



An  
Bord  
Pleanála

## Record of Meeting 17.PC0221 4<sup>th</sup> meeting

<b>Case Reference / Description</b>	17.PC0221  Proposed development to allow further replacement of fossil fuels with alternative fuels and use of alternative raw materials at existing cement works at Platin, Duleek, Co. Meath.		
<b>Case Type</b>	Pre-application consultation		
<b>1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> Meeting</b>	4 <sup>th</sup>		
<b>Date</b>	21/03/17	<b>Start Time</b>	11.20 a.m.
<b>Location</b>	Meeting Room 1	<b>End Time</b>	12.35 p.m.
<b>Chairperson</b>	Philip Green	<b>Executive Officer</b>	Kieran Somers

<b>Attendees</b>		
<b>Representing An Bord Pleanála</b>		
<b>Staff Member</b>	<b>Email Address</b>	<b>Phone</b>
Philip Green, Assistant Director of Planning		
Patricia Calleary, Senior Planning Inspector		
Marcella Doyle, Senior Executive Officer		
Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107

<b>Representing the Prospective Applicant</b>		
Seamus Breen, Head of Sustainability and Quality, Irish Cement Limited		
Brian Gilmore, Marketing and Communications Manager, Irish Cement Limited		
Thomas Burns, Planning Consultant, Brady Shipman Martin		
Deborah Spence, Arthur Cox Solicitors		

The meeting commenced at 11 a.m.

The Board referred to its previous meeting with the prospective applicant held on the 21<sup>st</sup> December, 2016 and the prospective applicant's response in writing to this which was received by letter dated the 27<sup>th</sup> February, 2017.

The Board referred to its recent meetings with Meath County Council (held on the 9<sup>th</sup> February, 2017) and the Eastern-Midlands Regional Waste Office (held on the 14<sup>th</sup> February, 2017) and summarised the main points which were raised and discussed at these meetings. In response to the Board's query on the matter (as also raised in the meeting with Meath County Council) the prospective applicant clarified that a Natura Impact Statement will not be lodged as part of the formal planning application. A Stage 1 Assessment has been carried out and its conclusion was that a Stage 2 Assessment was not required.

The prospective applicant enquired as to whether the Board's representatives had met with the EPA since the time of the previous meeting. The Board replied that it had not, but might still as part of the pre-application process. In relation to consultations with the EPA generally, the Board asked the prospective applicant to provide it with any feedback it has received. The prospective applicant pointed out generally that any application made is lodged with the licencing division of the Agency. An Industrial Emissions Licence (IED) is the appropriate licence in this case and it outlined its discussions with the EPA. It pointed out that the Agency was quite instrumental in suggesting the potential quantity of material to be processed so as to

avoid the necessity for repeat licence applications in the event of market conditions dictating such. The prospective applicant also commented that examples of similar plants in Europe influenced its decision on the proposed 600,000 tonnage figure. With respect to the EPA, the prospective applicant said that the Agency is largely supportive of the approach proposed in the subject development. It confirmed to the Board that the proposed 600,000 tonnage figure includes the already permitted 120,000 amount.

With respect to phasing involved in terms of tonnage acceptance in future years, the Board enquired as to how this might be set out in the formal planning application. The prospective applicant replied that a natural phasing would take place with regard to the gradual replacement of fossil fuels by alternative fuels. It said this would constitute a fuel swap essentially. It added that in its assessments carried out to date it has examined worse-case scenarios with respect to every section of the EIS (i.e. a 600,000 tonnage figure being realised on an annual basis with both existing kilns operating).

In relation to various tonnages and operating phases, the prospective applicant said that it would present a number of scenarios in the planning application. Noting this, the Board said such an approach would be useful in its overall consideration of the case and its understanding of implications involved in the proposed development.

Responding to the Board's query on the matter, the prospective applicant said that it has applied to the EPA for a review of the plant's existing IED licence. With respect to existing processes at the facility, the prospective applicant said that there would be no new technology required. The only additional structures required to be constructed as part of any planning permission would relate to storage facilities. The Board noted this and encouraged the prospective applicant to set out such matters relating to technological processes taking place on the site as clearly and straightforwardly as possible.

With regard to procedural matters, the Board confirmed that a different inspector would report on the planning application following on from this pre-consultation stage.

The Board then allowed the prospective some time to peruse the record of its meetings with Meath County Council and the Eastern-Midlands Regional Waste Office. With respect to the record of the Board's meeting with the local authority, the prospective applicant said it had no specific comments to make. With regard to the record of the meeting with the waste office, the prospective applicant said it was aware of that body's frustration in relation to getting clarity on exact national figures in light of planning applications which have not yet been decided.

Having regard to prescribed bodies to be notified of the planning application, the Board provided the prospective applicant with a provisional list; however, it emphasised that the final list is at the discretion of the Board ultimately and issues along with the formal SID determination letter. The prospective applicant noted this and said that it has been liaising with prescribed bodies with respect to scoping.

In relation to a potential oral hearing, the prospective applicant enquired as to when this might likely take place. The Board said that generally, if required, it sought to hold an oral hearing approximately 4 – 5 weeks following receipt of the local authority's report although this would be subject to the number of submissions received and issues arising. The Board also pointed out that it is at the Board's discretion to seek the response of the applicant to third party submissions prior to the opening of a hearing. This should not however be used by the applicants as an opportunity to significantly amend the proposed development or to provide substantive new technical information.

With respect to a planning application generally, the Board pointed out that it is in the prospective applicant's interest that all information and data be presented upfront and as part of the application; it added that any deficiencies or inadequacies in information might necessitate a further information request which would in turn impede the progress of the case or a refusal of the application.

Responding to the Board's query on the matter, the prospective applicant confirmed that the subject site is not a Seveso site or within notification distance of such. The Board told the prospective applicant that the IED licence review application to the EPA should also be referred to in public notices.

With regard to public notices generally the Board's representatives expressed the opinion that the word 'waste' should appear in the interest of transparency for members of the public who would need to be made aware of the nature (and scale) of the development. The Board added that the public notice should provide a broad overview of the description of the proposed development. The Board emphasised that it is the responsibility of the prospective applicant to ensure that the content of the public notice is accurate. It may advise the prospective applicant with regard to procedural matters in this respect.

The Board enquired as to the current status of consultations with prescribed bodies and other stakeholders. The prospective applicant reported that these are now almost complete. It also advised that three public events have recently taken place with regard to consultations.

The Board asked if the EPA had had any further detailed comments to make on the proposed development. The prospective applicant said that the current IED licence was already under review at their request.

The EPA have since initiated a review of the licence to bring the licence into compliance with the legal requirements of the European Commission Implementing Decision on Best Available Technologies (BAT) conclusions for the production of cement.

In relation to emissions the prospective applicant said that an air quality model will be submitted as part of the planning application.

**Conclusion:**

The prospective applicant said that it would wish to lodge the planning application as soon as possible and enquired as to the likely timeline in this regard. The Board advised that the prospective applicant should wait for the record of the instant meeting to be received first prior to seeking such closure of the pre-application consultation process. Upon receipt of the letter of closure, the reporting inspector will then complete the report and this will be forwarded to the Board for formal SID determination. A letter will then issue to the prospective applicant which will be accompanied by the list of prescribed bodies.

Finally, the prospective applicant confirmed to the Board that there are no transboundary implications involved in the proposed development.

The meeting concluded at 12.35 p.m.

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**Philip Green**

**Assistant Director of Planning**