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**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Application** for permission under section 37E of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Bord Pleanála on the 20<sup>th</sup> day of April, 2021 by Kilsaran Concrete Unlimited Company, care of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, County Dublin.

**Proposed Development:**

The proposed development, within an application area of 32.5 hectares, will comprise the following:

- (i) Construction and operation of an inert landfill facility to backfill the existing quarry to original (pre-development) ground level using approximately 6,165,000 tonnes of imported inert waste and (non-waste) by-product, principally soil and stone. Selected uncontaminated, undisturbed, natural soil waste and/or by-product which conforms to an engineering specification will be re-used in the construction of the basal and side clay liners required for the inert landfill.
- (ii) Progressive restoration of the backfilled quarry to long-term grassland/scrub habitat, similar to that which existed prior to the quarry development.

- (iii) Development and operation of a construction and demolition (C&D) waste recovery facility at the pre-existing concrete blockyard area
- (iv) Installation and operation of a soil washing plant at the former concrete / asphalt production yard to recover sand and gravel aggregate from soil / claybound waste.

The proposed development also provides for:

- (i) Continued use of existing site infrastructure and services including, site / weighbridge office, staff welfare facilities, wastewater treatment system, outbound weighbridge, garage / workshop, wheelwash, hardstand areas, fuel and water storage tanks to service the proposed development.
- (ii) Installation of a new weighbridge along the inbound lane of the quarry access road.
- (iii) Decommissioning and off-site removal of any remaining fixed plant, infrastructure and/or wastes associated with former site activities.
- (iv) Construction of an industrial shed (portal frame structure) for C&D recovery activities at the blockyard area.
- (v) Use of existing external paved area surrounding the proposed C&D waste processing shed as a hardstanding area for the external handling and storage of both unprocessed and processed C&D wastes
- (vi) Construction of an on-site (passive) wetland treatment system and attendant drainage infrastructure to treat surface water run-off/groundwater collecting in the sump / floor of the quarry area during landfilling operations and any surface water run-off from the C&D waste recovery area prior to its discharge off-site.
- (vii) Re-use of an existing storage shed as a dedicated waste inspection and quarantine facility to inspect and store suspect waste consignments as required.
- (viii) Upgrading and ongoing maintenance of established internal haul roads across the application site.
- (ix) Temporary stockpiling of topsoil pending re-use as cover material for phased and/or final restoration of the inert landfill/backfilled quarry.



- (x) Environmental monitoring of noise, dust, surface water and groundwater for the duration of the landfilling and C&D waste recovery activities and final restoration works and for a short period thereafter,

all within the townlands of Ballinclare and Carrigmore, Kilbride, County Wicklow.

## **Decision**

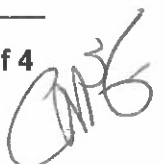
**REFUSE permission under section 37G of the Planning and Development Act 2000, as amended, for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

**DETERMINE under section 37H(2)(c) the sum to be paid by the applicant in respect of costs associated with the application as set out in the Schedule of Costs below.**

## **Reasons and Considerations**

In coming to its decision, the Board had regard to the following:

It is considered that the proposed development would be in accordance with European waste policy, the National Planning Framework and the relevant provisions of applicable regional and local planning policy and would be acceptable in principle in terms of its contribution to Ireland's national strategic policy on sustainable waste management and the move to a circular economy. However, having regard to the previous use of the site for quarrying and to the lack of survey information submitted with this application and the appeal under An Bord Pleanála reference number ABP-301135-18, regarding the existing environmental and ecological status of the subject site and surroundings, the Board is not satisfied, on the basis of the documentation submitted with this application and the appeal ABP-



301135-18, that it can be demonstrated that adverse impacts on water quality, habitat and species can be avoided, managed and mitigated or that the extent of such impacts have been identified with certainty. In this regard, it is considered that the proposed development would have unacceptable direct and indirect impacts on biodiversity and would, therefore, be contrary to the proper planning and sustainable development of the area.

### **Schedule of Costs**

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be reimbursed to the applicant is €57,995

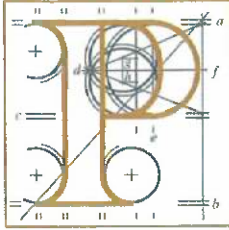
**A breakdown of the Board's costs is set out in the attached Appendix 1.**



**Chris McGarry**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 2<sup>nd</sup> day of September 2023



An  
Bord  
Pleanála

**Board Order –  
Appendix 1  
ABP-309991-21**

**Strategic Infrastructure Development**

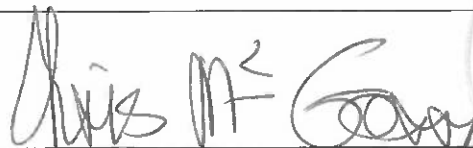
**Cost of determining the Application**

**File Number:** ABP-309991-21

**Proposed Development:** Development and operation of an inert landfill facility to backfill the existing quarry to original ground level; progressive restoration of the backfilled quarry to long-term grassland / scrub habitat; establishment and operation of a construction and demolition waste recovery facility; installation and operation of a soil washing plant and all associated site works, Ballinclare and Carrigmore townlands, Kilbride, Co. Wicklow

**Costs incurred by An Bord Pleanála in determining the application.**

	<b>An Bord Pleanála's Costs</b>	<b>€</b>
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre- application) - €3,920 Inspector 2 (application) - €39,935	€43,855
(2)	Total chargeable costs	€43,855
(3)	Application Fee - €100,000 Pre-application Consultation Fee - €1,000	€101,000
(4)	Observer fees paid	€850
(5)	Net amount due to be refunded to the applicant	€57,995

  
**Chris McGarry**  
Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.

Dated this 27<sup>th</sup> day of September 2023