY PERMITTED UNDER WEXFORD COUNTY COUNCIL REG. REF. 20082323 AND THE EXTENSION OF THE QUARRY ONTO ADJOINING LANDS TO THE WEST. THE QUARRY EXTENSION IS SOUGHT TO A MAXIMUM DEPTH OF C.37 METRES OD. THE PROPOSED EXTENSION WILL NOT RESULT IN AN INCREASE IN THE PERMITTED EXTRACTION RATE (125,00 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 RESTORATION OF THE FINAL PIT VOID (EXTRACTIVE AREA) AN ENVIRONMENTAL IMPACT STATEMENT (EIS) WILL BE SUBMITTED TO THE PLANNING AUTHORITY WITH THE APPLICATION. – **Refused by WCC and on Appeal to Bord Pleanala**

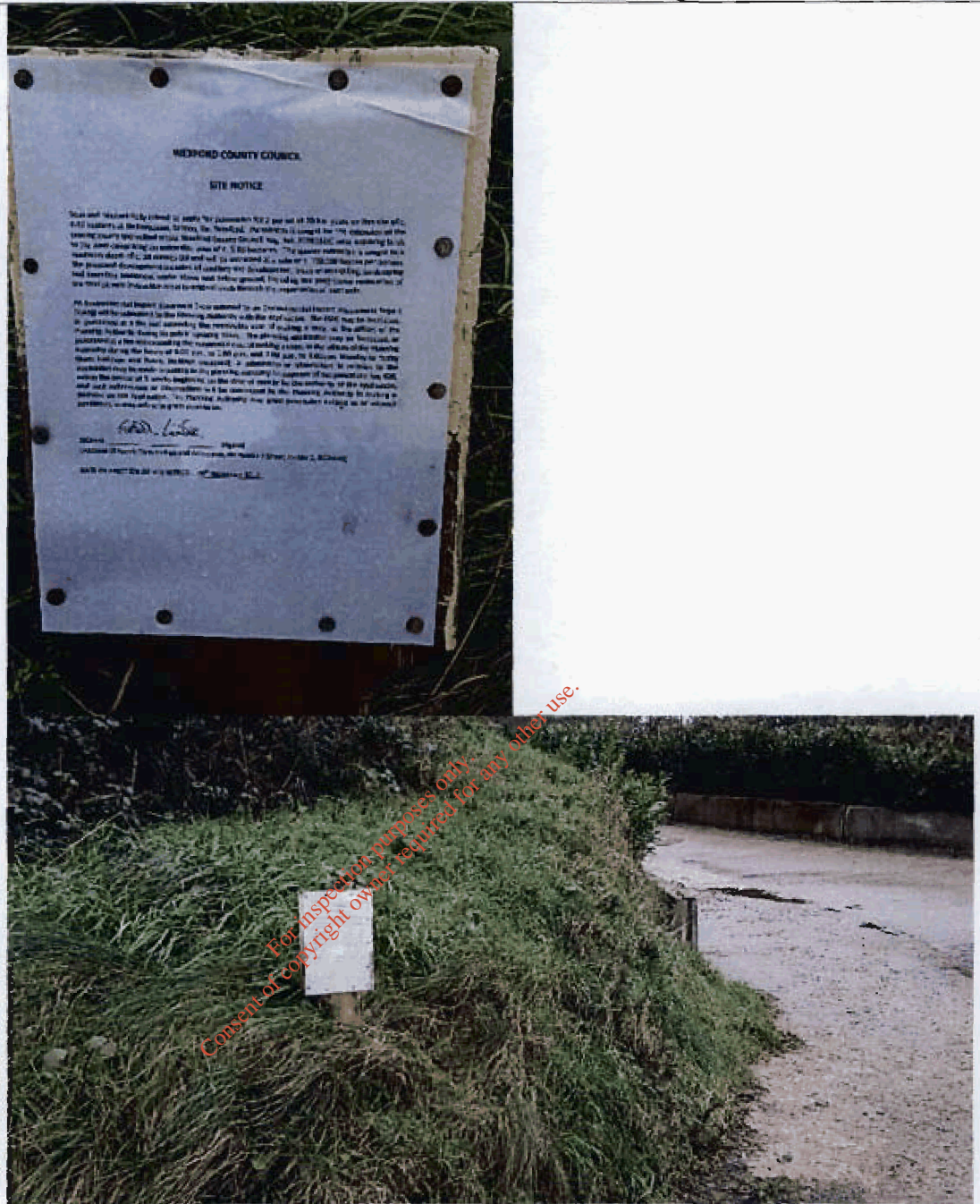
*1. Having regard to the extent of development proposed, the elevated and prominent characteristics of the site (particularly its northernmost portion) and the location of the site within the Screen Hills Landscape of Greater Sensitivity the proposed development would create a significant and unnatural feature in the landscape, which consequently would have a significantly adverse impact on visual amenities over a wide area. As such the proposed development would be contrary to Objectives L03, L04, L05 and Section 18.16 of the Wexford County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.*

*2. Having regard to the extent of development proposed, the elevated characteristics of the site and the proximity of the proposed quarrying ( particularly its northernmost portion ) to land outside of the applicant's ownership, the proposed development would give rise to significant adverse impacts and disamenity associated with airborne dust and sand affecting land outside of the applicant's control. As such the proposed development would be contrary to Objective ED11 and Section 18.16 of the Wexford County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.*

*3. Having regard to the extent and characteristics of the quarry/sand pit development proposed, the proposed development would have a significantly adverse impact on the Screen Hills 'kettle and kame' landscape, which has been identified by the Geological Survey of Ireland as*

	<p><i>being of international importance and is recommended for geological/geomorphologic Natural Heritage Area status. As such the proposed development would be contrary to objectives NH01, NH02, ED09 and ED11, and section 18.16 of the Wexford County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.</i></p> <p><b>Bord Pleanála Refusal – PL26.246680</b></p> <ol style="list-style-type: none"> <li>1. Having regard to the extent and characteristics of the sand and gravel quarry development proposed and to the site's location in and adjoining the Screen Hills proposed Natural Heritage Area, a "kettle and karne" post-glacial landscape of low hills and small lakes which is unique in and to County Wexford, wherein it is considered preferable in the current Wexford County Development Plan (Policy ED09) to take a precautionary approach to significant detrimental impacts by emphasising avoidance rather than mitigation. It is considered that the proposed development materially contravenes policy ED09 and is, therefore, contrary to the proper planning and sustainable development of the area.</li> <li>2. It is considered that the proposed development, by reason of its extent and its elevated and prominent location within the Screen Hills Landscape of Greater Sensitivity, would create a significant and unnatural feature in the landscape which would have a negative impact on the visual amenities of a wide area. The proposed development would be contrary to Objectives L03, L04, L06 and Section 18.16 of the current Wexford County Development Plan and to the proper planning and sustainable development of the area.</li> </ol>
<p><b>Pre- Planning</b></p>	<p>Ref. No. P20090109 relating to FP on 20082323 application</p> <p>P20170586 Sand &amp; Gravel Quarry</p> <p>Proposed development seeks to provide for a quarry to extract sand and gravel to the south-west of the existing quarry at Ballinroaun. Development involves progressive restoration of the quarry &amp; reinstatement of the landscape. Proposed to have output rate of 125,000 tonnes per annum. Extraction method &amp; plan to be designed.</p>
<p><b>Site Notice</b></p>	<p>Inspected by: Niamh Lennon</p> <p>The site notice(s) was/were in accordance with the Planning &amp; Development Regulations, 2001 (as amended) on site inspection on 02/01/18</p> <p style="text-align: right;">✓</p>





<p><b>Referrals</b></p>	<p>Referral response/s were received from the following:</p> <ul style="list-style-type: none"> <li>Senior Executive Scientist (Environment) who recommends that permission be granted ✓</li> <li>Roads Design Engineer – no report to date ✓</li> <li>Health Service Executive who make detailed comments ✓</li> <li>Environmental Protection Agency who make comments ✓</li> <li>Dept of Arts Heritage &amp; the Gaeltacht who recommends that conditions are attached to any grant of permission.             <ul style="list-style-type: none"> <li>1. Inspections must be schedules and take place toensure that the ✓</li> </ul> </li> </ul>
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imported inert soil infill does not host invasive species which could get established in the quarry and then be spread widely by the quarry/sandpit delivery transports

2. Inspections must be scheduled and take place to ensure that the imported soil is inert.
  3. Sites from which soil is to be imported is to be agreed with Wexford County Council
  4. No topsoil is to be imported
  5. Quarry is to be a minimum depth of 5m above the high water table.
- Other comments note the following;

- There may be geological impacts associated with the proposed Natural Heritage Area. Screen Hills as a geological heritage site of national importance for the following reasons;
- The Screen Hills area in Wexford represents the largest raised ice contact delta in Ireland if not Europe.
- It comprises ice contact delta, prodelta muds, wave-induced sands, foresets, mollusc fragments, derived balls of peat rich in temperate pollen, bioturbation.
- It also comprises glaciofluvial and glaciolacustrine sands and gravels which form a hummocky area approximately 20m above the surrounding land to the west, north and south.
- The area around the Screen Hills consists of a large sand and gravel body, and from this, one of the largest sand and gravel aquifers in Ireland
- Boreholes into the gravel body have confirmed depths to bedrock, predominantly through gravels, of up to 70m thick, these are therefore some of the deepest Pleistocene sediments in Ireland.

Chief Fire Officer who has no comment to make ✓

Area Engineer – no report to date ✓

(1) An Taisce who recommends permission should be limited to 10 years ✓

Geological Survey of Ireland who make comments as follows;

**1. Comments in relation to the geological importance and status of Screen Hills [Section 7.3.8 and 7.8, Appendix A]**

**Section 7.3.8 Conservation Areas** appears to undervalue the geological significance of the Screen Hills area and is inaccurate in many of its statements.

The GSI's view is that the well-preserved topography of the Screen Hills area is of international importance owing to the number and variety of best expressed kame and kettle landforms lying side by side in a relatively small area. Screen Hills is listed as a County Geological Site (CGS) and NHA ('Designation recommendation') within the current Wexford CDP 2013-19, with appropriate policies to protect (e.g Objective NH02), and is documented within the Geological Heritage Audit of County Wexford (final draft with Wexford CC).

**Sections 7.3.8 Conservation Areas and 7.8 References** refer erroneously

to a 'report from the Irish Geological Heritage of the GSI' being dated as 2016. This was an internal provisional report, dated 15/3/2009, that notes the impracticalities of designating the entire Screen Hills area as an NHA due to its size (11km x 13km in area).

The view of the IGH programme, as stated in the Screen Hills Site Report of the 'Geological Heritage Audit of County Wexford' (final draft 14/7/17 with Wexford CC), is that a part of the area, shown in the site report map, is recommended as a Geological NHA and that the 'most prominent kames, in terms of elevation and scale, should be protected':

**Site Importance - County Geological Site; recommended for Geological NHA**

*The site is unique in the number and variety of kame and kettle forms which lie side by side in a relatively small area. The site is of international importance.*

**Management/promotion issues**

*This is an excellent site in terms of macro-scale Quaternary glacial geomorphology and should be promoted as unique amongst landscape elements, within both the Wexford County Development Plan, and in Landscape Characterisation. The most prominent kames, in terms of elevation and scale, should be protected.*

GSI's statement (email 4/8/17; Section 7.0 Appendix A) that if the Ballinrouan Quarry development includes a full and entire restoration of the landform topography as currently existing (as of July 2017) 'this would not be considered counter to the goals of the [GSI's] IGH programme' was conditional on the fact that GSI would need to see the details of this before making our final comments - 'we would be happy to consider this once prepared'.

**2. Comments in relation to the proposed progressive full restoration and mitigation methods [Sections 3.3.1, 3.3.3.1, 4.3.2, 7.4.4 and 11.5]**

As the significant geoheritage value of this kame-kettle topography is entirely inherent in its overall surface expression, GSI 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. GSI would therefore be concerned about guarantees on how this condition would be met.

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 are relatively high slope angles over much of the proposed extraction area.

The re-profiling measures outlined (sections 11.5.1 to 11.5.3) will need to be repeated after three years as there will be much settlement of the topsoil and inert material below.

In relation to these settlement issues, ongoing and post-monitoring of

	<p>restored ground levels, will be crucial. Any settlement and potential gullying will need to be assessed and remediated, as appropriate, to pre-excitation levels.</p> <p>Email correspondance from Sarah Gatley GSI dated 16<sup>th</sup> March 2018 stating 'GSI is staisfied from the available documentation that all efforts are being made to ensure a succesfull restoration, subject to the conditions and GSI site visits. In realtion to the Applicants response 2.2.1 GSI would require that the final restoration work is checked against the original topographical survey (carried out in July 2017 bu Coastway Surveys Ltd) by Wexford County Council.</p> <p>James Browne T.D.: Please look favourably on the application. This is an important local busines employing more than 40 people. The Kelly family operate to the highest standards adhering to all the conditions of their previous planning permission.</p> <p>George Lawlor MCC: Supports the planning application. The quarry is operated in a responsible fashion The creation of employment directly and indirectly associated with the quarry The sand extracted is in demand throughout the island of Ireland.</p>
<p><b>Submissions/ Observations</b></p>	<p>Observations have been received from .....</p> <p>James &amp; Elizabeth Cash C/O Mahon &amp; Fox Iberius House Common Quay Street Wexford ✓</p> <p>Aidan Cash Ballinra Screen Enniscorthy Co Wexford ✓</p> <p>Peadar Murphy on behalf of Crawford Group Ireland Ltd Unit 8 Rosemount Business Park Sinnottstown Lane Drinagh Co. Wexford ✓</p> <p>Paddy McGee Director Paddy McGee (Wexford) Ltd Ardinagh Taghmon Co. Wexford ✓</p>

Y35 DR92

Martin Fortune  
 Martin Fortune Transport  
 Courtclough  
 The Ballagh  
 Enniscorthy  
 Co. Wexford ✓

MJ Kehoe  
 MJ Kehoe Transport Ltd  
 Kilbride  
 The Ballagh  
 Enniscorthy  
 Co. Wexford ✓

Robert Banville  
 R. Banville Construction Services Ltd  
 Barry's Cross  
 Taghmon  
 Co. Wexford ✓

Kevin Kehoe  
 Martin Kehoe Plant Hire Ltd  
 Boley  
 Ballycullane  
 New Ross  
 Co. Wexford

Martha Monaghan  
 Ballinrooan  
 Screen  
 Enniscorthy  
 Co Wexford ✓

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They can be summarised as follows: -

**Objection Comments**

- constant noise from continuous lorries travelling the road and into the entrance of the quarry
- clouds of dust from lorries come across into the garden and in summer windows and doors cant be left open.
- lorries and tractors do not always have their loads covered down
- the road is not always dampened down to prevent dust
- the drain at the entrance to the quarry if blocked with sand and dirt.
- front and side of dwelling overlooked by lorries
- the volume and speed of lorries using the site is creating a traffic hazard
- devaluation of residential property adjacent to entrance ✓
- Previous reasons for refusal by An Bord Pleanala still remain as the site is within pNHA in an area designated as a Screen Hills Landscape.
- Objective ED09 of Co.Dev Plan prohibit extractive industry development which could significant impact on areas designated as

pNHA where significant detrimental impacts cannot be satisfactorily mitigated and to take precautionary approach in this regard.

