



An
Bord
Pleanála

Inspector's Report 26.247626

Development	Permission and retention permission for proposed truck wash bay and surface water recycling system. Retention of a yard, batching plant, relocation of a batching plant within an existing quarry.
Location	Coolishal Upper, Gorey, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	2016 0122
Applicant(s)	Faser Court Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Faser Court Ltd.
Observer(s)	None
Date of Site Inspection	20 th February 2017
Inspector	Michael Dillon

1.0 Site Location and Description

- 1.1. The site (as outlined in red), with a stated area of 9.9ha, is located approximately 2.0km due southwest of the town of Gorey in County Wexford. The site, at Coolishal Hill, (original height 175m OD: the summit of which is now quarried out) – is within a larger quarry site located between the 130m and 155m contours. The applicant company is stated to own 43.56ha in this area. The quarry is surrounded by agricultural lands with some land given over to newly-planted trees. There are a number of one-off houses flanking county roads L5057 & L5077 to the northwest, north and northeast of the quarry.
- 1.2. Access to the site is from the old N11 (now designated the R772 Regional Road) linking the southern end of the new M11 motorway with the town of Gorey (via the hamlet of Clough). The 80kph speed restriction applies in this area: there is no public lighting and there are no public footpaths. There is a ghost right-turning lane into the quarry site on the R772. There are narrow hard shoulders on either side of the road. Sight distance at the entrance is good in either direction. The recessed entrance is flanked by low stone walls advertising 'Casey Enterprises'. Access is controlled by a sliding gate. Aggregate and mud from the wheels of trucks is being carried down the access road and washing out onto the R772 – resulting in deterioration in the road surface at the quarry entrance. A 600m long access road (6.0m-7.0m wide) climbs 60m uphill away from the R772, to the quarry offices and entrance proper. This road is bound with tarmac. There is a second access to the quarry from a county road to the north (L5077). This access is controlled by farm gates and is currently only used for agricultural purposes.
- 1.3. The processing area for this quarry is located to the northeast and east of the quarry pit. Offices are located within a single-storey building at the entrance. There are two weighbridge structures in this area of the quarry. The crushing/screening/washing plant was generating a considerable amount of dust on the date of site inspection. This is not helped by the fact that approximately two thirds of the roof of the aggregate storage shed is missing. There are four fuel storage tanks in this area – none of which is bunded. There is stand-by diesel generator, which is not bunded. Wash water discharges to a sump beneath the plant, from which it is pumped and recycled. The asphalt plant was operational on the date of site inspection, as was

the adjoining 'Ready-mix' plant. A fuel tank adjacent to the 'Ready-mix' plant is walled-off, but the bund wall is not sealed. The run-off from these two areas discharges over the rim of the quarry pit and ultimately to the quarry floor. The concrete block manufacturing plant is located at the most elevated part of the processing area. A disused silo within this area has mobile telephony attached – with a control cabinet at its base. The concrete block storage yard is a large apron of concrete used for the curing and storage of concrete blocks and storage of other concrete products and vehicles/plant. The yard has been constructed on filled material at its northwestern end. The steep slopes of this fill area have been colonised with gorse and other scrub vegetation. There is no drainage network for this area – surface water run-off being over-the-edge of this wide area. Immediately to the northwest of this area is an open-air pre-cast manufacturing and storage area. There are two large sheds associated with this area. This part of the site is at a considerably lower level than the block storage yard to the southeast. There is a planted earth berm between this area and the adjoining L5077 county road to the north. The area drains via a recently-installed pipe through the earthen berm to a drain inside the roadside boundary hedgerow. There is a pipe beneath the road to a drain on the opposite side. This drain was dry on the date of site inspection – there being no water discharging from the pre-cast manufacturing and storage area. This discharge drain is not shown on drawings submitted. A new earth berm has recently been created at the location of 'Discharge Sample Point 1' shown on drawings submitted – thereby eliminating this element of the overall site drainage. Immediately to the southwest of this pre-cast manufacturing and storage area – the land has been used for the deposition of stripped soil, topsoil, waste concrete and other spoil from the quarry. A small amount of builder's rubble has also been deposited in this area. The area is also used for the storage of some scrap metal and other plant and machinery. This latter area is outside the site as outlined in red. Floodlighting is in place within the manufacturing and processing areas of this quarry. There were no dust-suppression sprinkler systems operational on the date of site inspection.

- 1.4. The site (as outlined in red) does not encompass the quarry pit, notwithstanding that much of the proposed drainage relies on this pit as an essential element of the overall management of surface water. At present the 'Ready-mix' and asphalt plants

ultimately drain to the quarry floor via a settlement pond (indicated on drawings as 'Existing Primary Settlement Pond'). The feature indicated as 'Existing Secondary Settlement Pond' does not exist – quarrying having advanced into this area of the pit. There is a sump on the quarry floor from which water is pumped to a number of large water tanks within and around the processing area to feed the various processing activities on this site. There is a further small settlement pond on the quarry floor (indicated on drawings submitted as 'Existing Settlement Pond 3'). There was no visible evidence of ingress of any significant amount of water into the quarry pit from quarry faces – some of which were wet with slow seepage of groundwater. A small amount of waste tarmacadam has been deposited within the quarry pit. Land has recently been stripped of soil, to the west of the quarry pit, where quarrying is advancing in this direction. A small amount of vegetation has colonised areas where quarrying has been discontinued for some time.

- 1.5. The elevated nature of the quarry processing areas renders them particularly visible from a wide area. Most plant, hoppers and storage bins are painted dark grey. They are clearly visible from the M11 motorway. An earthen berm to the southeast of the processing area screens the structures from view from the R772. Vegetation and folds in the landscape largely screens processing structures from view from the R725 Gorey to Carnew Regional Road to the northwest. There are fine views over the surrounding countryside from the quarry processing area. The quarry pit itself, due to its elevated nature, is not visible from surrounding areas.

