

SC

File With _____

SECTION 131 FORM

Appeal NO: ABP 310466-21

Defer Re O/H

TO: SEO

Having considered the contents of the submission dated/ received 1479/21

p.a. I recommend that section 131 of the Planning and Development Act, 2000

be/not be invoked at this stage for the following reason(s): applicant should be given opportunity to comment

TO: _____ Date: _____

TO EO: _____

Section 131 not to be invoked at this stage.

Section 131 to be invoked – allow 3 ~~2~~/4 weeks for reply.

S.E.O.: _____ Date: _____

S.A.O.: [Signature] Date: 10/1/2023

M. S. Ledwith

TASK - 316326-23

Please prepare BP SC 131 - Section 131 notice enclosing a copy of the attached submission

to: applicant Task No: 316326-23

Allow 2/3/4 weeks – BP allow 3 weeks

EO: [Signature] Date: 2/2/23

SAO: [Signature] Date: 3.2.23

File With _____

CORRESPONDENCE FORM

Appeal No: PL 310466-21

vs Halpin

Please treat correspondence received on 14/9/21 as follows:

<p>1. Update database with new agent for Applicant/Appellant _____</p> <p>2. Acknowledge with BP <u>SC 20</u></p> <p>3. Keep copy of Board's Letter <input type="checkbox"/></p>	<p>1. RETURN TO SENDER with BP _____</p> <p>2. Keep Envelope: <input type="checkbox"/></p> <p>3. Keep Copy of Board's letter <input type="checkbox"/></p>
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Amendments/Comments

<p>4. Attach to file</p> <p>(a) R/S <input type="checkbox"/> (d) Screening <input type="checkbox"/></p> <p>(b) GIS Processing <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/></p> <p>(c) Processing <input type="checkbox"/></p>	<p>RETURN TO EO <input type="checkbox"/></p>
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	<p>Plans Date Stamped <input type="checkbox"/></p> <p>Date Stamped Filled in <input type="checkbox"/></p>
EO: <u>PL Treh</u>	AA: <u>Lionel</u>
Date: <u>16/9/21</u>	Date: <u>20/9/21</u>

John Cannon

From: Janice O'Toole <jotoole@SDUBLINCOCO.ie>
Sent: Tuesday 14 September 2021 12:21
To: Appeals2
Cc: Michelle Dodrill
Subject: ABP-310466-21 - SDCC Report for Further Development of a Quarry
Attachments: ABP-310466-21 - Application for Substitute Consent Report to ABP.pdf

Dear Sir/Madam,

Please find attached South Dublin County Council's report in respect of Application for Further Development of a Quarry for ABP-310466-21

A hard copy has been forwarded by Registered Post.

Regards,
Janice

**Janice O'Toole | A/Administrative Officer | Development Management, Registry & Enforcement |
South Dublin County Council | County Hall | Tallaght | Dublin 24 | D24 YNN5
Email: jotoole@sdblincoco.ie
Tel: 414 9000 Ext. 4871**

Shape Explore Experience 

The Draft South Dublin County Development Plan 2022-2028



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**SOUTH DUBLIN COUNTY COUNCIL'S PLANNING AUTHORITY'S REPORT TO
AN BORD PLEANALA ON**

**APPLICATION FOR FURTHER
DEVELOPMENT CONSENT UNDER
SECTION 37L**

**AT BEHAN'S QUARRY
WINDMILL HILL, RATHCOOLE, COUNTY DUBLIN**

**Land Use Planning and Transportation Department
South Dublin County Council
County Hall
Tallaght, Dublin 24
Prepared by: Tracy McGibbon
Date of Report: 18th August 2021**

REPORT CONTENT:

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1 INTRODUCTION

- 1.1 By letter dated 16th June 2021, An Bord Pleanála requested South Dublin County Council, with regards to an application for **further development consent** made under section 37L of the Planning and Development Act 2000 (P&DAct), as amended, by Mr. Laurence Behan of Behan, Behan Quarry, Windmill Hill, Rathcoole, Co. Dublin to submit a report

"...setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the functional area of the authority having particular regard to the matter specified in section 34(2) to which a planning authority is to have regard."

- 1.2 Section 34(2)(a) of the P&D Act states *that when making its decision in relation to an application under this section, the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to –*

- (i) The provisions of the development plan.*
- (ia) any guidelines issued by the Minister under Section 28,*
- (ii) The provisions of any special amenity area order relating to the area,*
- (iii) Any European site or other area prescribed for the purposes of section 10(2)(c),*
- (iv) Where relevant, the policy of the Government, the Minister or any other Minister of the Government,*
- (v) The matters referred to in subsection (4) [the appliance of conditions for regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant].*
- (va) previous developments by the applicant which have not been satisfactorily completed.*
- (vb) previous convictions against the applicant for non-compliance with this Act, the Building Control Act 2007 or the Fire Services Act 1981, and,*
- (vi) Any other relevant provision or requirement of this Act, and any regulations made thereunder.*

- 1.3 **The permission for development sought in this instance is under Section 37L of the Planning and Development Act, 2000, as amended and is an application seeking further development consent at Behan's Quarry. This type of planning permission may only be sought where an application for substitute consent is in being. The Substitute Consent application is running concurrent to this application under Reference ABP-310461-21.**

- 1.4 The concurrent substitute consent application with Remedial EIAR and the EIAR accompanying this application for further development of the quarry is by Order of the High Court [2018 No. 929 JR] of August 2020 that set aside the previous substitute consent (Ref. PL06.SU0068) and a S.37L (PL06S.QD0003) application decisions and granting relief including:

“...that a fresh application to the Respondent [An Bord Pleanála] for continued development in relation to the site at Windmill Hill Rathcoole County Dublin pursuant to the notice dated 11 August 2015 issued by the Respondent in respect of section 37L of the Planning and Development Act 2000 as amended shall be deemed to have been made within the time limits prescribed therein where the application is made not later than twelve weeks of the date of perfection of this Order or such further period as the Board may allow...”

- 1.5 The Planning Authority unreservedly places the establishment and determination of the validity of this application in the hands of An Bord Pleanála.

2 BACKGROUND

- 2.1 The chronology of the Behan's Quarry Planning history prior to the High Court Order is set out in the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021. This file and the explanatory report, sets out the chronology of Behan's Quarry Planning History to 2019. It includes a summary of planning history, legislation and enforcement history purporting to the site. This folder and report will be referred to throughout the following assessment.
- 2.2 The S37L extension of development application gives rise to EIA and the requirements for Environmental Impact Assessment Report (EIAR). A Stage 1 Screening Report to inform Appropriate Assessment (AA) has been submitted with the application.

3 PROPOSED DEVELOPMENT

3.1 Description of Development:

- 3.1.1 To continue the development of a quarry having a total site area of 40.875 ha.
- 3.1.2 The development comprises of further development of a quarry over an area of 26.87 ha, largely coinciding with an existing operational quarry void (current average working depth of the quarry is stated to be 173 mAOD).
- 3.1.3 Laterally extend the existing quarry void to the north (in two separate sections: north west and north east) by approximately 4.1 ha. A total of 5.16 ha of land will be affected by the proposed extension – 1.06 ha is to be provided for the provision of berms to help screen the quarry development and *“to also further extract the existing quarry void to a final average depth of 150 mAOD, east and west of a centrally located existing administration and processing plant area”* [First Paragraph of Appendix 1 Full description of development as laid out in the Cover Letter from Cunnane Stratton Reynolds dated 9th June 2021].
- 3.1.4 Restoration of the site to include reinstatement of worked out quarry to agricultural use by means of the importation of inert sub soil and topsoil amounting to a total of 11,151,570 cubic metres.
- 3.1.5 The proposed duration of the works is stated to be 20 years to reflect anticipated extraction of remaining reserve within 10-15 years. Extraction to be at a rate of approximately 500,000 tonnes per year, with an expected life span of 10-15 years (depending on market conditions). With a further 2-5 years for restoration.
- 3.1.6 Extraction by blasting and mechanical means.
- 3.1.7 Washing, grading and processing on site. The utilisation of the extant existing administration and processing plant area and quarry access (the subject of the Substitute Consent application ABP-310466-21)
- 3.1.8 The main differences between the previous S37L application (ABP decision quashed by High Court Order) and this current proposal are:
 - i. The area of the land proposed in this application is significantly smaller, stated as 26.87 ha. The previous S37L application was over 40.875 ha.
 - ii. The depth of the quarry will be a ‘working floor depth’ of 150 mAOD, which is above the water-table. The previous application was for development below the water-table.
 - iii. The current application does not propose the extraction of lands to the south of the quarry site, which appeared to be included and proposed for extraction in the previous application. These lands comprise the Protected Structure and potential archaeological features.
 - iv. Restoration of all quarried and proposed for quarrying lands within the entire EIA project unit (as indicated in plans submitted).

4 INFORMATION REQUIRED UNDER S34(2) OF PLANNING AND DEVELOPMENT ACT, 2000, AS AMENDED

4.1 The provisions of the development plan

- 4.1.1 The subject lands are zoned 'RU' in the current South Dublin County Council Development Plan 2016-2022, with an objective '*To protect and improve rural amenity and to provide for the development of agriculture*'. Industry-Extractive and Concrete/Asphalt Plant in or adjacent to a Quarry are permitted in principle.
- 4.1.2 Schedule 2 – record of Protected Structures: Windmill House, described as a 'Stone Windmill (Ruin) and a Recorded Monument is located to the south of the overall landholding and on lands outlined in blue on the submitted maps.
- 4.1.3 Traveller Accommodation to be provided for on lands to the north-west of the overall landholding, within lands outlined in blue on the submitted drawings.
- 4.1.4 Section 9.2.1 Views and Prospects – Chapter 9 of the current County Development Plan provides for a prospect to be preserved.

Table 9.2: Prospects to be Preserved and Protected

Map Ref.	Prospect	Map Ref.	Prospect
1	Athgoe Hill	10	Piperstown Hill
2	Rustyhill	11	Glenasmole Valley
3	Windmill Hill	12	Cruagh Mountain

- 4.1.5 Section 4.5.0 Tourism and Leisure – Chapter 4 of the current County Development Plan is relevant:

ECONOMIC AND TOURISM (ET) Policy 8 Heritage, Culture and Events Tourism

It is the policy of the Council to support the development of heritage, cultural and events tourism.

ET8 Objective 1:
To support the sensitive restoration of heritage buildings and sites and operate flexibility with regard to the use of converted buildings to facilitate heritage tourism.