- The Board considered that no exceptional circumstances are demonstrated in this case to provide for this development which would materially and irreversibly alter the feature of geological heritage interest and the development, materially contravenes policy ED09.
- problems with non compliance with planning conditions such as stockpiling, boundary encroachment, air pollution via sand which have been reported to Graeme Hunt to no avail.
- impact on health
- site notice only placed on ditch on the 27<sup>th</sup> November
- MSK sand have gone beyond their planning boundary
- the restored area is at a steeper gradient to what was there previously.
- damage to cattle's eyes from blowing sand during grazing months and feed silage is laced with sand which is then ingested
- Sand has migrated from the site onto adjoining agricultural land, affecting silage quality. Blown/stockpiles sand has significantly affected boundary landscaping to the landholding and also a pond. Stockpiles haven't been managed or sprayed etc to prevent this from happening;
- Aerial photography has not been submitted as required;
- A picture of a Hare has been used, the environmental report reports to rabbits;
- The land which is the subject of the application is owned by John Kelly. This is not referred to the application and no letters of consent have been submitted;
- The existing sand pit has a significant visual impact over many miles.
- Other conditions under Plan Reg:20082323 have not been complied with eg stockpiling on northern highest end, inadequate dust monitoring and mitigation measures not being employed, excessive slope of face of quarry exceeds 30degrees as conditioned and resulted in partial collapse of quarry face in 2015. Annual aerial photography should be submitted to the planning authority to monitor progress and compliance.
- The permitted buffer zone has not been maintained;
- Permission should not be granted for an extension as the existing pit has caused significant damage;
- There is a limited threat to local employment ( reference to 2-3 employees )
- The operators previously undertook unauthorised development which resulted in WCC having to take court action.

Other letters of support for the high quality of the sand quarried due to its roundness of over 80% and overall particular size and grading quality, hence its use in concrete products and equestrian arenas and sports facilities, and the knock on reliance of continued quarrying on retaining indirect employment associated with the quarry products.

<p><b>National Policy</b></p>	<p>National Spatial Strategy 2002 - 2020</p> <p>Regional Planning Guidelines – South East Region 2010-2022</p> <p>Guidelines for Appropriate Assessment of Plans and Projects in Ireland</p> <p>Quarries and Ancillary Activities Guidelines for Planning Authorities ( DoEHLG ) 2004 ( Section 28 Guidance )</p> <p>Guidelines for Planning Authorities &amp; An Bord Pleanala on carrying out Environmental Impact Assessments ( DoECLG ) 2013</p>
<p><b>Development Plan</b></p>	<p><b>Wexford County Development Plan 2013 - 2019</b> ✓</p> <ul style="list-style-type: none"> <li>● Section 6.4.5 Aggregate Resources and Extractive Industry</li> <li>● Chapter 8 Transport</li> <li>● Chapter 10 Environmental Management</li> <li>● Section 12.6 - Managing Flood Risk</li> <li>● Section 14.2 Natural Heritage</li> <li>● Section 14.4 Landscape - Landscape Character Assessment – Screen Hills Landscape of Greater Sensitivity</li> <li>● Section 18.4 Appropriate Assessment</li> <li>● Section 18.5 Environmental Impact Assessment</li> <li>● Section 18.16 Extractive Industries</li> <li>● Section 18.29 Transport</li> </ul> <p><b>Zoned Land</b> ✓</p> <ul style="list-style-type: none"> <li>● No</li> </ul>
<p><b>Biodiversity</b></p>	<p>EIA required: Yes submitted ✓</p> <p>AA required: AA Screening report supplied which determines that there is a finding of no significant impacts ✓</p> <p>Screen Hills SAC Site Code 000708 ✓</p>
<p><b>Conservation Area</b></p>	<p>No.</p>
<p><b>Protected Structure</b></p>	<p>No</p>
<p><b>Registered Monument</b></p>	<p>No</p>

<b>Zone of Archaeology</b>	No Archaeological monitoring recommended by DoEHLG if permission is granted.
<b>National Road Schemes</b>	No record found in spatial analysis for National Road Schemes

<b>Development Contributions</b>	<p><b>DEVELOPMENT CONTRIBUTION SCHEME 2018</b>                  Total 846,000cubic metres (1,354,400 tonnes) of material to be extracted within the proposed extension area. At the maximum proposed rate of 100,000 tonnes per annum, this provides a resource that will last at least 14 years, however maximum extraction rate can't be guaranteed therefore 15years to extract is sought.</p> <p><b>Extractive Industry (Quarries)</b>                  Development charges will be due on the 1<sup>st</sup> of April each year based on the previous years' activity. Hardstanding areas and processing areas will be charged appropriately. No charge will apply to infill/landfill.</p> <table border="1"> <thead> <tr> <th><b>Extractive Industry (Quarries)</b></th> <th><b>€</b></th> </tr> </thead> <tbody> <tr> <td>Water</td> <td>0.00</td> </tr> <tr> <td>Waste Water and Drainage</td> <td>0.00</td> </tr> <tr> <td>Roads</td> <td>30c (€0.30) per cubic metre per annum</td> </tr> <tr> <td>Recreational &amp; Community</td> <td>30c (€0.30) per cubic metre per annum</td> </tr> <tr> <td><b>Total</b></td> <td><b>60c (€0.60) per cubic metre per annum</b></td> </tr> </tbody> </table> <p><b>Example of what the maximum annual charge should be</b>  <b>Roads:</b> €0.30 x per cubic meter per annum based on the previous years activity/extraction. = 56,400 cubic meters per annum €16,920 per annum</p> <p><b>Recreational &amp; Community:</b> €0.30 x per cubic meter per annum. = 56,400 cubic meters per annum €16,920 per annum</p> <p><b>Annual total levy €0.60 x 56,400 cubic metres = €33,840</b></p> <p><b>Upon full completion/extraction the total amount that should have been paid is as follows;</b></p> <p><b>Maximum Total</b> of 846,000 cubic metres (1,354,400 tonnes) of material to be extracted over full life of the permission (15 years extraction calculates out at 56,400 cubic metres per annum)</p> <p><b>Roads €253,800 overfull life of the 15 year extraction permission</b>  <b>Recreational &amp; Community €253,800 overfull life of the permission</b></p>	<b>Extractive Industry (Quarries)</b>	<b>€</b>	Water	0.00	Waste Water and Drainage	0.00	Roads	30c (€0.30) per cubic metre per annum	Recreational & Community	30c (€0.30) per cubic metre per annum	<b>Total</b>	<b>60c (€0.60) per cubic metre per annum</b>
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<b>Total</b>	<b>60c (€0.60) per cubic metre per annum</b>												



	<p><b>Bond</b>                  At the maximum 200,000 tonnes of material will need to be infilled as ongoing restoration parallel with extraction is planned.                  The calculation of the bond therefore should take account that in the event of unplanned closure or ceasing of extraction the council would need to complete 200,000 tonnes on infill and restoration and regarding works.                  As the infill material could be readily sourced as there is a shortage of waste facilities in the county to take such fill there would be no cost to purchase the fill, Calculating 20 loads per day (400 tonnes per day) would take 500 days to infill. With one track machine and loader at €50 at 8hrs each per day is €800 per day x 500 days = €40,000                  Taking other restoration and recontouring works I would consider that an appropriate security bond would be <b>€60,000 cash or €120,000 security</b> from an insurance company ✓</p> <p><b>Water &amp; Waste Water :</b> In accordance with the transfer of authority contained in WATER SERVICES (NO. 2) ACT 2013, Circular Letter PS 21/2013 and S.I. No. 520 of 2013 PLANNING AND DEVELOPMENT (AMENDMENT) (NO. 2) REGULATIONS 2013 planning contributions for public water supply and public sewer connection will not be applied to this planning application.</p>
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<p><b>Issues</b></p>	<p>Applicant intends to continue complete quarrying within the area authorised by permission ref. 20082323. This permission has already been extended until April 2019. ✓</p> <p><b><u>Proposed development</u></b></p> <ul style="list-style-type: none"> <li>- To extend the sand pit to the west over an area of approximately 8.45ha (approx 5.83ha to be extracted including breakthrough area from existing quarry). The proposed maximum depth of extraction generally drops from east to west across the proposed extension from approx 46mOD with a maximum depth of 38mAOD ( nb. 60m OD is the permitted maximum depth within 20082323 ) The volume of sand in the proposed extension is estimated at approximately 846,000cubic metres (1,354,400 tonnes).</li> <li>-</li> <li>- The lowest level of the quarry floor is to be at least 5m above the groundwater level.</li> <li>- It is stated the maximum proposed rate of extraction is to be 100,000 tonnes per annum, this provides a resource that will last at least 14 years, however maximum extraction rate can't be guaranteed therefore a permission with a life of 15 years is sought. (n.b. permitted extraction rates is 125,000 tonnes per annum however this is not the actual extraction rate as an extension of duration was required to complete the permitted extraction area)</li> <li>- It is considered that the extraction will take 15 years and a further 5</li> </ul>
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years is sought for the infill of materials and associated restoration of levels and landform or site including landscaping.

- Strip extraction/restoration is proposed, generally running from northeast to southwest direction.
- In the proposed extension approx. 3.3m of the existing overburden and 0.3m depth of topsoil will be striped (and stored to facilitate restoration ) with sand then excavated using mechanical excavators and screened through a mobile screening machine.
- the initial three years of the proposed quarry operations will comprise extraction only. Filling will commence year 4, which allows time for sufficient area of quarry floor to be made available for filling while allowing extraction to continue with minimal interference.
- For the importation of 1,300,000 tonnes of inert soils for restoration on the site it will be a requirement to obtain a Waste Licence from the EPA which will be subject to an EIA
- Access is proposed via the existing access from local road L-7003-1. Hours of operation will be as permitted under 20082323 ( 8am – 6pm Mon-Fri, 8am -1pm Saturday )
- The Traffic Section of the EIS states that 3 people are employed at the development and that this is not likely to increase.

**Environmental Impact Assessment (EIA )**

The overall scale of the existing and proposed development ( approx 5.83ha ) are such that a 'mandatory' EIA is required to be undertaken. ✓

An Environmental Impact Statement ( EIAR ) has been submitted with the application. ✓

An EIA report has been prepared and should be read in conjunction with this planning report.

**Impacts on amenities**

The closest residential properties to the proposed area of extraction are approx 278m to the south and more than 400m to the north.

A dwelling in third party ownership directly adjoins the access road to the quarry where it meets the public road and there are many other dwellings on the suggested haul route to the R741. ✓



Green dot: residential eircode.  
 Yellow suggested haul route  
 Source: WCC iMAPs

Noise

It is not considered that extraction and screening activities within the proposed site would give rise to significant residential disamenity having regard to the distances to residential properties and as extraction and processing could take place in areas enclosed by the faces of the quarry/sand pit. Noise limits and monitoring conditions could be attached as additional safeguards.

HGVs using the local roads to the site will give rise to significant noise but the volume of traffic is not expected to increase over that which is currently generated. As an additional measure to protect amenities a condition could be attached limiting traffic movements on Saturdays in addition to Sundays and bank holidays. Further information regarding traffic numbers is to be sought.

Blast/vibration

No blasting is proposed to take place.

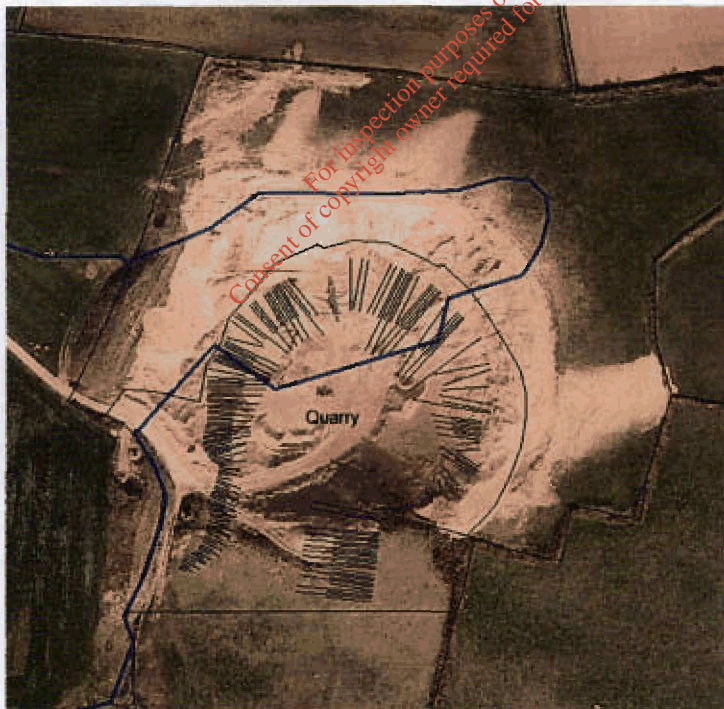
Dust

The proposed area of extraction is a significant distance from residential properties and it is not considered that dust generated from exposed faces and stockpiles etc would directly affect residential properties.

Existing extraction and stockpiling activities has given rise to complaints from the owners of the adjoin farmland to the north and west with regard to dust ( sand, sandy soils ) blowing onto their land. On site visits it has been noted that this is occurring and the 2012 aerial photograph indicates that significant volumes of sand is being blown from the area of extraction.



Taken 29 April 2016



2012

The northern edge of the proposed area of extraction is proposed to extend to within 80m approximately of the adjoining landholding and the following are also noted:

- The land is general elevation of the land;
- The prevailing winds are generally from the south west;
- The site is a significant distance from water sources to facilitate

effective dampening etc; Although there is reference to sprinkling system to be utilised to dampen quarry activities.