2.0 Proposed Development

- 2.1. Permission and retention permission sought on 12th February 2016, for quarry development comprising the following elements-
 - New truck-wash bay for drums of 'ready-mix' trucks.
 - New surface-water recycling system for entire quarry site, and in particular for use in concrete manufacture.
 - Retention of existing yard for storage of concrete blocks (3.357ha).
 - Retention of concrete block manufacturing/batching plant & workshop building (103m²).

- Retention of relocated and extended 'ready-mix' concrete batching plant.

2.1.1. The application was accompanied by a Report on Surface Water Drainage (dated 20th January 2016).

2.2. Following a request for additional information, revised proposals were received on 5th October 2016, as follows-

- Indication that output from the quarry and associated manufacturing processes is variable and market-dependent.
- Extension of red-line boundary of the site to include the access road from the R772, and also to include the offices/parking at the entrance.
- Replacement of existing septic tank at office building by sealed holding tank, with contents regularly tankered off-site for disposal.
- Details of traffic volumes associated with this quarry and ancillary operations.
- Noise mitigation measures.
- No decision issued from An Bord Pleanála in relation to applications SU0113 and QD0027 at this date.
- Details of surface water management within the site.

2.2.1. The response is accompanied by the following-

- Report on Water Management (5th October 2016) from AWN Consulting.
- Report on Traffic Impact Assessment (dated 3rd October 2016) from Kilgallen & Partners, Consulting Engineers.

3.0 Planning Authority Decision

By Order dated 27th October 2016, Wexford County Council issued a Notification of decision to refuse planning permission for one reason as follows-

insufficient information is available/has been submitted with regard to:

- the planning status of the past and proposed quarrying operations on the site;
- the capacity and traffic levels of the activities which are the subject of this application;

the operator's intentions for the development proposed should quarrying operations cease to enable the planning authority to properly assess the development which is the subject of the application.

As such it has not been demonstrated that the development, by itself or in conjunction with existing and proposed development on the overall site would not cause serious air, water or noise pollution and/or would not endanger public safety by reason of traffic hazard or obstruction of road users.

As such the development would be contrary to the proper planning and sustainable development of the area.

4.0 Planning History

There is an extensive planning history attaching to this quarry – dating back to 1980, when retention permission was sought for quarrying at this site. The planning history of the site is outlined in the Planner's Report from Wexford County Council, and it is not proposed to repeat it here. The following applications are of note-

Ref. 2009/0014: Permission granted by Wexford County Council for retention of asphalt plant on this site. On appeal by Third Party to the Board (**PL 26.235738**) permission was granted on 26th July 2010, subject to a number of conditions.

Ref. SU 26.SU0113: By Order dated 14th February 2017, the Board granted Substitute Consent for this quarry. A remedial EIS had been submitted with the application. Condition 3 required compliance with Board decision ref. PL 26.235738, save where the planning authority agreed in writing to details being waived.

Ref. QD 26.QD0027: By Order dated 14th February 2017, the Board granted permission for continuation of quarrying for a twenty-year period within a 3.8ha expansion area. An EIS was submitted with the application. The conditions provided, *inter alia*, for the following-

3. The depth of excavation shall be no lower than 100m Ordnance Datum.
- 5.(a) Details of a comprehensive site drainage management system, generally in accordance with the proposals set out in Chapter 7 of the Environmental Impact Statement, shall be submitted to and agreed in writing with the planning authority prior to recommencement of development.

- 5.(b) The agreed system shall be installed to the written satisfaction of the planning authority prior to recommencement of development.
- 5.(c) There shall be no discharge of quarry water from the site to any roadside drain or adjacent watercourse in the absence of a Discharge Licence.
8. Requires bunding of tanks (other than for water storage) within three months of the date of permission. Any water contaminated with hydrocarbons shall be discharged via grit trap and oil interceptor (with sump) to a watercourse.
10. Restricting operation to 0700-1800 Monday to Friday, and 0700-1400 on Saturdays.

5.0 Policy Context

5.1. Development Plan

The relevant document is the Wexford County Development Plan 2013-2019. Some relevant policies/objectives include the following-

- Section 6.4.5 refers to facilitating appropriately sited, designed and well managed development of the extractive industry while ensuring protection of the environment, landscape, residential and tourist amenities.
- Restrict extractive industry where it could significantly impact on European sites or Natural Heritage Areas – ED09.
- Maximise bio-diversity of site and ensure best practice in design and operation – ED10 and ED11.
- Provide for manufacture of concrete and tarmac and consider use of worked-out sites for deposit and recycling of inert waste – ED12 and ED13.
- Section 18.16 of the Plan contains development management standards for extractive industry.
- The site is located within a Lowland area for Landscape Character Assessment. The Plan includes a range of specific policies in relation to Upland, Lowland, River Valley, and Coastal areas.

5.2. Quarry Guidelines

The “Quarries and Ancillary Activities – Guidelines for Planning Authorities” – issued by the Department of the Environment, Heritage and Local Government in April 2004 are of relevance to this application. Notwithstanding that the development does not relate to quarrying, sections of the Guidelines in relation to noise and dust emissions are of relevance.

5.3. Natural Heritage Designations

There are no natural heritage designations either within or immediately adjoining the appeal site. The closest European sites are as follows-

- Slaney River Valley SAC (Site code 000781) – located some 1.45km (as the crow flies) to the northwest of the quarry boundary. The qualifying interests of this SAC are as follows-
 - Estuaries [1130]
 - Mudflats and sandflats not covered by seawater at low tide [1140]
 - Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) [1330]
 - Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
 - Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]
 - Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]
 - Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
 - *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]
 - *Petromyzon marinus* (Sea Lamprey) [1095]
 - *Lampetra planeri* (Brook Lamprey) [1096]
 - *Lampetra fluviatilis* (River Lamprey) [1099]
 - *Alosa fallax fallax* (Twait Shad) [1103]
 - *Salmo salar* (Salmon) [1106]

