

Planning Report Register Reference 14/2118.

Date : 3rd February 2015

Site Visit : 16th January 2015 & 2nd February 2015

Public Notice : Erected.

Site features/ Location

Site is located in a rural area to the west of the N11 and to the southwest of Wicklow Town c. 6km from same. Access to the quarry is via the L-1157 from the Tap turnoff on the N11 (outward) and from Beehive junction along the L-1113 (inward). The existing N11 route is currently being improved under the Rathnew Arklow Road Improvement Scheme. The lands in and around the quarry consist of a typical rural landscape with forestry, fields, sporadic housing and farming development visible in the surrounding area.

The site itself is dominated by the large existing extracted area which runs along the northern boundary of the site. The main structures are located to the southeastern corner of the site. In addition within the site are various areas of stockpiling, existing berms, forestry planting, lagoons, existing grassed areas and dwelling house (which has been blocked up). The Councils depot also sits within the boundaries of the land holding. The attached aerial photographs, and on site photographs show the existing quarrying activity and also show the progression of quarrying from the first available aerial photograph in 1986.

Planning History :

PRR 93/369:

Permission granted on appeal for macadam/ asphalt manufacturing plant and the retention of septic tank on the 19th January 1994

PRR 95/2380

- Permission granted for Concrete Batching Plant
- Pre '64 quarry claimed

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- Eastern Regional Fisheries Board report on file indicates SW discharges could go into stream that leads to Potters River. Conditions were imposed that there would be no discharge to stream.

Registration under S261 of the Planning and Development Act 2000(as amended).

Ref : QY4

- Registration submitted 04/03/05
- Indicated quarry commenced pre '64. Solicitor's letter on file indicating quarry over 80 years in existence
- Site area 14Ha, rock quarry with blasting.
- Planning Authority required the lodgement of a planning application and Environmental Impact Statement on 28/02/06 in accordance S261 (7).

PRR 07/45

Permission granted on the 4th December 2007 for :

- Retention of existing stone quarry (13.414 ha) including extraction areas, processing areas, stockpiling areas, concrete products manufacturing plant macadam and asphalt manufacturing plant, stone crushing and screening plant, waste recovery facility, car parking areas and ancillary buildings including offices, toilets, laboratory, maintenance workshop, control towers and cabins, aggregate screening and aggregate storage buildings, electricity substations and ancillary buildings (total 2088.28 sqm) together with septic tanks, weighbridge, truck wheelwash bay, floodlighting, oil and fuel storage tanks and water storage tanks.
- Extension of Extraction of below the level of existing quarry floor to a level of 25 m a.d. within existing quarry (6.634 ha).
- Extension of the existing quarry towards the west (10.605 ha) to a level of 25m.

Submission provided production figures, the average in the years prior to the application was 600,000 Tonnes per annum, with max. of 750,000 Tonnes per annum. 1998 to 2006 average

325,000 Tonnes per annum, with a max. of 569,000 Tonnes/annum. 1991 to 1997 200,000 – 300,000 Tonnes/annum.

Permission granted 04/12/07 subject to 39 conditions.

- Compliance submitted on 26/03/08 re noise & dust
- Compliance submission of June 2008, Feb., Aug., & Nov. 2009, Feb. 2010 from Byrne Environmental indicated no quarrying outside permitted area, in particular, only quarrying in existing pre permission quarry i.e. no quarrying in extension.
- Noise and dust reports were submitted on a regular basis up until March 2010, which is considered reflective of the downturn in the economy and lack of extraction on site (visits on foot of S261A investigation indicated no quarrying activity).

Assessment under S261A of Planning and Development Act 2000(as amended)

Ref : S261A/ QY4

Assessment under S261A concluded that :

The lands/ quarry would not come within the provisions of S261A of the Planning and Development Act, 2000 (as amended), and is therefore excluded from further determinations/decisions under Section 261A of the Planning and Development Act 2000(as amended).

Relevant Applications Adjacent to Development :

An Bord Pleanála Ref : 27.SU.0019:

Substitute Consent Permission granted for quarrying carried out at Kilmacurra West .

Pre Planning :

PP 14/163

See attached notes :

Main issues highlighted with respect to future application were :

Noise, Roads and Visual



Need to assess if any link to Natura sites

Traffic Impact concern- need to assess junction at Tap, and indicated should speak to Roads section.

Environmental Designations

Deputy's Pass Nature Reserve cSAC (Site Code 000717): Deputy's Pass woodland is located on the northern spur of the Deputy's Pass near Glenealy, Co. Wicklow. Deputy's Pass is managed as a Nature Reserve and is part of an internationally important series of Oak woods in County Wicklow (Glendalough, Clara Vale, Ballinacor, amongst others), which are almost certainly natural in origin and which retain much of their original character and species composition.

Conservation Objectives:

1. To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation

status: Old sessile oak woods with Ilex and Blechnum in British Isles

2. To maintain the extent, species richness and biodiversity of the entire site

3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Buckronev-Brittis Dunes and Fen cSAC (Site Code 000729): This site is a complex of coastal habitats located about 10 km south of Wicklow Town. It comprises two main sand dune systems, Brittis Bay and Buckronev Dunes, connected on the coast by the rocky headland of Mizen Head. Several coastal habitats listed on the EU Habitats Directive, including two priority habitats - fixed dune and decalcified dune heath - are present. Little Tern, a species listed on Annex I of the EU Birds Directive, has bred or attempted to breed at Buckronev strand in recent years.

Conservation Objectives:

1. To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status: Annual vegetation of drift lines; Perennial vegetation of stony banks; Mediterranean salt meadows (*Juncetalia maritimi*); Embryonic shifting dunes; Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Atlantic decalcified fixed dunes (*Calluno-Ulicetea*); Dunes with *Salix repens* ssp. *argentea* (*Salix arenaria*); Humid dune slacks; Alkaline fens



2. To maintain the extent, species richness and biodiversity of the entire site.
3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Objections :

Doyle Kent Planning Partnership Ltd on behalf of Mr & Mrs P Corbett

Linda & Colin Walsh.

1. The proposed development is an unacceptable intensification and expansion of the quarrying activities at this location. Having regard to its environmental, visual and traffic impacts, it would seriously injure the amenities of the area and of property in the vicinity, contrary to proper planning and sustainable development.
2. Sufficient information has not been submitted, in particular there is a lack of drawings of existing and proposed plant and other installation on the site.
3. The EIS is inadequate, including in relation to consideration of impacts from external lighting. The existing quarry operation employs very high power lighting of the site, which is left on throughout the night, seriously injuring the amenity of property in the vicinity.
4. There is an existing construction and demolition waste handling operation on the lands. It is stated in the EIS that this installation previously had a Waste Permit issued by WCC but that has now expired. The EIS refers to the existence of this operation and indicates that it is intended to continue it (without giving precise information in respect of the intended scale of the operation). The impacts, direct or indirect or cumulative, of this operation are not considered in the EIS in any meaningful way. Neither does the public notice refer to it.
5. The area is served by a rural road network, already carrying considerable traffic volumes. The proposed intensification would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area, having regard to the following :
 - (a) There is little analysis in the EIS of the condition of this network and its safe carrying capacity. No account has been taken of the needs of pedestrians and cyclists.
 - (b) Traffic volumes from and to the existing quarry operation are already at the limit set in the previous planning permission of 70 loads per day. It is stated in the EIS (13.36) that this limit does not apply to the materials imported into the site for use in manufacturing etc.