- The Quarries and Ancillary Activities Guidelines for Planning Authorities ( DoEHLG ) 2004, which refers to 'continual or severe concerns about dust are most likely to be experienced within about 100m of the dust source.'( s3.3 ).

It is considered that the reduction in the area of extraction from that previously proposed has now given additional separation distance of the quarry edge from adjoining landowners lands to the northern part of the proposed area of extraction. The permitted area of extraction under Plan Reg:20082323 was only 20m from the boundary on elevated land. The proposed is about 100m in places from this boundary however to the northeastern corner the quarry edge is significantly less than the 100m. The quarry edge should observe a 100m distance from adjoining landownership to address the significant and valid concerns regarding dust generation affecting lands outside of the ownership of the applicant.

It has been noted previously that HGV traffic associated with the existing development may have also given rise to significant deposits of dust etc on the public roads (also affecting residential properties on these roads). Complaints have also been received regarding this matter. There is a wheelwash installed on the access road to the site but further measures would be necessary ( eg regular road sweeping ) would be necessary if permission were to be granted.

**Impact on visual amenities**

I note the proposed extraction area proposed under 20160261 has removed the most northerly portion of the proposed development which was deemed to create a significant unnatural feature in the landscape. It is noted that:

- Land on the northern portion of the site is at a significantly higher level (generally approximately 16m higher ) than the southeastern part of the site ;
- the site is located near the highest landform on the skyline when viewed from the south;
- there are expansive views to the south and west from the northern side of the site.
- The LVIA report submitted is confined to viewpoints within 5km of the site and does not include analysis from public viewpoints further south from which the existing extraction are is clearly visible (e.g. R730 near Ferrycarrig N11 bridge, Wexford Co Co offices)
- Restoration may eventually address some of the adverse visual impacts but this may take a significant period and circumstances outside of the applicants control ( eg an economic slowdown ) may also affect the ability to complete extraction and restoration work.

There would be limited visibility of the proposed extraction from the north although it is noted that stockpiles etc at the northern part of the existing development are visible as an unnatural feature from the R741 to north.

The site lies within a Landscape of Greater Sensitivity as designated in the current County Development Plan.



View from site towards Forth Mountain and River Slaney



View from site towards Wexford Town and Rosslare

#### **Geology / Impact on Screen Hills**

The Screen Hills are largely comprised of a sand and gravel body deposited by retreating ice at the end of the last ice age. Known as 'kettle and kame', the landscape is unique in County Wexford and in the country.

The Geological Survey of Ireland and the National Parks and Wildlife Service have been identifying geological and geomorphological sites in Ireland for intended designation as NHAs. The Screen Hills were identified as such an area within the County Development Plan 2013.

As part of the Wexford County Geological Site Report, prepared further to the proposed geological / geomorphological NHA designations, the GSI have recently (April 2016 ) submitted a report for the Screen Hills and

recommend the area for a geological NHA.  
The report stated that ( inter alia ):

*'The site is unique in the number and variety of kettle and kame forms which lie side by side in a relatively small area. The site is of international importance.'*

The Geological Heritage Guidelines for the Extraction Industry 2008 ( prepared by the GSA and the Irish Concrete Federation ) refers to potential for conflict between conservation of scientifically important landforms and their potential as a sand and gravel resource. It states that the GSI will identify the most important sites nationally which 'should be protected as part of our national heritage'.

Whilst the proposed application site would not include any of the 'kettlehole' ponds/lakes which are prevalent elsewhere in the Screen Hills, the proposed development would permanently and irreversibly alter approx 8.4ha of an elevated part of the Screen Hills landscape, involving the extraction of approx 5.83ha of material in addition to the nearly completed extraction of an area of approximately 5ha as permitted under 20082323.

#### Infilling

It is stated in the application and EIS that the intention is to progressively restore the final pit void to the original levels through the importation of inert soils so it reflects the existing 2017 kettle and kame landscape.

Objectives NH01, NH02 and ED09 of the Wexford County Development Plan 2013 read as follows:

#### **Objective NH01**

*To conserve and protect the integrity of sites designated for their habitat/wildlife or geological/geomorphological importance and prohibit development which would damage or threaten the integrity of these sites, including SACs, cSAC, SPAs, NHAs, pNHAs, Nature Reserves, and Refuges for Fauna.*

#### **Objective NH02**

*To recognise the importance of recommended proposed NHAs and County Geological sites identified by the Geological Survey of Ireland and protect the character and integrity of these sites where appropriate.*

#### **Objective ED09**

*To prohibit extractive industry development which could significantly impact on the areas designated as being of European and National importance (such as SACs, cSACs, SPAs, NHAs and pNHAs) where significant detrimental impacts cannot be satisfactorily mitigated, even if significant aggregate resources are identified in such areas by the GSI. A strict precautionary approach will be taken where designated sites will be affected.*

#### **Impact on flora and fauna**

The application site lies within the current Screen Hills pNHA and directly adjacent to the Screen Hills cSAC.

The Screen Hills cSAC was selected primarily for the Dry Health habitat and the habitats created within the kettlehole lakes.



Current Screen Hills pNHA hatched blue ( shaded pale blue )





Current Screen Hills cSAC hatched red ( proposed site shaded light blue )

The potential impact of the proposed development on ecology is examined in some depth in the submitted EIS. The ecological importance and characteristics of the afore-mentioned SAC and pNHA are described in detail in Chapter 6 of the EIS. The areas contain two habitats listed on Annex 1 of the EU Habitats Directive: oligotrophic lakes and dry heath formations. The many lake basins mark the positions of former ice blocks in an acidic, sandy moraine. The lakes surrounding the proposed site area are of two types: those which are more low-lying and in contact with the groundwater are influenced by what is occurring over a wider area. Other lakes are suspended at height above the regional water table and are influenced by the area immediately surrounding them.

Information submitted within the application and EIS concludes that:

- the development would not have significant adverse impacts on flora;
- the development would not have significant adverse impacts on fauna;
- the development would have residual neutral imperceptible impacts on ecology;
- mitigation and enhancement measures to be undertaken in the operation of the quarry/sand pit will ensure that any potential impacts are minimised (including annual ecological inspections/recommendations, re-use of topsoil in restoration, planting to preserve/enhance hedgerows and wildlife corridors, placement of bat boxes, operations confined to certain times and dates in the year etc );
- there will be no significant impacts on the Screen Hills cSAC, The Raven SPA, Wexford Harbour and Slobs SPA and Slaney River Valley cSAC as a result of the proposed development.

An Appropriate Assessment Screening report was submitted with the EIS ( prepared by Ecology Ireland Wildlife Consultants) which concludes that there would be no significant effects on the Screen Hills SAC, The Raven SPA, Wexford Harbour and Slobs SPA, and the Slaney River Valley SAC.

It is also noted that the NPWS have noted the following points in their correspondence on the application;

- There may be geological impacts associated with the proposed Natural Heritage Area. Screen Hills as a geological heritagesite of national importance for the following reasons;
- The Screen Hills areain Wexford represents the largest raised ice contact delta in Ireland if not Europe.
- It comprisesice contact delta,prodelta muds,wave-induced sands, foresets, mollusc fragments,derived balls of peat rich in temperate pollen, bioturbation.
- It also comprises glaciofluvialand glaciolacustrine sands and gravels which form a hummocky area approximately 20m above the surrounding land to the west, north and south.
- The area around the Screen Hills consists of a large sand and gravel body,andfrom this, one of the largest sand and gravel aquifers in

Ireland

- Boreholes into the gravel body have confirmed depths to bedrock, predominantly through gravels, of up to 70m thick, these are therefore some of the deepest Pleistocene sediments in Ireland.

**Stability of fill**

The fill material is to be an inert soil imported from pre-approved external sites. The inert fill will contain subsoil and stone. No peat, topsoil, contaminated soils or non-hazardous waste will be accepted.

An Appendix in the EIS, carried out by AGECE Engineering Consultants, models possible build up of groundwater within the quarry fill it is assumed that perched water tables are present within the quarry fill. The analysis carried out concludes the slight reduction in the factor of safety (FoS) for the increased ru in the sandy subsoil capping layer would indicate that the effect of water build-up within the capping layer is not critical as the slope inclination is notably shallow and would not be considered susceptible to instability.

**Impact on hydrology**

Assessment of the potential effects on ground and surface waters needs to set in the proposed context:

- The site lies above the Kilmuckridge and Screen Hills aquifer which is considered to be regionally important with high vulnerability;
- Natural ground levels within the proposed extension area range from 54mAOP to the West up to 80m AOD to the North. It is intended to have the proposed extension worked down to a final floor level of 38m AOD to the North. Based on the existing information available, this level should be a minimum of 5m above the high level of the water table at this location.
- The kettlehole ponds/lakes in the area are of significant ecological interest, some of which are perched and extremely nutrient sensitive.
- Whilst there is an extensive network of the water mains in the area dwellings to the south of the site would not be served by these mains.
- The site is approximately 5km from the Slaney River valley cSAC and Wexford Harbour and Slobbs SPA which have been designated for their aquatic related habitats.

The EIS contains a chapter on Hydrogeology and Hydrology which investigates the issues in some depth. That chapter reaches the following conclusions:

- The proposed development will not generate any surface water run-off;
- The proposed extraction is to remain a minimum of 5m above the water table and will not result in any change to groundwater levels and flow direction;
- The kettlehole ponds/lakes surrounding the site are perched water features and will not be impacted by the sandpit activities;
- The site is hydrogeologically linked with the Glenbough stream to the southwest but the maximum depth of extraction will not result in any adverse impacts.

- The topsoil of the general area predominantly controls the drainage of the general area with good percolation into the ground through well-drained Acid Brown Earths and the sands of the area which recharges the water table.
- The general groundwater level is stated as c.30AOD.
- The high winter water table is stated as being between 29AOD and 38AOD.
- When restoration takes place, there will be potential for surface water run-off to be generated depending on the nature of the material (silt, clay, gravel etc). As a result it is anticipated that any surface water run-off generated on top of the imported clean material will drain toward the more permeable soil and subsoil surrounding and underlying the site area. As a result there will be a slight increase in the recharge pattern to the sand and gravel aquifer during excavation and no lasting change in the recharge pattern post restoration.

Mitigation measures (e.g. spill management, refuelling arrangements etc.) are recommended to address any potential impacts. It is not proposed to use water directly in the processing of extracted material ( e.g. for washing ).

Staff facilities are proposed within the applicant's farmhouse opposite to the access to the site and water for the wheelwash at the access is also proposed to be taken from this well.

### **Traffic**

The proposed rate of extraction is not proposed to exceed a maximum of 100,000 tonnes per annum.

Information submitted in the EIS states that:

- There would be an average of 31 two-way hgv movements per day which is a reduction from 39 truck movements permitted at the existing quarry;
- There would be 5no. two-way staff vehicles per day ( based on 3no. staff );
- The existing local roads from the site to Screen village and onto the R741 ( the stated haul route ) have sufficient capacity and passing places and further mitigation measures are not recommended.

The local road from Screen village to the access to the site and approximately 350m of the local road linking Screen with the R741 are in a moderate condition ( at best ) currently. There also appears to be have been significant dust deposits on the local road from the site to Screen village. These matters could be addressed by condition if the application were to be granted.

### **Condition compliance on 20082323**

Permission 20082323 for the existing quarry/sand pit on the site was granted subject to 34 conditions on the site and in general the operator has made effects to comply with those conditions. On occasions when the planning authority has had to contact the operator with regard to compliance, the operator has generally responded positively.

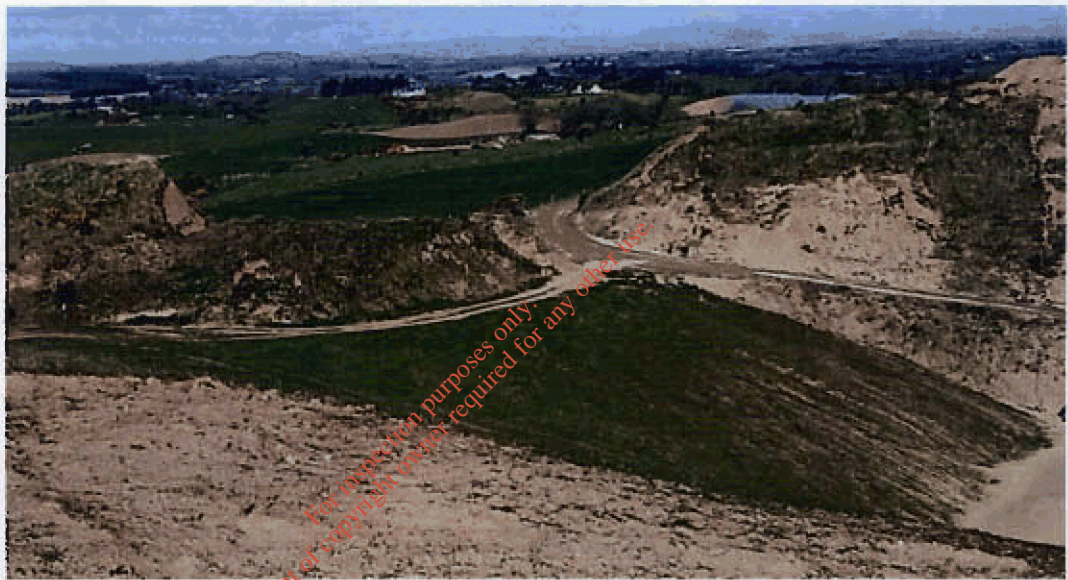
It is noted that a satisfactory restoration bond has yet to be submitted further

to condition 9.

9. *Within 2 months of the date of notification of decision, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The amount of the security shall be two hundred thousand euro (€200,000.00) cash deposit or four hundred thousand euro (€400,000.00) bond from an insurance company.*

**REASON:**

*To ensure the satisfactory reinstatement of the site.*



Restoration work undertaken on southern elevation



Restoration work undertaken on part of the eastern elevation

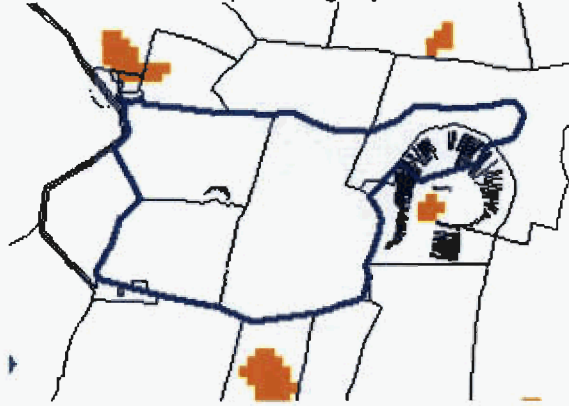
Complaints have been received from the adjoining landowner with regard to materials having been stockpiled on the elevated edge of the landholding but these have now substantially been removed (and used in restoration).