- 4.1.6 Section 4.6.0 Rural Economy – Chapter 4 of the current County Development Plan is relevant:

In rural areas of the County there is a need to balance the need for social and economic activity with the protection of the environment and character of the rural landscape. Through zoning and development management objectives, it is the intention of the Council to restrict development in rural areas to appropriate forms of development that have a social or economic connection to the local area.

ECONOMIC AND TOURISM (ET) Policy 9 Rural Economy

It is the policy of the Council to support sustainable rural enterprises whilst protecting the rural character of the countryside and minimising environmental impacts.

ET9 Objective 1:

To support and facilitate sustainable agriculture, horticulture, forestry and other rural enterprises at suitable locations in the County.

ET9 Objective 2:

To support farm diversification and agri-tourism, where a proposed business initiative is subordinate to the primary agricultural use of the site, subject to traffic and environmental safeguards.

ET9 Objective 3:

To protect agriculture and traditional rural enterprises from unplanned and/or incompatible urban development.

ET9 Objective 4:

To support sustainable forestry development at suitable locations in the County, subject to the protection of the rural environment, sensitive areas and landscapes.

4.1.7 Section 4.7.0 Mineral Extraction – Chapter 4 of the current County Development Plan, is relevant:

Mineral extraction and the aggregate industry is an important economic sector that provides the raw materials for the construction industry. The processes involved in extraction can give rise to long-term environmental effects and significantly alter landscape character. Given the need to balance the economic benefits of extraction against potential environmental impacts, it is important to consider the suitability of areas for extraction (taking account of the environmental characteristics and sensitivities of an area) and to manage the impact of extraction where it does occur.

The Landscape Character Assessment of South Dublin County 2015 highlights the high value and sensitivity of rural and mountain areas of the County, given the proximity to Dublin. The protection of these landscapes and, in particular, environmentally sensitive high amenity areas is a priority of the Development Plan. Extraction facilities have the potential to seriously undermine the environmental quality and amenity of these areas and as such, the Council will seek to limit new or expanded facilities in environmentally sensitive and high amenity areas.

ECONOMIC AND TOURISM (ET) Policy 10 Mineral Extraction

It is the policy of the Council to support the sustainable extraction of aggregate resources at suitable locations within the County subject to appropriate environmental safeguards.

ET10 Objective 1:

To facilitate mineral extraction in suitable locations subject to the protection of amenity and environmental quality.

ET10 Objective 2:

To limit the operation of the extractive industry and ancillary uses at environmentally sensitive locations and within areas designated with Zoning Objective 'HA – DM', 'HA-LV' and 'HA-DV' where extraction would result in significant adverse effects and/or prejudice the protection of the County's natural and built heritage.

ET10 Objective 3:

To ensure the satisfactory reinstatement and/or re-use of disused quarries and extraction facilities, where active use has ceased.

4.1.8 Section 9.1.2 Protected Structures – Chapter 9 of the current County Development Plan

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 3 Protected Structures

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

HCL3 Objective 1:

To ensure the protection of all structures (or parts of structures) and the immediate surroundings including the curtilage and attendant grounds of structures contained in the Record of Protected Structures.

HCL3 Objective 2:

To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Guidelines for Planning Authorities, DAHG (2011) including the principles of conservation.

HCL3 Objective 3:

To address dereliction and encourage the rehabilitation, renovation, appropriate use and re-use of Protected Structures.

HCL3 Objective 4:

To prevent demolition and inappropriate alteration of Protected Structures.

HCL3 SLO 1:

To support and facilitate the refurbishment of the Metal Bridge in Palmerstown (RPS Ref 006).

HCL3 SLO 2:

To support and facilitate the refurbishment of the Ballymount Complex Gatehouse in Ballymount Park (RPS Ref. 175) and its inclusion as part of a heritage trail.

HCL3 SLO 3:

To secure the preservation of Windmill Hill, Rathcoole (RPS Ref. 358)

4.1.9 Landscape Character Assessment of South Dublin County, 2015 refers to the subject lands in a number of locations:

- i. Ecclesiastical and Religious Activity (Page 34) *“A single windmill is recorded on Windmill Hill. The mill now standing is of eighteenth-century date but it stands on the site of an earlier mill mentioned in 1413.”*
- ii. Relict Land Use Types: An overview of the Emerging Historic Landscape Character of South Dublin County (Page 49) *“...It is also significant, as recent study of LIDAR imagery has suggested, previously unrecorded archaeological features on the hill and perhaps on the nearby Windmill Hill. It is currently designated as a medieval relict landscape due to the presence of the only medieval windmill site in the study area.”*
- iii. Landscape Character Area Three Athgoe and Saggart Hills – Character Sensitively (Pages 124-129) *“Medieval occupation is also concentrated on the lower slopes and lowlands, around Saggart, Rathcoole, Windmill Hill (medieval windmill) and Coolmine.”* The Character Assessment rates this area with an

overall landscape value of 'High', with a capacity assessment of negligible to low:

- Negligible: Key Characteristics of the landscape are highly vulnerable to development. Development would result in a significant change in landscape character and should be avoided if possible.
- Low: Key characteristics of the landscape are vulnerable to change. There may be limited opportunity to accommodate development without changing landscape character. Great care would be needed in locating development.

4.2 Six Natura 2000 sites located within 15km of the site and three pNHAs identified within 5km of the site.

4.3 Previous developments by the applicant.

4.3.1 The Planning Authority refers An Bord Pleanála to the contents of the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021. This file and the explanatory report, sets out the chronology of Behan's Quarry Planning History to 2019. It includes a summary of planning history, legislation and enforcement history purporting to the site.

4.3.2 Planning History traced to the subject site. The following is an overview only of the planning history traced to the subject lands. Greater detail can be found in Tab 1 through to Tab 14 in the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021.

- i. SD12A/0059/EP – Permission for Extension of Duration **refused** for a dedicated area within the existing quarry site in which no more than 10,000 tonnes per year of imported inert materials (soils, stones, rock, concrete, tarmacadam) generated by off-site construction activities shall be segregated, processed, recycled and reused as raw materials for the existing on-site asphalt manufacturing plant. The proposed development requires a Certificate of Registration under the Waste Management (Facility Permit and Registration) Regulations 2007 and 2008.
- ii. 06S.QD0003 – Permission **refused** for further development of the quarry under Section 37L at this location, to further develop a quarry having a total site area of 40.875ha including reinstatement of worked out quarry to agricultural use by the means of importation of inert subsoil and top soil amounting to a total of 11,151,570 cubic metres.
- iii. PL 06S.SU0068 (SDCC reference: SDQU05A/4) An Bord Pleanála -. The Board, in accordance with Section 177K of the Planning and Development Act, 2000, as amended **refused** substitute consent.
- iv. SD12A/0059 (An Bord Pleanála – PL 06S.241259) – Permission was **granted** by the Board for a development consisting of a dedicated area within the quarry in which no more than 10,000 tonnes per year of imported inert materials generated by off-site construction activities.
Condition 2: This permission shall be for a period of five years from the date of this Order, unless before the end of that period, permission for continuance beyond that date shall have been granted. REASON: To enable the review of its operation having regard to the planning history of the site.
- v. SD11A/0271 - The establishment of a waste management facility with a maximum intake volume of 10,000 tonnes per annum to accept inert waste material including waste bituminous mixtures (EWC 170302), waste concrete (EWC 170101) & waste gravel and crushed rocks (EWC 010408)

for its recycling & reuse in the existing tarmacadam manufacturing plant located on the site. The proposed facility would require a Certificate of Registration under the Waste Management (Facility Permit and Registration) Regulations 2007 and 2008. No E.I.S. submitted. Decision: **Refuse** permission.

- vi. SD10A/0197 - Establishment of a Waste Management Facility with a maximum intake volume of 24,000 tonnes per annum to accept inert waste material including waste bituminous mixtures (EWC 170302), waste concrete (EWC 170101) & waste gravel and crushed rocks (EWC010408) for its recycling & reuse in the existing tarmacadam manufacturing plant located on the site. Facilitate the deposit of waste bituminous product, waste gravel and waste concrete into haul roads throughout the subject quarry site. Application was **withdrawn** following non-response for further information requested.
- vii. 06S.PA0006 - Permission **refused** by An Bord Pleanála for a Resource Recovery Facility (N7RRP) for the thermal treatment of 365,000 tonnes per annum of non-hazardous residual municipal waste and construction and demolition (C&D) waste; the recovery of materials (metals [11,500 tonnes – comprising 6,600 tonnes of ferrous and 4,900 tonnes of nonferrous metals per annum] and boiler aggregate/bottom ash [23,000 tonnes per annum]); manufacture of concrete products; and the generation of 28MW of electricity for export to the national grid. The proposal sought to utilize the existing access and egress point from the N7 National Primary Road.
- viii. SDQU05A/4 The quarry on site was **registered** with South Dublin County Council under Section 261 of the Planning and Development Act 2000. Thirty-six (36) conditions were attached.
- ix. 88A/709 - Permission **granted** for a mobile asphalt mixing plant within the existing quarry.
- x. SA1936 - Permission **granted** 1980 for a machinery store at Windmill House.
- xi. Ref. A.14 (Ref 11547) - Permission **granted** for a quarry at this site. 1968.

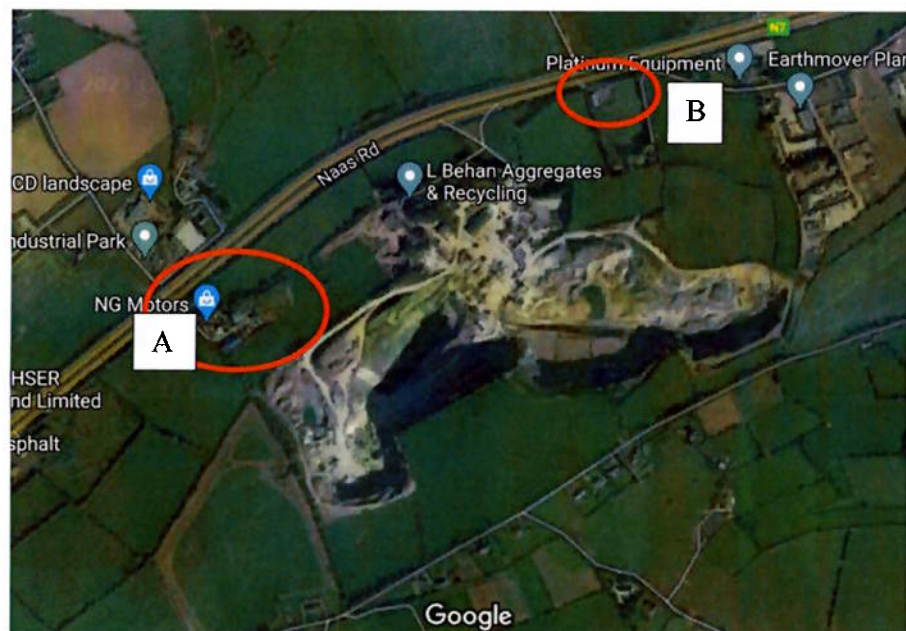
4.4 Previous convictions against the applicant.

