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Notification of Grant of Permission
PLANNING & DEVELOPMENT ACTS 2000 - 2014 AND REGULATIONS MADE
THEREUNDER

Final Grant Order No. PB/0299/14	Date of Final Grant 24-Sep-2014
Decision Order No. PB/0046/13	Date of Decision 07-Feb-2013
Register Reference FW12A/0022	Registration Date 26-Nov-2012

Applicant Roadstone Wood Ltd

Development Permission / permission for continuation of use of all existing authorised facilities and activities within a planning application area of c.167.5 hectares as followings:

- Extraction, crushing, screening and processing of rock (authorised by Reg. Ref. No. F03A/1430 / PL 06F.206789) from the Northern, Western, Central and Southern Deposits for a period of 35 years.
- Total Extraction area of c.55.9 hectares within a total landholding of c.211 hectares
- Crushing, Screening and Processing Plant
- Block Manufacturing Facility & Block Yard
- Paving Display Centre & Offices
- Machinery Maintenance Building
- Offices, Staff Facilities, Laboratory
- Concrete Batching Plant & Associated Plant
- Asphalt Plant & Associated Plant
- Stockpile Materials Shed associated with Asphalt Plant, granted under P. Reg. Ref. F06A/0923 (ABP Ref: PL 06F.219655).
- Weighbridge, Bunded Fuel Storage & Oil Interceptor
- Security Huts (3 no.), Truck Wash Bays & HGV Load Spray Bars (P. Ref. FW09A/0099 in respect of amendment to Condition 14 of F03A/1430)
- Bord na Mona Moving Bed Biological Reactor & Percolation Area
- Stockpiles Storage Areas & Plant Storage Yard
- Stables (22 no.) & Horse exercise paddock
- Existing Site Accesses (2 no.) onto the R135 North Road (Revised Entrance)

P. Ref. F06A/0164 & ABP Ref: P1 06F.217413P) & Kilshane Road.

- Restoration of any worked out extraction areas, including for 5 years after the cessation of quarrying activities.
- All other ancillary buildings, plant and facilities for the production of building products, including aggregates, ready-mix concrete, asphalt, tarmacadam and architectural blocks and all ancillary site works.

This Planning Application will be accompanied by an Environmental Impact Statement (EIS). Permission / permission for continuation of use for development at Huntstown.

SIGNIFICANT FURTHER INFORMATION HAS NOW BEEN RECEIVED

Location Huntstown Quarry, Huntstown, Johnstown, Coldwinters & Kilshane, Grange & Cappogue Townlands, North Road, Finglas, Dublin 11

Floor Area 0 sq.m.

Time extension(s) up to and including 26 November, 2012

Additional Information Requested / **Received** 27-Apr-2012 / **26-Nov-2012**

A **Permission** has been granted for the development described above, subject to the **(24)** condition(s) on the attached pages.

Signed on behalf of the Fingal County Council


for **Senior Executive Officer**

October, 2014

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Conditions and Reasons

1. CONDITION NO. 1 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 26th day of November, 2012 and by the further plans and particulars received by An Bord Pleanála on the 6th day of February, 2014, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the operator shall agree such details in writing with the planning authority and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This decision permits the developer/operator to continue quarrying/extraction and processing operations on the site for a period of twenty years from the date of this decision. The existing buildings, hardstanding areas and plant machinery shall be permitted for the 'lifespan' of quarrying/extraction operations. After that time, all quarrying/extraction works shall cease and all buildings, plant and machinery shall be removed from the site unless a further grant of planning permission is obtained from the planning authority or from An Bord Pleanála on appeal.

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

3. During the operational phase of the quarry, the noise level from within the boundaries of the site measured at the noise sensitive receptors in the vicinity, shall not exceed Daytime: 08:00–20:00 h LAeq (1 h) = 55 dBA and Night-time: 20:00–08:00 h LAeq (1 h) = 45 dBA (Note: 95% of all noise levels shall comply with the specified limit value(s). No noise level shall exceed the limit value by more than 2 dBA.) All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 “Assessment of Noise with respect of Community Response” as amended by ISO Recommendations R 1996 1, 2 or 3 “Description and Measurement of Environmental Noise” as applicable.

REASON: In order to protect the residential amenities of property in the vicinity.

4. CONDITION NO. 4 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

All ameliorative proposals contained in the Environmental Impact Statement and subsequent alterations by way of additional information received by the planning authority on the 26th day of November, 2012 and by An Bord Pleanála on the 6th day of February, 2014, shall be strictly complied with.

