

CORK COUNTY COUNCIL

ORDER NO: 19/5868 **O.S. NO.** 76/7,8

SUBJECT: Application Reg. Ref. No. 19/04719

for: The development will consist of a waste soils recovery facility for the importation of approx. 1.4Mm3 of inert soil and stones material to fill quarry voids; final restoration and landscaping to revert the site to agricultural use; provision of internal access track linking Midleton Quarry with adjacent permitted Coppingerstown Quarry; ancillary services such as installation of a weighbridge, weighbridge office incorporating welfare facilities, wheelwash, inspection shed/quarantine area with skips; associated site development works; access to site via existing vehicular access points; all on a site of approximately 15.7ha. An Environmental Impact Assessment Report will be submitted to the Planning Authority with the application. This development comprises an activity which will require a Waste License from the EPA.

at: Midleton Quarry,
Castleredmond, Carrigshane and Coppingerstown,
Midleton,
Co. Cork.

ORDER: **Conditional Permission** is hereby GRANTED subject to the provision of Subsection 11 of Section 34 of the Planning and Development Acts, 2000 - 2010 as amended for the reason set out in the First Schedule attached hereto.

to: Roadstone Ltd

of: C/o RPS,
Innishmore,
Ballincollig,
Co Cork.
FAO Maria Lombard

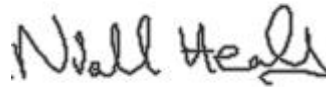
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submitted to the Planning Authority with the application. This development comprises an activity which will require a Waste License from the EPA.

at: Midleton Quarry,
Castleredmond, Carrigshane and Coppingerstown,
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Co. Cork

in accordance with plans and particulars lodged by the applicant on 26/03/2019 and 07/08/2019, and subject to the conditions (32 no.) set out in the Second Schedule attached hereto.

The **Permission** is to be granted subject to the conditions provided no appeal is made to An Bord Pleanála within the statutory time for the making of such appeals.



SIGNED:

Niall Healy
SUBSTITUTE DIVISIONAL MANAGER

Dated this 30/09/2019

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FIRST SCHEDULE

Planning Ref. No. 19/04719

Having regard to the development plan objectives for the area and the pattern of development in this rural area, it is considered that subject to compliance with conditions attached in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would not be prejudicial to public health and, therefore, accords with the proper planning and sustainable development of the area.

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SECOND SCHEDULE

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 26th March 2019 and 7th August 2019 save where amended by the terms and conditions herein.	In the interests of clarity.
2	Permission is granted for a maximum 18 year period after which time the site shall be fully restored as per the restoration plan submitted on the 7th August 2019.	In the interests of proper planning and sustainable development.
3	No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.	To protect the amenities of the area and in the interests of road safety.
4	HGV access to the development site shall only be via the N25 and the L3626 to the north west. The local road L3626 to the south shall not be used by any HGVs associated with this development.	In the interests of public safety.
5	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of €50000.00 to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of 400m of footpath and associated drainage works along a section of the L3626 North West of the subject site in the residential area towards the N25. The payment of the said contribution shall be subject to the following: : - (a) where the works in question— (i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if	It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.

	<p>paid by phased payment), (ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or (iii) where the Council has decided not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council. (b) Where under subparagraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out. (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.</p>	
6	<p>Sight distance of 90m to the North and 90m to the South shall be provided from centre point of all entrances 3m back from public road edge. No vegetation or structure shall exceed 1m in height within the sight distance triangle.</p>	<p>To provide proper sight distance for emerging traffic in the interests of road safety.</p>
7	<p>Vegetation or any structure shall not exceed 1m in height within the sight distance triangle.</p>	<p>To provide proper sight distance for emerging traffic in the interests of road safety.</p>
8	<p>Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.</p>	<p>To prevent flooding of the public road.</p>
9	<p>Surface water shall not be permitted to flow onto the public road from the site.</p>	<p>To prevent the flooding of the public road.</p>
10	<p>Existing road drainage shall not be obstructed at any entrance and shall be maintained to ensure the uninterrupted flow of road surface run-off.</p>	<p>To maintain proper roadside drainage and to prevent the flooding of the public road.</p>
11	<p>Maintenance of roadside hedgegrows on the entire landholding shall be monitored by the developer to ensure forward visibility on the L3626 is</p>	<p>In the interest of road safety.</p>