- *Lutra lutra* (Otter) [1355]
- *Phoca vitulina* (Harbour Seal) [1365]
- Cahore Polders & Dunes SAC (Site code 000700) – located some 14.0km to the southeast of the quarry entrance on the R772.
- Cahore Marshes SPA (Site code 004143) – located some 13.6km to the southeast of the quarry entrance on the R772.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The appeal from PD Lane & Associates, agent on behalf of the applicant, Faser Court Ltd, received by the Board on 23rd November 2016, can be summarised in bullet point format as follows-

- This application was submitted at the behest of WCC to regularise aspects of the quarrying operation at this site.
- The Environment Section of WCC was satisfied to recommend a grant of permission subject to compliance with 14 no. conditions (report of 24th October 2016).
- The Gorey Municipal District Senior Executive Engineer was satisfied that permission could be granted subject to payment of a development contribution for damage to the R772.
- No decisions have issued from the Board in relation to SU0113 and QD0027
- A Traffic Impact Assessment Report was submitted with the application – demonstrating that the R772 is a suitable access and road to serve this quarry development, and will not endanger public safety by reason of traffic hazard.
- Quarrying has been carried on for several decades, and has not caused any serious air, water or noise nuisance.
- The quarry provides employment for 70 people, with additional employment provided in maintenance and haulage.

- Details relating to air & climate and noise & vibration are subject to regular monitoring.
- Details of water management have been outlined in reports prepared by AWN Consulting.

6.1.2. The appeal is accompanied by a number of documents and drawings already submitted to WCC when the application was lodged.

6.2. **Planning Authority Response**

The response of Wexford County Council, received by the Board on 21st December 2016, indicates that the Council welcomes the application to regularise the activities at this quarry and has no objection in principle. However, the Council has concerns that waste management, traffic and landscaping are issues which overlap between quarrying activities and ancillary activities. A comprehensive approach is required in order to address all issues of relevance. In the absence of decisions from the Board on the Substitute Consent and Continuation of Quarrying applications [SU0113 and QD0027] it is felt that the Council had no option but to refuse permission on grounds of prematurity – regard being had to statutory time limits imposed on planning authorities for the determination of planning applications.

6.3. **Further Responses**

By letters dated 17th January 2017, the Board invited comment from a number of Prescribed Bodies as follows-

- Fáilte Ireland.
- An Chomhairle Ealaíon.
- The Heritage Council.
- An Taisce.
- Development Applications Unit of DoAHRR&GA.

6.3.1. Response of DoAHRR&GA

The response, received by the Board on 30th January 2017, states that wastewater from the truck-wash facility should not be allowed to enter any drain or stream in the

vicinity. The site is elevated, and soiled waters have potential to flow into neighbouring streams if not properly retained within the site.

7.0 Assessment

Since this application was lodged, and subsequent to the refusal of planning permission, the Board has granted substitute consent ref. SU0113 and permission for continuation of quarrying ref. QD0027 (both on 14th February 2017). In deciding to refuse planning permission for the current application, WCC had regard to the fact that the Board had not made decisions in relation to SU0113 and QD0027. The absence of clarity in relation to the activities at this quarry was a determining factor in that decision to refuse permission. WCC felt constrained by statutory time limits to make a decision on the application, and consequently felt obliged to refuse planning permission, because of uncertainty. The Board had not made any decision in relation to SU0113 or QD0027 when WCC submitted comments on the First Party appeal submission, on 21st December 2016. WCC had not the benefit of sight of either of the Board's decisions when adjudicating/commenting on this current application/appeal. This is of relevance inasmuch as many of the concerns raised in reports from WCC have been addressed in the two decisions of the Board and the conditions attached.

7.1. Development Plan Considerations

This quarry is already in existence and was so, prior to adoption of the current Development Plan for the area. There is nothing in the Wexford County Development Plan 2013-2019 which would preclude granting planning permission for a development of this nature.

7.2. Traffic

This quarry, when originally commenced, took access directly off the N11 National Primary Route. This road has since been downgraded to the status of a Regional Road (R772), with the construction of the M11 Gorey by-pass. The N11 had already been realigned in the vicinity of this quarry entrance. Sight distance in either direction at the wide recessed quarry entrance is good. A ghost island has been created in the centre of the road to facilitate right-turning traffic into the quarry. The 80kph speed restriction applies in this area. The application was accompanied by a

Traffic Impact Assessment (dated 3rd October 2016). A traffic survey was undertaken on Tuesday 12th January 2016 (24-hour). HGV traffic from the quarry comprises approximately one third of the HGV traffic on the R772. Traffic generated by the quarry comprises approximately 7.5% of the Passenger Car Units (PCU) on this road. The road has sufficient capacity to cater for traffic increases arising from this quarry development in the design year of 2036. This is exactly the type of road most suited to a busy quarry, and access from such is considered to be most appropriate. The development will have a significant impact on the structure of the R772 – and it is acknowledged that a visual inspection of the road in the vicinity of the quarry access junction found the road to be in good condition generally. However, signs of distress in the structure of the road were observed, but these were isolated, localised and small in extent. HGV traffic from this site will necessitate reconstruction/overlay of the R772 pavement sooner than would be necessary if the development did not proceed. This could be dealt with by way of requirement to pay a special development contribution – as recommended by the Gorey Municipal District Senior Executive Engineer for WCC.

7.3. **Water**

7.3.1. General Comment

The most significant aspect of the appeal before the Board relates to the handling of water – both within the quarry pit and also for ancillary activities such as the manufacture of concrete products, dust suppression and wheel-wash for trucks departing the quarry. The intention of this application is to eliminate all surface water discharge from the quarry through using recycled water for ancillary quarry activities. I note that not all drawings at different scales show all elements of the proposed drainage network – particularly in the case of larger scale drawings omitting details which are shown on drawings to a lesser scale: it is not clear just why this is. Different aspects of how this is to be achieved are set out by the developer in three phases as follows-

Phase 1 – twelve weeks.

- Eliminate surface water run-off to the watercourse on the northern boundary [beside the L5077 county road].
- Replace existing septic tank at office building.