**Overriding need / public interest**

It was considered by An Bord Pleanála that there was no overriding public need and /or public interest associated with the proposed development which would warrant the setting aside of the considerations on which this application was determined as deemed in the Inspectors Report of Bord Pleanála Decision ABP 26.246680.

**Flood Risk Assessment**

OPW Flood Map Category C



**Further Information Requested – Response received 21<sup>st</sup> February 2018**

1. As the significant geoheritage 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.

**Response** – *In the event of an EPA waste licence not being granted and the full restoration of the topography could not be achieved there would be an extraction of 200,000 tonnes that may need to be restored through the importation of inert soils and stone. This can be dealt with by way of condition with the inclusion of a security bond to ensure full restoration of the site which would relate to the first 3 No. years of the proposed development or by condition requiring waste licence from the EPA to be in place prior to the fourth year of operation of the proposed development (before restoration is due to commence).*

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.

**Response** – *Adequate response prepared by AGECE Engineering*

*Consultants which provides further information in relation to reprofiling. The topographical survey carried out in July 2017 by Coastway Surveys Ltd, has been submitted digitally and shall be retained on site for future compliance checks.*

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.

**Response** – *Readvertised public notices erected on site and in Irish Daily Star newspaper*

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.

**Response** – *Readvertised public notices erected on site and in Irish Daily Star newspaper which states that 'the development comprises an activity requiring a waste licence from the Environmental Protection Agency'.*

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 retain sandy overburden upon completion of restoration.

**Response** – *Response from AGEC Engineering Consultants which provides further clarification in relation to the material to be imported and soil erosion/slippage. Imported material class, identification and placement/use in fill table has been supplied.*

*The potential for build-up of water (perched water table) to occur above the interface of the sandy subsoil and inert fill has been examined. The assessment and results conclude that the build-up of water within the fill material does not represent a stability risk to the restored quarry.*

6. The applicant is requested to clarify the locations and methods of storing the overburden for the years before restoration is complete.

**Response** – *Report from AGEC Engineering Consultants which provides further clarification in relation to the storing of the overburden.*

7. Submit revised drawings showing the distance of the quarry face from all adjoining landholdings demonstrating a minimum of 100m distance at all times.

**Response** – *Revised drawings by AGEC Engineering Consultants which demonstrates the north-west corner of the proposed extraction area has been amended to ensure a minimum separation distance of 100m from adjoining landholdings.*

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.

**Response – AA Screening report by Ecology Ireland Ltd.** *The report includes for revisions and assessment of the infilling and the infill materials will now be screened at pre-approved external sites. The conclusion of the AA Screening report remains the same. No topsoil material will be accepted to reduce risk of introduction of invasive species.*

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.

**Response – Report prepared by Aqua Geo Services Ltd.** *A wet pipe sprinkler system is proposed in order to extend coverage over the slopes facing the prevailing winds. A total of 16 sprinklers would be used to cover the perimeter of up to 310m which would equate to a demand of 7.68m<sup>3</sup>/hr. By comparison the current system requires the use of 9.1m<sup>3</sup> water bowser up to twice a day. Report concludes there shall be no risk of dewatering the groundwater table due to this water conservation setup.*

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.

**Response –** *The applicant has now paid outstanding bond of €25,000 to WCC 21/02/18, as confirmed by WCC Finance office.*

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.

**Response –** *Response clarifies the sandpit floor remains 5m above the high winter water table. Revised section drawings showing the estimated high water table and a minimum of 5m depth to remain between quarry floor and high 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

	<p>near the N11 Ferrycarrig bridge.</p> <p><b>Response – Revised photomontages submitted and response prepared by Macroworks which concludes that the visual impact significance is imperceptible.</b></p> <p>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.</p> <p><b>Response – These works were not sought under this application and the wheel wash facility and fixed sprinkler system was installed on site under the permission relating to the existing quarry Ref: 2008223.</b></p> <p>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.</p> <p><b>Response – Response prepared by Transport Insights, Transport Planning Consultants. The sand removed will be transported to sports and equestrian centres nationwide via Client owned or leased HGVs and will not result in customers arriving at the quarry with their own vehicles. The proposed development will result in 36 one way trips on the local road network.</b></p> <p>The further information has satisfactorily addressed all items of further information requested. ✓</p>
<p><b>Conclusion</b></p>	<p>As the significant geoheritage value of this kame-kettle topography is entirely inherent in its overall surface expression, I would emphasise the importance of a full and entire restoration to 2017 landform topography in accordance with GSI's recommendation. This is a low impact quarry provided all the mitigations outlined are carried out. The amount of material extracted annually will be relatively small and the restoration works parallel to extraction operations significantly reduces visual impacts while allowing for ecological and habitat recovery. The restoration of the landscape to its original pre-extraction condition is fundamental to the consideration of this quarry development at this location. ✓</p> <p>Due to the fact that this area is excessively drained the importation of inert</p>



	<p>fill is likely to add to rather than reduce the protection of the regionally important aquifer.</p> <p>Having regard to all the detail contained in the application and the Environmental Impact Assessment Report and the further information response received 21<sup>st</sup> Feb 2018, and the consultation response received from statutory Consultees, I consider that the proposed quarry development at an extraction rate of 100,000 tonnes per annum for 15 years and a further 5 years to allow for full and entire restoration to 2017 landform using the importation of 1,354,400 tonnes of clean inert soils is an acceptable extension to an existing sand quarry and in accordance with the policies of the County Development Plan 2013-2019 and the proper planning and development of the area.</p> <p>It is considered that there is sufficient information contained within the EIAR and the Further Information response received 21<sup>st</sup> February 2018. In conjunction with the other documents submitted with the planning application, referral responses received evidence from visits to the site and examination of previous planning files etc, there is deemed to be sufficient information available to enable an assessment to be made of the impacts on the environment of the proposed development.</p> <p>Providing that the mitigation measures included in the EIAR are adhered to, it is considered that there will be no significant impacts on the environment as a result of the construction, operational phase and restoration of the proposed extension to the existing sand and gravel pit. Based on the information provided there are no adverse or residual impacts on the receiving environment predicted as a result of the proposed development.</p> <p>Of note: The restoration element using the importation of 1,354,400 tonnes of clean inert soils comprises an activity requiring a waste licence from EPA.</p>
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<b>Recommendation</b>	It is recommended that permission is <b>granted subject to conditions..</b>
<b>Comments of Senior Executive Planner</b>	

**REASON AND CONSIDERATION FOR DECISION ON PLANNING REG. NO. 20171532**

Having regard to provisions of the Wexford County Development Plan 2013-2019, the referral responses received and all other material considerations, it is considered that subject

to compliance with the following conditions, the proposed development would not seriously injure the amenity of the area and would therefore be in accordance with the proper planning and sustainable development of the area.

**24 NO. CONDITIONS ATTACHED TO PLANNING REG. NO. 20171532**

1)	SPE01	<p>The proposed development shall be carried out in accordance with:</p> <p>(i) The plans and particulars lodged with the planning application; and,</p> <p>(ii) The further information date stamped 21/02/18 except as otherwise required by the conditions of this permission.</p> <p><b>REASON:</b> To ensure the proposed development accords with the permission and that effective control is maintained.</p>
2)	LEV25 – Standard Quarry Contribution amended	<p>The developer shall pay to Wexford County Council an annual contribution towards the expenditure that was and/or is proposed to be incurred by the Local Authority in respect of works which have facilitated or which will facilitate the proposed development. The amount of contribution shall be <b>€33,840 per annum</b>. The first contribution will be payable at the time of commencement of the development and each payment thereafter will be due on the 1<sup>st</sup> April each year for the duration of the permission.</p> <p><b>REASON:</b>In accordance with Development Contribution Scheme as provided for under the Planning and Development Acts 2000 to 2006.</p>
3)	Bond	<p>The developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The amount of the security shall be <del>one hundred</del> <sup>sixty</sup> thousand euro (€60,000.00) cash deposit or <del>two</del> <sup>one hundred + twenty</sup> hundred thousand euro (€120,000.00) bond from an insurance company.</p> <p><b>REASON:</b> To ensure the satisfactory reinstatement of the site.</p>
4)		<p>a) The maximum rate of extraction shall be a maximum of 100,000 tonnes per year.</p> <p>b) The means of working the site shall be as detailed in the submitted application unless as otherwise agreed by the planning authority. No blasting at the site is authorised by this permission.</p> <p>c) No extraction shall take place below 38m OD.</p> <p><b>Reason:</b> In the interests of clarity, the amenities of the area and protection of the environment.</p>

5)		<p>The period of the extraction shall be 15 years only and infilling and restoration works shall be permitted to continue for a further 5 years at this quarry with a total maximum of 20 years from the notification of decision date of this permission. The use of the site as a quarry shall be discontinued after this time.</p> <p>REASON: In the interests of orderly development, having regard to Section 34 (4)(n) of the Planning and Development Act 2000 ( as amended )</p>
6)		<p>The applicant shall submit to the planning authority evidence of having obtained the required EPA licence to allow for the importation of inert fill material to carry out the restoration works. In the event of an EPA waste licence not being in place by the end of the third year of extraction no further excavation works shall be carried out and the planning authority shall be notified and restoration proposals shall be submitted for their agreement prior to closure of the quarry.</p> <p>REASON: In the interests of orderly development, having regard to Section 34 (4)(n) of the Planning and Development Act 2000 ( as amended )</p>
7)	<b>Dust</b>	<p>a) The total dust emission arising from the on-site operations when measured at any point along the site boundary ( i.e. boundary with land not under the owner/operators ownership / control ) shall not exceed 350 milligrams per square metre per day in accordance with the the German TA Luft Air Quality Standard.</p> <p>b) The total suspended particles arising from the on-site operations when measured at any point along the site boundary ( ie. boundary with land not under the owner/operators ownership / control ) shall not exceed 150ug/m<sup>3</sup> over a 24 hour averaging time period. Dust is to be monitored utilising continuous monitoring equipment with 15 minutes averaging intervals, which are capable of continuously indicating the concentration of Total Suspended Particulates and PM<sub>10</sub>.</p> <p>c) Monitoring of dust and suspended particles shall be undertaken by suitably qualified persons on behalf of and at the expense of the owner/operator in accordance with the requirements of the planning authority.</p> <p>Reason: To minimise the generation of dust by the proposed development and in the interests of the amenities of the area and proper planning and sustainable development.</p>
8)	<b>Dust monitoring</b>	<p>A monthly monitoring programme of dust emissions shall be undertaken to provide compliance wit the limits attached. Details of this programme, including the location of dust monitoring stations shall be submitted to and agreed in writing with the planning authority within 3 months of the grant of permission. this frequency of monitoring may be reviewed depending on the results</p>

		submitted. Reason: To protect the amenities of the properties in the vicinity of the area and in the interests of proper planning and development.
9)		The floor of quarry is to be maintained a minimum of 5m above the high winter groundwater table level at all times. Reason: In the interests of protection of groundwater.
10)		Final restoration contours shall match the original topographical survey submitted to Wexford County Council 21/02/18. Upon completion of restoration the applicant shall submit to Wexford County Council Planning Section for their written agreement a digital topographical survey of the final restored contours. Reason: To ensure full restoration of the landscape.
11)	<b>Noise</b>	<p>a) Noise emanating from the development shall not cause to be measured at the facing elevation (outside ) of any existing dwelling in the area at a noise level of 55dB(A) ( Laeq 1 hour ). Any noise shall not be tonal in nature or have any tonal element which is 5 dB(A) above the adjacent frequencies.</p> <p>b) A Monitoring programme of noise emissions shall be undertaken by suitably qualified persons on behalf of and at the expense of the developer to provide compliance with the limits attached. The minimum monitoring shall be once every 2 years when the facility is in full use. The results must be submitted to the planning authority. This frequency of monitoring may be reviewed depending on the results submitted..</p> <p>Reason In the interests of the amenities of the area and proper planning and sustainable development.</p>
12)	<b>Noise monitoring</b>	<p>All machinery and vehicles employed on site shall be fitted with effective silencers of a type appropriate to the specification and at all times the best available technology, not entailing excessive costs, shall be employed to prevent or counteract defects of noise emitted by vehicles, plant machinery or otherwise arising from the site activities.</p> <p>Reason: To protect the amenities of the properties in the vicinity of the area.</p>
13)		<p>In the event of refuelling taking place on site the refuelling shall only take place a concrete hardstand area with a bund lip so as to contain any spillage.</p> <p>Reason: In the interests of protection of the environment and groundwater.</p>
14)		<p>The site shall be effectively secured at all times with appropriate warning signage displayed to prevent and deter unauthorised or accidental access. The access gate shall be closed and locked when there is no authorised person at the quarry.</p> <p>Reason: In the interests of public safety and proper planning and sustainable development.</p>
15	<b>Closure</b>	Unless as otherwise agreed with the planning authority, on or

	<p><b>restoration</b></p>	<p>before 1 year before expiry of the permitted period for extraction at the site, full details of proposals including time scales for the closure and restoration of the quarry shall be submitted for the agreement of the planning authority.</p> <p>In the event of the quarry closing prior to the permitted time, closure and restoration proposals shall be submitted for the agreement of the planning authority prior to closure.</p> <p>Proposals for closure shall include measures to effectively secure the site and the removal of all plant, equipment and material not used in restoration.</p> <p>The closure and restoration of the site shall take place in accordance with the details as agreed by the planning authority.</p> <p><b>Reason</b> In the interests of visual amenity and proper planning and sustainable development.</p>
<p><b>16</b></p>		<ul style="list-style-type: none"> <li>a) Existing sightlines at the site access shall be retained with landscaping at the frontage of the site regularly trimmed;</li> <li>b) Signage shall be provided on the approaches to the site to warn other road users of quarry related traffic;</li> <li>c) No dust, stones, mud etc giving rise to traffic safety hazards shall be brought onto the public road by vehicles accessing or leaving the site.</li> <li>d) All vehicles using the site shall have loads effectively covered.</li> <li>e) The planning authority shall be notified of any proposed measures to prevent dust, stones, mud etc from being brought onto the public road by vehicles accessing or leaving the site.</li> <li>f) All public roads shall be kept clean at all times with the use of a mechanical sweeper when required.</li> </ul> <p><b>Reason</b> In the interests of public safety and proper planning and sustainable development.</p>
<p><b>17</b></p>		<p>A wheel wash facility shall be maintained and operated to the satisfaction of the planning authority. All vehicles carrying material off site shall pass through the wheel wash and shall be washed so that no material is deposited upon the public road network. <b>Reason:</b> In the interests of public safety and proper planning and sustainable development.</p>
<p><b>18</b></p>		<p>All on-site operations associated with the permitted development shall take place between the following hours: 0800 to 1800 Monday to Friday 0900 to 1400 Saturdays.</p>