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

5. CONDITION NO. 5 REMOVED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.
6. CONDITION NO. 6 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

Vibration levels from blasting shall not exceed a peak velocity of 12 millimetres per second, when measured in any three mutually orthogonal directions at any sensitive location. The peak particle velocity relates to low frequency vibration of less than 40 hertz where blasting occurs no more than once in seven continuous days. Where blasting operations are more frequent, the peak particle velocity limit is reduced to 8 millimetres per second. Blasting shall not give rise to air pressure values at sensitive locations which are in excess of 125 dB (linear maximum peak value), with a 95% confidence limit. No individual air pressure value shall exceed the limit value by more than 5dB(Lm).

Reason: In the interest of maintaining the amenity of adjoining landowners.

7. Dust levels at the site boundary and sensitive locations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be reviewed on an annual basis and these reviews shall be submitted for the written agreement of the Planning Authority. The developer shall carry out any amendments to the programme required by the planning authority following the annual review.

REASON: In the interest of maintaining the amenity of adjoining landowners.

8.
 - i) Within 3 months of the final grant of planning permission the applicants shall submit full details of the existing pumping regime, including quantities currently discharged.
 - ii) The applicants shall submit details of any proposed changes (for the duration of the planning permission) to the existing pumping regime, including proposed arrangements/quantities being discharged to adjacent streams (Ballystrahan and Finglas Stream). This shall be agreed in writing with the Planning Authority prior to the implementation.

CONDITION NO 8(III) AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

(iii) (a) A groundwater monitoring programme shall be implemented to monitor the cone of depression induced by dewatering at the quarry. The existing groundwater monitoring wells within the landholding of the operator shall be maintained and monitored on a monthly basis. In

addition a comprehensive survey shall be undertaken by a competent Hydrogeologist to identify further monitoring wells within a 2.5 kilometre radius of the site. The characteristics of the wells shall be established to determine their suitability for inclusion in a groundwater monitoring programme with the consent of the well owner. Upon completion of this survey and within six months of the date of this order, the Hydrogeologist is required to submit to the planning authority a proposal for a long term groundwater monitoring programme that will allow the cone of depression to be adequately monitored within its predicted extent. The water levels in all wells shall be recorded every month and an interpretative report of the results shall be submitted to and agreed in writing with the planning authority on a six monthly basis over the life of the quarry.

(b) The operator shall make provision, as necessary, for the immediate mitigation or alleviation or off-setting of adverse impacts to water supply sources which are adversely affected by the development during the operational period and/or closure period. In the event of water supply disruption being caused by operations on site, such operations shall immediately cease and shall not recommence until water supplies are restored or replaced, as required by the planning authority.

Reason: In the interest of protecting local amenity and water supply

iv) No direct emissions including discharges of List I and List II substances as specified in Directive 76/464/EEC to groundwater shall occur.

v) Prior to the importation of inert soils and stone for the backfilling of quarry voids (inert waste recovery) the applicants shall

(a) hold a waste licence from the Environmental Protection Agency

or

(b) produce evidence of a determination by the Environmental Protection Agency under Article 27 of the European Communities (Waste Directive) Regulations 2011 for any soil imported.

vi) The applicant shall ensure that all hauliers of waste hold a valid waste collection permit for the material collected/delivered to the site.

vii) Prior to the 31/11/14 or prior to the stripping of the overburden in the central quarry area whichever is the first, the applicants shall submit for the written agreement of the Planning Authority an interim restoration plan for the central quarry area.

vii) The applicants shall review the Waste Management Plan (November 2010) for the site (submitted by the applicant (EMS21)) every five years and submit a copy for the written agreement of the Planning Authority. This plan shall include the management of stockpiles of unsaleable product.

REASON: In the interest of public health.

9. (a) Within 12 months from the date of this order, a comprehensive Restoration Plan for the entire site and individual quarries shall be submitted to the planning authority for written agreement. The plan shall include details on access arrangements, slope stability, vegetation proposed, proposals for biodiversity enhancement and for ongoing maintenance. The plan shall include a programme to include ongoing restoration throughout the life of the quarry. The restoration plan shall be prepared in consultation with Aer Rianta, Dublin Airport Bird Hazard Committee and the Irish Aviation Authority.
- (b) Restoration shall be carried in accordance with the revised restoration plan as agreed by the planning authority.

REASON: To ensure the satisfactory restoration of the site in the interest of visual amenity and environmental protection.

10. Any changes proposed to the discharge regimes from the subject site to the Ballystrahan Stream and/or the Finglas stream shall require Screening for Appropriate Assessment. This shall be submitted to the Planning authority for its written agreement.