- Construct bunds around all fuel tanks.
- Repair cracked/broken yard surfaces to prevent infiltration of surface water.
- Positive drainage of surface water run-off from pre-cast yard and concrete block storage yard.
- Construction of settlement tank at pre-cast yard from which water will be pumped to the quarry void.
- Lining and upgrading of all settlement ponds.

Phase 2 – six weeks.

- Eliminate uncontrolled surface water discharge from manufacturing areas.
- Removal of any existing solid and liquid spoil.
- Repairs to hard-stand surfaces to prevent infiltration of surface water.
- Construction of drainage network.

Phase 3 – eight weeks.

- Establish clearly-defined access roads, parking and storage hard-stands.
- Removal of discarded machinery.
- Relocation of machinery to defined/protected storage areas.

7.3.2. Overall Drainage Proposal

The proposed drainage network to be employed at this quarry was altered by way of additional information submission of 5th October 2016. Comments in this assessment relate to the Groundwater inflow to this quarry void is limited. Rain falling on some parts of the wider quarry site currently drains to the quarry void – whilst other areas of the quarry discharge to ground. There are no watercourses either within or immediately abutting the quarry. There is a roadside (L5077) drain on the northern boundary of the concrete products yard – which was dry on the date of site inspection by this Inspector. In the past, it is acknowledged that surface water from the northern portion of the site has discharged to this drain. Indeed, provision is currently made for the drainage of the concrete products yard to this drain via a pipeline recently laid through the roadside earth berm, in the vicinity of TW3. The position of this drainage pipe is not indicated on drawings submitted. This pipe will

have to be closed-up to prevent discharge of untreated concrete and silt to the wider watercourse network, upon construction of the proposed new holding tank in this area of the quarry site. A condition to this effect should be attached to any grant of planning permission from the Board. The area of ground in which the underground tank is to be located has recently been cleared and excavated. A new pre-cast concrete channel will surround most of the storage yard to channel run-off into the aforementioned tank. A 1.0m high earth berm will be thrown up across the existing agricultural access onto the L5077 to prevent the overflow of surface water run-off into the ditches which flank the road. Water from the tank will be pumped by rising main into the proposed new drainage system at manhole S110 on the edge of the concrete block storage yard. This high level concrete block storage yard will also be surrounded with a pre-cast concrete channel to collect surface-water run-off and channel it to the new gravity drain. At present this yard area drains over-the-edge fashion. The new system will channel all surface water drainage into the quarry pit via a series of settlement ponds.

7.3.3. Proposed Water Supply

It is proposed to use water pumped from the sump on the quarry floor for re-cycling and re-use in the ancillary activities on this site. This is already occurring. Water is pumped from the sump on the quarry floor using an electric pump to a series of water tanks scattered around the quarry. Storage tanks 9 & 10 are located just above the sump on the first bench above the quarry floor. A third tank (not shown on drawings) has been added to these two. Storage tanks 7 & 8 on the quarry rim have, in fact, been relocated further to the east than shown on drawings submitted – now positioned closer to the concrete block manufacturing plant. Storage tank no. 6 (for the non-existent wheel-wash) is in place beside the weighbridges. Storage tanks 1, 2 & 5 are located within the asphalt plant. Storage tanks 3 & 4 are located within the concrete block manufacturing plant. All tanks will be connected to the new distribution main around the processing area.

7.3.4. Proposed Settlement Pond Network

At present, wash water from at the crushing/screening/washing plant discharges to a small sump beneath conveyor belts, from whence it is recycled for washing aggregate. It is proposed to line this sump and to connect it to the new drainage

network – ultimately discharging to the quarry floor. At present, the Primary Settlement Pond (located at the first bench level) receives waters from some of the processing area. This pond is to remain in place. Drawings submitted indicate that water is to be pumped from this Primary Settlement Pond to a Secondary Settlement Pond at first bench level. This Secondary Settlement Pond is indicated on drawings as 'Existing'. Whilst it may have existed in the past, it is no longer in place – quarrying having extended into this portion of the pit. From this Secondary Settlement Pond, discharge is by gravity into a Tertiary Settlement Pond on the quarry floor. This latter pond is in existence. Water will be pumped from this Tertiary Settlement Pond back up to the processing area for re-use.

7.3.5. Proposed Truck Wash Bay

A new wash bay is proposed immediately to the west of the 'Ready-mix' plant. This will be to wash out the drums of the returning 'Ready-mix' trucks. This activity is already being carried out within the quarry, with wash water being discharged over the rim of the quarry pit to the quarry floor. The proposed development will result in a better use of recycled water and more convenient disposal of concrete fines. The bay will be located on the rim of the quarry void. It will have three settlement tanks. Drawings submitted show this element of the development entirely isolated from either the water supply or drainage arrangements associated with the remainder of the development. This is clearly an oversight. It is assumed that the facility will be provided with water from the re-circulated system within the quarry, and that discharge of water (if necessary) will be over the rim of the quarry into the quarry void.

7.3.6. Fuel Tanks

It is proposed to create bunds at all fuel tanks within this quarry. At present such tanks are not bunded. Some have concrete walls around them, but the walls are not sealed. Fuel Tank 1 is located immediately to the south of the 'Ready-mix' plant. It is to be bunded. However, drawings submitted show this bunded area being connected to the proposed new drainage network which ultimately discharges to the quarry floor: this is entirely unacceptable. A condition should be attached to any grant of planning permission requiring that no such connection be made. Any build-up of rainwater within the bunded area beneath the tank should be pumped out

through an hydrocarbon interceptor. Fuel Tanks 2, 3 & 4 are located to the east of the asphalt plant. There is a further small fuel tank in this area which is not shown on drawings submitted. It is proposed to construct a large perimeter bund wall with part HDPE liner in this area. This is an unacceptable arrangement due to the extent of the area to be bunded and the amount of rainwater which will necessarily gather within it. Tanks should be separately bunded, and all bunded areas should be covered to prevent ingress of rainwater. Drawings submitted show connection from the bunded area to a soakway: this is entirely unacceptable. A condition should be attached to any grant of planning permission requiring that no such connection be made. Any build-up of rainwater within the bunded areas beneath the tanks should be pumped out through an hydrocarbon interceptor.