- (c) Traffic impacts from the proposed development are inadequately addressed – the c&d waste facility
- (d) The severely substandard horizontal alignment of the public road (L1113) at the bridge over Potter's stream is not adequately considered.
6. The proposed concrete block manufacture facility will further intensify traffic movements, adding to concerns regarding traffic safety for local inhabitants . This should be located in an area appropriately zoned for industry.
7. The section of the EIS devoted to hydrology and hydrogeology does not give adequate assurance that there will not be significant impacts from dewatering. One of the boreholes (GW2) showed significant ingress of water, but this point is not addressed in any detail. There is not clear indication of a possible zone of influence. There is little information in respect of potential impacts on water supplies in the area and on water courses. Impacts on ground water quality are not adequately addressed.
8. Visual impact analysis inadequate. Little in way of montages showing real impact, which would be considerable from higher lands in the area. Inadequate/ sketchy proposals re landscaping. Existing quarry operation greatly expanded in the last decade and is now a significant intrusion on the landscape – especially in views from west/ northwest of the quarry in vicinity of Deputy's Pass/ Ballygannon.
9. Insufficient account taken in the EIS of impact on Botanic Gardens at Kilmurragh
10. It is indicated in the EIS (13.88) that a new asphalt plant is under construction. Not clear that this work is authorized by previous permission 07/45.
11. Development not included in the previous planning permission PRR 07/45 has been carried out, including erection of additional flood lighting (appears lighting previously retained has been enhanced), and other structure and location of settlement ponds and deposit of materials outside the boundary of the quarry site as currently permitted per Reg Ref 07/45. No mention of these elements – which appear to be unauthorised.
12. Significant expansion activity on this site and the road infrastructure is totally inadequate for the proposed increased commercial traffic. Further increased traffic would pose real safety concerns for local residents and other road users.
13. This is area of Outstanding Natural Beauty as demonstrated by the refurbishment of the National Botanic Gardens at Kilmacurra which is in very close proximity to the proposed development.
14. Relatively high number of rural residents within 500m of the development (10+). These properties shall be adversely affected by increased noise, dust and potential structural damage caused by recurrent blasting.

15. In ability or unwillingness of relevant authorities to monitor and enforce planning conditions, and operational rules on commercial operations of this type. This has been proven by the unauthorised operation of the adjoining Kilmacurra after 2005.

The objections are noted, and the main assessment takes cognisance of the main objections raised in the submissions i.e. :

1. Impact of Increased Traffic on amenities/ road network
2. Impact of Intensification of Development
3. Impact on Landscape
4. Light Pollution
5. Impact on Kilmacurragh
6. Lack of Detail/ omission of elements of existing development/ unauthorised works
7. Lack of assessment re Demolition & Construction Waste Recycling

Reports :

Further Information Required :

The applicant should submit –

1. Proposals for a potable drinking water supply in compliance with the Drinking Water Regulations 2007 to canteens for use by the staff.
2. A revised site plan showing the proposed number and location of the toilets/ canteens within the site and whether all of these will connect to proposed effluent disposal system and details should be given of which toilets/ canteens the various staff groups will have access to.
3. Clarification of the population equivalent of the proposed effluent treatment system. The site characterisation report gives a population of 10 quarry workers (40L/person) and 10 drivers (10L/person) whereas in the 'Human Beings' Section of the EIS 5.3.10 states that Kilsaran employ a total of 40 people (direct employees, hauliers and subcontractors) at the quarry. The effluent disposal system should be sized accordingly.
4. A revised site layout plan showing the proposed effluent disposal system sited without any driveways etc within the disposal area.
5. Submit detailed drawings showing finished floor levels, ground levels, cross sections and design details relevant to the proposed wastewater treatment disposal system as per

Ex Scientist (Env) :

I have examined the NIS, Chapter 2 (Description of Development), Chapter 5 (Soils & Geology) and Chapter 6 (Hydrology & Hydrogeology) of the EIS and my comments are below.

NIS: I have reviewed the Stage 1 Screening Assessment of the NIS. The assessment concludes that the proposed development at the Ballinclare Quarry would have no effect on the integrity of any Natura 2000 site or on any qualifying habitats and/or species for which a site has been designated or classified as of importance. Consequently, SLR concluded that there was no need to proceed to a Stage 2 Appropriate Assessment. Based on the Screening Assessment report submitted by SLR, I agree with this conclusion.

E.I.S : Chapters 5 and 6 are detailed and well written and follow the guidelines for the preparation of the soils, geology and hydrogeology chapters for EIS that were published by the Institute of Geologists of Ireland in 2013. The chapters describe the geology of the quarry, the characteristics of the aggregate, the hydrology of the site and the hydrogeology plus analyse the chemistry of the groundwater. The proposed development will increase the footprint of current quarry extraction area and significantly deepen the depth by approximately 36m. This will create an excavated void that will be up to 60m lower than the surface of the surrounding countryside. In addition, the restoration plan for the site envisages that this void will fill with water to a depth of 45-50m, creating a large expanse of deep water.

The only significant shortcoming in Chapter 5 is the lack of an estimation of the scale of the resource to be excavated, i.e. the volume and/or tonnage of the resource should be provided to give an appreciation of the size of the proposed development.

30/1/ 2014 Discussed report with Ex Scientist with respect to Noise & Dust elements of the E.I.S . On foot of this discussion E.I.S reviewed by Ex Scientist with respect to those elements, and he confirmed that the information was acceptable.

Roads :

1. With regard to the haul route, this is probably not an issue for the RFI, but we feel an informal arrangement is probably best in case it needs to be changed in the future. A condition along the lines that the haul route is to be agreed with the Roads Authority and reviewed periodically as required?
2. We recommend that the applicant be asked to provide a detailed structural analysis of the local road network to determine if the proposed level of traffic from the site can be accommodated without damaging the roads. This should include FWD testing and any



other testing of the structure deemed necessary. Any strengthening works required should be carried out at the applicants expense.

Regional Planning Guidelines for the Greater Dublin Area 2010-2022

5.4.3 **Quarrying & Extraction** Extractive industries are essential to the economy in terms of supply of aggregate materials for the construction sector, delivering transport infrastructure projects, and for the export market. There is, however, potential for conflict in the operation of these industries with wider environmental considerations. The role of the planning system is therefore to regulate, promote or control the exploitation of natural resources taking into account these other issues. Preventing and Recycling Waste – Delivering Change (March 2002) calls for the re-use or recycling of 85% Construction and Demolition (C and D) waste by 2013 and if achieved, this together with other national level sustainable development objectives, and a levelling off of construction activity, is likely to have a steady influence on the rate of extraction of aggregates in the future. In planning policy terms and in order to strategically plan for future needs, there is a need to take stock of existing aggregate resources and other valuable minerals/ores and identifying potential sources which have major deposits of regional and county importance. Local authorities should engage with GSI, in so far as feasible, in mapping exercises designed to identify aggregate potential within their respective county and across a wider regional scale. Suitable protection measures for such sites should be considered to ensure their potential may be realised. Planning, heritage and environmental guidance together with legislative requirements should be used to frame policies for extractive industries. In assessing applications for extractive industries, considerations and impacts as they relate to the objectives of the Water Framework Directive (and therefore River Basin Management Plans) and other EU Directives (such as those regarding wildlife and habitats) should be central to the decision making process. Secondary impacts such as increased HGV traffic on adjoining communities and screening are key issues, and the use of levies to compensate the surrounding areas through investment in local social and other infrastructure is supported.