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

11. CONDITION NO 11 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 069F. 241693 REFERS.

At least 24 hours advance notice of each blasting operation to be carried out shall be given to occupants of residential properties and industrial/commercial premises within a 500 metre radius of the quarry pit perimeter as delineated on plan Figure A1 1-1 submitted to the planning authority on the 26th day of November, 2012. Further warning by way of a siren shall also be given not later than 30 minutes prior to each detonation. The operator shall employ best available technology not entailing excessive cost in order to minimise noise, dust, vibration and changes in air over pressure caused by blasting.

Within two months of the date of this order, the operator shall submit to the planning authority an up to date map delineating the 500 metres radial catchment for each quarry pit based on the pit delineation of Figure 1-2 in the Environment Impact Statement submitted at application stage.

Reason: In the interest of public safety and protection of amenities of the surrounding properties.

12. CONDITION NO. 12 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

The operational hours of the development shall be as follows:

- Processing, manufacturing and despatching operations in relation only to ready-made concrete and mortar and asphalt shall be between 0600 hours and 2000 hours Monday to Friday and 0700 hours and 1800 hours on Saturdays.
- All other quarry operations (except blasting) shall be between 0700 hours and 1800 hours Monday to Saturday.

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- Blasting operations shall be only between 1000 hours and 1600 hours Monday to Friday.
- No operation of any kind shall take place on Sundays or Public Holidays.

Reason: In the interest of protecting the amenities of the area.

13. The wheel wash facility (as included within the significant additional information details received on the 26/11/12) shall be put in place within 2 months following the final grant of planning permission. All trucks leaving the site shall go through this facility. Effective measures shall be taken by the operator to prevent the undue emission of dust from the site and site roadways. A water bowser(s) or similar facility shall be available on site at all times during dry weather, so that all vehicle and plant roadways can be watered to lay dust as necessary.

REASON: In the interests of minimising nuisance caused by the emission of dust.

14. CONDITION NO. 14 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F.241693 REFERS.
All public roads and footpaths immediately adjoining the site entrances shall be cleaned at regular intervals not less than once per week to the satisfaction of the planning authority unless otherwise agreed as part of the Environmental Management System.

Reason: In the interest of road safety and to protect the amenities of the area.

15. CONDITION NO. 15 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.
All vehicles carrying quarried material or other dust producing materials to or from the site shall be sprayed and/or sheeted in accordance with best practice as agreed as part of the Environmental Management System.

Reason: In the interest of traffic safety and amenity.

16. Appropriate measures shall be taken by the developer at all times to ensure the security of the site. In particular notices shall be erected at prominent positions along the boundaries of the site alerting the general public to the danger of the quarry, associated plant and machinery.

REASON: In the interest of public safety.

17. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
(a) notify the planning authority in writing at least four weeks prior to the commencement of any soil stripping (including hydrological and geotechnical investigations) relating to

the proposed development,

(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

REASON: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

18. The developer shall submit once every three years for the lifetime of this permission, an aerial photograph of each quarry area which adequately enables the planning authority to assess the progress of extraction each quarry area. The first photograph shall be taken and submitted in 2014.

REASON: In order to facilitate monitoring and control of the development by the planning authority

19. Foul Sewer:

i) No foul drainage shall discharge into the surface water system under any circumstances.

ii) The foul drainage shall be in compliance with the "Greater Dublin Regional Code of Practice for Drainage Works Version 6.0" FCC April 2006.

Surface Water:

iii) No surface water/ rainwater shall discharge into the foul sewer system under any circumstances.

iv) The surface water drainage shall be in compliance with the "Greater Dublin Regional Code of Practice for Drainage Works Version 6.0" FCC April 2006.

Water Supply:

v) All water fittings and installations shall incorporate best current practices in water conservation.

vi) The water supply for the development shall comply with the "Guidelines for Drinking Water Supply" FCC February 2009 Revision 1.

REASON: In the interest of proper planning and sustainable development.