7.3.7. Sprinkler System

Water tank no. 6 is stated to be for the purpose of feeding a sprinkler system at the wheel-wash. It is not clear if there is a sprinkler system in operation at the crushing/screening/washing area. A condition should be attached to any grant of planning permission requiring the installation of such a system – to mitigate the nuisance caused by fugitive dust at this elevated location.

7.3.8. Wheel-wash

Drawings submitted with this application indicate an “Existing Truck Wheelwash” beside the quarry offices. There is no wheel-wash in place at this quarry. This results in muck being carried out onto the R772. This wheel-wash facility should be provided within three months of the grant of any planning permission from the Board.

7.3.9. Access Road

A considerable amount of muck is being carried out of this quarry on the wheels of trucks and is being deposited on the access road. This is evident on the upper reaches of the access road (closest to the quarry) where the exit (downhill) lane had considerable deposition of mud, whilst the access (uphill) lane is relatively free from muck on the date of site inspection by this Inspector. Mud and silt is being carried/washed down the access road and flow out onto the R772, which has resulted in the deterioration of the road surface at the quarry entrance. Drawings submitted indicate that the surface of the existing access road is to be regraded to provide cross fall to filter drains approved under ref. PL 26.235738. This work would

not appear to be carried out. There is a soakway located behind the southern wing wall at the recessed entrance off the R772. However, it is clearly not catching all silt/muck washed down the access road. This necessary drainage work on the access road should be carried out within three months of the grant of any planning permission by the Board – where it ought to have been carried out in 2010.

7.3.10. Septic Tank

There is an existing septic tank serving the office building on the site. No indication is given of how the outlying ancillary activities at this quarry are serviced. It is proposed to replace the septic tank with a holding tank [capacity is not stated] – the contents of which will be tankered off the site to a licensed disposal facility. This will be an improvement on the existing system where the septic tank is located within a concrete hardstand area and when it is not clear just where the percolation area is located and how extensive it is. This element of the development is indicated for Phase 1. A condition should be attached to any grant of planning permission requiring that chemical toilets be used to service outlying quarry processing areas and ancillary activities.

7.3.11. Quarry Wells

The quarry is currently served by three wells – indicated as TW1, TW2 & TW3 – all located on the northeastern side of the quarry. TW1 is located adjacent to the quarry entrance. Water is pumped from this well for use in concrete block manufacturing and other ancillary activities. TW2 is located adjacent to the offices and is used for drinking purposes and sanitary facilities within the building. TW3 is located within the concrete products yard and is used to supply this element of the development. It is proposed to continue to use water from TW2 to serve the office building. It is proposed to substitute supplies from the other two wells with recycled water within the quarry – pumped from a sump on the floor of the quarry void and circulated throughout the processing area. This is a welcome development as it will reduce the likelihood of the need to dewater this quarry. In dry periods water from TW1 may still be required to feed the concrete block manufacturing element of this development.

7.3.12. Monitoring Wells

The supply wells TW1, TW2 & TW3 are used for monitoring purposes. In addition, there further wells have been drilled for monitoring purposes. These are shown as

MW1, MW2 & MW3 on drawings submitted. The position of MW1 has changed – as this well has recently been abandoned due to advancing quarrying. MW1 is now located immediately adjacent to the sump on the quarry floor. MW2 & MW3 are in locations as indicated on drawings submitted. These wells monitor groundwater quality and depth. Monitoring results indicate compliance with guidelines, with some minor exceptions. The system proposed is a closed one and will ensure that any contaminants will be contained within the quarry. Measured levels in wells in 2015 showed consistency – apart from TW1 from which considerable volumes were abstracted for use in the concrete block manufacturing on this site. MW1 on the quarry floor had a level of approximately 96m OD – controlled by dewatering of the quarry pit. Coolishal Hill forms a local groundwater divide. Quarrying is below the water table. However, the flow of water into the quarry is limited. Potential for contamination from hydrocarbons exists. The proposal to bund all fuel tanks and line all settlement ponds on the site will remove significant sources of potential threat to groundwater resources.

7.3.13. Wells & Water Supply in the Vicinity

The alteration to be brought about by reduction in the volume of pumped water from TW1, and the re-use of groundwater inflow and rainfall within the quarry for ancillary activities, will lessen the potential for impact on groundwater supplies in the area. The proposed development will not significantly alter existing conditions in terms of depth of quarrying. A well survey in the area was undertaken in 2016. The Gorey Regional Water Supply Scheme expansion has resulted in some private wells being taken out of commission in favour of a public supply. It is stated that no complaints have been received from well owners in the vicinity of the quarry.

7.3.14. Conclusion

I consider that the proposals put forward will be an improvement on the system(s) formerly in place at this quarry. Subject to compliance with conditions, permission could be granted for the new water-handling arrangements within this quarry.

7.4. **Noise/Vibration/Dust**

7.4.1. Noise

The ancillary activities at this quarry provide considerable opportunity for generation of noise nuisance. A large number of planning permissions have been granted at

this site – as recently as February 2017 for continuation of quarrying. The proposed development will not result in the creation of any new ancillary activity at this quarry or the significant relocation of any such activity closer to the quarry boundary, and thereby to houses in the area. No new quarrying areas are proposed. Pumps for the circulation of water within the quarry will be operated by electric motors (as at present). The proposed development will not have any significant impact on the noise regime at this quarry.

7.4.2. Vibration

The quarry is located on an elevated site – some considerable distance from the closest housing. Permission and retention permission has been sought for activities ancillary to quarrying. There is no proposal for rock crushing. The development would not result in the generation of any significant vibration nuisance.