Quarries and Ancillary Facilities Guidelines for Planning Authorities April 2004

Extract

Section 1.3 However, there will be a continuing need for some new or expanded aggregate quarrying operations on land to meet regional and local requirements. There is thus a need to identify and protect aggregate resource areas through the planning system, to ensure an adequate supply of aggregates to meet the likely scale of future demand (see also Chapter 2 in relation to the role of development plans), while at the same time protecting Ireland's natural and cultural heritage



County Development Plan 2010-2016 :

1.4.1 Extractive Industry – Chapter 8 Wicklow County Development Plan 2010-2016

Relevant objectives :

8.3.5 Extractive Industry

Strategic Objective To facilitate the exploitation of County Wicklow's natural aggregate resources in a manner, which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area.

Objectives

EX1 To facilitate and encourage the exploration and exploitation of minerals in the County in a manner, which is consistent with the principle of sustainability and protection of residential, environmental and tourism amenities.

EX2 To encourage the use, development and diversification of the County's indigenous natural rock industry, particularly where it can be shown to benefit processing, craft or other related industries.

EX3 To support and facilitate the development of related and spin-off industries of the extractive industry such as craft and monumental stone industries and the development of the mining and industrial tourism heritage. Consideration will be given to the development of such related industries within or in association with existing operations of worked out mines or quarries where this does not conflict with other objectives and objectives of the plan.

EX4 To have regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:

- 'Quarries and Ancillary Activities: Guidelines for Planning Authorities' (2004, DoEHLG);
- Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non Scheduled Minerals)', EPA 2006;
- 'Archaeological Code of Practice between the DoEHLG and the Irish Concrete Federation' 2009;
- 'Geological Heritage Guidelines for the Extractive Industry', 2008;
- 'Wildlife, Habitats and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry', NPWS 2009.



8.4.6 Extractive Industry

General

The Council will facilitate the development of the extractive industry and permit such workings where it has been shown that the following criteria can be met, having taken into account the reduced demand for aggregates that will come about through improved recycling of construction and demolition waste:-

- The environment and the landscape will be safeguarded to the greatest possible extent;
- Such operations have good access to, or are within reasonable distance of, the national or regional road network and do not adversely affect the residential or tourism amenity of the area;
- Satisfactory provision will be made for a beneficial after use of the land that does not conflict with other planning objectives for the area;
- The working, landscaping, restoration and after care of the site will be carried out to the highest standards in accordance with the approved scheme.

Application Requirements for Extractive Developments

Environmental Impact Assessment (EIA)

The Planning Act and associated Regulations (as may be amended) set out the thresholds for EIAs. All applications for new extraction, or expansion of existing permitted and licensed sites, shall in the first instance have regard to this legislation to determine the requirement for an EIA. Where any application is sub-threshold, the applicant, in conjunction with the Local Authority, shall determine the need for an EIA with reference to 'Guidance for Consent Authorities regarding Sub-Threshold Development' DoEHLG 2003. Where an EIA is required, the applicant shall liaise with the Council to scope the contents, concerns and issues to be addressed.

Chapter 17 ; Natural Environment -

17.9.1 Landscape Characterisation

Access Corridor Area (ACA)

Vulnerability: Medium

This landscape area covers the main access corridor areas of Wicklow. The boundaries generally follow what is considered to be the areas upon which the greatest influence is exerted by these access routes. These routes, for the most part, run through the more low lying and accessible tracts of land and connect the major towns. There are two distinct areas, each with their own

different attributes. The Eastern Corridor relates to the mainly lowland area of influence of the N11 road. The Western Corridor is focused on the N81 road from Dublin, through Blessington on towards Baltinglass. These corridors are under intense pressure from residential and other sporadic development.

Objectives

LA1 All developments and activities shall have regard to the County landscape classification hierarchy.

Note :

No Listed Views/ Prospects impacting on this site.

No Archaeological sites located within the site boundaries.

Assessment :-

The application seeks permission for :

1. Permission for continued use of permitted development under PRR 07/45 for a period of 25 years including the existing quarry, stone extraction and processing, concrete and asphalt manufacturing facilities, and related ancillary buildings and facilities.
2. Permission for extension to the permitted quarry floor level of +1 mOD over an extraction area of 16.5 hectares.
3. Permission for a concrete block manufacturing plant (13.6m high approx) (c 362.1sqm) and a concrete block manufacturing yard (c.6225sqm).
4. Permission for an aggregate washing plant (c 142.6sqm).
5. Permission for replacement of the existing septic tank with a proprietary effluent treatment system (Aeration Treatment Unit and two modular Puraflo)
6. Permission to increase product output from the quarry, from 70 to 150 loads per day, in line with market demand.
7. And all associated site works. An Environmental Impact Statement will be accompanying the Planning Application

Principal of Development :



The development the subject of this application is to provide for the extension of the existing quarry on site essentially by means of further extraction to lower limits within the existing permitted quarry area under PRR 07/45) to a level of + 1m OD. The extraction which currently runs along the northern side of the overall site, will extend in a westerly direction, with the phasing of this extraction relating to the level of extraction in those extension areas.

Historically extraction in this area has taken place since before the 1st of October 1963. Increased extraction took place in the last 20 years, and more particularly planning permission PRR 07/45 allowed for further increases in the level of extraction. It is clear that there is an existing and important Diorite resource at this site, which is clearly location specific. The extraction of such resources is essential to the economy to allow for the supply of aggregates for the construction industry, for road building projects, housing development, commercial development etc. Whilst it is clear the requirement for rock/ sand & gravel fell with the decline in the economy, there is still a fundamental requirement for such products, and as the need for development returns such product is crucial to the allow for future growth. The Regional Planning Guidelines for the Greater Dublin Area 2010-2022 clearly identify under Section 5.4.3 the strategic need for such developments, as does the Guidelines for Planning Authorities on Quarries and Ancillary Activities. In addition the County Development Plan as part of its strategic objective seeks to facilitate the exploitation of County Wicklow's natural aggregate resources in a manner, which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area. The development is proximate to the N11 the main eastern access, with good connectivity to Dublin and to the main development centres of Wicklow. It would not result in the loss of new lands to facilitate quarrying. It is therefore considered that given the history of the site, the existing permitted quarry, the evident resource at this point which is location specific, that in principal the use of the site for additional extraction / related development is acceptable.