		<p>No on-site operations associated with the permitted development shall take place outside of these hours or on Sundays or public holidays.</p> <p>Reason: In the interests of amenity and proper planning and sustainable development.</p>
19		<p>All on-site operations associated with the permitted development, including refuelling operations and waste management shall be undertaken in a manner which prevents the risk pollution of ground water.</p> <p>Any on-site incidents giving rise to the risk of pollution of ground water shall be reported immediately to the planning authority.</p> <p>No contaminated water shall be discharged to ground or surface waters.</p> <p>Reason In the interests of protection of ground water and proper planning and sustainable development.</p>
20		<p>Earth stripping operations and the storage of such material shall take place at a time and in a manner which does not give rise to dust nuisance affecting adjoining lands.</p> <p>Reason: In the interests of amenity and proper planning and sustainable development</p>
21		<p>Unless as otherwise agreed by the planning authority, all processing and stockpiling of extracted material shall take place in a manner to ensure potential noise and dust generation is minimised.</p> <p>Reason: In the interests of amenity and proper planning and sustainable development.</p>
22		<p>Unless as otherwise may be agreed by the planning authority, surface water shall not be discharged from the site onto adjoining land or the public road.</p> <p>Reason In the interests of amenity and proper planning and sustainable development.</p>
23		<p>Inspections must be scheduled and take place to ensure that the imported inert soil infill does not host invasive species. No offsite top soil shall be imported for use in the infill or restoration works.</p> <p>Reason: To prevent the introduction of invasive species and in the interests of proper planning and sustainable development.</p>
24		<p>Upon completion of restoration works regular monitoring of the restored ground levels shall continue to address any settlement issues. Any settlement and potential gulying will need to be assessed and remediated, as appropriate, to pre-excavation</p>

		<p>levels. Reason: To ensure full restoration of the landform and in the interests of amenity and proper planning and sustainable development.</p>
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**Advice Notes**

**AN 1**

Section 34 (13) of the Planning & Development Act 2000 (as amended) reads  
 "A person shall not be entitled solely by reason of a Permission under this Section to carry out any development."  
 This is referred to in the context of the need to avoid infringing in any way the rights of adjoining property owners.

**AN05**

Consultation with the Water Services Section is required prior to connecting to the public water main and/or public sewer.

The applicants shall comply with the conditions of any Waste Facility Permit/Certificate of Registration granted for this activity in accordance with Waste Management (Facility Permit and Registration Regulations)2007 as amended.

The applicants shall comply with the conditions of any discharge licence for this site under the Water Pollution Acts 1977-1990 as amended.



**Niamh Lennon**  
**Executive Planner**

**Date: 11<sup>th</sup> April 2018**



**James Lavin**  
**Senior Executive Planner**

**Date: 11/04/2018**

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SCANNED

Planning Number: «20171532»

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<b>Registered Date</b>	<b>23 November 2017</b>
<b>Date Received Decisions Office</b>	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <p>WEXFORD COUNTY COUNCIL RECEIVED 24 JAN 2018 PLANNING SECTION</p> </div>
<b>Due Date</b>	<b>26 January 2018</b>
<b>FI Date</b>	

<b>On receipt of F I's refer to:</b>	<b>Date Referred</b>
Environment	EPA ✓
Roads	An Taisce ✓
Area Engineer	✓
Other	GSI ✓
<b>No-Referral</b>	Dept. Ar & H. Heritage ① Archaeology ② National Heritage
<b>Reason for Refusal</b>	Public Health
	Road Safety
	Neighbour Amenity
	Development Plan

**WEXFORD COUNTY COUNCIL  
PLANNING REPORT**

<b>Application No.</b>	20171532
<b>Applicant</b>	SEAN & MICHAEL KELLY
<b>Location</b>	The site is located in the Townland of BALLINROOAUN (ED CASTLE ELLIS), CASTLE ELLIS
<b>Description</b>	<p>Development Proposal - 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.</p> <p>Site Description – The existing quarry is located at Ballinrooaun near Screen, with an area of approximately 5ha, and approximately 10ha of land adjoining to the west,</p>

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currently in agricultural use ( grazing ). It is now proposed to extend this quarry by approximately 8.54ha (5.83 extraction area), which comprises of 3 agricultural fields and part of the existing sand and gravel quarry. This also includes part of the existing haul access road. There are a number of dilapidated former farm buildings located to the south-west of the site.



The land characteristic of kettle and kame landscape is generally undulating with a general rise in levels to the north. There are expansive views from the northern part of the site to the south, and west. To the north of the site, land is in agricultural use, with a general drop in ground levels.

The site lies within Screen Hills pNHA and adjoining the Screen Hills cSAC.

Site Size - 8.45

Relevant Planning History / Site History -

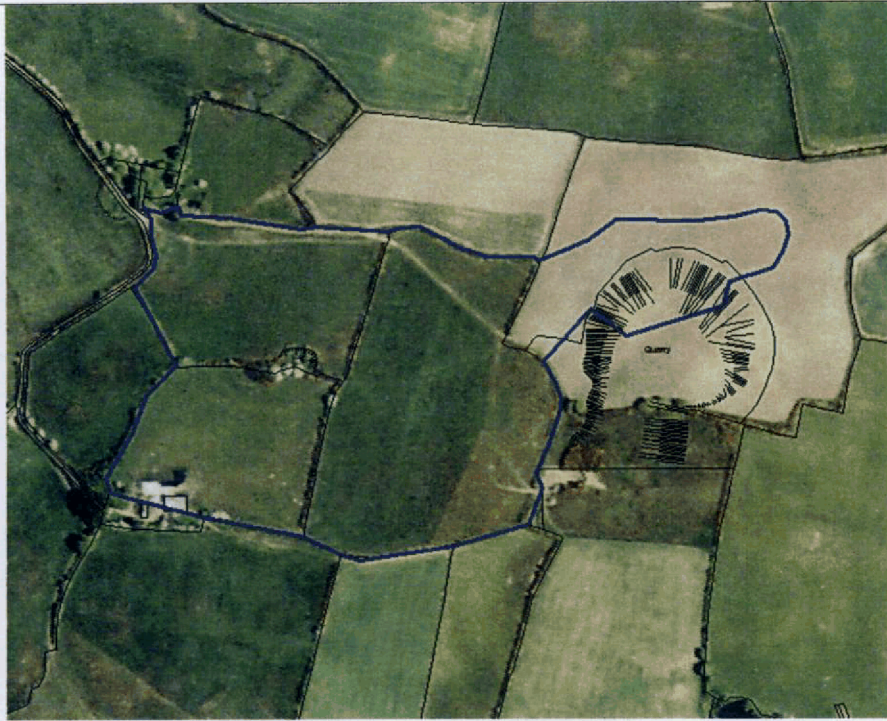
There may have been periodic extraction of sand on the overall landholding over the years but there is no evidence of any significant extraction on the site in 1973 and 1995 aerial photographs. Limited extraction activity could be observed on the 2000 and 2005 aerial photographs with a larger area of extraction noted on a 2007 aerial photograph. No planning permissions were granted for this extraction. Subsequent to 2008 extraction activity has developed further to permission 20082323.



1995



2000



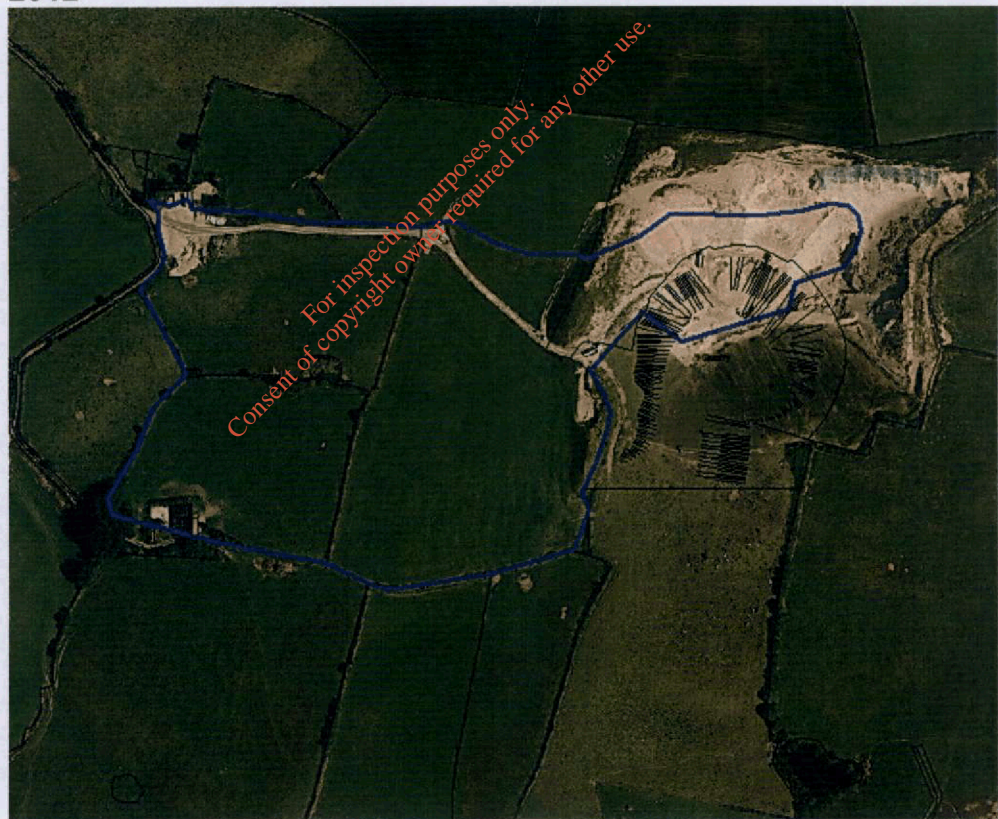
2005



2007 ( at southern boundary of current application site )



2012



2016

**Planning history –  
Section 261 Ref. Q19 2005**

The operator sought to register a sand pit of approximately 4.5ha, claiming that the sand pit had been in periodic operation since the 1940s with continuous use since 1999.

Wexford County Council did not register the quarry as it was considered that the quarrying did not benefit from pre-1964 'authorisation' and that no planning permissions had been granted. The extraction work undertaken

was considered to unauthorised.

**Enforcement file 0288/2005**

File opened ( re. possible unauthorised quarrying and damage to SAC)  
EN issued 2006

**Enforcement file 256/2007**

File opened ( re operation of unauthorised sand pit and associated site works )  
EN issued 2008  
Conviction 2009

**Planning application 20082323**

RETENTION FOR DEVELOPMENT ON A SITE OF 5.52 HECTARES. RETENTION AND CONTINUED OPERATION, INCLUDING EXTENSION OF THE EXISTING SAND AND GRAVEL PIT TO PROVIDE A FINAL OVERALL EXTRACTED AREA OF 3.45 HECTARES AND TO A DEPTH OF 60 METRES OD. RETENTION IS ALSO SOUGHT FOR THE EXISTING MOBILE SAND AND GRAVEL SCREENING PLANT; LOADING AREAS; AND VEHICLE PARKING AREAS. THE SAND AND GRAVEL PIT WILL BE SERVED BY THE EXISTING ON SITE HAUL ROUTE FROM THE EXISTING VEHICULAR ACCESS POINT ALONG THE L-7003-1 COUNTY ROAD. THE PROPOSED DEVELOPMENT ALSO INCLUDES AN EXTENSION TO THE EXISTING ON SITE HAUL ROUTE AND NEW EGRESS POINT ALONG THE L-7003-1 COUNTY ROAD; A WHEELWASH, AREAS OF STOCKPILING; LANDSCAPING; AND ALL OTHER SITE DEVELOPMENT WORKS ABOVE AND BELOW GROUND, INCLUDING THE RESTORATION OF THE FINAL PIT VOID (EXTRACTIVE AREA).

( Sean and Michael Kelly )

Wexford County Council: Grant with conditions June 2009 ( following fi and clarification )

**Condition 2:**

*2. The period of the extraction at this quarry shall be for a maximum of 7 years from the notification of decision date of this permission. The duration of the permission is further extended for a period of 6 months for the carrying out of the works required under the closure plan referred to in Condition No. 26. Restoration and habitat management within the area of extraction and management of the 'compensation area' referred to in Condition No. 3 shall continue for so long as is agreed in accordance with restoration and management plans required under Condition No. 3.*

**REASON:**

*In the interests of orderly development and to ensure that there is no net damage to the natural heritage in the area*

**S261a 2012**

Wexford County Council:

3a Notice ( need for SC application ) Extraction had taken place to a deeper level than was permitted in 20082323. This unauthorised deepening required AA

An Bord Pleanala:

3a Notice set aside. The unauthorised deepening did not raise Appropriate

Assessment issues.