	<p>maintained for all road users. Maintenance shall be undertaken in the hedgecutting seasons.</p>	
12	<p>Prior to the commencement of any works on site, the developer shall retain the services of a suitably qualified person(s) to carry out a final evaluation and quantification of all demolition works on site and submit:</p> <p>a) The types, quantities and waste codes of all solid wastes arising from demolition works and also the names of permitted waste collectors as well as facilities for off-site management shall be provided.</p> <p>b) a method statement (For Non Hazardous waste and Hazardous Waste) indicating the methods to be used in carrying out demolition works to ensure all waste streams are cleanly separated and that onsite arrangements for the storage of recyclable materials prior to collection shall be made to the satisfaction of the Planning Authority.</p> <p>c) a Demolition Plan for the works- to ensure that the sequence of operations are predetermined and documented and that an appropriately selective dismantling/demolition methodologies are employed.</p>	<p>To encourage reuse of materials and minimize quantities of waste destined for disposal.</p>
13	<p>Prior to the commencement of the proposed development, the developer /applicant shall submit Layout drawing (scale of at least 1:500) of the temporary site compound, giving details of materials storage areas, car parking area, machinery and equipment storage areas, fuel tanks and refilling area, and welfare facilities, bunded areas, etc.</p> <p>The following information shall be included as part of the Layout drawing:</p> <p>a) The types, quantities and waste codes of all waste arisings from portaloos, cabins, the canteen and other mixed waste arisings anticipated from the temporary</p>	<p>To prevent soil contamination and water pollution.</p>

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	<p>site compound during the construction phase of the development.</p> <p>b) Measures to be put in place for the management of Surface water runoff from machinery & equipment areas, hydrocarbons storage areas and diesel filling areas of the temporary site compound will not result in environmental risks.</p>	
14	<p>Prior to the commencement of the proposed development, the developer /applicant shall retain the services of a suitably qualified person(s) to ensure that a waste register and associated documentation for record keeping, waste audits and waste audit reviews are implemented and managed onsite.</p> <p>The developer of the site shall ensure that:</p> <p>a) All waste leaving the site shall be transported by a suitably licensed/permitted contractor and taken to a licensed/permitted facility.</p> <p>b) any consignment of waste shall be accompanied by a daily docket which shall be signed and recorded by a waste manager on site, detailing:</p> <ol style="list-style-type: none"> i. The type, quantity and waste codes of waste ii. The source of waste iii. The name and permit number of the collector iv. The name and permit number of the licensed/permitted facility. <p>c) All waste leaving the site shall be recorded and copies of all consignment waste dockets, waste collection permits, waste facility permits and a waste register shall be retained on site and made available for inspection at any time during the development stages of the project.</p> <p>d) All records shall be maintained for all movement of all materials. Records shall also be readily available for comparison</p>	<p>To prevent illegal dumping of waste.</p>

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	with the sites targets. At completion of the development a final report shall be prepared outlining the results of the Waste Management process and the total reuse, recycling and recovery figures for the site.	
15	In view of potential serious risk to ground water environmental pollution, prior to the commencement of the proposed development, the developer /applicant shall engage a suitably qualified, experienced and professional person to carry out a risk assessment of the impermeable areas of the proposed waste facility and to submit the type, design and size & class of oil interceptor and soak ways , grit trap and inspection chamber with a sump that shall be approved by a chartered engineer with certification submitted accordingly.	To prevent soil contamination and water pollution.
16	Prior to the commencement of the development, the developer shall submit a detailed Waste Management Plan that include the information recommended in sections 3.2, 3.3 and 3.4 of the document titled "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" published by the Department of the Environment, Heritage and Local Government.	To prevent illegal dumping of waste.
17	The applicant / developer / operator of the site shall ensure that operations on site, during the proposed infilling, restoration and reseedling work phases to the land, are carried out in such a manner that no polluting material enters the watercourses or groundwater in or around the site.	To safeguard the amenities of the area and prevent water pollution.
18	The applicant / developer / operator of the site shall take adequate steps to prevent dust generation in dry weather periods. The applicant / developer / operator of the site shall spray the current working area with clean water to minimise dust generation. The access road to the site shall also be sprayed during dry weather.	In the interests of the maintaining the amenities of the area, traffic safety and prevent air pollution.
19	The developer / operator shall ensure that all hazardous waste arisings from the proposed	To safeguard the amenities of the area and prevent water pollution.