- 4.4.1 No convictions traced to the applicant. The Planning Authority would like to draw the Boards attention to two enforcement case files Reg. Ref. S7457 and S8076. Details of which can be found in Tab 15 and Tab 16 of the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021.

4.5 Any other relevant provision or requirement of this Act, and any regulations made thereunder.

- 4.5.1 The Planning Authority would like to draw the Board's attention to two enforcement case files Reg. Ref. S7457 and S8076. Details of which can be found in Tab 15 and Tab 16 of the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021.
- 4.5.2 The Planning Authority also notes and would like to draw the Board's attention to commercial activities that are alleged to be taking place to the north and west of lands outlined in blue within the ownership of the applicant. **[Circled and labelled A on Figure 4.1]**. The lands take access from the Naas Road (N7). No planning history can be traced to these lands and a recommendation has been sent to South Dublin County Council's Enforcement department to investigate these works and commercial uses on rural zoned lands.
- 4.5.3 The Planning Authority also notes alleged unauthorised development, works and uses that have taken place on lands outlined in blue located to the north and east of the overall landholding. **[Circled and labelled B on Figure 4.1]** The site is located off the N7 (with an agricultural entrance in place). The development constructed on site appears to take access off the historic Naas Road, now cul-de-sac'd. No planning history can be traced to these lands and a recommendation has been sent to South Dublin County Council's Enforcement department to investigate these works and uses on rural zoned lands.

Figure 4.1



5 OPINION INCLUDING REASONS THEREFOR OF THE CHIEF EXECUTIVE

- 5.1** The Planning Authority has significant concerns regarding the proposed extension of the Behan's quarry with particular regard to the lack of detail submitted with this application and alleged unauthorised development ongoing within the applicant's landholding.
- 5.2** Furthermore, there appears to be a number of issues that remain outstanding, and a number of potential discrepancies should be investigated. The Planning Authority has the following queries that arise from the proposed development description and the delineated boundary lines:
- 5.2.1** The Planning Authority has serious concerns that the site as outlined in red does not indicate how access to the site will be provided to carry out the extension of quarrying works. The red line should be extended to indicate full access from the public road to the site.

The Roads Department also raise issues regarding the red line boundary and stated that *'the applicant shall submit a revised plan showing the Red line boundary extended to include the area around the site access junction at the N7 and include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction.'*

The applicant should also be requested to submit a revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the revised layout should demonstrate conformity with the following key parameters:

- Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
- Auxiliary lane to be extended 160m for merge, 150m for diverge; and
- Auxiliary lane taper to be extended to 75m for the merge and 70m for the diverge.

SDCC roads department note the applicants blue line ownership extends approximately 350m east of the site entrance. The roads department do not understand why the necessary nose, auxiliary lanes and tapers cannot be delivered.

The necessary land to the west of the site entrance is also in the ownership of the applicant. The access layouts for the merging and diverging lanes connecting to the N7 should be upgraded and improved in accordance with the current TII design requirements.

The Roads Department also requires the applicant to submit a report showing capacity checks to ascertain whether any additional storm discharges from the north western portion of the proposed site can be accommodated by the culvert located on the northern portion of the Site adjacent to the N7/M7". The Roads Department also raises concerns regarding the need to submit analysis on whether additional on-site wheel washes or other additional measures are required to

prevent dirt and stone material being deposited on the adjacent public road network, including junctions, where spillage has been and continues to be an issue.

The applicant is also requested to submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant is requested to revisit these existing procedures in relation to the proposed revision of the quarry extent and void depth and update these procedures as appropriate. These procedures are required to be agreed in writing with the planning authority.

- 5.2.2 Section 2.1 'Proposed Development Description' of EIAR states: The extracted area extends to 28.8 hectares. This differs from the description of development as stated in Appendix 1 *Full description of development* in the Cover Letter from Cunnane Stratton Reynolds dated 9th June 2021, which states 26.87 ha. ABP should clarify the full extent of lands proposed to be extracted. Potential missing 1.93ha.
- 5.2.3 The Planning Authority understands that it is proposed to extend the current void laterally by 4.1 ha and that the remaining 1.06 ha will be provided for the provision of screening berms. The Planning Authority seeks clarification on this phrase to confirm that 4.1 ha only will form the lateral extension.

Furthermore, it is proposed to develop the quarry by extending the existing quarry void by a further 4.1 hectares. Section 4 'Potential Effects' of EIAR states that the land take (**permanent loss**) will be **5.19ha**. Section 10 'Landscape and Visual of the EIAR states that the quarry will be expanded 'laterally northwards across three small fields, over an additional 5.19 ha of which **4.1 ha will be extracted**. Section 11.0 Traffic explains that 'the quarry void over approximately 4.1 ha, (requiring a total additional land take of 5.19 ha. For landscaping berms). The Planning Authority seeks clarification on whether or not it is proposed that the entire 5.19 ha will be permanently lost. It is the Planning Authority's opinion that the 1.06 ha for screening berms should be retained and should not be permanently lost. Clarification to be sought.

- 5.2.4 This application relates to the continued extraction of reserves over a lateral extension of approximately 4.1 hectares and to a final average working depth of 150 mAOD (metres above Ordnance Datum). The Planning Authority notes that the current *average* working depth of the quarry is stated to be 173 mAOD (Section 2.1 of EIAR). The Planning Authority understands and reads that the proposed works, working to a depth of 150 mAOD, will take place outside of the existing quarry footprint. However, clarity should be sought on this matter and the applicant should state and demonstrate clearly the full extent of the proposed works in drawing and cross-sections which are unequivocal in nature and which can be easily assessed over time.

5.3 Other Issues of Concern:

- 5.3.1 The applicant does not propose *'to extend the current quarry void in a southerly direction at this time as was previously proposed under the quashed S37L application'*. **The Planning Authority welcomes this deviation.** However, the Planning Authority remains extremely concerned by the applicant's use of the phrase *'at this time'* (Section 1.2.1 of EIAR). The protection of the recorded monument and hinterland and archaeological potential at this location should be paramount. Both the National Monuments Department (in a verbal report 18th August 2021 given to the report author) and the Heritage Officer (also given in a verbal report 18th August 2021 to the report author) raised seriously concerns about the likely loss of archaeology from existing quarried lands and the lack of archaeological investigations particularly given the discovery of several archaeological features south of the site (in vicinity of Windmill site) this all suggests an archaeological rich landscape in this area.

A full and thorough Archaeological Impact Assessment should be carried out **prior to any decision being made** for potential disturbance of archaeological remains on lands affected by this application (this should also include lands located to the south outlined in blue at Windmill Hill). The applicant will be required to apply for a licence to carry out the work (method statement), for written agreement of the Planning Authority.

- 5.3.2 The cover letter further states *"The EIA project boundary envelopes an area of 46.14 ha. That encloses previous recent quarry application areas, current workings and intended future workings"*. The planning authority raise concerns about the wording *'intended future workings'* and would ask ABP to seek clarification. It is the Planning Authority's opinion that all works should be kept away from national monument (and any that may yet to be found).
- 5.3.3 The cover letter states *"...in deference to the requirements of environmental Impact Assessment (EIA), quarry planning guidance and best practice the proposed development includes for a restoration proposal of the application site and the associated lands of the administration and plant processing area within the ownership and control of the applicant and thus capable of being proposed and enforceable by condition for this restoration under S34(4)"*

The Planning Authority notes that the development description includes *'restoration of the site to include reinstatement of worked out quarry to agricultural use by means of the importation of inert sub soil and topsoil amounting to a total of 11,151,570 cubic metres'*. The Planning Authority has serious concerns regarding this aspect of the proposed development. The application is seriously deficient in information. A verbal report from the Senior Executive Engineer in the Waste Management Section, 18th August 2021, raised the following concerns and the deficiency in information provided:

- i. It is unclear under what licencing arrangements the importation of inert waste is being used. Clarification on which licence the proposed development would pertain to i.e. issued by the EPA or the Local Authority.
- ii. The hours of importation

- iii. Management plans
- iv. The potential for increased traffic levels at an otherwise access/egress that requires a significant upgrading. (Refer to Section 5.2.1 of this report)
- v. Noise, dust and noise management
- vi. Comments from Irish Water regarding importation of waste and placing above watermain (this is ongoing issue).

5.3.4 The significant loss of Green Infrastructure, which links the site southwards towards the Dublin Mountains is generally not acceptable and if granted would be contrary to County Development Plan policy (Chapter 8). Significant mitigation measures are required to demonstrate that uninterrupted linkages of hedgerows/trees etc are provided for. Bat activity is prevalent within this part of the County and should be mitigated for.

The Public Realm Section states serious concerns regarding the potential significant negative environmental impacts of this proposed development on the existing landscape and on local biodiversity and ecology. The submitted EIAR recommends a number of landscape mitigation and remediation measures including the implementation of the landscape planting along the boundary edges and internally however no landscape proposals have been submitted detailing how these mitigation measures will be implemented. This is not acceptable for an application of this size and significance.

In addition to the submission of detailed landscape proposals prepared by a suitably qualified landscape architect, the applicant/developer should be required to implement the following Landscape Mitigation and Remediation Measures contained with Section 10.5 of the submitted EIAR prepared by Golder Associates Ireland Limited. These **measures should be implemented prior to the excavation of the proposed site** and during its operational and should include:

- Management/Improvement of the retained site boundary hedgerows and trees: Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Reprofilling of the existing mounds on the south eastern and southwestern boundaries of the Site, where required, in order to help reduce the prevalence of these structures on views within the locality;
- Woodland planting added to existing and new earth mounds (within the Proposed Development). These will be planted with a woodland species mix (including tree and shrub species), to form a substantial belt of woodland along the hillside. This will soften the form of the constructed mound, add to the height of the mound as a visual screen, and contribute to vegetation/habitat in the landscape generally; and
- Annual review/management of the new boundary planting to ensure that it becomes established and provides adequate visual screening, with generic improvements and spot fixes (including supplementary planting or thinning) to be implemented where required.