**Enforcement file 0035/2011**

File opened with regard to possible non-compliance with conditions  
 Enforcement Notice issued 2011  
 Warning Letter 2015

**Planning application 20160156**

Similar proposal to extract in larger area to the north  
 Application invalidated 11 March 2016 ( Site Notice reason )

**Planning Application 20160261 –**

PERMISSION FOR A PERIOD OF 25 NO YEARS ON A SITE AT BALLINROOAUN. THE APPLICATION SITE COMPRISES AN AREA OF C. 15.02 HECTARES. PERMISSION IS SOUGHT FOR THE CONTINUED OPERATION OF THE EXISTING QUARRY PERMITTED UNDER WEXFORD COUNTY COUNCIL REG. REF. 20082323 AND THE EXTENSION OF THE QUARRY ONTO ADJOINING LANDS TO THE WEST. THE QUARRY EXTENSION IS SOUGHT TO A MAXIMUM DEPTH OF C.37 METRES OD. THE PROPOSED EXTENSION WILL NOT RESULT IN AN INCREASE IN THE PERMITTED EXTRACTION RATE (125,00 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 RESTORATION OF THE FINAL PIT VOID (EXTRACTIVE AREA) AN ENVIRONMENTAL IMPACT STATEMENT (EIS) WILL BE SUBMITTED TO THE PLANNING AUTHORITY WITH THE APPLICATION. – **Refused by WCC and on Appeal to Bord Pleanala**

*1. Having regard to the extent of development proposed, the elevated and prominent characteristics of the site (particularly its northernmost portion) and the location of the site within the Screen Hills Landscape of Greater Sensitivity the proposed development would create a significant and unnatural feature in the landscape, which consequently would have a significantly adverse impact on visual amenities over a wide area. As such the proposed development would be contrary to Objectives L03, L04, L05 and Section 18.16 of the Wexford County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.*

*2. Having regard to the extent of development proposed, the elevated characteristics of the site and the proximity of the proposed quarrying ( particularly its northernmost portion ) to land outside of the applicant's ownership, the proposed development would give rise to significant adverse impacts and disamenity associated with airbourne dust and sand affecting land outside of the applicant's control. As such the proposed development would be contrary to Objective ED11 and Section 18.16 of the Wexford County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.*

*3. Having regard to the extent and characteristics of the quarry/sand pit development proposed, the proposed development would have a significantly adverse impact on the Screen Hills 'kettle and kame' landscape, which has been identified by the Geological Survey of Ireland as*

	<p><i>being of international importance and is recommended for geological/geomorphologic Natural Heritage Area status. As such the proposed development would be contrary to objectives NH01, NH02, ED09 and ED11, and section 18.16 of the Wexford County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.</i></p> <p><b>Bord Pleanala Refusal – PL26.246680</b></p> <ol style="list-style-type: none"> <li>1. Having regard to the extent and characteristics of the sand and gravel quarry development proposed and to the site's location in and adjoining the Screen Hills proposed Natural Heritage Area, a "kettle and kame" post-glacial landscape of low hills and small lakes which is unique in and to County Wexford, wherein it is considered preferable in the current Wexford County Development Plan (Policy ED09) to take a precautionary approach to significant detrimental impacts by emphasising avoidance rather than mitigation. It is considered that the proposed development materially contravenes policy ED09 and is, therefore, contrary to the proper planning and sustainable development of the area.</li> <li>2. It is considered that the proposed development, by reason of its extent and its elevated and prominent location within the Screen Hills Landscape of Greater Sensitivity, would create a significant and unnatural feature in the landscape which would have a negative impact on the visual amenities of a wide area. The proposed development would be contrary to Objectives L03, L04, L06 and Section 18.16 of the current Wexford County Development Plan and to the proper planning and sustainable development of the area.</li> </ol>
<p><b>Pre- Planning</b></p>	<p>Ref. No. P20090109 relating to FP on 20082323 application</p> <p>P20170586  Sand &amp; Gravel Quarry  Proposed development seeks to provide for a quarry to extract sand and gravel to the south-west of the existing quarry at Ballinrooaun. Development involves progressive restoration of the quarry &amp; reinstatement of the landscape. Proposed to have output rate of 125,000 tonnes per annum. Extraction method &amp; plan to be designed.</p>
<p><b>Site Notice</b></p>	<p>Inspected by: Niamh Lennon</p> <p>The site notice(s) was/were in accordance with the Planning &amp; Development Regulations, 2001 (as amended) on site inspection on 02/01/18</p>



<p><b>Referrals</b></p>	<p>Referral response/s were received from the following:</p> <p>Senior Executive Scientist (Environment) who recommends that permission be granted</p> <p>Roads Design Engineer – no report to date</p> <p>Health Service Executive who make detailed comments</p> <p>Environmental Protection Agency who make comments</p> <p>Dept of Arts Heritage &amp; the Gaeltacht who recommends that conditions are attached to any grant of permission.</p> <p>1. Inspections must be schedules and take place toensure that the</p>
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- imported inertsoilinfilldoes not host invasive species which could getestablished in the quarry and then be spread widely by the quarry/sandpit delivery transports
2. Inspectionsmust be scheduled and take place to ensurethat theimported soil is inert.
  3. Sites from which soi is to be imported is to be agreed with Wexford County Council
  4. No topsoil is to be imported
  5. Quarry is to be a minimum depth of 5m above the high water table.
- Other comments note the following;
- There may be geological impacts associated with the proposed Natural Heritage Area. Screen Hills as a geological heritagesite of national importance for the following reasons;
  - The Screen Hills areain Wexford represents the largest raised ice contact delta in Ireland if not Europe.
  - It comprisesice contact delta,prodelta muds,wave-induced sands, foresets, mollusc fragments,derived balls of peat rich in temperate pollen, bioturbation.
  - It also comprises glaciofluvialand glaciolacustrine sands and gravels which form a hummocky area approximately 20m above the surrounding land to the west, north and south.
  - The area around the Screen Hills consists of a large sand and gravel body,andfrom this, one of the largest sand and gravel aquifers in Ireland
  - Boreholes into the gravel body have confirmed depths to bedrock,predominantlythroughgravels, of up to 70m thick,these are therefore some of the deepest Pleistocene sediments in Ireland.

Chief Fire Officer who has no comment to make

Area Engineer – no report to date

An Taisce who recommends permission should be limited to 10 years

Geological Survey of Ireland who make comments as follows;

**1. Comments in relation to the geological importance and status of Screen Hills [Section 7.3.8 and 7.8, Appendix A]**

**Section 7.3.8 Conservation Areas** appears to undervalue the geological significance of the Screen Hills area and is inaccurate in many of its statements.

The GSI's view is that the well-preserved topography of the Screen Hills area is of international importance owing to the number and variety of best expressed kame and kettle landforms lying side by side in a relatively small area. Screen Hills is listed as a County Geological Site (CGS) and NHA ('Designation recommendation') within the current Wexford CDP 2013-19, with appropriate policies to protect (e.g Objective NH02), and is documented within the Geological Heritage Audit of County Wexford (final draft with Wexford CC).

**Sections 7.3.8 Conservation Areas and 7.8 References** refer erroneously

to a 'report from the Irish Geological Heritage of the GSI' being dated as 2016. This was an internal provisional report, dated 15/3/2009, that notes the impracticalities of designating the entire Screen Hills area as an NHA due to its size (11km x 13km in area).

The view of the IGH programme, as stated in the Screen Hills Site Report of the 'Geological Heritage Audit of County Wexford' (final draft 14/7/17 with Wexford CC), is that a part of the area, shown in the site report map, is recommended as a Geological NHA and that the '*most prominent kames, in terms of elevation and scale, should be protected*'.

**Site Importance - County Geological Site; recommended for Geological NHA**

*The site is unique in the number and variety of kame and kettle forms which lie side by side in a relatively small area. The site is of international importance.*

**Management/promotion issues**

*This is an excellent site in terms of macro-scale Quaternary glacial geomorphology and should be promoted as unique amongst landscape elements, within both the Wexford County Development Plan, and in Landscape Characterisation. The most prominent kames, in terms of elevation and scale, should be protected.*

GSI's statement (email 4/8/17; Section 7.0 Appendix A) that if the Ballinrouan Quarry development includes a full and entire restoration of the landform topography as currently existing (as of July 2017) 'this would not be considered counter to the goals of the [GSI's] IGH programme' was conditional on the fact that GSI would need to see the details of this before making our final comments - 'we would be happy to consider this once prepared'.

**2. Comments in relation to the proposed progressive full restoration and mitigation methods [Sections 3.3.1, 3.3.3.1, 4.3.2, 7.4.4 and 11.5]**

As the significant geoheritage value of this kame-kettle topography is entirely inherent in its overall surface expression, GSI 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. GSI would therefore be concerned about guarantees on how this condition would be met.

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 are relatively high slope angles over much of the proposed extraction area.

The re-profiling measures outlined (sections 11.5.1 to 11.5.3) will need to be repeated after three years as there will be much settlement of the topsoil and inert material below.

In relation to these settlement issues, ongoing and post-monitoring of

	<p>restored ground levels, will be crucial. Any settlement and potential gullying will need to be assessed and remediated, as appropriate, to pre-excitation levels.</p> <p>James Browne T.D.: Please look favourably on the application. This is an important local business employing more than 40 people. The Kelly family operate to the highest standards adhering to all the conditions of their previous planning permission.</p> <p>George Lawlor MCC: Supports the planning application. The quarry is operated in a responsible fashion The creation of employment directly and indirectly associated with the quarry The sand extracted is in demand throughout the island of Ireland.</p>
<p><b>Submissions/ Observations</b></p>	<p>Observations have been received from .....</p> <p>James &amp; Elizabeth Cash C/O Mahon &amp; Fox Iberius House Common Quay Street Wexford</p> <p>Aidan Cash Ballinra Screen Enniscorthy Co Wexford</p> <p>Peadar Murphy on behalf of Crawford Group Ireland Ltd Unit 8 Rosemount Business Park Sinnottstown Lane Drinagh Co. Wexford</p> <p>Paddy McGee Director Paddy McGee (Wexford) Ltd Ardinagh Taghmon Co. Wexford Y35 DR92</p> <p>Martin Fortune Martin Fortune Transport Courtclough The Ballagh</p>

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MJ Kehoe Transport Ltd  
Kilbride  
The Ballagh  
Enniscorthy  
Co. Wexford

Robert Banville  
R. Banville Construction Services Ltd  
Barry's Cross  
Taghmon  
Co. Wexford

Kevin Kehoe  
Martin Kehoe Plant Hire Ltd  
Boley  
Ballycullane  
New Ross  
Co. Wexford

Martha Monaghan  
Ballinrooan  
Screen  
Enniscorthy  
Co Wexford

They can be summarised as follows: -  
Objection Comments

- constant noise from continuous lorries travelling the road and into the entrance of the quarry
- clouds of dust from lorries come across into the garden and in summer windows and doors cant be left open.
- lorries and tractors do not always have their loads covered down
- the road is not always dampened down to prevent dust
- the drain at the entrance to the quarry if blocked with sand and dirt.
- front and side of dwelling overlooked by lorries
- the volume and speed of lorries using the site is creating a traffic hazard
- devaluation of residential property adjacent to entrance
- Previous reasons for refusal by An Bord Pleanala still remain as the site is within pNHA in an area designated as a Screen Hills Landscape.
- Objective ED09 of Co.Dev Plan prohibit extractive industry development which could significant impact on areas designated as pNHA where significant detrimental impacts cannot be satisfactorily mitigated and to take precautionary approach in this regard.
- The Board considered that no exceptional circumstances are demonstrated in this case to provide for this development which would materially and irreversibly alter the feature of geological heritage interest and the development, materially contravenes policy

	<p>ED09.</p> <ul style="list-style-type: none"> <li>- problems with non compliance with planning conditions such as stockpiling, boundary encroachment, air pollution via sand which have been reported to Graeme Hunt to no avail.</li> <li>- impact on health</li> <li>- site notice only placed on ditch on the 27<sup>th</sup> November</li> <li>- MSK sand have gone beyond their planning boundary</li> <li>- the restored area is at a steeper gradient to what was there previously.</li> <li>- damage to cattle's eyes from blowing sand during grazing months and feed silage is laced with sand which is then ingested</li> <li>- Sand has migrated from the site onto adjoining agricultural land, affecting silage quality. Blown/stockpiles sand has significantly affected boundary landscaping to the landholding and also a pond. Stockpiles haven't been managed or sprayed etc to prevent this from happening;</li> <li>- Aerial photography has not been submitted as required;</li> <li>- A picture of a Hare has been used, the environmental report reports to rabbits;</li> <li>- The land which is the subject of the application is owned by John Kelly. This is not referred to the application and no letters of consent have been submitted;</li> <li>- The existing sand pit has a significant visual impact over many miles.</li> <li>- Other conditions under Plan Reg:20082323 have not been complied with eg stockpiling on northern highest end, inadequate dust monitoring and mitigation measures not being employed, excessive slope of face of quarry exceeds 30degrees as conditioned and resulted in partial collapse of quarry face in 2015. Annual aerial photography should be submitted to the planning authority to monitor progress and compliance.</li> <li>- The permitted buffer zone has not been maintained;</li> <li>- Permission should not be granted for an extension as the existing pit has caused significant damage;</li> <li>- There is a limited threat to local employment ( reference to 2-3 employees )</li> <li>- The operators previously undertook unauthorised development which resulted in WCC having to take court action.</li> </ul> <p>Other letters of support for the high quality of the sand quarried due to its roundness of over 80% and overall particular size and grading quality, hence its use in concrete products and equestrian arenas and sports facilities, and the knock on reliance of continued quarrying on retaining indirect employment associated with the quarry products.</p>
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<p><b>National Policy</b></p>	<p>National Spatial Strategy 2002 - 2020</p> <p>Regional Planning Guidelines – South East Region 2010-2022</p> <p>Guidelines for Appropriate Assessment of Plans and Projects in Ireland</p>
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	<p>Quarries and Ancillary Activities Guidelines for Planning Authorities ( DoEHLG ) 2004 ( Section 28 Guidance )</p> <p>Guidelines for Planning Authorities &amp; An Bord Pleanala on carrying out Environmental Impact Assessments ( DoECLG ) 2013</p>
<p><b>Development Plan</b></p>	<p><b>Wexford County Development Plan 2013 - 2019</b></p> <ul style="list-style-type: none"> <li>• Section 6.4.5 Aggregate Resources and Extractive Industry</li> <li>• Chapter 8 Transport</li> <li>• Chapter 10 Environmental Management</li> <li>• Section 12.6 - Managing Flood Risk</li> <li>• Section 14.2 Natural Heritage</li> <li>• Section 14.4 Landscape - Landscape Character Assessment – Screen Hills Landscape of Greater Sensitivity</li> <li>• Section 18.4 Appropriate Assessment</li> <li>• Section 18.5 Environmental Impact Assessment</li> <li>• Section 18.16 Extractive Industries</li> <li>• Section 18.29 Transport</li> </ul> <p><b>Zoned Land</b></p> <ul style="list-style-type: none"> <li>• No</li> </ul>