	development shall be disposed of in a manner agreed by the Planning Authority and shall not be presented for refuse collection or for disposal at any landfill site.	
20	The operator of the site shall ensure that all liquids and hydrocarbons stored on site during demolition and construction phases shall be stored in a waterproof bunded area of sufficient volume to hold 110% of the volume of the largest tank within the bund. All valves on the tanks shall be contained within the bunded area. All operations involving the loading and unloading of hydrocarbon products shall take place in this bunded area in such a manner as to avoid any pollution of waters. The bunded area shall be fitted with a locking valve which shall be opened only to discharge to a sump prior to collection for treatment off site. The operator shall provide and maintain at the facility a spill kit to deal with spillages of oils, fuels and acids.	To prevent water pollution.
21	The operator of the site shall ensure that all site surface water draining from car parking/offloading areas or any site surface water contaminated with hydrocarbons shall discharge via a grit trap and appropriate interceptor before discharging to any surface water body (stream, river or lake). An inspection chamber with a sump shall be constructed between the interceptor and the surface water drain. The sump shall be of a minimum size of 500mm square and 400mm deep. The interceptor and sump shall be installed and operated to the satisfaction of the Planning Authority. The applicant shall undertake an inspection of the interceptor traps monthly and shall maintain a register of the outcome of such inspections. The register shall be made available for inspection by the Planning Authority at all reasonable times.	To ensure an appropriate contaminated wastewater monitoring regime is in place and prevent pollution of water sources and resources.
22	The applicant / developer / operator of the site shall take adequate steps to control and eliminate the growth and spread of non-native invasive species such as Japanese Knotweed	To safeguard the amenities of the area.

	plants. The applicant / developer / operator of the site shall use best available techniques to rid the site of non-native invasive species such as Japanese Knotweed plants should they occur. The applicant / developer / operator of the site shall refer to http://www.invasivespeciesireland.com/ for good practice guidelines regarding this matter.	
23	Construction activities shall be carried out, such that no noise nuisance is caused to local residences.	To prevent noise nuisances.
24	The operator of the site shall ensure that all waste leaving the site shall be transported only by permit holders/waste collectors/carriers authorised in accordance with the Waste Management Act, 1996 and Waste Management (Collection Permit) Regulations 2007 as amended or else persons exempted from holding waste collection permits.	In the interests of orderly development and to prevent unauthorised dumping.
25	The operator of the site shall ensure that emissions from any extract shall be controlled such that no odour or dust nuisance is caused to adjoining properties.	To safeguard the amenities of the area and prevent air pollution or nuisances.
26	The developer / operator of the site shall take measures to ensure that no burning is allowed on site either during the construction period or in the period after construction.	To safeguard the amenities of the area and prevent nuisances.
27	The developer / operator of the site shall ensure that a wheel cleaner shall be used by all vehicles leaving the facility as required to ensure that no wastewater, waste or storm water is carried off-site. All water from the wheel cleaning area shall be directed to a vehicle wash water interceptor sump. The wheel cleaner interceptor sump shall be inspected on a weekly basis. Silt, stone and other accumulated material shall be removed as required and sent off-site for disposal or, subject to agreement by the Agency, used as fill on-site.	To safeguard the amenities of the area and prevent water pollution.
28	Restoration of the site shall be carried out under the supervision of an ecologist, in accordance with the Restoration Plan and in accordance recommendations of the Botanical Survey, as submitted by way of further	To ensure appropriate restoration of this site.

	<p>information.</p> <p>Prior to the commencement of any infilling at this site, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, the developer shall provide, to the satisfaction of the Planning Authority, security in the amount of €30,000 to guarantee the satisfactory implementation of the Restoration Plan. The sum lodged pursuant to this condition shall be refunded only when it is certified by the Planning Authority that the plan has been implemented to its satisfaction.</p>	
29	<p>Mitigation shall be carried out in accordance with the mitigation measures set out in the EIAR, save as amended by other conditions attached.</p>	<p>To minimise possible adverse impacts on the environment.</p>
30	<p>At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of €1202.78 to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 27/09/2019, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.</p>	<p>It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.</p>
31	<p>Infilling operations shall only be carried out between the hours of 7.00 to 18.00 Mondays to Fridays inclusive, between 7.00 to 14.00 on Saturdays and not at all on Sundays and Public Holidays.</p> <p>Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.</p>	<p>In order to safeguard the amenities of adjoining residential occupiers.</p>
32	<p>Where the applicant proposes to connect directly or indirectly to a public water/wastewater network operated by Irish Water, the</p>	<p>In the interests of orderly development.</p>

	applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.	
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CORK COUNTY COUNCIL
Planning & Development Acts 2000 – 2010 as amended

Roadstone Ltd.,
C/o RPS,
Innishmore,
Ballincollig,
Co Cork.
FAO Maria Lombard

Planning Register No: 19/04719

Application by: Roadstone Ltd

Of: C/o RPS, Innishmore, Ballincollig, Co Cork, FAO Maria Lombard

On: 26/03/2019 and 07/08/2019

For: The development will consist of a waste soils recovery facility for the importation of approx. 1.4Mm3 of inert soil and stones material to fill quarry voids; final restoration and landscaping to revert the site to agricultural use; provision of internal access track linking Midleton Quarry with adjacent permitted Coppingerstown Quarry; ancillary services such as installation of a weighbridge, weighbridge office incorporating welfare facilities, wheelwash, inspection shed/quarantine area with skips; associated site development works; access to site via existing vehicular access points; all on a site of approximately 15.7ha. An Environmental Impact Assessment Report will be submitted to the Planning Authority with the application. This development comprises an activity which will require a Waste License from the EPA.