Measures to be implemented after the cessation of quarrying include:

- Management/Improvement of site boundary hedgerows: A final survey and appraisal of the site boundary hedgerows in terms of (a) species mix - for

biodiversity and maximum screening (height, density of foliage), and (b) intactness/continuity. Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;

- Management/Improvement of woodlands on the mounds: A final survey of the woodland planted earth mounds, with generic improvements and spot fixes (including supplementary planting, or thinning) to be implemented where required;
- Re-vegetation/colonisation of site outside of excavation: In accordance with current best practice recommendations the areas between the excavation and the woodland-planted earth mounds around the perimeter of the site will be allowed to re-vegetate/colonise naturally. This results in greater biodiversity and habitats most appropriate to the site conditions;
- Removal of built infrastructure: All buildings and redundant infrastructure to be removed from site and the lands prepared for natural re-vegetation/colonisation;
- Lake formation in quarry void to a level of 155mAOD: Engineered shallow areas on the floor of the quarry will initially provide islands and will ultimately be covered by water as the quarry fills to its natural level (determined by the water table), forming a permanent lake. The shallow areas will provide suitable substrate for aquatic invertebrates, with gentle grading of shoreline and marginal planting added (to be determined at the time, with the advice of an ecologist);
- Quarry benches: At a number of locations (to be determined at the time, with the advice of an ecologist) a mixture of trees and shrub species will be planted in an engineered substrate to form patches of habitat. This will create a platform for a more diverse flora to develop naturally and provide habitat and food resources for birds, mammals, insects and other invertebrates.
- Quarry faces: Whilst recognising the geological heritage value of the exposed quarry faces, it is proposed that some native tree and shrub species be planted in/on fissures and ledges, to help break up the bare profile of the quarry face. Other plant species will be allowed to find and colonise the area by natural means and these will include various mosses, lichens, algae, ferns, flowering plants, etc. The gradually increasing plant diversity over time will in turn ensure that a corresponding diverse list of animal species (birds, mammals, butterflies and other insects, other invertebrates, etc.), can become established.
- Safety measures: An agricultural fence to be installed around the edge of the excavation, to act as a visual indicator of the edge and a physical barrier for people and animals. Signage as required around edges to notify of danger.

The Public Realm Department has provided conditions to be attached in the event of a favourable decision.

- 5.3.5 The Water Services Department has raised a number of concerns regarding insufficient information submitted for a full assessment to be carried out. This includes: 1) surface water drainage plans for the proposed development, including attenuation and pollution mitigation devices up to and including the point of connection to the public surface water sewer. 2) information on how surface water is managed and attenuated on site to and how discharge is limited to greenfield run off rates. 3) SUDS features and proposals 4) Details how surface water run-off is cleansed of silt and other pollutants such as hydrocarbons on site prior to discharging to the public surface water network and/or watercourse. This also relates to proposed/existing wheelwash facilities. Only clean uncontaminated water shall be discharged to the public surface water network and/or watercourse. 5) locations of proposed and existing petrol / oil interceptors on site. 7) Details of all proposed water pollution mitigation measures detailed within chapter 6 of the submitted EIAR.
- 5.3.6 With regards to Flood Risk there is a lack of information, and the applicant should be requested to submit a site-specific flood risk assessment report with the inclusion of a justification test where applicable in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report should outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. The applicant should submit plans showing the location of the proposed development in relation to surrounding flood zones identified on the OPW CFRAM maps
- 5.3.7 Irish Water's Report requests additional information. The applicant is requested to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Furthermore, Irish Water raises concerns regarding the proximity of the works to a 1270mm concrete public watermain that traverses the site from west to east. ADDITIONAL INFORMATION required to assess the impact of the development on this major infrastructural piece. Information pertaining to foul drainage is also requested by Irish Water.
- 5.3.8 Photomontages of the development from the N7 would be beneficial for the assessment.

In Summary, 1) the Planning Authority understands that there may be a number of anomalies with the drawings and the proposed development description that require clarification. The clarification of which, will not only help to enhance the overall assessment but will ensure that all plans and drawings that will eventually rest on the public file can be easily read in the interests of the management of development on the lands and to ensure that what is granted is unequivocal and not open for misinterpretation. 2) Significantly more information is required regarding, roads issues (including access to the site and the necessity for an upgraded junction) water services, foul drainage, parks and public realm, green infrastructure and heritage (archaeology). The Planning Authority is therefore of the opinion that the above should be sought by way of Additional Information prior to a final decision being made.

RECOMMENDATION: ADDITIONAL INFORMATION

5.4 CONDITIONS: The Planning Authority is of the opinion that additional information should be sought as above, in Section 5.3. However, in the event that ABP decides to grant permission, the recommendations of conditions are set out by the Planning Authority (below) and are based on a review of the conditions imposed as part of the quarry registration process, the updated conditions on the foot of the Planning Report for file reference SDQU05A/4 and in addition, current policies, objectives and guidelines and greater knowledge of the works at this location.

5.4.1 The conditions outlined in the following section of this report were previously attached to the original Substitute Consent application and are considered to be relevant (original numbers kept for ease of cross-referencing) and should be attached in the event of a consent being granted.

Condition 1 General

A general condition is required to be imposed to ensure clarity and precision as to what land the substitute consent application relates to, what development it relates to and how and to what extent conditions applied affect, modify or limit the proposal submitted and the on-going relevance, if any, of the conditions imported in 2007 as part of the Section 261 process for the Registration of this quarry.

Condition 8 Communication and Consultation

- a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to the Planning Authority. All changes in personnel or particulars must also be notified to the Planning Authority as soon as they occur.
- b) A public notice shall be erected and maintained at each entrance to the quarry. This notice shall contain the name of the company and contact details including contact outside operating hours, which may be used in the event that any person wishes to contact the operator in relation to any aspect of the quarry operation.
- c) To establish engagement with those living or owning property close to the quarry, within six months of the date of this decision, the operator shall establish and support a local consultative forum, to include representatives of the operator, and representatives of the local community and landed interests, including representatives of each residential estate within 750 metres of the entire quarry complex. This group shall constitute a forum for the operator's representatives and representatives from environmental, economic, social and community groups to discuss issues of common interest or to be consulted regarding environmental management and associated issues related to the quarry operations which are considered to impact upon local amenity. The forum will also provide an opportunity for the operator to receive views and suggestions and for stakeholders to receive information about operators' projects, plans, and practices. The forum shall comprise at least 7 but not more than 15 non-operator members, who shall be selected by lot if the numbers of applicants exceed the positions available and shall meet at least once a year.
- d) The operator shall provide all consultative forum members and occupiers within 750 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as

the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of an aspect of the quarry operation.

Reason: In the interest of residential amenity and the proper planning and sustainable development of the area.

Condition 9 Access for Monitoring

Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter onto the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. Authorised officers carrying out such inspections shall check-in with the quarry manager or his/her representative prior to such inspections.

Reason: In the interests of residential amenity, pollution control and public health.

Condition 10 Updated Digital Terrain Model

Five years from the date of this decision and at five yearly intervals thereafter the operator shall submit to the Planning Authority an up-to-date Digital Terrain Model of the entire lands within the quarry operator's ownership. The digital Terrain model shall be prepared by a professionally qualified surveyor in accordance with the specifications of condition 2 and agreed by the Planning Authority and shall include details of all areas.

- a) that have been excavated to date
- b) that have been prepared for excavation and
- c) that have been restored

Reason: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.

Condition 11 Annual Environmental Audit

On an annual basis (by the end of February each year) for the permitted lifetime of the quarry, three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose name shall be submitted to the Planning Authority for prior approval and shall contain the following:

- a) A record of all movements of heavy vehicles outside the permitted operating hours.
- b) A record of surface water quality and groundwater quality and levels, measured at monthly intervals.
- c) A full record of any such breaches over the previous year of dust, noise, vibration / air over pressure and water quality standards.
- d) A written record of all the complaints received including actions taken on each complaint.

Reason: To ensure that the quarry shall be operated in compliance with the stated standards in the interest of residential amenity, pollution control, public health and the proper planning and sustainable development of the area.

Note: This requirement is in addition to the Annual Environmental Report requirement set out in Condition 47 below.

Condition 13 Control of External Lighting

The current scheme of external lighting for the entire site shall be submitted for the written agreement of the planning authority. This scheme shall be designed, installed and operated so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over lighting. Measures shall be included to provide adequate screening from adjacent residential areas where appropriate, and to minimise any light overspill.

Reason: In the interest of residential amenity air traffic safety and the proper planning and sustainable development of the area.

Condition 14 Advance Warning Signs

Metal advance warning signs, the design of which has to be agreed with the Planning Authority as part of the quarry registration process shall be maintained at all site entrances and exits. These signs shall be maintained in good and clean condition. The material content, design and location of these signs shall be as agreed with the Planning Authority.

Reason: In the interest of traffic safety.

Condition 15 Maintenance of Public Roadway

No waste, debris, excavated materials, or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc., in the vicinity of the site.

Reason: In the interest of traffic safety, environment quality and residential amenity.

Condition 16 Wheel Washing Facility

- (a) A paved surface shall be provided at the site exit to the public road, and shall be kept free from soil, sand and gravel deposits at all times.
- (b) At least two wheel washing facilities shall be installed at an appropriate location along this paved surface. They shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. They shall be kept properly maintained at all times and cleaned at regular intervals, such that trucks, on exiting both wheel washes in succession, shall not have mud or dust adhering to their tyres.
- (c) All heavy goods vehicles exiting the site shall use the wheel washing facilities and shall travel only on the paved surface to the exit.

Reason: In order to prevent dust emissions and the resulting mud generated by the wheel washes reaching the public road network and in the interests of amenity.

Condition 17 Surface Water Run-Off

All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected, appropriately pre-treated, and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, or to discharge to any effluent disposal system or public foul sewer.

Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 18: Discharges to surface or Ground Waters

- (a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts 1977 – 1990 or as may be amended from time to time.
- (b) Only clean uncontaminated storm water shall be discharge to surface waters. Interceptor traps shall be fitted to the storm water drainage system where appropriate; to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soak ways or groundwater.
- (c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc) to existing drains or watercourses then the discharge shall be limited to a rate of 6 litres per second per hectare of impermeable surface to reduce risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge by means of a 'Hydrocrack' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority.

Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 19: Surface Water Run-Off From Open Cut Areas

Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses shall be maintained.

Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 20 Ground Water Levels

- a) A groundwater level monitoring programme shall be implemented at the quarry. Groundwater levels of designated borehole should be recorded at monthly frequency, and reports to the Planning Authority on a quarterly basis including the previous five year's water level data and in tabular, graphical and drawing format. [The purpose of this is to receive the monitoring information data, that it be presented in graphical format that shows the current results in context with the previous five years' data, and that drawings be used where appropriate to show locations and elaborate on the data].
- b) A water balance report for the site to be provided to the Planning Authority on the annual basis showing estimates and calculations for natural precipitation, evapotranspiration and water discharging to ground. This report to include the previous five years water balance estimates for the quarry where available. [The purpose of this is to provide information to the council on the quantity of precipitation deposited on the site, the volume of water leaving the site, and the quantity of water drawn in to the site from the ground sources as a result of activity].
- c) Twice per annum a water quality sample of water from the quarry floor water impoundment area shall be collected and test for parameters relevant to groundwater quality and to be agreed in writing with the Planning Authority in advance. [The

purpose of this is to inform the council of the suitability of water in the quarry for recreational water use as proposed in aftercare and use of site].

- d) A zone of influence on groundwater report shall be prepared and submitted to the Planning Authority describing the effects of the quarry on groundwater levels on the site and beyond its site boundary to a distance of 1,000 meters radius. This report shall include cross section and plan drawings, and be agreed with the Planning Authority in advance.[The purpose of this report is to demonstrate to the Council the extent of influence of the activity on water table levels in the area – both on-site and off-site]
- e) That the depth and volume of the quarry be provided to the Planning Authority on an annual basis. (This is in addition to the Digital Terrain Model required by other conditions hereby attached)

Reason: In the interest public health, the protection of ground water resources, and the proper planning and sustainable development of the area.

Condition - 22 Settlement Ponds

Settlement Ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the Planning Authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. Appropriate measures shall be put in place to prevent silt leaving the site in any drain or watercourse during the cleaning process.

Reason: To minimise dust in the interest of proper planning and sustainable development of the area.

Condition 23 – Details of Drainage Arrangements

Within six months of the date of this decision full details, including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority.

Reason: To prevent water pollution in the interest of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 29 – Storage of Topsoil

All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil to be used for on-going landscaping shall be stockpiled in a manner so as to ensure that the soil flora and fauna are not destroyed,

Reason: To ensure the satisfactory rehabilitation of the site in the interests of amenity and the proper planning and sustainable development of the area.

Condition 30 – Security For Compliance with Conditions

Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €500,000 (Five Hundred Thousand Euro), together with an agreement empowering the Planning Authority to apply such security (or part thereof) to the satisfactory completion of the rehabilitation and aftercare works in the event that the operator fails to secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index.

Reason: To ensure the satisfactory rehabilitation of the site in the interests of amenity and the proper planning and sustainable development of the area.

Condition 31 – Archaeological Impact Assessment

- a) An Archaeological Impact Assessment (AIA) shall be prepared for the entire 5.16 ha of the landholding that will be directly affected by the development.

The AIA shall be prepared by a suitably qualified archaeologist (licenced under the National Monuments Acts 1930-94) and shall be based on desk study / field survey, aerial photography and if necessary geophysical survey, etc.

- b) The AIA shall be submitted to the Heritage and Planning division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. In the event that the AIA indicates significant archaeological potential the archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of Environment, Heritage and Local Government.
- c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of the Recorded Monument, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government.
- d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator.

Reason: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of proper planning and sustainable development of the area.

Condition 35 – Access to Quarry

No access to the lands for the purposes of quarry operations shall be provided from the minor public road adjoining the quarry lands to the south or adjoining land outside of the blue land ownership-line unless a separate planning permission for such development is granted.

Reason: To prevent endangering public safety by reason of traffic hazard having regard to the substandard condition of the road and in the interests of residential and rural amenity

Condition 36 – Screening of the Exposed Quarry Cliff Face

Within 3 months of the date of this decision, proposals prepared by a qualified Landscape Consultant to address and mitigate the impact of the exposed cliff face which is widely visible from areas to the north of the quarry site, particularly along the N7 and from areas to the north of the quarry shall be submitted for the written agreement of the Planning Authority.

Reason: To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.

Condition 40 – Burning of Waste

No burning, disposal or mixing of waste materials or use of waste materials in boilers should take place without prior consent of the Local Authority.

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

Condition 41 – Waste Management

Applicant shall ensure that extractive waste is managed without endangering human health and without using processes or methods which could harm the environment, and in particular without risk to water, air, soil, and fauna and flora, without causing a nuisance through noise or odours and without adversely affecting the landscape or places of special interest in accordance with Regulation 4(1) of Waste Management (Management of Waste from Extractive Industries) Regulations 2009. Applicant must therefore familiarise himself with the provisions of the Waste Management (Management of Waste from Extractive Industries) Regulations 2009.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 42 – Non- extractive Waste Management

Applicant shall ensure that other waste beyond extractive waste such as waste streams arising from other ancillary activities including manufacturing of concrete and bituminous mixes/ asphalt (canteen food waste), scrap machinery, tyres, construction and demolition waste and sludge type material) are managed in accordance with the other relevant regulations of Waste Management Act 1996 as amended.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 43 – Waste Storage Management

Applicant shall use designated storage areas for particular waste types and authorised waste collectors for the collection, reuse, and disposal of waste oils, batteries, tyres, domestic waste and scrap metal in compliance with the relevant regulations of the Waste Management Act 1996 as amended.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 44 – Extractive Waste Management Plan

The applicant shall draw up a waste management plan (to be known as an Extractive Waste Management Plan) for minimisation, treatment, recovery and disposal of extractive waste taking account of the principle of sustainable development. This plan shall be drawn up in accordance with regulation 5 of the Waste Management (Management of Extractive Waste from extractive industries) Regulation 2009. The plan shall also contain an audit of extractive waste arising per annum and other waste per annum arising from ancillary operations such as bituminous, asphalt and concrete production. This plan shall be reviewed every 5 years as per Regulation 5 (4) of the Waste Management (Management of Extractive Waste from extractive industries) Regulation 2009. The plan should be drawn up within three months after the approval of this application.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 45 – Imported Waste Management

Applicants shall ensure that imported waste to site is authorised by South Dublin County Council in accordance with Waste Management (Waste Facility and Registration) Regulations 2007 as amended.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 46 – Waste Facility Permits

Applicant shall comply at all times with all conditions of existing waste facility permits and Water Pollution discharge licence and no development or change of use shall be undertaken that would conflict with such permits without prior approval.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 47 – Annual Environmental Report

An Annual Environmental Report required under the existing Certificate of Registration, the applicant shall provide an overarching Annual Environmental Report for management of extractive waste and other waste streams resulting from ancillary operations such as bituminous, asphalt and concrete production. This annual Environmental Report shall include as a minimum the following information and shall be prepared in accordance with any relevant guidelines issued by the South Dublin County Council.

- a) Details of any non-compliances with substitute consent conditions
- b) The management and staffing structure of the facility
- c) Any court order or conviction under the act
- d) The quantity (in tonnes), composition and origin of all extractive wastes and other waste streams from ancillary operations during the reporting year (by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments
- e) Quantities (in tonnes), composition, and destination of extractive waste and other waste stream from ancillary operations consigned for onward transport to recovery from the facility within the reporting year (by European Waste Catalogue code(s),

and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.

- f) Quantities (in tonnes), composition, and destination of extractive waste and other waste stream from ancillary operations consigned for onward transport to disposal from the facility within the reporting year (by European Waste Catalogue code(s), and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.
- g) Dates of the construction and demolition waste crushing activity during the reporting year and details of the quantity of waste processed
- h) The names of the agent and the carrier of the waste, and their waste collection permit details (to include issuing authority and vehicle registration number)
- i) TFS details for the waste materials sent off-site for recovery/disposal within the reporting year (if applicable)
- j) Any load rejected at the site
- k) Reportable incidents during the reporting year
- l) All complaints received during the year
- m) The destination of all extractive wastes and other waste streams from ancillary operations transported from the facility during the year
- n) Schedule of environmental improvements on the facility for the reporting year
- o) Results of any environmental monitoring carried out at the facility
- p) Review of Environmental Liabilities
- q) Report on Insurances
- r) Report on Financial provisions

Note: This requirement is in addition to the Annual Environmental Audit requirement set out in condition 11 above.

ROADS

- 5.4.2 a) Within 6 months of this permission, proposals for an upgraded access junction at the N7 shall be submitted for the written agreement of the Planning Authority, which shall include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction (Lands located within the blue line and within the ownership of the applicant).
- b) the applicant shall submit a revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the applicant shall ensure the revised layout conforms to the following key parameters:

- Nose length of 75m with a ratio of 1:25 shall be provided for the merge,

and a nose length of 70m with a ratio of 1:15 shall be provided for the diverge;

- Auxiliary lane shall be extended 160m for merge, 150m for diverge; and
- Auxiliary lane taper shall be extended to 75m for the merge and 70m for the diverge.

c) Within a timeframe to be agreed in writing with the Planning Authority but shall be no later than two years after the date of this permission the upgraded junction shall be in place and fully operational in accordance to items a) and b).

ENVIRONMENTAL HEALTH

5.4.3 Dust

- a. The applicant shall prepare a programme for the identification and reduction of fugitive emissions using an appropriate combination of best available techniques, which shall be submitted for the written agreement of the Planning Authority within 6 months of the date of the final permission. This programme shall be included in the Environmental Management Programme.
- b. The total dust deposition (soluble and insoluble) at the site boundary shall not exceed 350 mg/m^2 /day (when averaged over a 30-day period). This shall be measured using the Bergerhoff Method (German standard VDI 2119, 1972) The number and position of dust monitoring points shall be agreed in writing with the Planning Authority within 6 months of the date of the final permission.
- c. Results of the continuous monitoring shall be forwarded to the Planning Authority on a quarterly basis, the quarters being January-March, April-June, July-September, October- December. Results for each quarter shall be submitted for the written agreement of the Planning Authority by the last day of the first month of the following quarter.
- d. The applicant shall submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant shall update and improve these existing procedures incorporate the extension of the quarry hereby permitted and update these procedures as appropriate. These procedures shall be submitted for the written agreement of the planning authority within 6 months of the date of this permission.

5.4.4 Noise

- a. Noise from all quarry activities shall not exceed the following noise emission limit values at the nearest noise sensitive receptor.