<p><b>Biodiversity</b></p>	<p>EIA required: Yes submitted</p> <p>AA required: AA Screening report supplied which determines that there is a finding of no significant impacts</p> <p>Screen Hills SAC Site Code 000708</p>
<p><b>Conservation Area</b></p>	<p>No.</p>
<p><b>Protected Structure</b></p>	<p>No</p>
<p><b>Registered Monument</b></p>	<p>No</p>
<p><b>Zone of Archaeology</b></p>	<p>No Archaeological monitoring recommended by DoEHLG if permission is granted.</p>

<b>National Road Schemes</b>	No record found in spatial analysis for National Road Schemes
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<b>Development Contributions</b>	<p><b>Development Contributions Scheme 2013</b>                  Total 846,000cubic metres (1,354,400 tonnes) of material to be extracted within the proposed extension area. At the maximum proposed rate of 100,000 tonnes per annum, this provides a resource that will last at least 14 years, however maximum extraction rate can't be guaranteed therefore 15years to extract is sought.</p> <p><b>Extractive Industry (Quarries)</b>                  Development charges will be due on the 1<sup>st</sup> of April each year based on the previous years' activity. Hardstanding areas and processing areas will be charged appropriately. No charge will apply to infill/landfill.</p> <table border="1" data-bbox="395 853 1449 1196"> <thead> <tr> <th data-bbox="395 853 927 896"><b>Extractive Industry (Quarries)</b></th> <th data-bbox="927 853 1449 896"><b>€</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="395 896 927 934">Water</td> <td data-bbox="927 896 1449 934">0.00</td> </tr> <tr> <td data-bbox="395 934 927 972">Waste Water and Drainage</td> <td data-bbox="927 934 1449 972">0.00</td> </tr> <tr> <td data-bbox="395 972 927 1046">Roads</td> <td data-bbox="927 972 1449 1046">30c (€0.30) per cubic metre per annum</td> </tr> <tr> <td data-bbox="395 1046 927 1120">Recreational &amp; Community</td> <td data-bbox="927 1046 1449 1120">5c (€0.05) per cubic metre per annum</td> </tr> <tr> <td data-bbox="395 1120 927 1196">Total</td> <td data-bbox="927 1120 1449 1196">35c (€0.35) per cubic metre per annum</td> </tr> </tbody> </table> <p><b>Example of what the maximum annual charge should be</b>  <b>Roads:</b> €0.30 x per cubic meter per annum based on the previous years activity/extraction. = 56,400 cubic meters per annum €16,920 per annum  <b>Recreational &amp; Community:</b> €0.05 x per cubic meter per annum. = 56,400 cubic meters per annum €2,820 per annum</p> <p><b>Upon full completion/extraction the total amount that should have been paid is as follows;</b></p> <p><b>Maximum Total of 846,000 cubic metres to be extracted over full life of the permission</b>  <b>Roads €253,800 overfull life of the permission</b>  <b>Recreational &amp; Community €42,300 overfull life of the permission</b></p> <p><b>Water &amp; Waste Water :</b> In accordance with the transfer of authority contained in WATER SERVICES (NO. 2) ACT 2013, Circular Letter PS 21/2013 and S.I. No. 520 of 2013 PLANNING AND DEVELOPMENT (AMENDMENT) (NO. 2) REGULATIONS 2013 planning contributions for public water supply and public sewer connection will not be applied to this planning application.</p>	<b>Extractive Industry (Quarries)</b>	<b>€</b>	Water	0.00	Waste Water and Drainage	0.00	Roads	30c (€0.30) per cubic metre per annum	Recreational & Community	5c (€0.05) per cubic metre per annum	Total	35c (€0.35) per cubic metre per annum
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<p><b>Issues</b></p>	<p>Applicant intends to continue complete quarrying within the area authorised by permission ref. 20082323. This permission has already been extended until April 2019.</p> <p><b><u>Proposed development</u></b></p> <ul style="list-style-type: none"> <li>- To extend the sand pit to the west over an area of approximately 8.45ha (approx 5.83ha to be extracted including breakthrough area from existing quarry). The proposed maximum depth of extraction generally drops from east to west across the proposed extension from approx 46mOD with a maximum depth of 38mAOD ( nb. 60m OD is the permitted maximum depth within 20082323 ) The volume of sand in the proposed extension is estimated at approximately 846,000cubic metres (1,354,400 tonnes).</li> <li>-</li> <li>- The lowest level of the quarry floor is to be at least 5m above the groundwater level.</li> <li>- It is stated the maximum proposed rate of extraction is to be 100,000 tonnes per annum, this provides a resource that will last at least 14 years, however maximum extraction rate can't be guaranteed therefore a permission with a life of 15 years is sought. (n.b. permitted extraction rates is 125,000 tonnes per annum however this is not the actual extraction rate as an extension of duration was required to complete the permitted extraction area)</li> <li>- It is considered that the extraction will take 15 years and a further 5 years is sought for the infill of materials and associated restoration of levels and landform or site including landscaping.</li> <li>- Strip extraction/restoration is proposed, generally running from northeast to southwest direction.</li> <li>- In the proposed extension approx. 3.3m of the existing overburden and 0.3m depth of topsoil will be striped (and stored to facilitate restoration ) with sand then excavated using mechanical excavators and screened through a mobile screening machine.</li> <li>- the initial three years of the proposed quarry operations will comprise extraction only. Filling will commence year 4, which allows time for sufficient area of quarry floor to be made available for filling while allowing extraction to continue with minimal interference.</li> <li>- For the importation of 1,300,000 tonnes of inert soils for restoration on the site it will be a requirement to obtain a Waste Licence from the EPA which will be subject to an EIA</li> <li>- Access is proposed via the existing access from local road L-7003-1. Hours of operation will be as permitted under 20082323 ( 8am – 6pm Mon-Fri, 8am -1pm Saturday )</li> <li>- The Traffic Section of the EIS states that 3 people are employed at</li> </ul>
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the development and that this is not likely to increase.

**Environmental Impact Assessment (EIA)**

The overall scale of the existing and proposed development ( approx 5.83ha ) are such that a 'mandatory' EIA is required to be undertaken.

An Environmental Impact Statement ( EIAR ) has been submitted with the application.

An EIA report has been prepared and should be read in conjunction with this planning report.

**Impacts on amenities**

The closest residential properties to the proposed area of extraction are approx 278m to the south and more than 400m to the north.

A dwelling in third party ownership directly adjoins the access road to the quarry where it meets the public road and there are many other dwellings on the suggested haul route to the R741.



*Green dot: residential eircode.  
Yellow suggested haul route  
Source: WCC iMAPs*

**Noise**

It is not considered that extraction and screening activities within the proposed site would give rise to significant residential disamenity having regard to the distances to residential properties and as extraction and processing could take place in areas enclosed by the faces of the quarry/sand pit. Noise limits and monitoring conditions could be attached as additional safeguards.

HGVs using the local roads to the site will give rise to significant noise but

the volume of traffic is not expected to increase over that which is currently generated. As an additional measure to protect amenities a condition could be attached limiting traffic movements on Saturdays in addition to Sundays and bank holidays. Further information regarding traffic numbers is to be sought.

Blast/vibration

No blasting is proposed to take place.

Dust

The proposed area of extraction is a significant distance from residential properties and it is not considered that dust generated from exposed faces and stockpiles etc would directly affect residential properties.

Existing extraction and stockpiling activities has given rise to complaints from the owners of the adjoin farmland to the north and west with regard to dust ( sand, sandy soils ) blowing onto their land. On site visits it has been noted that this is occurring and the 2012 aerial photograph indicates that significant volumes of sand is being blown from the area of extraction.



Taken 29 April 2016



2012

The northern edge of the proposed area of extraction is proposed to extend to within 80m approximately of the adjoining landholding and the following are also noted:

- The land is general elevation of the land;
- The prevailing winds are generally from the south west;
- The site is a significant distance from water sources to facilitate effective dampening etc; Although there is reference to sprinkling system to be utilised to dampen quarry activities.
- The Quarries and Ancillary Activities Guidelines for Planning Authorities ( DoEHLG ) 2004, which refers to 'continual or severe concerns about dust are most likely to be experienced within about 100m of the dust source.'( s3.3 ).

It is considered that the reduction in the area of extraction from that previously proposed has now given additional separation distance of the quarry edge from adjoining landowners lands to the northern part of the proposed area of extraction. The permitted area of extraction under Plan Reg:20082323 was only 20m from the boundary on elevated land. The proposed is about 100m in places from this boundary however to the northeastern corner the quarry edge is significantly less than the 100m. The quarry edge should observe a 100m distance from adjoining landownership to address the significant and valid concerns regarding dust generation affecting lands outside of the ownership of the applicant.

It has been noted previously that HGV traffic associated with the existing development may have also given rise to significant deposits of dust etc on the public roads (also affecting residential properties on these roads). Complaints have also been received regarding this matter. There is a wheelwash installed on the access road to the site but further measures would be necessary ( eg regular road sweeping ) would be necessary if

permission were to be granted.

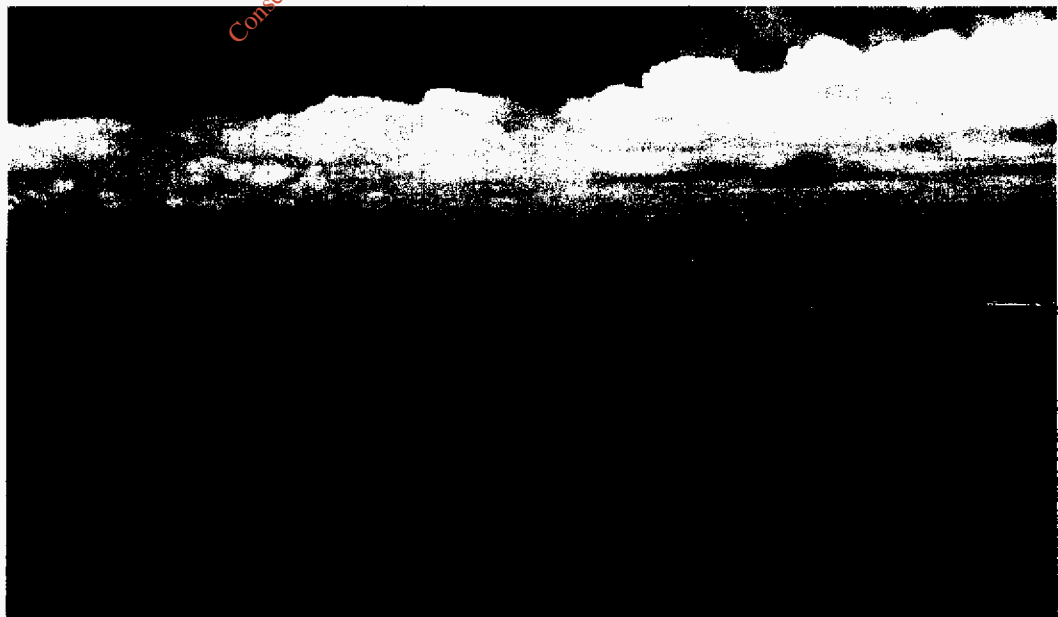
**Impact on visual amenities**

I note the proposed extraction area proposed under 20160261 has removed the most northerly portion of the proposed development which was deemed to create a significant unnatural feature in the landscape. It is noted that:

- Land on the northern portion of the site is at a significantly higher level (generally approximately 16m higher ) than the southeastern part of the site ;
- the site is located near the highest landform on the skyline when viewed from the south;
- there are expansive views to the south and west from the northern side of the site.
- The LVIA report submitted is confined to viewpoints within 5km of the site and does not include analysis from public viewpoints further south from which the existing extraction are is clearly visible (e.g. R730 near Ferrycarrig N11 bridge, Wexford Co Co offices)
- Restoration may eventually address some of the adverse visual impacts but this may take a significant period and circumstances outside of the applicants control ( eg an economic slowdown ) may also affect the ability to complete extraction and restoration work.

There would be limited visibility of the proposed extraction from the north although it is noted that stockpiles etc at the northern part of the existing development are visible as an unnatural feature from the R741 to north.

The site lies within a Landscape of Greater Sensitivity as designated in the current County Development Plan.



View from site towards Forth Mountain and River Slaney



View from site towards Wexford Town and Rosslare

**Geology / Impact on Screen Hills**

The Screen Hills are largely comprised of a sand and gravel body deposited by retreating ice at the end of the last ice age. Known as 'kettle and kame', the landscape is unique in County Wexford and in the country.

The Geological Survey of Ireland and the National Parks and Wildlife Service have been identifying geological and geomorphological sites in Ireland for intended designation as NHAs. The Screen Hills were identified as such an area within the County Development Plan 2013.

As part of the Wexford County Geological Site Report, prepared further to the proposed geological / geomorphological NHA designations, the GSI have recently (April 2016 ) submitted a report for the Screen Hills and recommend the area for a geological NHA.

The report stated that ( inter alia ):

*'The site is unique in the number and variety of kettle and kame forms which lie side by side in a relatively small area. The site is of international importance.'*

The Geological Heritage Guidelines for the Extraction Industry 2008 ( prepared by the GSA and the Irish Concrete Federation ) refers to potential for conflict between conservation of scientifically important landforms and their potential as a sand and gravel resource. It states that the GSI will identify the most important sites nationally which 'should be protected as part of our national heritage'.

Whilst the proposed application site would not include any of the 'kettlehole' ponds/lakes which are prevalent elsewhere in the Screen Hills, the proposed development would permanently and irreversibly alter approx 8.4ha of an elevated part of the Screen Hills landscape, involving the extraction of approx 5.83ha of material in addition to the nearly completed extraction of an area of approximately 5ha as permitted under 20082323.

Infilling

It is stated in the application and EIS that the intention is to progressively restore the final pit void to the original levels through the importation of inert soils so it reflects the existing 2017 kettle and kame landscape.