7.4.3. Dust

Whilst some mobile crushing/screening plant is located on the quarry floor – the majority of crushing/screening/washing is undertaken immediately adjacent to the quarry administration offices. Due to the elevated nature of the site and the absence of a roof over most of the aggregate storage shed, fugitive dust is carried by prevailing southwesterly winds to the hedgerow to the northeast. Conditions relating to maximum dust deposition have been attached to permissions granted for development at this site. Permission is sought for retention of the ‘Ready-mix’ plant and the retention of the concrete block manufacturing plant – both of which have the potential to generate considerable dust. There was no evidence of any sprinkler system in operation on the date of site inspection by this Inspector. The application make reference to an “approved 50,000 litre water storage tank (no. 6) to supply sprinkler, wheel-wash on auto-timers”. This tank is in place to the northeast of the Fitters Shed. A condition should be attached to any grant of permission from the Board requiring the installation/operation of a sprinkler system and the replacement of the missing portions of the roof of the Aggregate Storage Shed to reduce the amount of wind-blown dust.

7.5. **Visual Impact**

The quarry on this site has existed since at least the early 1980’s. A substantial number of planning permissions have been granted for quarrying and ancillary

activities at the site. Permission was granted in 2010 by the Board for the retention of the asphalt plant. The asphalt plant and the adjoining 'Ready-mix' and the concrete block manufacturing plant are all located in the one area of this quarry – the latter being located at a slightly higher level than the two former. Almost all plant, tanks, hoppers are painted dark grey. The elevated nature of the site renders the plant visible from a wide area. A screening berm has been thrown up along part of the southeastern boundary of the processing area. This effectively screens the plant from view from the R772 (which is located at a considerably lower level). The plant is not particularly visible from the R725 to the north. The workings are visible from further afield – particularly from the new M11 motorway. However, the separation distance and the dark grey colouring of plant ensures that it is not particularly visible on the skyline. I note that there are pylons carrying high tension electricity cables immediately to the south of the quarry. The quarry pit is not visible from surrounding areas – owing to its elevated nature. Trees have recently been planted over an entire field immediately to the south of the quarry – outside of the blue line ownership of the applicant company. The concrete block manufacturing area has been partly constructed on made ground – necessitating the construction of a steep embankment at the northwest end. Embankments have been colonised with gorse and other scrub vegetation rendering them less dominant in the landscape. This is particularly true of intermittent views of the site from the L5077 county road to the north. Proposed retention of certain elements of quarry processing (particularly the concrete block manufacturing area) will not have any significant impact on the visual amenities of the area.

7.6. Retention of Relocated 'Ready-mix' Plant

This plant is located immediately to the east of the permitted asphalt plant on this site. The two plants are of equal size and height. Structures include feed bins, storage hoppers, conveyor belts, silos, water tanks and mixing towers. The plant is to be connected to the proposed new water supply and drainage works – with a new wash-out facility for the drums of 'Ready-mix' trucks. Stone won from this quarry is used in the 'Ready-mix' process. I would see no difficulty with the retention of this ancillary quarry activity. A condition should be attached to any grant of planning permission tying the operation of the plant to the operation of the principal quarrying activity on this site.

7.7. Retention of Concrete Block Manufacturing/Batching Plant and Workshop Building

This aspect of processing at the quarry is located on the most elevated part of the site – and hence is the most visible. The top of the mixing tower is at a height of 159.5m OD. The structures are limited to feed bins, silos, conveyor belts, water tanks, mixing tower and a control cabin, and are not particularly large. The workshop building is 103sq.m and is located on the concrete apron. Stone from the quarry is one of the principal elements in the manufacture of concrete blocks on this site. Notwithstanding its elevated location, the proposed retention would be acceptable in the context of what surrounds it. A condition should be attached to any grant of planning permission tying the operation of the plant to the operation of the principal quarrying activity on this site.

7.8. Retention of Existing Yard for Storage of Concrete Blocks

This yard area is extensive (3.3ha in total) and is constructed largely on made ground – particularly at the northwest end, where it rises approximately 18m above a shed at the pre-cast storage yard. It is not clear just what the fill material comprises – but there is certainly some broken concrete amongst it. A condition should be attached to any grant of planning permission requiring that this shed not be used as a place of permanent work for any employees, in the absence of a satisfactory report from a qualified structural engineer as to the stability of the constructed slope to the southeast of the shed. This area has been surfaced and is used for drying concrete blocks, storage of concrete products and storage of machinery. There is no drainage system in place at present – existing surface water draining being over-the-edge. A disused silo is in use as a mobile telephony support structure, with a control cabin at its base. A condition should be attached to any grant of retention permission at this site, excluding retention of non-quarry related activities.

7.9. Appropriate Assessment

The planning application was not accompanied by a Natura Impact Statement. It is neither within nor immediately adjoining any European site. It was screened for Appropriate Assessment by WCC (dated 31st March 2016). The closest European site is the Slaney River Valley SAC – located some 1.45km due northwest of the quarry boundary – further by way of any surface water channel. The habitats and

species for which this site has been chosen are set out at section 5.3 of this Inspector's Report. In the past, surface water from this quarry has been discharged to a drain on the northern boundary of the site which ultimately discharged to the Bann River – a tributary of the Slaney. One of the purposes of the proposed application is to eliminate surface water discharge from this quarry. Rainwater and groundwater flowing into the quarry is to be retained in settlement ponds, and the water recycled for use in concrete manufacturing, dust suppression and the wheel-wash facility for trucks leaving the site. I note that condition 5.(c) of permission ref. QD0027 states- "There shall be no discharge of quarry water from the site to any roadside drain or adjacent watercourse in the absence of a Discharge Licence". Documentation submitted with the application makes no reference to a Discharge Licence or of any intention to apply for one. Reports on file refer to continually diminishing discharges of water from this quarry – with cessation indicated sometime around April 2016. Whilst the application does refer to possible future discharge of surface water off the site – these proposals were put forward prior to the grant of planning permission for future quarrying at this site ref. QD0027 on 14th February 2017. Condition 5.(c) of this permission should be repeated in any grant of planning permission issuing from the Board in relation to this current appeal. Notwithstanding the above, and until such time as the proposals for dealing with surface water in a closed system are constructed, there is still the possibility of contaminated surface water discharging from this quarry to the ditch along the L5077 to the north. There is an existing pipe from the concrete products manufacturing area draining to this ditch without any system for settling out silt or trapping hydrocarbons. The current application provides for a closed system within this overall quarry development. The completion of this system would mean that there would be no pathway for any contamination (silt or hydrocarbons) being discharged from the quarry and ultimately flowing into the SAC.

