

Comhairle Contae Chill Dara
Kildare County Council



Date: 27/06/2023
Pl. Ref: 20/639

Sancom Ltd.
C/o Environmental Efficiency,
Parnell House,
19 Quinsboro Road,
Bray,
Co. Wicklow A98 XV04.

Planning Register Number: 20/639
Application Receipt Date: 22/06/2020

PERMISSION Material Recovery Facility at a worked out quarry site. The principal activity will involve the use of imported, uncontaminated soil and stone, sourced from construction sites, to backfill and restore the worked out quarry. Sancom Ltd intend on accepting a maximum of approximately 1.8 million tonnes of soil and stone material on-site for backfilling over the course of 10 to 25 years, depending on market demand for disposal services...It is proposed to carry out construction and demolition waste recovery activities on-site to include top-soil screening, sand and gravel washing, concrete crushing, associated aggregate production and garden waste composting. A maximum of 387,000 tonnes of construction and demolition related waste material will be accepted on-site per annum. The total area of the application site is 19.2 hectares inclusive of site access roads. The fill area is 13.65 hectares in size. The Construction and Demolition Material Recovery Area is 4.4 hectares in size. A waste Licence will be obtained for the proposed waste recovery activities under the Waste Management Act, as amended. An Environmental Impact Assessment report has been furnished alongside the Planning Application. As part of the Proposed Development it is proposed to construct a new site access road running south of the site to the L4015 Castledermot to Baltinglass Road and a new site entrance onto this road designed to appropriate standards. It is also proposed to install/develop the following on-site: a weighbridge, a wheel wash, a stockpile and sorting area, the appropriate material recovery plant and equipment, a waste inspection and quarantine area, surface water treatment infrastructure and external lighting. Existing plant, equipment, site infrastructure and settlement ponds situated on-site will be utilized for proposed site activities. A Bunded Fuel Storage area currently present on-site will be upgraded. Revised by Significant Further information which consists of the applicant Sancom Ltd. now propose accepting a maximum of 99,500 tonnes of waste material at the proposed facility per annum a 25 year project lifetime (72,000 tonnes for backfilling and 27,500 tonnes of C&D Waste for processing), rather than the 387,000 tonnes of waste material per annum over an anticipated 10 year project



lifetime originally proposed. See Newspaper Notice for full details of proposed works at AT Graney West, Castledermot, Co. Kildare. IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.

In pursuance of the powers conferred upon them by the Planning & Development Act 2000 (as amended), Kildare County Council have by Order dated 16/04/2021 GRANTED PERMISSION to the above named, for the above development subject to 20 conditions, amended by An Bord Pleanála order (ABP-310216-21) dated 27th June 2023 set out in the attached schedule

Date: 27/06/2023

Signed: Ciara Ferris
P.P. Senior Executive Officer
Planning Department

NOTE: The permission herein granted shall, on the expiration of the period of 5 years beginning on the date of the granting of permission, cease to have effect as regards:

- (1) In case the development to which the permission relates is not commenced during the period, the entire development, and
- (2) In case such development is so commenced, so much thereof as is not completed within that period.

Planning Permission is sought for Material Recovery Facility at a worked out quarry site. The principal activity will involve the use of imported, uncontaminated soil and stone, sourced from construction sites, to backfill and restore the worked out quarry. Sancom Ltd intend on accepting a maximum of approximately 1.8 million tonnes of soil and stone material on-site for backfilling over the course of 10 to 25 years, depending on market demand for disposal services. In addition to the principal waste activity described above It is proposed to carry out construction and demolition waste recovery activities on-site to include top-soil screening, sand and gravel washing, concrete crushing, associated aggregate production and garden waste composting. A maximum of 387,000 tonnes of construction and demolition related waste material will be accepted on-site per annum. The total area of the application site is 19.2 hectares inclusive of site access roads. The fill area is 13.65 hectares in size. The Construction and Demolition Material Recovery Area is 4.4 hectares in size. A waste Licence will be obtained for the proposed waste recovery activities under the Waste Management Act, as amended. An Environmental Impact Assessment report has been furnished alongside the Planning Application. As part of the Proposed Development it is proposed to construct a new site access road running south of the site to the L4015 Castledermot to Baltinglass Road and a new site entrance onto this road designed to appropriate standards. It is also proposed to install/develop the following on-site: a weighbridge, a wheel wash, a stockpile and sorting area, the appropriate material recovery plant and equipment, a waste inspection and quarantine area, surface water treatment infrastructure and external lighting. Existing plant, equipment, site infrastructure and settlement ponds situated on-site will be utilized for proposed site activities. A Bunded Fuel Storage area currently present on-site will be upgraded. Revised by Significant Further information which consists of the applicant Sancom Ltd. now propose accepting a maximum of 99,500 tonnes of waste material at the proposed facility per annum a 25 year project lifetime (72,000 tonnes for backfilling and 27,500 tonnes of C&D Waste for processing), rather than the 387,000 tonnes of waste material per annum over an anticipated 10 year project lifetime originally proposed. Further detail regarding this alteration to the proposed development is contained in the revised plans submitted at Graney West, Castledermot, Co. Kildare – Sancom Ltd – 20/639

Schedule 1 – Considerations and reasons on which this decision is based as required by Article 31 of the Planning and Development Regulations 2001, as amended.