Objectives NH01, NH02 and ED09 of the Wexford County Development Plan 2013 read as follows:

**Objective NH01**

*To conserve and protect the integrity of sites designated for their habitat/wildlife or geological/geomorphological importance and prohibit development which would damage or threaten the integrity of these sites, including SACs, cSAC, SPAs, NHAs, pNHAs, Nature Reserves, and Refuges for Fauna.*

**Objective NH02**

*To recognise the importance of recommended proposed NHAs and County Geological sites identified by the Geological Survey of Ireland and protect the character and integrity of these sites where appropriate.*

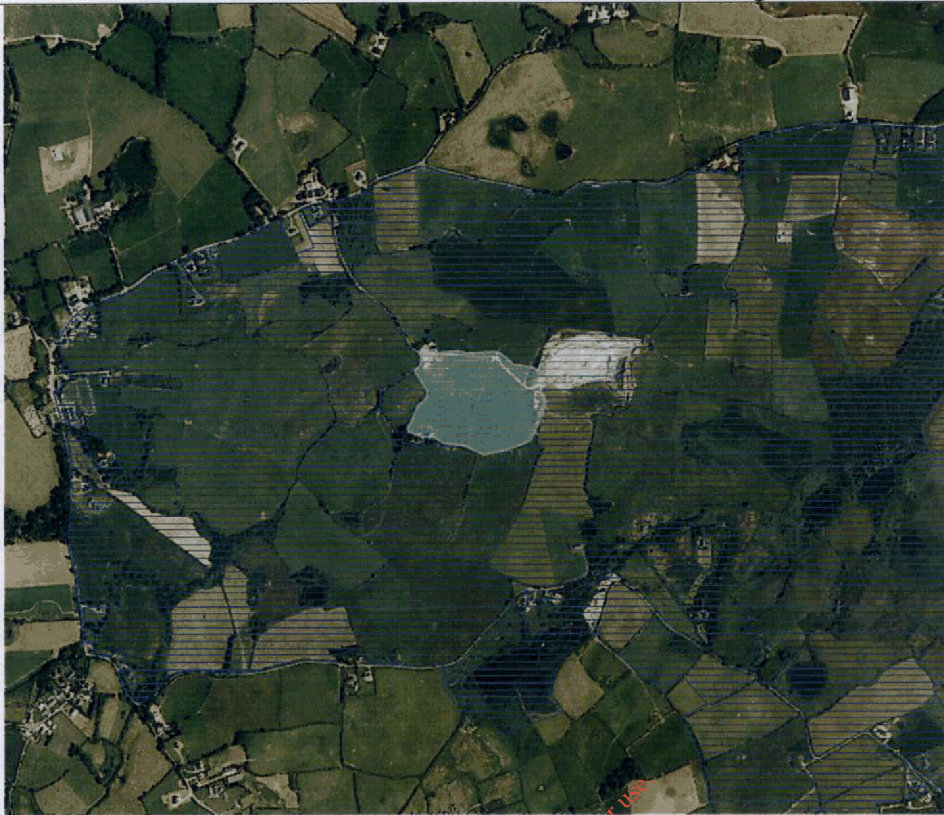
**Objective ED09**

*To prohibit extractive industry development which could significantly impact on the areas designated as being of European and National importance (such as SACs, cSACs, SPAs, NHAs and pNHAs) where significant detrimental impacts cannot be satisfactorily mitigated, even if significant aggregate resources are identified in such areas by the GSI. A strict precautionary approach will be taken where designated sites will be affected.*

**Impact on flora and fauna**

The application site lies within the current Screen Hills pNHA and directly adjacent to the Screen Hills cSAC.

The Screen Hills cSAC was selected primarily for the Dry Health habitat and the habitats created within the kettlehole lakes.



Current Screen Hills pNHA hatched blue (shaded pale blue )



Current Screen Hills cSAC hatched red ( proposed site shaded light blue )

The potential impact of the proposed development on ecology is examined in some depth in the submitted EIS. The ecological importance and characteristics of the afore-mentioned SAC and pNHA are described in detail in Chapter 6 of the EIS. The areas contain two habitats listed on Annex 1 of the EU Habitats Directive: oligotrophic lakes and dry heath

formations. The many lake basins mark the positions of former ice blocks in an acidic, sandy moraine. The lakes surrounding the proposed site area are of two types: those which are more low-lying and in contact with the groundwater are influenced by what is occurring over a wider area. Other lakes are suspended at height above the regional water table and are influenced by the area immediately surrounding them.

Information submitted within the application and EIS concludes that:

- the development would not have significant adverse impacts on flora;
- the development would not have significant adverse impacts on fauna;
- the development would have residual neutral imperceptible impacts on ecology;
- mitigation and enhancement measures to be undertaken in the operation of the quarry/sand pit will ensure that any potential impacts are minimised (including annual ecological inspections/recommendations, re-use of topsoil in restoration, planting to preserve/enhance hedgerows and wildlife corridors, placement of bat boxes, operations confined to certain times and dates in the year etc );
- there will be no significant impacts on the Screen Hills cSAC, The Raven SPA, Wexford Harbour and Slobs SPA and Slaney River Valley cSAC as a result of the proposed development.

An Appropriate Assessment Screening report was submitted with the EIS (prepared by Ecology Ireland Wildlife Consultants) which concludes that there would be no significant effects on the Screen Hills SAC, The Raven SPA, Wexford Harbour and Slobs SPA, and the Slaney River Valley SAC.

It is also noted that the NPWS have noted the following points in their correspondence on the application;

- There may be geological impacts associated with the proposed Natural Heritage Area. Screen Hills as a geological heritagesite of national importance for the following reasons;
- The Screen Hills areain Wexford represents the largest raised ice contact delta in Ireland if not Europe.
- It comprisesice contact delta,prodelta muds,wave-induced sands, foresets, mollusc fragments,derived balls of peat rich in temperate pollen, bioturbation.
- It also comprises glaciofluvialand glaciolacustrine sands and gravels which form a hummocky area approximately 20m above the surrounding land to the west, north and south.
- The area around the Screen Hills consists of a large sand and gravel body,andfrom this, one of the largest sand and gravel aquifers in Ireland
- Boreholes into the gravel body have confirmed depths to bedrock,predominantlythroughgravels, of up to 70m thick,these are therefore some of the deepest Pleistocene sediments in Ireland.

**Stability of fill**

The fill material is to be an inert soil imported from pre-approved external sites. The inert fill will contain subsoil and stone. No peat, topsoil,



contaminated soils or non-hazardous waste will be accepted.

An Appendix in the EIS, carried out by AGECE Engineering Consultants, models possible build up of groundwater within the quarry fill it is assumed that perched water tables are present within the quarry fill. The analysis carried out concludes the slight reduction in the factor of safety (FoS) for the increased ru in the sandy subsoil capping layer would indicate that the effect of water build-up within the capping layer is not critical as the slope inclination is notably shallow and would not be considered susceptible to instability.

**Impact on hydrology**

Assessment of the potential effects on ground and surface waters needs to set in the proposed context:

- The site lies above the Kilmuckridge and Screen Hills aquifer which is considered to be regionally important with high vulnerability;
- Natural ground levels within the proposed extension area range from 54mAOP to the West up to 80m AOD to the North. It is intended to have the proposed extension worked down to a final floor level of 38m AOD to the North. Based on the existing information available, this level should be a minimum of 5m above the high level of the water table at this location.
- The kettlehole ponds/lakes in the area are of significant ecological interest, some of which are perched and extremely nutrient sensitive.
- Whilst there is an extensive network of the water mains in the area dwellings to the south of the site would not be served by these mains.
- The site is approximately 5km from the Slaney River valley cSAC and Wexford Harbour and Slobbs SPA which have been designated for their aquatic related habitats.

The EIS contains a chapter on Hydrogeology and Hydrology which investigates the issues in some depth. That chapter reaches the following conclusions:

- The proposed development will not generate any surface water run-off;
- The proposed extraction is to remain a minimum of 5m above the water table and will not result in any change to groundwater levels and flow direction;
- The kettlehole ponds/lakes surrounding the site are perched water features and will not be impacted by the sandpit activities;
- The site is hydrogeologically linked with the Glenbough stream to the southwest but the maximum depth of extraction will not result in any adverse impacts.
- The topsoil of the general area predominantly controls the drainage of the general area with good percolation into the ground through well-drained Acid Brown Earths and the sands of the area which recharges the water table.
- The general groundwater level is stated as c.30AOD.
- The high winter water table is stated as being between 29AOD and 38AOD.
- When restoration takes place, there will be potential for surface water

run-off to be generated depending on the nature of the material (silt, clay, gravel etc). As a result it is anticipated that any surface water run-off generated on top of the imported clean material will drain toward the more permeable soil and subsoil surrounding and underlying the site area. As a result there will be a slight increase in the recharge pattern to the sand and gravel aquifer during excavation and no lasting change in the recharge pattern post restoration.

Mitigation measures (e.g. spill management, refuelling arrangements etc.) are recommended to address any potential impacts. It is not proposed to use water directly in the processing of extracted material ( e.g. for washing ).

Staff facilities are proposed within the applicant's farmhouse opposite to the access to the site and water for the wheelwash at the access is also proposed to be taken from this well.

### **Traffic**

The proposed rate of extraction is not proposed to exceed a maximum of 100,000 tonnes per annum).

Information submitted in the EIS states that:

- There would be an average of 31 two-way hgv movements per day which is a reduction from 39 truck movements permitted at the existing quarry;
- There would be 5no. two-way staff vehicles per day ( based on 3no. staff );
- The existing local roads from the site to Screen village and onto the R741 ( the stated haul route ) have sufficient capacity and passing places and further mitigation measures are not recommended.

The local road from Screen village to the access to the site and approximately 350m of the local road linking Screen with the R741 are in a moderate condition ( at best ) currently. There also appears to be have been significant dust deposits on the local road from the site to Screen village. These matters could be addressed by condition if the application were to be granted.

### **Condition compliance on 20082323**

Permission 20082323 for the existing quarry/sand pit on the site was granted subject to 34 conditions on the site and in general the operator has made effects to comply with those conditions. On occasions when the planning authority has had to contact the operator with regard to compliance, the operator has generally responded positively.

It is noted that a satisfactory restoration bond has yet to be submitted further to condition 9.

*9. Within 2 months of the date of notification of decision, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The amount*

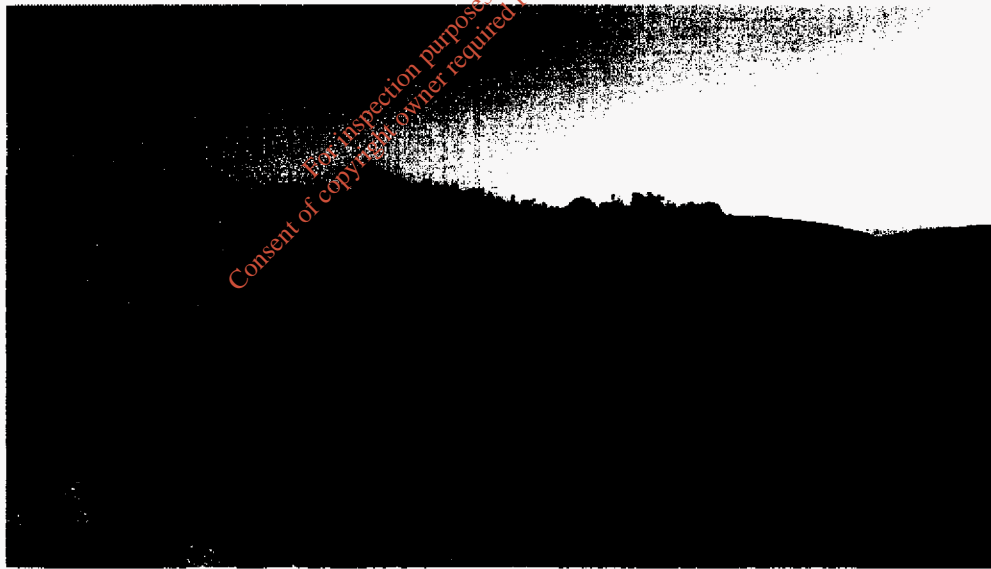
of the security shall be two hundred thousand euro (€200,000.00) cash deposit or four hundred thousand euro (€400,000.00) bond from an insurance company.

**REASON:**

To ensure the satisfactory reinstatement of the site.



Restoration work undertaken on southern elevation

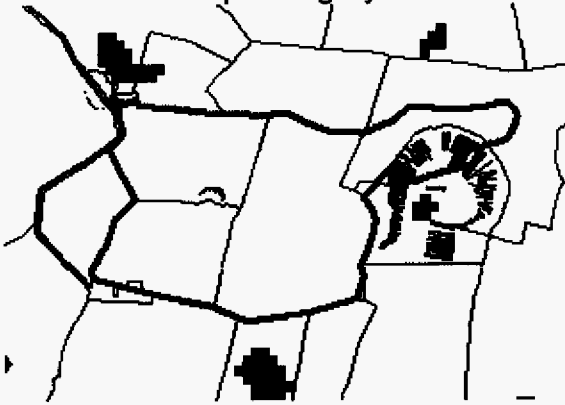


Restoration work undertaken on part of the eastern elevation

Complaints have been received from the adjoining landowner with regard to materials having been stockpiled on the elevated edge of the landholding but these have now substantially been removed (and used in restoration).

**Overriding need / public interest**

It was considered by An Bord Pleanála that there was no overriding public need and /or public interest associated with the proposed development which would warrant the setting aside of the considerations on which this application was determined as deemed in the Inspectors Report of Bord Pleanála Decision ABP 26.246680.

	<p><b>Flood Risk Assessment</b> OPW Flood Map Category C</p> 
<p><b>Conclusion</b></p>	<p>As the significant geoheritage value of this kame-kettle topography is entirely inherent in its overall surface expression, I 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. I would therefore be concerned about guarantees on how this condition would be met.</p> <p>To enable a full assessment of the proposed development and the information contained in the EIAR the following items of further information should be requested.</p>

<p><b>Recommendation</b></p>	<p>It is recommended that the following <b>Further Information</b> be requested.</p>
<p><b>Comments of Senior Executive Planner</b></p>	

1. As the significant geoheritage 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 gullyng 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 retain 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.

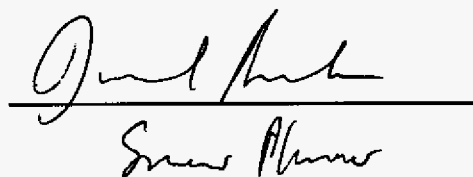
11. Please clarify under Section 8.6.5 of the EIAR the high winter water table is stated as being between 29AOD and 38AOD and the proposed sandpit floor is stated as being 38m AOD however there should remain a minimum of 5m above the high water table at all times. Also in the Planning report specifies 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.

15.FP08



**Niamh Lennon**  
**Executive Planner**

**Date: 23 January 2018**



<sup>24th</sup>  
**Date: 23 January 2018**