I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of European site 000781, or any other European site, in view of the site's Conservation Objectives.

7.10. Other Issues

7.10.1. Need for Environmental Impact Assessment

The development site forms part of a working quarry – extraction from which has been subject to EIA – most recently in relation to QD0027, in 2017. The development will not result in the expansion of any quarrying area, the application relating to ancillary activities and drainage. None of the elements of the proposed application comprise classes of development for which EIA is mandatory or where sub-threshold development should be considered for EIA – as set down in Schedule 5 of the Planning and Development Regulations 2001 (as amended). Having regard to the criteria for determining whether a development would or would not be likely to have significant effects on the environment, as set down at Schedule 7 of the Planning and Development Regulations 2001 (as amended), which refer to- characteristics of proposed development; location of proposed development; and characteristics of potential impacts, I would be satisfied that the proposed development would not have a significant impact on the environment, subject to compliance with appropriate conditions in relation to emissions.

7.10.2. Financial Considerations

Development Contribution

As permission was refused by WCC for this development, there is no reference in reports from Wexford County Council to payment of any development contribution in accordance with the Development Contribution Scheme for the county. I note the Board attached conditions requiring payment of financial contributions for quarrying of rock (SU0113 and QD0027). The report of the Senior Executive Engineer for Gorey Municipal District, refers to “accelerated deterioration of the R772 due to the additional traffic volumes” resulting from this development. It would be appropriate to attach a condition to any grant of planning permission from the Board, requiring the developer to pay a Special Development Contribution to WCC under Section 48(2)(c) of the Planning and Development Act 2000 (as amended), for specific exceptional costs for improvements to the road structure/surface of the R772 – the amount to be agreed between the developer and WCC, or in default of such agreement, by the Board.

The Wexford County Council Planning Authority Area – Development Contribution Scheme 2013, requires payment of a development contribution for water, waste water, roads and recreational & community facilities. The Scheme refers to manufacturing activity as one type of development which would attract the requirement to pay a development contribution, and goes on further to refer to storage areas, hardstanding area etc. Under the heading ‘Extractive Industry (Quarries)’, the Scheme states that “Hardstanding areas and processing areas will be charged appropriately”, without specifying just what ‘appropriate’ means. The Scheme would not appear to contain any exemptions which would affect the current proposal. The proposed development comprises a number of elements – some for retention and others proposed. I would be satisfied that a condition should be attached to any grant of planning permission from the Board, requiring payment of a development contribution in accordance with the Development Contribution Scheme for WCC – the amount to be agreed between the developer and WCC, or in default of such agreement, by the Board.

Bond

I note that the Board also attached conditions requiring payment of bonds to substitute consent and permission ref. SU0113 and QD0027, for restoration of the site. It would be appropriate to attach a condition to any grant of planning permission from the Board, requiring the developer to lodge a bond with WCC for restoration of the site – in particular the removal of machinery/plant/tanks associated with the concrete block manufacturing facility and the ‘Ready-mix’ facility.

7.10.3. Archaeology

The proposed development is located entirely within a working quarry. Ground has already been significantly disturbed. The proposed development will not have any impact on archaeology.

7.10.4. Hours of Operation

Permission ref. 26.QD0027 restricts the hours of operation for future quarrying by way of condition 10 to 0700-1800 hours Monday to Friday and 0700-1400 on Saturdays. It would be reasonable to apply a similarly-worded condition to any grant of planning permission from the Board in the current instance.

7.10.5. Scrap & Waste

There is a small amount of scrap metal and worn-out plant/machinery stored on this site – to the southwest of the pre-cast storage yard – on lands outside the appeal site as outlined in red, but within the blue line wider landholding of the applicant company. Condition 9 of permission ref. 26.QD0027 required annual removal of such waste from the quarry.

7.10.6. Acid Rock Drainage

As this proposal does not relate to quarrying activity per se, there are no implications for Acid Rock Drainage. ARD has been identified as a problem at a quarry at Boley Hill – some 7.0km due south of this quarry at Coolishal. There was no evidence of contamination of water within the quarry pit on the date of site inspection by this Inspector. Quarry laboratory control is undertaken at this quarry to test for ARD. The proposed closed nature of the new drainage/water supply system will lessen the potential negative impact of any ARD issue at this site – particularly in relation to surface waters.

7.10.7. Restoration

There are no proposals for restoration accompanying this application. It is not clear if requirements to restore the remainder of the quarry would cover restoration of the 'Ready-mix' plant, concrete block manufacturing plant and block storage yard – the area of which is significant at 3.35ha. It would be prudent to attach condition requiring re-instatement of the site following cessation of quarrying and ancillary activities at this site.

7.10.8. Floodlighting

Floodlighting is in place at processing and manufacturing areas. Time constraints on any permission will have a limiting effect on when such floodlighting is switched on.

7.10.9. Site Boundary

The site, as outlined in red, was enlarged by way of additional information to include the 600m long access road and the offices and adjoining car-park. This was done at the behest of WCC. Whilst the request for additional information from WCC made reference to the possible need for new public notices, such were not received. The Planner's Report of WCC noted "Site edged red altered within overall site edged

blue” and made no further comment. The extension of the site was not alluded to in the single reason for refusal of planning permission. The extended site lies entirely within the wider landholding of the applicant company, as outlined in blue. I note that there were no observations submitted to the Council in relation to this application, and neither were there any third party appeals or observations made to the Board from interested parties in the area. The extended site will not have any significant impact on adjoining property – being already part of the working quarry. The alteration to the site boundary is not significant in terms of development at this overall quarry. I would note that some elements of the water handling measures proposed are also located outside the site as outlined in red – particularly those located within the quarry pit.

8.0 Recommendation

I recommend that permission be granted for the Reasons and Considerations set out below, and subject to the attached Conditions.