Daytime 08:00-20:00 hrs

Night time 20:00-08:00

L_{Aeq} (1hr) =55dBA

L_{Aeq} (1 hr) = 45 dBA

- b. Audible tones or impulsive noise shall only take place between the hours of 8.00am and 20.00pm and shall not take place between the hours of 20.00 in the evening and 8.00am in the morning.
- c. Monitoring shall be carried out by or on behalf of the quarry during each quarter, the quarters being January-March, April-June, July-September,

October-December. Results for each quarter shall be submitted for the written agreement of the Planning Authority by the last day of the first month of the following quarter.

5.4.5 Vibration

- a. Ground Borne vibration shall not exceed the following Emission Limit Value at the site boundary: Peak Particle Velocity = 12 mm/s, measured in any of the three mutually orthogonal directions at the receiving location (for vibration with a frequency of less than 40 Hz).
- b. Air Overpressure shall not exceed the following Emission Limit Value at the site boundary: 125 dB (Linear maximum peak value) with a 95% confidence limit.
- c. Every blast shall be monitored at the site boundary. **The number and location of blast monitors shall be agreed in writing with the Planning Authority within 6 months of the date of this permission.**
- d. Normal hours of blasting shall be between 09:00 -18:00 hrs Monday to Friday. Advance notification of blasting shall be given to nearby residents through use of written letters, signage at site entrance, telephone or warning sirens.
- e. Blast/vibration monitoring shall be submitted every quarter, the quarters being January-March, April-June, July-September, October-December. Results for each quarter shall be submitted by the last day of the first month of the following quarter.
- f. Any exceedance of any of these criteria shall be notified to the local authority and shall be submitted for the written agreement of the Planning Authority. The reason for this exceedance shall be clearly demonstrated and all measures that have been put in place on a permanent or temporary basis after that to prevent the recurrence of the exceedance shall be submitted for the written agreement of the Planning Authority.
- g. Note: The current environmental standards for noise, vibration and dust, contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (non scheduled Minerals)" are referred to. Should these standards be revised in the future or should new standards be introduced, either by legislation or guidance, from the Environmental Protection Agency or its successor, the quarry operations shall be carried out in compliance with the revised standards.

WATER SERVICES

5.4.6 The applicant shall submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a water supply connection is required, the applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) shall be submitted for the written agreement of the Planning Authority Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Reason: In the interest of public health and to ensure adequate water facilities.

5.4.7 The proposed development is in close proximity to a 1270mm concrete public watermain which runs through the site from west to east. The applicant shall submit a drawing in plan and cross-sectional views which clearly shows the distance between all existing structures and the public watermain as well as existing cover levels over the watermain. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and determine what the required separation distance is from the existing public watermain traversing the site. The outcome of this engagement with Irish Water's diversions shall be submitted for the written agreement of the Planning Authority.

Reason: In the interest of public health and to ensure adequate water facilities.

5.4.8 All works on site shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

- 5.4.9 The applicant shall submit surface water drainage plans for the development. The applicant shall submit a drawing showing existing surface water drainage layouts including attenuation and pollution mitigation devices up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- 5.4.10 The applicant shall submit design calculations and plans clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site and discharged at no greater than pre-developed greenfield run off rates.
- 5.4.11 The applicant shall submit a drawing showing plan and cross sectional views of existing SuDS (Sustainable Drainage Systems) features for the development. These shall be maximised within the surface water design strategy for the development.
- 5.4.12 The applicant shall clearly demonstrate how surface water run off is cleansed of silt and other pollutants such as hydrocarbons on site prior to discharging to the public surface water network and/or watercourse. This also relates to existing wheelwash facilities. Only clean uncontaminated water shall be discharged to the public surface water network and/or watercourse.
- 5.4.13 The applicant shall submit a drawing showing plans, locations and details of all water pollution mitigation measures, for the written agreement of the Planning Authority.
- 5.4.14 Fuel tank leakages shall not allow polluted water to enter surface water drainage network. The applicant shall demonstrate that all works comply with the Greater Dublin Regional Code of Practice for Drainage Works in this regard.
- 5.4.15 The applicant shall show the locations of existing petrol / oil interceptors on site. All petrol/oil interceptors on the surface water drainage network shall be of Class 1 standard as per the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

FOUL DRAINAGE

5.4.16 The applicant shall submit a drawing showing existing foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a wastewater connection is required the applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public wastewater drainage infrastructure. The Confirmation of Feasibility (COF) shall be submitted for the written agreement of the Planning Authority. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Reason: In the interest of public health and to ensure adequate water facilities

5.4.17 All works shall comply with the Irish Water Standard Details & Code of Practice for Waste Water Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

RESTORATION OF QUARRY

Plans for the full restoration of the site shall form a separate planning application, which shall be submitted within 6 months of the date of this permission.

Reason: In the interests of clarity, management of waste and in the interests of proper planning and sustainable development.

DEVELOPMENT CONTRIBUTIONS

5.4.18 The developer shall pay to the Planning Authority a financial contribution of €17,220 (seventeen thousand two hundred and twenty Euro), in respect of public infrastructure and facilities benefiting development within 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

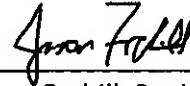
The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority



Tracy McGibbon

A/Senior Executive Planner



Jason Frehill, Senior Planner

Date: 18th August 2021

APPENDICES

Appendix 1: Parks and Public Realm Report**SOUTH DUBLIN COUNTY COUNCIL****INTERNAL MEMORANDUM**

- **Public Realm Planning Report**

Location: Windmillhill Road, Rathcoole, Co. Dublin
Applicant: Laurence Behan
Reg. Ref: ABP-310466-21
Report Date: 11/08/2021
Planning Officer: TRACY MCGIBBON
Recommendation: **Additional Information**

Relevant Sections, Policies and Objectives of the SDCC Development Plan 2016-2022:**DP 2016-22 Section 8.3.0 Public Open Space Hierarchy and Landscape Setting**

It is the policy of the Council to provide a hierarchy of high quality and multi-functional public parks and open spaces.

G4 Objective 1: To support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces.

G4 Objective 2: To connect parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity and people and to strengthen the overall Green Infrastructure network.

DP 2016-22 Section 8.1.0 Green Infrastructure Network

G2 Objective 1: To reduce fragmentation of the Green Infrastructure network and strengthen ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network

G2 Objective 2: To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.

G2 Objective 5: To integrate Green Infrastructure as an essential component of all new developments.

G2 Objective 9: To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County by increasing tree canopy coverage using locally native species and by incorporating them within the design proposals and supporting their integration into the Green Infrastructure Network.

G2 objective 11: To incorporate appropriate elements of Green Infrastructure e.g. new tree planting etc. into existing areas of hard infrastructure wherever possible.

G2 Objective 13: To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species

DP 2016-22 Section 8.5.0 Green Infrastructure within Urban Areas

G6 Objective 1: To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.

DP 2016-22 Section 9 Heritage Conservation and Landscapes

HCL15 Objective 3: To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.

DP 2016-22 Section 8.4.0 Sustainable Urban Drainage Systems

Sustainable Urban Drainage Systems (SUDS) drain surface water in an environmentally friendly way by replicating natural systems in managed environments. SUDS systems seek to collect, store and clean surface water using natural systems and to release it back into the environment in a slow and controlled way, thereby reducing the risk of fluvial and pluvial flooding. Key features, such as integrated constructed wetlands, permeable surfaces, filter strips, ponds, swales and basins are easy to manage, environmentally friendly and aesthetically attractive.

G5 Objective 1: To promote and support the development of Sustainable Urban Drainage Systems (SUDS) at a local, district and county level and to maximise the amenity and biodiversity value of these systems

G5 Objective 2: To promote the provision of Green Roofs and/or Living Walls in developments where expansive roofs are proposed such as industrial, retail and civic developments

Proposed Development

The main elements of the proposed development will consist of:

- Continued use of the existing quarry (26.87 ha) and further expansion of the quarry by 4.1ha (extracted area) along the northern boundary;
- Removal of three agricultural fields over 5.1ha area (extraction and buffer boundary area) for the proposed site extended area;
- Removal of trees and scrub on internal field boundaries;
- Creation of mounds around the boundary edges using the site's cleared earth;
- Implementation of the landscape planting along the boundary edges and internally as part of the proposed mitigation and restoration measures; and 10 to 15 years, depending on market conditions with a further 2-5 years for restoration.

Zoning

The site is zoned RU - *"To protect and improve rural amenity and to provide for the development of agriculture"*

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

The Public Realm Section would have serious concerns as to the potential significant negative environmental impacts of this proposed development on the existing landscape and on local biodiversity and ecology. The submitted EIAR recommends a number of landscape mitigation and remediation measures including the implementation of the landscape planting along the boundary edges and internally however no landscape proposals have been submitted detailing how these mitigation measures will be implemented.

Landscape Mitigation and Remediation Measures

In addition to the submission of detailed landscape proposals prepared by a suitably qualified landscape architect the applicant/developer shall implement the following Landscape Mitigation and Remediation Measures contained with Section 10.5 of the submitted EIAR prepared by Golder Associates Ireland Limited. Measures to be implemented prior to the excavation of the proposed site and during its operational include:

- Management/Improvement of the retained site boundary hedgerows and trees: Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Reprofilling of the existing mounds on the south eastern and southwestern boundaries of the Site, where required, in order to help reduce the prevalence of these structures on views within the locality;
- Woodland planting added to existing and new earth mounds (within the Proposed Development). These will be planted with a woodland species mix (including tree and shrub species), to form a substantial belt of woodland along the hillside. This will soften the form of the constructed mound, add to the height of the mound as a visual screen, and contribute to vegetation/habitat in the landscape generally; and
- Annual review/management of the new boundary planting to ensure that it becomes established and provides adequate visual screening, with generic improvements and spot fixes (including supplementary planting or thinning) to be implemented where required.