Environmental Impact Assessment :

General ;

An Environmental Impact Statement (EIS) was submitted with the development, the EIS was examined in terms of the information requirements set out under Schedule 6 of the Planning and Development Regulations 2001(as amended), attached are notes from that examination. The EIS submitted has identified the likely effects of the development as required by Schedule 6 of the Planning & Development Regulations 2001(as amended). In this regard the main effects that arise from such a development relate to :

- Traffic Impacts
- Noise/ Dust/ Vibration as a result of workings/ traffic movements.

- Visual Impact of the extraction on the landscape- including identified light pollution due to operations.
- Water :- Effects on groundwater, surface water as a result of the development.
- Natural Heritage/ Cultural Heritage.

The report examines these specific areas and additional effects identified in examination of the application, site inspection and E.I.S submitted.

Development :

As identified this application seeks to increase the scale of extraction to a lower level than that already permitted under PRR 07/45. The EIS submitted whilst identifying the area involved in the extraction does not give any indication of the estimated yearly rate of extraction or the total volume of extraction which are considered necessary (this issue has also been raised by the Ex Scientist). Note reference is made to an estimated rate of extraction in the Traffic Section of the E.I.S but this is based on traffic movements (674,751 tonnes per annum.)

Extraction is to take place by blasting the rock into fragments before crushing and processing. It is noted that the application indicates that blasting will take place at the rate of market demand. A concrete block manufacturing plant (batching plant) and manufacturing yard are to be provided as part of the application. It is noted that the objectors indicate that this should be located within existing industrial areas and not within this rural area. Notwithstanding it is considered that such facilities are ancillary to the extraction process. In this regard the Objective EX2 provides :

' To encourage the use, development and diversification of the County's indigenous natural rock industry, particularly where it can be shown to benefit processing, craft or other related industries'

Accordingly the provision of such works adjoining the existing resource are considered appropriate. From a visual viewpoint it is considered that this element would sit within the envelope of this existing quarry, and given boundary screening would not impact detrimentally on the visual amenities of the area.

Site inspection indicated that works were taking place to the Asphalt Plant on site, furthermore S13.89 of the EIS indicates this plant is being replaced. The application makes no reference to these works, and the location of the plant is not within the footprint of the asphalt plant permitted under PRR 07/45. Whilst the applicants may be reliant on this being exempted development having regard to the High Court decision with respect to Cronin (Readymix) v

An Bord Pleanála or by reference to Class 21 of the Planning and Development Regulations 2001(as amended), this is not evident at this point and should be fully described/ assessed as a part of the development. In addition there are other structures erected which have not been identified within the application or on the site layout i.e. :

- Two buildings in the area delineated for parking adjoining the Laboratory on the site layout.
- A floodlight which adjoins the Screening shed/ aggregate storage shed.
- It is noted that the Screening shed/ aggregate storage/ screening crushing shed , screening shed etc are not delineated on the existing site layout –reference is made to their removal in the views submitted under the Landscape/ Visual Chapter of the E.I.S.
- Settlement lagoons (outside boundary of PRR 07/45)
- Stockpile area currently located in area for concrete block manufacturing yard(outside boundary of PRR 07/45)

The information details identified are necessary to carry out the Environmental Impact Assessment.

Water/ Surface Water :

Water demand for the site is met by pumping from a production borehole to the laboratory and wheel wash , and water from the quarry sump is used to supply the concrete plant and also for dust suppression. It is indicated in the EIS that no water is abstracted from other sources. Maintenance/ servicing of plant and machinery takes place on hard stand refuelling areas. The development would not it is considered result in impacts on the existing water supplies/ groundwater regime, and having regard to the assessment of the Ex Scientist there is unlikely to be any significant impacts on water as a result of the development. It should be noted that ingress into the boreholes as identified by objector results with the location of the borehole in relation to existing fractures in the rock, the rock itself would not store water but the fractures.

Surface water runoff is to be contained within the site by either direction to the quarry sump or into the lagoons, therefore the proposal should not give rise to any adverse impacts as a result of run-off.

Dust :

As with all extraction operations, dust will arise as a result of both the workings and the movements of vehicles within the overall quarry. The dust deposition has been examined both in terms of this application, and previously under PRR 07/45. Furthermore compliance information under PRR 07/45 indicate that dust arising from the quarry is within acceptable limits. Measures are in place to ensure that dust movement is kept to a minimum i.e. boundary planting, water sprays, wheel wash, enclosed plant etc. The development therefore would not it is considered give rise to significant adverse impacts with respect to dust deposition.

Note from inspection it would appear that the wheel wash is not operating very well, and allow some dirt to be brought out onto the roadway. This matter should be examined.

Noise/ Vibration :

The blasting/ processing and traffic movements within the site are all likely to give rise to noise effects. In particular blasting will give rise to vibrations. It is indicated in the E.I.S that blasting is dependent on market demand for construction material. Whilst this statement is noted there needs to be an identification of the upward limit of such blasting, whilst the blasting is short term and would not it is considered impact on the stability of houses in the vicinity, there may be nuisance arising more with respect to the perception of such blasting.

Noise impacts of the overall works and plant on site have been set out under Chapter 9 of the EIS. It is noted that Table 9-1 would appear to have an error with respect to the date of monitoring in September, and does not indicate the time of the monitoring or what elements of the development were in operation. Compliance submissions with respect to PRR 07/45 indicate that the quarry was operating within acceptable noise limits. Whilst the extraction area on site will increase, this increase will be similar in character to current operations, and thus would not it is considered add further to the noise impacts of this development. The development however will give rise to the location of a concrete batching plant and manufacture yard in proximity to the southwestern boundary, and it is considered that the EIS should extrapolate further on this element.

Landscape :

From examination and review of the E.I.S it is evident that the existing quarry has a limited area of visual impact. Existing vegetation/ screening berms limits the visual impact of the quarry/ operations to a large extent from the road network immediately adjoining the site. Views into the quarry are available from the L-5156-0 to the south. The view is dominated at this point by the existing northern ridge of the quarry and the quarry infrastructure which sits in the envelope of this ridge element. The extended area of the quarry which sits at a lower elevation is not as dominant in these views. It is considered that the further extraction to

lower levels within the quarry will not further deteriorate the landscape or views at this point. Furthermore given the existing quarry infrastructure, it is considered that the proposed block making plant will sit within the envelope of the quarry, and will thus not alter this view further. Overall it is considered given the history of the site, the limited available views into the quarry from the surrounding public areas, that the proposed development will not deteriorate the view/ landscape to any further degree, and as such is acceptable.

Flora & Fauna/ Natural Heritage :

Given the existing quarried landscape, and permitted quarrying it is not considered that the further extraction to lower levels will have any significant negative impact on the natural heritage of the area or on the flora & fauna of the site or of the surrounding environment.

Cultural Heritage :

There are no archaeological sites within the quarry, and therefore no impacts will arise with respect to this element.

Traffic :

The application seeks to increase traffic movements from the quarry from 70 movements per day to 150 movements. The existing haulage routes provide for movements out of the quarry to head to the N11 along the L-1157-0 and turn onto the N11 at The Tap. Movements into the quarry are from the L-1113-0, turning in at the Beehive. This routing limits the passing of large quarry vehicles on the public roads, and thus allowing for a safer environment for road users. The objectors have raised the issue of the impact of the increased traffic movements on the road network. Having discussed the traffic impacts with the Roads Section it is considered that the existing movements and increased movements could be accommodated on the road network subject to an examination of the network to show that it is structurally capable of accommodating the increased movements.