9.0 Reasons and Considerations

Having regard to-

- (a) the ‘Quarry and Ancillary Activities, Guidelines for Planning Authorities’ issued by the Department of the Environment, Heritage and Local Government in April 2004,
- (b) the provisions of the Wexford County Development Plan, 2013-2019,
- (c) the planning history of the site,
- (d) the pattern of development in the area,
- (e) the nature and scale of the development the subject of this application for permission and retention permission,
- (k) the decision of An Bord Pleanála to grant substitute consent in respect of the subject quarry under reference number 26.SU.0113, and to grant permission for continuation of quarrying at this site under reference number 26.QD0027,

it is considered that, subject to compliance with the attached conditions, the proposed development would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted the 5th day of October 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing within six months of the date of this order, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The duration of the operation of the 'Ready-mix' plant, the concrete block manufacturing plant and the block storage yard on this site shall be limited to the period that the quarry remains operative and provides the source for the bulk of the raw material feeding the 'Ready-mix' and concrete block manufacturing aspects of this quarry development, unless a further permission has been granted by the planning authority or An Bord Pleanála on appeal.

Reason: In the interest of orderly development.

3. The activities to which this permission relates, shall only operate between 0700 and 1800 hours, Monday to Friday, and between 0700 and 1400 hours on Saturdays. No activity shall take place outside these hours or on Sundays or public holidays.

Reason: In order to protect the amenities of property in the vicinity.

4. During the operational phase of the proposed development, the noise level from within the boundaries of the site, measured at noise-sensitive locations in the vicinity, shall not exceed-

(a) an LArT value of 55 dB(A) during 0700-1800 hours. The T value shall be one hour.

(b) an LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes.

Reason: In order to protect the amenities of property in the vicinity.

5. (a) Dust levels at the site boundary shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this grant of planning permission. Details to be submitted shall include monitoring locations, commencement date and the frequency of monitoring results, and details of all dust suppression measures.

(b) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with these limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the entire quarry complex, shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this grant of planning permission. This programme shall include an annual review of all dust monitoring data, to be undertaken by a suitably qualified person acceptable to the planning authority. The results of the reviews shall be submitted to the planning authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the planning authority following this annual review.

Reason: To control dust emissions arising from the development in the interest of the amenity of the area.

6. (a) The roof of the aggregate storage shed shall be repaired to ensure that the entire shed is fully roofed. This work shall be carried out within six months of the date of this order.

(b) A sprinkler system for the suppression of dust shall be installed at the static crushing/grading/washing plant adjacent to the quarry entrance, and used during dry weather to minimise the escape of fugitive dust from this area of the overall quarry operation. This system shall be installed within six months of the date of this order.

(c) In dry weather conditions, all haul roads within the site shall be sprayed with water at least three times a day.

Reason: In the interest of public health and to protect the amenities of the area.

7. All of the proposed water supply and drainage measures outlined in this application shall be carried out within six months of the date of this grant of planning permission; within the three phases outlined in the AWN Consulting Report submitted to Wexford County Council on 5th October 2016, except as provided for below-

(a) the existing septic tank on site shall be drained and removed from the site;

(b) chemical toilets shall be provided for all outlying workshops and ancillary activities on this site;

(c) two separate bunded areas shall be provided for fuel tank 2 and fuel tanks 3 & 4. No discharge connection shall be provided from any bunded area to a soakway or to the proposed piped drainage network. All bunded areas shall be covered to prevent ingress of rainwater.

(d) the surface water discharge pipe from the pre-cast manufacturing and storage yard area (immediately adjacent to TW3), which is currently facilitating discharge from the site direct to a roadside drain off the site,

shall be permanently removed.

Reason: In the interest of public health and protection of groundwater and surface water quality in the area.

8. (a) A wheel-wash at the exit from the quarry (as indicated on drawings submitted with the application) shall be provided within three months of the date of this order. All vehicles departing the quarry (other than those visiting the car-park at the quarry entrance) shall exit via the wheel-wash facility.

(b) The surface water drainage measures for the 600m long access road – which includes soakways and an hydrocarbon interceptor at the quarry entrance off the R772 – shall be undertaken within six months of the date of this order.

(c) Any aggregate, silt or muck carried out onto the R772 public road shall be promptly removed by the developer.

Reason: In the interest of public health, traffic safety and convenience, the protection of groundwater and surface water, and the protection of the amenities of the area.

9. Night-time artificial lighting at the production areas shall be confined to the minimum extent necessary for security and operational reasons, in both time and spatial terms. Proposed lighting measures shall be submitted to the planning authority for agreement within three months of the date of this order.

Reason: To limit light pollution, in the interest of protecting the amenities of the area.

10. The retention of the existing concrete block yard does not extend to the retention of any non-quarry related activities, such as the erection of mobile telephony.

Reason: To clarify the extent of the permission granted.

11. The shed, situated on the southern side of the pre-cast manufacturing and storage yard, shall not be used as a place of permanent employment for any employee(s), in the absence of a satisfactory report from a suitably qualified structural engineer, as to the stability of the constructed slope to the rear of the shed.

Reason: In the interest of safety.

12. The restoration of the processing and ancillary areas, included within the red-line boundary of this application, shall be undertaken in association with the restoration of the quarry pit, upon completion of quarrying. All machinery, plant, tanks, buildings, roads, concrete aprons, walls, and structures shall be permanently removed from the site for disposal at authorised waste facilities. This work shall be carried out within twelve months of cessation of extraction of rock from the quarry.

Reason: To ensure the satisfactory restoration of the site, in the interest of visual amenity.

13. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of structural and surfacing works on the R772 between Paul Funge Boulevard roundabout and Clough Village. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid in one instalment or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute

towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid in one instalment or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission to further develop the quarry.

15. Within three months of the date of this order, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to the Board for determination.

Reason: To ensure the satisfactory restoration of the site in the interest of

visual amenity.

Michael Dillon
Planning Inspector

24th February 2017