Measures to be implemented after the cessation of quarrying include:

- Management/Improvement of site boundary hedgerows: A final survey and appraisal of the site boundary hedgerows in terms of (a) species mix - for biodiversity and maximum screening (height, density of foliage), and (b) intactness/continuity. Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Management/Improvement of woodlands on the mounds: A final survey of the woodland planted earth mounds, with generic improvements and spot fixes (including supplementary planting, or thinning) to be implemented where required;
- Re-vegetation/colonisation of site outside of excavation: In accordance with current best practice recommendations the areas between the excavation and the woodland-planted earth mounds around the perimeter of the site will be allowed to re-vegetate/colonise naturally. This results in greater biodiversity and habitats most appropriate to the site conditions;
- Removal of built infrastructure: All buildings and redundant infrastructure to be removed from site and the lands prepared for natural re-vegetation/colonisation;
- Lake formation in quarry void to a level of 155mAOD: Engineered shallow areas on the floor of the quarry will initially provide islands and will ultimately be covered by water as the quarry fills to its natural level (determined by the water table), forming

a permanent lake. The shallow areas will provide suitable substrate for aquatic invertebrates, with gentle grading of shoreline and marginal planting added (to be determined at the time, with the advice of an ecologist);

- Quarry benches: At a number of locations (to be determined at the time, with the advice of an ecologist) a mixture of trees and shrub species will be planted in an engineered substrate to form patches of habitat. This will create a platform for a more diverse flora to develop naturally and provide habitat and food resources for birds, mammals, insects and other invertebrates.
- Quarry faces: Whilst recognising the geological heritage value of the exposed quarry faces, it is proposed that some native tree and shrub species be planted in/on fissures and ledges, to help break up the bare profile of the quarry face. Other plant species will be allowed to find and colonise the area by natural means and these will include various mosses, lichens, algae, ferns, flowering plants, etc. The gradually increasing plant diversity over time will in turn ensure that a corresponding diverse list of animal species (birds, mammals, butterflies and other insects, other invertebrates, etc.), can become established.
- Safety measures: An agricultural fence to be installed around the edge of the excavation, to act as a visual indicator of the edge and a physical barrier for people and animals. Signage as required around edges to notify of danger.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following information be requested:

1. Landscape Plan

Prior to commencement of development, the Applicant / Developer of the lands shall submit for the written agreement of the Planning Authority a comprehensive landscaping scheme with the following details:

- a) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings.
- b) All hard and soft landscaping works shall be completed in full accordance with the approved Landscape Plan, within the first planting season following completion of the development (completion of works on site).

- c) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- d) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS5837: 2005 Trees in Relation to Construction: Recommendations.
- e) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

The Applicant / Developer of the Lands is advised to discuss the brief for the landscape plan with the Parks Public Realm Section and the Heritage Officer of SDCC prior to submission of the landscape plan.

REASON: To assimilate the development into its surroundings, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 and other relevant objectives of the CDP 2016-2022

2. Landscape Management

Prior to commencement of development a landscape management plan, including long term design objectives and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority. The landscape scheme shall be carried out in accordance with the approved management plan.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022

3. Biodiversity Management Plan

Given the numerous policies and objectives regarding Green Infrastructure in the County Development Plan 2106-2022 and given the sensitive nature of the site it is requested that an overarching Biodiversity Management Plan be drawn up by the applicant to oversee the various biodiversity issues on the site including bats, birds, amphibians, invertebrates, mammals etc. and the provision of a range of appropriate habitat types to mitigate against potential biodiversity impacts.

The plan should indicate how biodiversity and green infrastructure is to be protected, enhanced and developed on this site during construction and into the future, taking into account matters that included the following:

- i. Protection of existing trees on site
- ii. Protection and enhancement measures for bats
- iii. Protection and enhancement of identified habitats
- iv. The use of SUDS and Climate Adaption Measures

REASON: To protect and enhance areas of biodiversity, in accordance with policies IE7 Objective 5, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

4. Environmental Impact Assessment Report (EIAR)

The mitigation, remediation measures and recommendations contained within the submitted EIAR prepared by Golder Associates Ireland Limited shall be implemented in full by the applicant/developer.

REASON: To ensure the protection of the natural Heritage of the site including water features in accordance with policies, in accordance with policies IE1 Objective 5, IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL1 Objective 1, HCL1 Objective 2, HCL1 Objective 3, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

5. Construction and Environmental Management Plan

The applicant shall submit a Construction and Environmental Management Plan (CEMP) which provides the environmental management framework to be adhered to during the pre-commencement and construction phase of the proposed development and incorporates the mitigation principles that the work is carried out in a way that minimises the potential for any environmental impacts to occur. The CEMP should be prepared in accordance with the mitigation measures and commitments made in the Environmental Impact Statement and other planning submissions for the development.

REASON: To ensure the protection of the natural Heritage of the site including Water Features in accordance with policies, in accordance with policies IE1 Objective 5, IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL1 Objective 1, HCL1 Objective 2, HCL1 Objective 3, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

Prepared By: Oisín Egan

Executive Parks Superintendent

Endorsed By: Laurence Colleran

Senior Executive Parks Superintendent

Appendix 2: Water and Drainage Report

Surface Water Report:

Further Information Required:

- 1.1 The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts including attenuation and pollution mitigation devices up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- 1.2 It is unclear how surface water is managed and attenuated on site to and how discharge is limited to greenfield run off rates. The applicant shall submit a design calculations and plans clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site and discharged at no greater than pre-developed greenfield run off rates.
- 1.3 The applicant shall submit a drawing showing plan and cross sectional views of existing and proposed SuDS (Sustainable Drainage Systems) features for the development. These shall be maximised within the surface water design strategy for the development.
- 1.4 The applicant is required to show how surface water run off is cleansed of silt and other pollutants such as hydrocarbons on site prior to discharging to the public surface water network and/or watercourse. This also relates to proposed/existing wheelwash facilities. Only clean uncontaminated water shall be discharged to the public surface water network and/or watercourse. The applicant shall also show the locations of proposed and existing petrol / oil interceptors on site.
- 1.5 The applicant is required to submit a drawing showing plans, locations and details of all proposed water pollution mitigation measures detailed within chapter 6 of the submitted EIAR.
- 1.6 Fuel tank leakages must not allow polluted water to enter surface water drainage network. All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works in this regard.
- 1.7 The applicant shall also show the locations of proposed and existing petrol / oil interceptors on site.. All petrol/oil interceptors proposed on the surface water drainage network shall be of Class 1 standard as per the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Flood Risk**Further Information Required:**

- 2.1 The applicant is required to submit a site-specific flood risk assessment report with the inclusion of a justification test where applicable in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands.
- 2.2 The applicant shall submit plans showing the location of the proposed development in relation to surrounding flood zones identified on the OPW CFRAM maps.
- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
 - All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
-

Water Report:

**Referred to IW
Refer to EHO**

Foul Drainage Report:

**Referred to IW
Refer to EHO**

Signed: _____
Ronan Toft AE

Date: _____

Endorsed: _____
Chris Galvin SE.

Date: _____

Appendix 3 - Irish Water

1 Water

1.1 The applicant is required to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a water supply connection is required the applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

1.2 The proposed development is in close proximity to a 1270mm concrete public watermain which runs through the site from west to east. The applicant is required to submit a drawing in plan and cross sectional views which clearly shows the distance between all existing and proposed structures and the public watermain as well as existing and proposed cover levels over the watermain. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and determine what the required separation distance is from the existing public watermain traversing the site. The outcome of this engagement with Irish Water's diversions shall be submitted to the planning authority as a response to Request for Further Information

1.3 All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a wastewater connection is required the applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public wastewater drainage infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

2.2 All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

Appendix 5 – Roads Report

Register Reference: ABP-310466-21

Date: 17-Jul-2021

Development:

The development consists of further development of a quarry over an area of 26.87 ha. that largely coincides with an existing operational quarry void currently at an average working depth of approximately 173 mAOD and final floor of approximately 150 mAOD. It is proposed to laterally extend the existing quarry void to the north by approximately 4.1 ha. over a total of 5.16 ha. to accommodate screening berms and to also further extract the existing quarry void to a final average depth of 150 mAOD, east and west of a centrally located existing administration and processing plant area. A restoration plan to return the application site and existing administration and processing plant area to agricultural and amenity use upon completion of proposed extraction has been prepared and is proposed to be implemented upon cessation of extraction. The proposal duration is 20 years to reflect anticipated extraction of remaining reserve within 10 - 15 years depending on market conditions, and a further 2 - 5 years for restoration. The existing quarry is accessed at a single location from the N7. The reserve consists of sandstone (greywacke) and is currently extracted by blasting and mechanical means. The excavated material is crushed at the working face by mobile plant and transported to a central plant area for washing, grading and processing. The further development of the quarry relates to further extraction only and is to utilise the extant existing administration and processing plant area and quarry access that are included in a concurrent application for substitute consent. The application site is contained within a quarry area registered in 2005 under S.261 and assessed in 2012 under S.261A (ref. no. SDQU05A/04) by the local planning authority. The S.261A notice was reviewed under An Bord Pleanála ref. 06S.QV.0090 resulting in a requirement for application for substitute consent accompanied by remedial Environmental Impact Assessment Report (rEIAR). That application (ref. no. L06S.SU0068) was made in 2013 and an application to further develop that quarry (ref. no. PL06S.QD0003) was made in 2015. Those applications have been superseded By High Court Order (2018 No. 929 JR) that inter alia ordered the making of this application. This application is made concurrent with an application for substitute consent for quarrying at this location, also part of that Order. The application is accompanied by an Environmental Impact Assessment Report (EIAR). The EIAR is for an EIA project unit over 46.14 ha. that encompasses the area of the further development of the quarry application under S.37L, the concurrent substitute consent application and the quarry as registered under S.261.

Location:
Applicant:
App. Type:
Planning Officer:

Windmillhill Road, Rathcoole, Co. Dublin
Laurence Behan
Application for Substitute Consent
TRACY MCGIBBON

Date Recd: 05-August-2021

Description:

The development consists of further development of a quarry over an area of 26.87 ha. that largely coincides with an existing operational quarry void currently at an average working depth of approximately 173 mAOD and final floor of approximately 150 mAOD.

It is proposed to laterally extend the existing quarry void to the north by approximately 4.1 ha. over a total of 5.16 ha. to accommodate screening berms and to also further extract the existing quarry void to a final average depth of 150 mAOD, east and west of a centrally located existing administration and processing plant area. A restoration plan to return the application site and existing administration and processing plant area to agricultural and amenity use upon completion of proposed extraction has been prepared and is proposed to be implemented upon cessation of extraction. The proposal duration is 20 years to reflect anticipated extraction of remaining reserve within 10 - 15 years depending on market conditions, and a further 2 - 5 years for restoration. The existing quarry is accessed at a single location from the N7.

