



An
Bord
Pleanála

Record of Meeting ABP-311426-21 1st meeting

Case Reference / Description	ABP-311426-21 Restoration of lands comprising the infilling and land raise of a deep valley. Kilmartin, Coynes Cross, Newcastle, Co. Wicklow		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	20/12/21	Start Time	11:00 a.m.
Location	N/A	End Time	11:55 a.m.

Representing An Bord Pleanála
Staff Members
Ciara Kellett, Assistant Director of Planning (Chair)
Karla McBride, Senior Planning Inspector
Niamh Thornton, Executive Officer
Representing the Prospective Applicant
Willie Norse
Ruth Treacy

The meeting commenced at 11.00 a.m.

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board. The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant gave a brief overview of the proposed development. The prospective applicant was granted permission for the same development, which came to An Bord Pleanála under appeal, in 2009 and a waste licence was received at the time. The development was not completed due to the economic recession and the permission and licence have since expired.

The site is located to the east of junction 14 of the M11/N11, known as the Coynes Cross interchange in County Wicklow. The site is currently used for sheep grazing. A deep valley runs north-south within the site. The prospective applicant referred to an image showing the contour lines of the site and a 20 metre dip from ground level on site to the bottom of the valley.

The prospective applicant proposes to raise the levels of the valley to facilitate the use of the land for tillage farming. It is proposed to import clean soil and stone from site development projects in Dublin and Wicklow.

The prospective applicant stated that it had operated under a licence permit from Wicklow County Council between the years 2006 and 2009, during which time approximately 180,000 tonnes of soil and stone was imported to the site.

The prospective applicant now proposes to import between 350,000 and 500,000 tonnes per annum. This figure exceeds the Seventh Schedule threshold of 100,000 tpa. The prospective applicant stated that it should take between 6 and 8 years to complete final restoration of the site, 5 to 6 years of which would be infilling. The prospective applicant intends to apply for a 10 to 15 year lifespan.

The prospective applicant stated that it was of the opinion that the proposed development does NOT constitute Strategic Infrastructure Development as it does not satisfy one or more of the conditions under section 37A(2).

Discussion:

The prospective applicant clarified that is not the intention to process the soil and stone imported to the site.

The prospective applicant raised the possibility of applying for the development under Article 27 of the European Communities (Waste Directive) Regulations 2011, as amended. The Board's representatives noted that the prospective applicant had requested pre-application consultations pursuant to section 37B of the Planning and Development Act, 2000, as amended, for development specified in the Seventh Schedule - an installation for the disposal, treatment, or recovery of waste with a capacity for an annual intake greater than 100,000 tonnes, and that the Board would make a determination on this basis.

The prospective applicant clarified that there is no watercourse within the valley. The Kilmartin stream flows to the south of the valley, just beyond the red line boundary. The Board's representatives noted this with respect to environmental assessments to be carried out. It was noted that the valley drains into this stream which flows eastward towards the sea.

The Board's representatives advised that an ecological survey be undertaken on site as part of any future application and advised the prospective applicant to take archaeology/cultural heritage and the impact of haul routes into consideration. The prospective applicant stated that the proximity of the M11/N11 had been advantageous in the past for importation and that the haul route from the main road was short and did not pass any houses.

Conclusion:

The record of the instant meeting will issue in due course and the prospective applicant can submit any comments it may have in writing or alternatively bring any comments for discussion at the time of any further meeting. The onus is on the prospective applicant to either request a further meeting or formal closure of the instant pre-application consultation process.

The meeting concluded at 11:55 p.m.

Ciara Kellett 7/1/22

Ciara Kellett

Assistant Director of Planning