Having regard to the nature of the development, to the provisions of the Kildare County Development Plan 2017-2023, to the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) submitted by the Applicant and to the Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) carried out by the Planning Authority, it is considered that, subject to compliance with the conditions attached, the development would not seriously injure the amenities of the area or of property in the

vicinity, and would be in accordance with the proper planning and sustainable development of the area.

Schedule 2 – Conditions to apply.

1. The development shall be carried out and completed in accordance with the plans and particulars received by the Planning Authority on 22nd June 2020 and the further information received on 8th February 2021 and 22nd February 2021, except as amended by conditions of this permission.

Reason: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. (a) This permission shall apply for a period of 25 years from the date of commencement. Following the expiration of this period, the importation of material to the site and operations on site shall cease, unless prior to the end of the period, planning permission shall have been granted for a further period.

(b) A maximum of 1.8million tonnes of inert soil and stone waste material shall be imported into the site. The annual intake of soil and stone waste shall not exceed 72,000 tonnes.

(c) A maximum of 687,500 tonnes of Construction and Demolition related waste material shall be accepted at the facility. The annual intake of waste at the Construction and Demolition Waste Recovery Facility shall not exceed 27,500 tonnes.

(d) No development shall commence prior to issuance of an Environmental Protection Agency Waste Licence.

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

3. The proposed development will be subject to an Environmental Protection Agency licence which will regulate emissions from the development. This condition is necessary to regulate the construction of the project and to ensure that the mitigation measures contained in the Environmental Impact Assessment Report and Natura Impact Statement to protect biodiversity and protected flora and fauna are implemented. The condition also acknowledges that the conditions of the Environmental Protection Agency licence will take precedence over the planning condition with regard to specific emissions

Reason: In the interest of clarity and to mitigate the environmental effects of the proposed development.

4. (a) The Developer shall ensure that all surface water which is contaminated or likely to be contaminated from the proposed waste activities at the site shall pass through adequately sized silt trap(s) and petrol oil interceptor(s) prior to discharge to the

settlement lagoons. Only clean, uncontaminated surface water shall be discharged to the settlement lagoons.

(b) The Developer shall ensure that the settlement lagoons shall be cleaned and dredged regularly and waste from the cleaning shall be brought to an authorised facility for recovery/disposal.

(c) The Developer shall ensure that all surface water which is contaminated or likely to be contaminated from the refueling area, quarantine area and the carpark area shall pass through an adequately sized silt trap(s) and petrol oil interceptor(s) prior to discharge to a soakaway area.

(d) The Developer shall ensure that there shall be no discharge from the site to the River Graney. The site shall operate a closed water circuit.

Reason: In the interest of public health and environmental sustainability.

5. (a) Noise emissions levels from the proposed site shall be in accordance with Waste Licence Conditions.

(b) The total dust emissions arising from all the on-site operations associated with the proposed development shall not exceed 350 milligrams per metre squared per day, averaged over a continuous period of 30 days, when measured as deposition of insoluble particulate matter at any position along the boundary of the site and/or in accordance with conditions of the Waste Licence.

(c) The Developer shall use "Best Practicable Means" to prevent/minimise noise and dust emissions during the operational phase of the development, through the provision and proper maintenance, use and operation of all machinery all to the satisfaction of the Planning Authority.

Reason: To mitigate the environmental effects of the proposed development and to safeguard the amenities of residential property in the vicinity.

6. (a) The Developer shall provide a closed loop wheel wash system to the satisfaction of the Planning Authority. Prior to the commencement of development, the Developer shall prepare a plan for the written agreement of the Planning Authority which provides for the management of waste from the wheel was system and which provides for the monitoring of same. The plan shall set out how the hazardous and non-hazardous waste shall be disposed of:

(b) A waste quarantine area shall be provided at the site.

(c) A weighbridge shall be provided at the site.

Reason: In the interest of clarity and public health and environmental sustainability.