Note from inspection it would appear that the wheel wash is not operating very well, and allow some dirt to be brought out onto the roadway. This matter should be examined.

Kilmacurragh House & Arboretum :

Kilmacurragh House and Arboretum are located approximately 800m to the south west of the extraction facility. The arboretum is managed by the National Botanic Gardens. The quarry is to a large extent screened by the existing planting, however it is visible marginally at the House itself and in part on some of the walks. Any views to a large extent of the quarry are dominated by the northern ridge and existing plant, and as such the development would not add further impacts. The operations of the quarry are audible at a low-level in parts of the



Arboretum, and the development would not add further to this impact. Given the distance, vegetation and operations of the quarry it is not considered that there will be any negative impacts from dust. Accordingly the development will not impact detrimentally on Kilmacurragh.

Restoration :

Restoration of the quarry will take place at the end of the extraction period. At that time the quarry void is to fill natural with water. A number of waterfowl rafts will be placed into the water to provide an island habitat. Quarry faces above the water level will be left for natural recolonisation. In the production areas the plant will be removed and the areas cleared and ripped and left to natural recolonisation. Whilst the restoration cannot be phased given the characteristics of rock quarrying, this is not considered detrimental, and the rehabilitation proposal is acceptable.

Waste Recovery Facility :

The application refers to the waste recycling facility previously permitted by reference to PRR 07/45. The EIS whilst referring to it does not indicate on the site layout the location of the storage of the recycled material, which will have to be relocated as part of this application. In addition it is considered that the EIS should as necessary identify the quantities of materials to be brought on site as a result of such a development, and expand where necessary with respect to any impacts as a result of this facility.

Lighting

The objectors have highlighted the issue of lighting within the quarry which is resulting in disturbance. From site inspection it is evident that a floodlight has been erected on site adjoining the existing screening shed, which on review of previous documents was not part of PRR 07/45. The lighting is high level, and would appear to be impacting on the wider area given its visibility from outside the quarry. This element needs to be examined further to assess its effects and impacts.

Staff Facilities/ Effluent treatment System :

The proposed upgrade of the effluent treatment system is noted, further details are required to fully assess this element as requested by the Environmental Health Officer. In addition the submission of the EHO seeks further details with respect to the facilities for onsite workers.

EIA Conclusion :

Having regard to the overall assessment above the Environmental Impact Statement requires additional information to complete the Environmental Impact Assessment.

Screening for Appropriate Assessment :-

A Screening Document has been submitted with respect to the development on site. It is noted that the development is not located on or adjoining any Natura 2000 site. There is no direct connectivity from the site to any Natura 2000 site. The closest Natura 2000 site to the boundaries of the quarry is Deputy's Pass Nature Reserve SAC which would be located approximately 1.8km northwest of the quarry. The conservation objective for Deputy's Pass SAC is to maintain the status of the Oak woodland.

The main possible links from the development to the Deputy's Pass SAC would be surface-water, groundwater, vibration and airborne dust. The Potters River, which flows through / along the SAC would be a possible conduit but given that the quarry is downstream of the SAC, it is not considered that the development would give rise to surface water contamination. Given the distance of the quarry to the Natura 2000 site and current operation practices, it is not considered that dust or vibration would not result in any negative impact on the SAC.

In relation to Buckronev Brittas Dunes & Fen given the separation distance of >7km the only real possible link would be a surface water link with contaminated surface water. The Potters River runs into the SAC and there is a stream that runs near the site into the Potters River. However, not only is it proposed that no surface water is allowed to discharge to the stream, given the type of quarry it is, a deep rock quarry, it is unlikely that any surface water would run into the stream. This combined with the length of watercourse between the quarry and the SAC means that this isn't really an issue.

Therefore it is considered that the risk of significant adverse impacts on a Natura Site can be ruled out. Thus Appropriate Assessment would not be required.

Conclusion :

The extension of the existing quarry within the permitted quarry area to a ground level of 1mOD, given the previous history of the site, the objectives of the Regional Planning Guidelines and the County Development Plan 2010 to 2016 would be acceptable in principle. However the environmental impact assessment to identify/ describe/ assess all the impacts of the development is not sufficient and further details are required to complete the Environmental Impact Assessment.

Recommendation :

Further information :

1. Having carried out an on site inspection, and review of previous planning permission PRR 07/45 the following discrepancies/ works were noted which were not addressed in the application submitted. You should therefore submit revised details/ clarification to address all the items set out below :
 - i. From site inspection it is evident that the asphalt plant is currently being replaced, this was also identified in Section 13.89 of the Environmental Impact Statement submitted. The application makes no reference to these works, and the location of the plant is not within the footprint of the development permitted under PRR 07/45. Please address.
 - ii. Two buildings are located in the area delineated for parking , adjoining the Laboratory on the site layout. No reference to these structures has been made in the application, please address.
 - iii. A floodlight has been erected adjoining the Screening shed/ aggregate storage shed, which was not provided for under PRR 07/45. Please address.
 - iv. The existing site layout omits the Screening shed/ aggregate storage/ screening crushing shed, please address by way of revised site layout at a scale of 1:1000. In addition any submission should confirm when the units are to be demolished/ removed from site or whether they are to be retained. The Planning Authority notes that the visual impact assessment identifies that these structures are being removed but the application should clearly show all existing structures on site, and clarify the status of all.
 - v. Settlement lagoons have been provided on site, however these lagoons are outside of the site boundary of PRR 07/45. Please address. Note compliance documents on PRR 07/45 indicated lagoons were to be located within the quarry floor.
 - vi. A stockpile area currently located in the area identified for concrete block manufacturing yard, however this stockpile is outside the permitted boundary of PRR 07/45, and was not included in that application. Please address.

2. The submitted Environmental Impact Statement is not considered sufficient to fully identify/ describe/ assess all the impacts of the development and further details are required to fully examine the proposal. Please submit the following information :
- i. The total volume of extraction and an estimate of the maximum yearly rate of extraction.
 - ii. It is indicated in the E.I.S that blasting is dependent on market demand for construction material, however in order to fully assess the development you should indicate the maximum number of blasts to take place on a weekly basis.
 - iii. Table 9-1 would appear to have an error with respect to the date of monitoring in September, please clarify. In addition the assessment should indicate the time monitoring was carried out, and identify what elements of the development were operational at that time.
 - iv. The noise impact assessment should be revised and updated to have regard to the proposed location of the concrete batching plant and block manufacturing yard, which is located in proximity to the southwestern boundary.
 - v. The E.I.S refers to the Construction and Demolition waste recovery facility previously permitted by reference to PRR 07/45, the site layout does not indicate the location of the storage of the recycled material, and the site layout should be amended to delineate same. In addition it is considered that the EIS should identify the quantities of materials to be brought on site as a result of such a development, and expand the E.I.S where necessary to identify any impacts and any necessary mitigation measures.
 - vi. As identified in Item 1 it is noted that a floodlight has been erected adjoining the existing screening shed. This lighting would appear to be in use after the hours of operation of the quarry, and appears to be causing disturbance. You should submit full details of the light, and any other high level lighting on site. You should indicate the hours of illumination and an assessment of the impact of such lighting should be carried out. Note the visibility of this high level light outside the quarry in the night sky would be a concern.
 - vii. A detailed structural analysis of the full length of the the haul routes (L-1113-0 & L-1157-0) from the site to their junction with the N11 should be submitted. This analysis should include FWD testing and any other testing of the structure deemed necessary. If this analysis indicates any areas of road network that would not be capable of receiving the proposed additional traffic from the quarry you should submit proposals to address same.
 - viii. Note from inspection it would appear that the wheel wash is not operating adequately, and is allowing dirt to be brought out onto the roadway. This matter should be examined, and proposals submitted to overcome this issue.