20. Prior to the cessation of quarrying in the northern quarry, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company or other form of security (to be agreed with the Planning Authority) to secure the provision and satisfactory implementation of permanent pumping/de-watering of the worked out extractive void pending the completion of reinstatement works to fill the extracted areas with inert material. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or in default of agreement, shall be determined by An Bord Pleanála

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

21. CONDITION NO. 15 AMENDED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

The operator shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and

Development Act 2000, as amended, in respect of the resurfacing of the roadway from the R135 North Road site entrance to Kilshane Cross (a distance of circa 1.65 kilometres). The amount of the contribution shall be agreed between the planning authority and the operator or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index-Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the operator should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

22. CONDITION NO. 22 REMOVED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.
23. CONDITION NO. 23 ATTACHED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.
Within three months from the date of this order, the operator shall submit to the planning authority for written agreement a proposal for an Environmental Management System (EMS) for the facility which shall have regard to Appendix C of the Environmental Management Guidelines - Environmental Management in the Extractive Industry (Non-Scheduled Minerals), Environmental Protection Agency 2006. The Environmental Management System shall include the following:
- (a) Monitoring of groundwater and surface water levels, quality and discharges.
 - (b) Continuous updating of the conceptual site model using the observational method as the excavation proceeds and actual ground conditions are revealed.
 - (c) Monitoring of dust and noise at the application site boundaries/sensitive receptors.
 - (d) Monitoring of dust/debris deposition, haul load management and cleaning schedule on the surrounding road network in the vicinity of the entrances.
 - (e) Monitoring of bird control as a potential hazard to aircraft.
 - (f) Full details of site manager, contact numbers (including out of hours) and public information signs on the entrance to the facility.
 - (g) Proposals for refuelling of plant/machinery including emergency

action in the event of accidental spillage.

Monitoring and frequency of reports shall be in accordance with the requirements of the planning authority and an annual Environmental Report showing detailed results of all monitoring shall be submitted to the planning authority each year.

Reason: In the interest of orderly development, public safety and to safeguard local amenities.

24. CONDITION NO.24 ATTACHED BY ORDER OF AN BORD PLEANALA DATED 25TH AUGUST 2014. PL 06F. 241693 REFERS.

The operator shall, in accordance with the requirements of the planning authority carry out a channel impact assessment of the first kilometre of the Ward and Fingal Rivers downstream of the discharge points from the quarry in the context of the hydromorphology, channel carrying capacity and ecological impact. A report on this impact assessment which shall be carried out by a competent person shall be submitted to the planning authority within six months of the date of this order and thereafter on an annual basis for the life of the quarry or as otherwise agreed with the planning authority.

Reason: In the interest of protecting local surface water features and the proper planning and sustainable development of the area.

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NOTE:

All buildings must now be designed and constructed in accordance with the Building Regulations. The Building Control (Amendment) Regulations, 2009 came into effect on 1st October 2009.

With the exception of houses and certain agricultural buildings, a Fire Safety Certificate/Revised FSC (please refer to Regs) is required for all buildings (including apartments and flats), extensions and alterations and changes of use which are covered by the Building Regulations.

A **Commencement Notice** (Building Control Regulations 1997 to 2009) must be submitted to the Building Control Authority (not less than 14 days and not more than 28 days before development commences) in respect of all buildings other than

- Buildings which require a **Fire Safety Certificate** under the Regulations and where a person intends to commence work on the construction of a building before grant of the relevant Fire Safety Certificate. (See 7 Day Notice below)
- Exempted development for the purposes of the Planning and Development Act 2000 and the Regulations made thereunder.

Disability Access Certificates/Revised Disability Access Certificates:-from the 1st of January 2010, a certificate of compliance with respect to Part M of the Second Schedule of the Building Regulations (Disability Access Certificate) shall be required in respect of all works or a building to which Part III (Fire Safety Certificates) refers.

A **7 Day Notice** is required where a person intends to commence work on the construction of a building before grant of the relevant Fire Safety Certificate. The Notice must be submitted not less than 7 days in advance of commencement of work and must be in accordance with the requirements of Article 20A(2) of the Regulations.

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Please submit 5 copies of all documentation in relation to compliance submissions. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000.

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Information Note - Public Water and Waste Water Networks

Connections

On the 1st of January 2014 Irish Water became the statutory body with the responsibility for all water services, both water and waste water. The provision of a water services connection will be carried out by Irish Water in partnership with each Local Authority.

Any persons seeking a connection to any of Irish Water's networks should make an application in the first instance to their Local Authority who will act on behalf of Irish Water in processing the application.

A Connection Agreement between Irish Water and the applicant will be required, prior to any connection being agreed, and will set out the conditions and charges to be applied to the connection. Details, including availability of application forms, are to be found on each Local Authority website.

It should be noted that Planning Authorities can no longer levy water and wastewater development charges and that these will now be incurred as part of the connection charge, if applicable.

Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network, either directly or indirectly, or to otherwise take a water supply without the agreement of Irish Water.

Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Irish Water.