7. (a) All foul waste and soiled water shall discharge to the existing septic tank and the effluent from the septic tank shall discharge to a newly constructed percolation area.
(b) The septic tank and newly constructed percolation area shall be designed and constructed in accordance with the Environmental Protection Agency Wastewater Treatment Manual "Treatment Systems for Single Houses" recommendations and as specified in the Site Characterisation Form dated 24/01/2019.

Reason: In the interest of public health and environmental sustainability.

8. The Developer shall set back the main vehicular entrance on the L4016 so that it is a minimum of 11.4 metres from the carriageway edge.

Reason: In the interest of road safety.

9. The Developer shall ensure that no mud or debris is deposited on the roads outside the site. The Developer shall ensure that all roads in the vicinity of the site are swept clear and that all loose material is removed from the road verges.

Reason: In the interest of road safety.

10. Prior to commencement of development, the Developer shall contact the Athy Municipal District Office and agree the timing of the works and all associated Road Opening Licenses.

Reason: In the interest of road safety.

11. Prior to use as a Material Recovery Facility, the Developer shall construct a new access route generally in accordance with drawings G1210-02 and G1210-04 received by the Planning Authority on 8th February 2021. The works shall include the following: HRA surfacing at the junction with the L4016; a wheel wash, oil interceptor; signage and shuttle light system.

Reason: In the interest of road safety.

12. Prior to use as a Material Recovery Facility, the Developer shall carry out a Road Safety Assessment (RSA) Stage 3, by the independent accredited Road Safety Auditor, to examine the internal haul route. The Developer is requested to include agreed recommendations from the RSA in the amended constructed works for both the internal development and the new junction with L4016.

Reason: In the interest of road safety.

13. Prior to use as a Material Recovery Facility, the Developer shall carry out a Road Safety Assessment (RSA) Stage 3, by an independent accredited Road Safety Auditor, to examine the proposed new entrance. The Developer is requested to include agreed recommendations from the RSA in the amended construction works for the new entrance with L4016.

Reason: In the interest of road safety.

14. Prior to use of the facility, the Developer shall install advance warning signage along the L4016 to alert drivers to the present of a vehicular entrance, generally in accordance with TI drawing 2017 C271_3/1v1.4 received by the Planning Authority on 8th February 2021.

Reason: In the interest of road safety.

15. The Developer shall ensure that sight lines at the entrance to the development comply with the Transport Infrastructure Ireland Document (DN-GEO-03060) June 2017 standards.

Reason: In the interest of road safety.

16. The Developer shall ensure that existing land and roadside drainage are not impaired and that the changes near the entrance to the site shall be designed and shaped to ensure the uninterrupted flow of existing roadside drainage.

Reason: In the interest of road safety and to prevent interference with existing roadside drainage.

17. (a) The Developer shall provide adequate lighting at the entrance to the site from the L4016 which shall be agreed in writing with the Planning Authority. This lighting shall be designed to consider the safety of road users, nearby residents and the nature of the rural area. The lighting shall be agreed in writing with the Planning Authority and shall be fully commissioned prior to use of the facility.

(b) The Developer shall comply with the requirements of the Planning Authority in relation to any lighting which may be required within the site to facilitate operations

(c) The Developer shall ensure that the approved lighting is fully commissioned prior to use of the facility.

(d) The Developer shall comply with any future requirements of the Planning Authority in relation to adjusting the floodlight aiming or fitting appropriate additional louvers, to deal

with remaining glare issues that may arise for road users/nearby residents/rural habitat and may only become apparent when the installation is commissioned.

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

18. The importation of soil and recovery of construction and demolition waste and operation of associated machinery shall be carried out only between the hours of 07:00 and 19:00 from Mondays to Fridays, between the hours of 08:00 and 14:00 on Saturdays and not at all on Sundays, bank or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

Reason: In the interest of good traffic management and to protect the amenities of the area.

19. The Applicant/Developer to pay to Kildare County Council the sum of **€202,500.00** being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare County Council on 5th November 2015 in accordance with Section 48 of the Planning and Development Act 2000 as amended. Payments of contributions are strictly in accordance with Section 13 of Development Contribution Scheme adopted by Kildare County Council on 5th November 2015.

Note: Please note water and wastewater development contribution charges now form part of the water connection agreement, if applicable, with Irish Water.

Reason: It is considered reasonable that the developer should make a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

ADVICE NOTE TO APPLICANTS All applicants are advised to make themselves aware of the requirements of the Building Control (Amendment) Regulations (S.I. No 9) 2014 which comes into effect on the 1/3/2014 and the Construction Products Regulations (CPR) (Regulation (EU) no. 305/2011) which came into effect on 1/7/2013. Information leaflets can be viewed or downloaded on the council's website <http://kildare.ie/CountyCouncil/Planning/BuildingControlDepartment/> or the Department of the Environment Community and Local Government website <http://www.environ.ie/en/>