3. With respect to the staff facilities/ effluent disposal the following information should be submitted :

- a. Clarification of the population equivalent of the proposed effluent treatment system. The site characterisation report gives a population of 10 quarry workers (40L/person) and 10 drivers (10L/person) whereas in the "Human Beings" Section of the Environmental Impact Statement Section 3.10 states that Kilsaran employ a total of 40 people (direct employees, hauliers and subcontractors) at the quarry. The effluent disposal system should be sized accordingly.
- b. A revised site layout plan showing the proposed effluent disposal system sited without any driveways etc within the percolation area.
- c. Submit detailed drawings showing finished floor levels, ground levels, cross sections and design details relevant to the proposed wastewater treatment disposal system as per No.10 of WCC Policy for Wastewater Treatment & Disposal Systems for Single Houses (P < 10)
- d. A revised site plan showing the proposed number and location of the toilets/ canteens within the site, and whether all of these will connect to the proposed effluent disposal system. In addition details should be given of which toilets/ canteens the various staff groups will have access to.
- e. Proposals for a potable drinking water supply in compliance with the Drinking Water Regulations 2007 to canteens for use by the staff.

John Gwynne
27/1/2015

Robert
C.E.
4/1/2015

Agreed
John J. Kelly
20/02/15

B

Planning Report Register Reference 14/2118.

Date : 21st August 2015.

Site Visit : 11th August 2015.

See previous report on file dated the 3rd February 2015, a further information request issued on foot of this report on the 4th February 2015, and a response was received on the 3rd July 2015.

Reports :

Ex Scientist (Env Services Section)

The only item sought was clarification of the total resource tennage and potential annual production. This was addressed on pg5 of the FI. No other issues with the information provided on the geological issues relevant to the application.

EHO : Further information satisfies Nos 2,3,4 and 5 of report. In relation to No.1 the applicant indicates that bottled water would be supplied for use by the workers for drinking purposes. Taking into consideration that 10 full time employees and 30 visiting contractors will use this site and also the period of operation of the quarry will be 25years, it is considered reasonable to require a potable drinking water supply to be provided for the staff. The applicant should submit details showing compliance with this requirement.

Roads Section : Item 2(vii): The applicant is to strengthen to District Engineer's guidance sections of the road from chainage 3150-4300(1.15km)(L1113 & L1157) and from chainage 5150-5750(0.6km)(L1157).

Assessment of Further Information

Item 1

1. *Having carried out an on site inspection, and review of previous planning permission PRR 07/45 the following discrepancies/ works were noted which were not addressed in the application submitted. You should therefore submit revised details/ clarification to address all the items set out below :*
 - i. *From site inspection it is evident that the asphalt plant is currently being replaced, this was also identified in Section 13.89 of the Environmental Impact Statement submitted. The application makes no reference to these works, and the location of the plant is not within the footprint of the development permitted under PRR 07/45. Please address.*

Submission : The replacement of the Asphalt plant has been carried out under Class 21 of Schedule 2, Part1 of the Planning and Development Regulations 2001-2013 as exempt development. Removal of the existing plant commenced in December 2014, it has now been fully dismantled and removed from site. Replacement plant has been constructed immediately adjacent to the location of the old plant. The replacement plant was commissioned in May of this year and is now fully operational. Attached plan

Dwg.RFI 1 shows the layout and location of the existing plant (now removed) and its replacement. Individual elements of the plant annotated on drawings to show that it is a direct replacement.

As part of modernisation programmed the existing aggregates processing plant has also been replaced utilising Class 21 exemption. Control systems for both plants have been replaced with two separate control buildings.

Assessment:

The submission is noted and the contention that the replacement of the asphalt plant and replacement of aggregates processing plant is exempted development having regard to Class 21: Schedule 2: Part 1 is noted, however Class 21 provides that:

CLASS 21

(a) Development of the following descriptions, carried out by an industrial undertaker on land occupied and used by such undertaker for the carrying on, and for the purposes of, any industrial process, or on land used as a dock, harbour or quay for the purposes of any industrial undertaking—

- (i) the provision, rearrangement, replacement or maintenance of private ways or private railways, sidings or conveyors;
- (ii) the provision, rearrangement, replacement or maintenance of sewers, mains, pipes, cables or other apparatus;
- (iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery.

Limitations

1. Any such development shall not materially alter the external appearance of the premises of the undertaking.
2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater.

This exemption would not if it is considered apply to the replacement of the Asphalt plant as the process undertaken in such a facility is materially different to the quarrying operations on site. In this regard the attached reference to An Bord Pleanála 04.RL.2223 clearly concludes that the construction/ operation of Asphalt plant is separate operations to the quarrying ~~is~~. Therefore it is considered that the replacement of such plant requires permission, this matter should therefore be clarified. With respect to the replacement of the existing aggregates plant, the replacement of such plant would it is considered be exempted development having regard to the provisions of Class 21, subject to the height of the structure meeting the limitations set out under point 2. No details of the overall height of this structure have been submitted and this element should be clarified to confirm the limitation is met.

- x. Two buildings are located in the area delineated for parking, adjoining the Laboratory on the site layout. No reference to these structures has been made in the application, please address.

Submission : These building are replacement ESB substation & switch room and the replacement distribution room & control switch gear.

Assessment : The submission is noted and these structures have been indicated on the revised site layout details drawing RF1, and are considered exempt having regard to the provisions of Class 21. The details are therefore considered satisfactory to comply with the requirements of item 1(ii).

- iii. A floodlight has been erected adjoining the Screening shed/ aggregate storage shed, which was not provided for under PRR 07/45. Please address.

Submission : Floodlight dismantled and removed during June 2015

Assessment : Noted from site inspection that flood light is now removed, this is acceptable.

- iv. The existing site layout omits the Screening shed/ aggregate storage/ screening crushing shed, please address by way of revised site layout at a scale of 1:1000. In addition any submission should confirm when the units are to be demolished/ removed from site or retained. The Planning Authority notes that the visual impact assessment identifies that these structures are being removed but the application should clearly show all existing structures on site, and clarify the status of all.

Submission : Old aggregates processing plant, in its entirety is to be dismantled and removed from site. This process has already commenced and is scheduled to be completed by the end of July 2015.

Assessment : Submission noted, from site inspection the plant elements have been removed but not all of the structures have gone. Drawings submitted indicate full details of structures to be removed. The submission is considered acceptable.