At: Midleton Quarry, Castleredmond, Carrigshane and Coppingerstown, Midleton, Co. Cork

Further to Notice dated the 30/09/2019 Cork County Council hereby conveys a grant of **Permission** for the application described above subject to the conditions set out in the schedule attached to the said Notice dated 30/09/2019 of its intention to grant **Permission**

Signed on behalf of Cork County Council



Pío Treacy

DATE: 12/11/2019

NOTE FOR GUIDANCE OF DEVELOPERS

A grant of Planning Permission or Permission Consequent on the grant of Outline Permission does NOT of itself empower a person to carry out a development unless that person is otherwise legally entitled to do so. Unless otherwise stated or unless it is revoked a Permission or Permission Consequent on the Grant of Outline Permission is valid for a period of five years.

Any development which takes place prior to the payment of a financial contribution required by any of the conditions attached to a Permission or Permission Consequent on

the grant of Outline Permission will be unauthorized until compliance with the condition or conditions.

Please note that there is an onus on developers to ensure that there is no danger to the public as a result of the proposed development.

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Roadstone Ltd.,
C/o RPS,
Innishmore,
Ballincollig,
Co Cork.
FAO Maria Lombard

12/11/2019

Re: *The development will consist of a waste soils recovery facility for the importation of approx. 1.4Mm³ of inert soil and stones material to fill quarry voids; final restoration and landscaping to revert the site to agricultural use; provision of internal access track linking Midleton Quarry with adjacent permitted Coppingerstown Quarry; ancillary services such as installation of a weighbridge, weighbridge office incorporating welfare facilities, wheelwash, inspection shed/quarantine area with skips; associated site development works; access to site via existing vehicular access points; all on a site of approximately 15.7ha. An Environmental Impact Assessment Report will be submitted to the Planning Authority with the application. This development comprises an activity which will require a Waste License from the EPA.*

At: *Midleton Quarry, Castleredmond, Carrigshane and Coppingerstown, Midleton, Co. Cork*

Reg. No. 19/04719

A Chara,

I enclose grant of **Permission** in connection with the above.

Your attention is drawn to Condition No.5 of the **Permission**, which requires that before any work commences on the site, you pay financial contributions and/or a bond to the Council. Otherwise, the **Permission** granted is of no effect.

It should be noted that the amount of the contribution is calculated in accordance with the Council's Development Contributions Scheme.

Please note that payment of development contributions by CASH or CREDIT CARD may only be made at the PAYMENTS OFFICE, COUNTY HALL. Payment by CHEQUE (*non-business customers only*)/BANK DRAFT etc. can be accepted at Planning Department, County Hall, Carrigrohane Road, Cork.

Is mise, le meas,

Pio Treacy

Pio Treacy Administrative Officer

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Important Notice for Developers – Conditions Precedent

The enclosed grant of permission may not automatically entitle you to commence the authorised development. This is because many permissions contain “Conditions Precedent” i.e. conditions which must be complied with before development commences. (Such conditions usually contain the phrase ‘before development commences’ and may require further details to be submitted to and agreed with the Planning Authority). If there are such conditions on your permission please read on.

1) Early Submission Of Details

Where compliance proposals are required by condition you should make them as far in advance of your anticipated commencement date as possible. This is to enable adequate time for the Planning Authority to consider and, when satisfactory, agree the details. Such proposals may need to be revised before agreement can be reached or, in the absence of agreement, may need to be referred to An Bord Pleanala. These potential delays to starting a development can be mitigated by early submission of proposals in the first instance.

There is no statutory timeframe for responding to such compliance proposals and on an ongoing basis the Planning Authority will be dealing with other priorities including current Planning Applications with statutory decision deadlines. **Therefore, submit as early as possible and do not commence development until agreement of the Planning Authority has issued in writing.**

2) Development Commenced In Advance of Compliance Proposals/Agreements

Any development commenced in advance of full compliance with such conditions (including conditions requiring financial contributions, bonds, securities) is unauthorised and leaves a developer liable to **enforcement proceeding and heavy penalties**. Simply submitting a proposal may not in itself be sufficient compliance if the condition also requires the Agreement/Approval of the Planning Authority. This will also apply where the Planning Authority becomes aware that a development is about to start (e.g. Commencement Notice) and conditions precedent have not been complied with.

3) Submission Should Be Addressed As Follows:

Compliance with Conditions
Planning Department, County Hall, Carrigrohane Road, Cork.

The above information is intended for your assistance and guidance in avoiding a situation of unauthorised development and the Planning Authority wishes you every success with the development.

Cork County Council, Planning Department 2019