- v. Settlement lagoons have been provided on site, however these lagoons are outside of the site boundary of PRR 07/45. Please address. Note compliance documents on PRR 07/45 indicated lagoons were to be located within the quarry floor.

Submission : Lagoons referred to are not in use, and it is intended to infill these lagoons and reinstate the areas. Indicated that there is sufficient storage in the quarry sump/ floor to store storm surface run-off from the site/ quarry void. Stored water will be re-used for dust suppression and in aggregate washing operations to top up the closed water system at the site. Settlement lagoons for treatment/ re-circulation of the aggregate washing water will be located within the quarry area.

Assessment : The details are noted. As lagoons are to be infilled this is acceptable, as is the placement of lagoons within the quarry floor area.

- vi. A stockpile area is currently located in area for concrete block manufacturing yard, however this stockpile is outside the permitted boundary of PRR 07/45, and was not included in that application. Please address.

Submission : Stockpile has now been removed.

Assessment : From inspection stockpile is removed, area has a number of containers and plant equipment associated with the quarry operations on site as seen from photographs. These are considered acceptable and within the provisions of Class 21.

2. The submitted Environmental Impact Statement is not considered sufficient to fully identify/ describe/ assess all the impacts of the development and further details are required to fully examine the proposal. Please submit the following information :

i. The total volume of extraction and an estimate of the maximum yearly rate of extraction.

Submission : Total quantity of rock to be extracted over 25 years is 12.5 million tonnes – estimate of maximum yearly rate of extraction is 675,000 tonnes per annum.

Assessment : Note the estimated extraction details.

ii. It is indicated in the E.I.S that blasting is dependent on market demand for construction material, however in order to fully assess the development you should indicate the maximum number of blasts to take place on a weekly basis.

Submission : No more than one blast per week, but typically blasting will occur at intervals of one every two to three weeks.

Assessment : Details noted.

iii. Table 9-1 would appear to have an error with respect to the date of monitoring in September, please clarify. In addition the assessment should indicate the time monitoring was carried out, and identify what elements of the development were operational at that time.

Submission : Noise survey carried out on Friday the 31st October 2014. Revised table submitted indicating time monitoring carried out and elements of development operating.

Assessment : Submission noted, the noise survey indicates the development is within acceptable limits.

iv. The noise impact assessment should be revised and updated to have regard to the proposed location of the concrete batching plant and block manufacture yard, which is located in proximity to the southwestern boundary.

Submission : Revised noise assessment submitted. The assessment indicates that 'The worst-case noise assessment has shown that in accordance with the scale in the Guidelines for Noise Impact Assessment produced by the Institute of Environmental Management and Assessment (IEMA) the cumulative long-term noise impact from plant associated with the development at receptors R1 to R6 is Negligible, the cumulative short-term noise impact from the plant associated with the development at receptors R1 to R6 is Minor.'

Assessment : The details are noted, and having regard to the updated information it is considered that the noise impact is acceptable.

v. The E.I.S refers to the Construction and Demolition waste recovery facility previously permitted by reference to PRR 07/45, the site layout does not indicate the location of the storage of the recycled material, and the site layout should be amended to delineate same. In addition it is considered that the EIS should identify the quantities of materials to be brought on

site as a result of such a development, and expand the E.I.S where necessary to identify any impacts/ ameliorate as a result of this facility.

Submission : Waste storage area delineated on Drawing RFI 5 , there will be 10,000tonnes per yr of material recycled. The material will be transported to site by return deliveries of truck loads from site's they exit.

Assessment : The submission is noted, and the extent of waste recovery is considered small scale, and acceptable within the overall context of operations on site.

- vi. As identified in item 1 it is noted that a floodlight has been erected adjoining the existing screening shed. This lighting would appear to be in use after the hours of operation of the quarry, and appears to be causing disturbance. You should submit full details of the light, and any other high level lighting on site. You should indicate the hours of illumination and an assessment of the impact of such lighting should be carried out. Note the visibility of this high level light outside the quarry in the night sky would be a concern.

Submission : Floodlights dismantled. inventory of all exterior lighting submitted. 15 Lights associated with the old aggregates plant have been recently disconnected, and are to be removed or will be removed by the end of July 2015 as old aggregates plant dismantled. Old aggregates plant located on the highest part of the site and in turn the lights were generally mounted high on the buildings so they had potential to cause disturbance. The remainder of the external lighting is generally located at lower levels on the lower ground within the site and although for security reasons they remain switched on throughout the night are not likely to cause disturbance.

Assessment : The submission is noted however as previously identified some of the old plant has yet to be removed. The submission is noted, and whilst in general from the photographs the lighting is to lower levels and would it is considered be likely to have limited disturbance, lights 24 and 27 are located to the highest point on the structures, whilst they are lower level in the site, from higher points outside the site they may cause impact. More appropriately night-time photographs from higher points outside the site should be submitted to detail the impact.

vii A detailed structural analysis of the full length of the haul routes (L-1113-0 & L-1157-0) from the site to their junction with the N11 should be submitted. This analysis should include FWD testing and any other testing of the structure deemed necessary. Any strengthening works required should be identified.

Submission : Report from traffic wise submitted.

Assessment : Roads section indicate that the applicant will be required to strengthen the road from chainage 3150-4300, and from chainage 5150 -5750. The submission provides that only 600m of maintenance is required immediately, i.e 50mm overlay to accommodate existing traffic and a further 5mm to accommodate the increase in traffic from the proposal, they indicate such work is not required to accommodate the proposed development and these maintenance works do not arise directly from the increase in traffic at the development, and thus these maintenance works if carried out by developer [allowing for 5mm for proposed development i.e. 90% of cost) should be deducted from Development Contribution Scheme. The other required works by Roads Section i.e. from chainage 3150-4300 are

ongoing maintenance works. Details noted however the submission does not adequately deal with the issues raised in the further information request, as identified in the attached report by the SE(Planning) outlining the further details required.

3. With respect to the staff facilities/ effluent disposal the following information should be submitted :

- Clarification of the population equivalent of the proposed effluent treatment system. The site characterisation report gives a population of 10 quarry workers (40L/person) and 10 drivers (10L/person) whereas in the 'Human Beings' Section of the Environmental Impact Statement Section 3.10 states that Kilsaran employ a total of 40 people (direct employees, hauliers and subcontractors) at the quarry. The effluent disposal system should be sized accordingly.
- A revised site layout plan showing the proposed effluent disposal system sited without any driveways etc within the disposal area.
- Submit detailed drawings showing finished floor levels, ground levels, cross sections and design details relevant to the proposed wastewater treatment disposal system as per No.10 of WCC Policy for Wastewater Treatment & Disposal Systems for Single Houses (P < 10)
- A revised site plan showing the proposed number and location of the toilets/ canteens within the site, and whether all of these will connect to proposed effluent disposal system. In addition details should be given of which toilets/ canteens the various staff groups will have access to.
- Proposals for a potable drinking water supply in compliance with the Drinking Water Regulations 2007 to canteens for use by the staff.

Submission : Details of all facilities provided.

Assessment : Submission noted, EHO indicates that points a to d are satisfactorily answered, however provision of bottled water is not considered reasonable for the full time works or contractors visiting the site particularly over the 25 year period. The submission is noted and the comments of the EHO, however it is considered that given a potable supply is being provided, whilst not be the means of a well, the proposal is acceptable.

Recommendation :

Clarification of Further Information.

1. (a) The details submitted with respect to item 1(i) of the further information request dated the 4th February 2015 is noted and the contention that the replacement of the asphalt plant and replacement of aggregates processing plant is exempted development having regard to Class 21: Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended). However this exemption class would not it is considered apply to the replacement of the Asphalt plant. In this regard it is considered that the processes undertaken in the Asphalt plant are materially different to the quarrying operations on site. In this regard it is highlighted that An Bord Pleanála in their Section 5 Declaration Reference Number : 04.RL.2223 clearly concludes that the construction/ operation of Asphalt plant is separate operations to the quarrying i.e. therefore it is considered that the replacement of such plant requires permission, and would not be exempted development. Accordingly as this element does not have permission, and has not been included within the application you are requested to address this matter.

(b) With respect to the replacement of the existing aggregates plant, please confirm that this structure would meet the height limitation set out in Class 21: Part 1 : Schedule 2 of the Planning and Development Regulations 2001[as amended] i.e.

Limitation 2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater.

2. The details submitted with respect to Item 1(vii) of the Further Information request dated the 4th February 2015 are noted. From inspection on the 11th August 2015 it was evident that whilst some structures have been removed, not all have been, and there are structures in place that are delineated on Drawing RFI 2 to be removed. Your submission indicated that the removal was to take place by the end of July 2015. Please confirm that these structures are to be removed, this is also of relevance with respect to your reply to Question 2(vi), given that these structures contain high level lights.

3. In reference to your response to Question 2(vi) of the further information request, the Planning Authority is still concerned that lighting may cause disturbance. In particular lights 24 and 27 are located to the highest point on the structures which they are on, and are invariable lighting a wider area given the high level location, and could therefore notwithstanding your comment be resulting in light disturbance outside of the site. You should therefore submit appropriate night-time photographs from higher points outside the site so the lighting can be assessed.

4. It is noted from your response to item 2 (vi), which is contained in the submitted "Haul Route Structural Analysis" report, that you in effect conclude that the L-1113 & the L-1157 are structurally capable of catering for the additional traffic generated by the proposed development subject to standard maintenance and strengthening works. You have also proposed to carry out maintenance works on behalf of the Council and that 90% of the cost of these works should be deducted from the contributions that would be payable were permission to be granted. The 90% reduction appears to be based on your assertion that a 50mm overlay is required, 5mm of which is required to cater for the additional traffic generated by the proposed development. In this regard, you are requested to submit the following information:

- Clarification of the apparent anomaly between paragraphs 2.1.2.6 and 2.1.3.4 of the "Haul Route Structural Analysis" report. Paragraph 2.1.2.6 states that "the increase in traffic arising from the proposed development would increase the design thickness of the overlay on the identified sections by 5mm or less" (identified sections are 2850m) and paragraph 2.1.3.4 states that "no specific road strengthening works are required for the proposed increase in traffic volume arising from the development".
- Clarification as to why it is proposed to overlay only 600m of the road when it is identified that strengthening works are required over 2850m of the road to cater for the additional traffic generated by the proposed development. (as per paragraph 2.1.2.6)
- Full pavement design calculations to support the contention that the traffic generated by the proposed development would only increase the pavement overlay requirements by 5mm.

- Basis for equating the cost to the developer of the 5mm extra over thickness as being 10% of the cost of the 50mm overlay.

In relation to the above, the Planning Authority would note the following:

- The Planning Authority has not indicated that it requires the applicant to carry out maintenance works for the Council. The Planning Authority requested the submission of a structural analysis of the road network and for the applicant to submit proposals where such analysis showed that sections of the road were not capable of receiving the **additional traffic** generated by the proposed development.
- If it is contended, and adequately supported, that a 5mm overlay is required to cater for the additional traffic generated by the proposed development, then the cost of the minimum pavement layer possible would be the relevant basis for calculating the % cost of a 50mm overlay, where the Council required a 50mm overlay to be provided.
- Development Contributions can only be used for Capital/Road Improvement works and cannot be used for maintenance works. On that basis, offsets for the cost of carrying out maintenance works cannot be granted.

In responding to this item you should comment on the items noted by the Planning Authority above. It is also recommended that prior to responding to this item you should contact the Road Authority.

Sidhampton
21/12/15

*Agreed as noted
Kegil 21/12/15*

Add 5 as follows

5. The provision of bottled water as a drinking water supply in a development of this scale is not considered sustainable. In this regard you should submit further information to clarify why it is not possible to supply a potable water supply for the employees and visitors on site.

Edel Bermingham

From: Fergal Keogh
Sent: 20 August 2015 16:20
To: Edel Bermingham

It is noted from your response to item 2 (vii), which is contained in the submitted "Haul Route Structural Analysis" report, that you in effect conclude that the L-1113 & the L-1157 are structurally capable of catering for the additional traffic generated by the proposed development subject to standard maintenance and strengthening works. You have also proposed to carry out maintenance works on behalf of the Council and that 90% of the cost of these works should be deducted from the contributions that would be payable were permission to be granted. The 90% reduction appears to be based on your assertion that a 50mm overlay is required, 5mm of which is required to cater for the additional traffic generated by the proposed development. In this regard, you are requested to submit the following information:

- Clarification of the apparent anomaly between paragraphs 2.1.2.6 and 2.1.3.4 of the "Haul Route Structural Analysis" report. Paragraph 2.1.2.6 states that "the increase in traffic arising from the proposed development would increase the design thickness of the overlay on the identified sections by 5mm or less" (identified sections are 2850m) and paragraph 2.1.3.4 states that "no specific road strengthening works are required for the proposed increase in traffic volume arising from the development".
- Clarification as to why it is proposed to overlay only 600m of the road when it is identified that strengthening works are required over 2850m of the road to cater for the additional traffic generated by the proposed development. (as per paragraph 2.1.2.6).
- Full pavement design calculations to support the contention that the traffic generated by the proposed development would only increase the pavement overlay requirements by 5mm.
- Basis for equating the cost to the developer of the 5mm extra over thickness as being 10% of the cost of the 50mm overlay.

In relation to the above, the Planning Authority would note the following:

- The Planning Authority has not indicated that it requires the applicant to carry out maintenance works for the Council. The Planning Authority requested the submission of a structural analysis of the road network and for the applicant to submit proposals where such analysis showed that sections of the road were not capable of receiving the **additional traffic** generated by the proposed development.
- If it is contended, and adequately supported, that a 5mm overlay is required to cater for the additional traffic generated by the proposed development, then the cost of the minimum pavement layer possible would be the relevant basis for calculating the % cost of a 50mm overlay, where the Council required a 50mm overlay to be provided.
- Development Contributions can only be used for Capital/Road Improvement works and cannot be used for maintenance works. On that basis, offsets for the cost of carrying out maintenance works cannot be granted.

In responding to this item you should comment on the items noted by the Planning Authority above. It is also recommended that prior to responding to this item you should contact the Road Authority.

Fergal Keogh
Senior Engineer
Planning & Development
Wicklow County Council
0404-20107



















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for Purposes Only