Volume of Material to be Extracted:

In the concurrent planning application, the applicant intends a lateral extension of the current quarry to the north-western and north-eastern side of the current quarry footprint. The volume of stone within the existing void and these new areas is estimated at approximately 5M tonnes. This remaining reserve is expected to be extracted at an average rate of 500,000 tonnes per year, as has been the average for the previous approximately 25 years for the site. Based on these calculations the quarry has an expected lifespan of 10 to 15 years depending on market conditions.

Traffic and Transport Assessment:

The quarry operates 5.5 days per week and 50 weeks per year. The extracted stone material is typically transported in 10 and 20 tonne loads.

The Average Annual Daily Traffic (AADT) figures have been recorded by the TII's traffic count which is located between junction 5 Athgoe and junction 6 Castlewarden.

The traffic generated by the quarry represent between 0.19% and 2.36% of total traffic on the N7 national Road between 1990 and 2020.

The trip generation and volume of exported material is shown on Table 11.1 below:

It shows that since 2015, 1 million tonnes per annum are extracted from the existing quarry. This equates to 290 loads per day leaving the site and a total of 580 HGV round trips using the site access.

In addition to the stone delivery trips, there are currently an average of 144 staff trips, and 156 ancillary trips per day using the site entrance.

Table 11.1: Derived Trip Generation - Extraction of Material

Year	Material Extraction				
	Tonnes per annum	Tonnes per week	Loads per week	Loads per day	Trips per day (HGVs)
1990	540,000	10,800	864	157	314
1991	540,000	10,800	864	157	314
1992	432,000	8,640	691	126	252
1993	432,000	8,640	691	126	252
1994	432,000	8,640	691	126	252
1995	432,000	8,640	691	126	252
1996	432,000	8,640	691	126	252
1997	432,000	8,640	691	126	252
1998	560,000	11,200	896	163	326
1999	560,000	11,200	896	163	326
2000	560,000	11,200	896	163	326
2001	560,000	11,200	896	163	326
2002	560,000	11,200	896	163	326
2003	560,000	11,200	896	163	326
2004	500,000	10,000	800	145	290
2005	500,000	10,000	800	145	290
2006	500,000	10,000	800	145	290
2007	1,000,000	20,000	1,600	291	582
2008	1,000,000	20,000	1,600	291	582
2009	1,000,000	20,000	1,600	291	582
2010	50,000	1,000	80	15	30
2011	50,000	1,000	80	15	30
2012	50,000	1,000	80	15	30
2013	50,000	1,000	80	15	30
2014	580,000	11,600	928	169	338
2015	1,000,000	20,000	1,600	291	582
2016	1,000,000	20,000	1,600	291	582
2017	1,000,000	20,000	1,600	291	582
2018	1,000,000	20,000	1,600	291	582
2019	1,000,000	20,000	1,600	291	582
2020	1,000,000	20,000	1,600	291	582

Access Road Junction Layout:

The red line for the extension of the quarry application (ABP-310466-21) does not extend to the N7 access to the site. Any proposals of this kind should demonstrate an analysis of the access and egress from the site and recommending measures to protect the safe use of this access.

The access to the quarry is situated centrally on the northern boundary of the quarry and this connects to the westbound carriageway of the N7. The site access is a left in left out arrangement.

The access road junction was constructed in 2006. A design assessment of this junction was carried out in accordance with Chapter 2 of the TII Publications document DN-GEO-03035, version 4, 'NRA addendum to Standard TD22/92-Layout of grade separated junctions' which was the relevant design standard at the time of construction. The assessment determined that the junction did not meet the required geometric parameters for the merge and diverge

layout in accordance with the relevant standards at the time. However, a divergent auxiliary lane was incorporated into the design which exceeded the required design standards required at the time.

Current Junction Design Guidelines:

The current relevant junction design guidelines require:

1. Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
2. Auxilliary lane to be extended 160m for merge, 150m for diverge; and
3. Auxilliary lane taper to be extended to 75m for the merge and 70m for the diverge.

The applicant does not intend to implement these standards because there is an existing access to the east of the site access that would be affected by these changes, and the applicant believes the divergent layout has worked satisfactorily up to now.

SDCC roads department note the applicants blue line ownership extends approximately 350m east of the site entrance. The roads department do not understand why the necessary nose, auxiliary lanes and tapers cannot be delivered.

The necessary land to the west of the site entrance is also in the ownership of the applicant. The access layouts for the merging and diverging lanes connecting to the N7 should be upgraded and improved in accordance with the current TII design requirements.

Drainage:

The rEIAR states "As part of the water management system on the site, water abstracted from the western quarry pit is discharged following periods of prolonged rainfall to a culvert located on the northern portion of the Site adjacent to the N7/M7". Capacity Checks are required to ascertain whether any additional discharges can be accommodated by this culvert.

Dust:

It is mentioned in Air Quality section of the rEIAR that site specific mitigation measures have been employed on since 1990 to ensure that the impacts of dust are controlled. The roads department suggest that a copy of these Site-Specific mitigation measures is submitted as additional information so an assessment of their continued effectiveness can be decided.

The Roads Department recommend that the Applicant submit the following Additional Information:

1. The applicant shall submit a revised plan showing the Red line boundary extended to include the area around the site access junction at the N7 and include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction.
2. The applicant shall submit a revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the applicant must ensure the revised layout conforms to these key parameters:
 - Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
 - Auxilliary lane to be extended 160m for merge, 150m for diverge; and
 - Auxilliary lane taper to be extended to 75m for the merge and 70m for the diverge.
3. The applicant shall submit a report showing capacity checks to ascertain whether any additional storm discharges from the north western portion of the proposed site can be

accommodated by the culvert located on the northern portion of the Site adjacent to the N7/M7".

4. The applicant shall submit analysis on whether additional on-site wheel washes or other additional measures are required to prevent dirt and stone material being deposited on the adjacent public road network.
5. The applicant shall submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant shall revisit these existing procedures in relation to the proposed revision of the quarry extent and void depth and update these procedures as appropriate. These procedures to be agreed with the planning authority.

Should Permission be granted the following conditions should apply:

1. The Red line boundary shall be extended to include the area around the site access junction at the N7 and include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction.
2. Prior to commencement, the applicant shall submit an agreed revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the applicant must ensure the revised layout conforms to these key parameters:
 - Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
 - Auxilliary lane to be extended 160m for merge, 150m for diverge; and
 - Auxilliary lane taper to be extended to 75m for the merge and 70m for the diverge.
3. Prior to commencement, the applicant shall undertake capacity checks to ascertain whether any additional storm discharges from the north-western portion of the proposed site can be accommodated by the culvert located on the northern portion of the Site adjacent to the N7/M7" and any additional measures to be agreed with the planning authority.
4. Prior to commencement, the applicant shall submit analysis on whether additional on-site wheel washes or other additional measures are required to prevent dirt and stone material being deposited on the adjacent public road network and any additional measures to be agreed with the planning authority.
5. Prior to commencement, the applicant shall submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant shall revisit these procedures in relation to the proposed revision of the quarry extent and void depth and update these procedures as appropriate. Any additional measures to be agreed with the planning authority.

Handwritten scribbles or marks in the top right corner.

Michelle Odrill

From: Janice O'Toole
Sent: Tuesday 14 September 2021 12:21
To: appeals@pleanala.ie
Cc: Michelle Odrill
Subject: ABP-310466-21 - SDCC Report for Further Development of a Quarry
Attachments: ABP-310466-21 - Application for Substitute Consent Report to ABP.pdf

Dear Sir/Madam,

Please find attached South Dublin County Council's report in respect of Application for Further Development of a Quarry for ABP-310466-21

A hard copy has been forwarded by Registered Post.

Regards,
Janice

Janice O'Toole | A/Administrative Officer | Development Management, Registry & Enforcement |
South Dublin County Council | County Hall | Tallaght | Dublin 24 | D24 YNN5
Email: jotoole@sdublincoco.ie
Tel: 414 9000 Ext. 4871

Shape Explore Experience 

The Draft South Dublin County Development Plan 2022-2028

AN BORD PLEANÁLA
LDG- _____
ABP- _____
15 SEP 2021
Fee: € _____ Type: _____
Time: _____ By: Reg Post

**SOUTH DUBLIN COUNTY COUNCIL'S PLANNING AUTHORITY'S REPORT TO
AN BORD PLEANALA ON**

**APPLICATION FOR FURTHER
DEVELOPMENT CONSENT UNDER
SECTION 37L**

**AT BEHAN'S QUARRY
WINDMILL HILL, RATHCOOLE, COUNTY DUBLIN**

**Land Use Planning and Transportation Department
South Dublin County Council
County Hall
Tallaght, Dublin 24
Prepared by: Tracy McGibbon
Date of Report: 18th August 2021**

REPORT CONTENT:

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1 INTRODUCTION

- 1.1 By letter dated 16th June 2021, An Bord Pleanála requested South Dublin County Council, with regards to an application for **further development consent** made under section 37L of the Planning and Development Act 2000 (P&DAct), as amended, by Mr. Laurence Behan of Behan, Behan Quarry, Windmill Hill, Rathcoole, Co. Dublin to submit a report

"...setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the functional area of the authority having particular regard to the matter specified in section 34(2) to which a planning authority is to have regard."

- 1.2 Section 34(2)(a) of the P&D Act states *that when making its decision in relation to an application under this section, the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to –*

- (i) *The provisions of the development plan.*
- (ia) *any guidelines issued by the Minister under Section 28,*
- (ii) *The provisions of any special amenity area order relating to the area,*
- (iii) *Any European site or other area prescribed for the purposes of section 10(2)(c),*
- (iv) *Where relevant, the policy of the Government, the Minister or any other Minister of the Government,*
- (v) *The matters referred to in subsection (4) [the appliance of conditions for regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant].*
- (va) *previous developments by the applicant which have not been satisfactorily completed.*
- (vb) *previous convictions against the applicant for non-compliance with this Act, the Building Control Act 2007 or the Fire Services Act 1981, and,*
- (vi) *Any other relevant provision or requirement of this Act, and any regulations made thereunder.*

- 1.3 **The permission for development sought in this instance is under Section 37L of the Planning and Development Act, 2000, as amended and is an application seeking further development consent at Behan's Quarry. This type of planning permission may only be sought where an application for substitute consent is in being. The Substitute Consent application is running concurrent to this application under Reference ABP-310461-21.**

- 1.4 The concurrent substitute consent application with Remedial EIAR and the EIAR accompanying this application for further development of the quarry is by Order of the High Court [2018 No. 929 JR] of August 2020 that set aside the previous substitute consent (Ref. PL06.SU0068) and a S.37L (PL06S.QD0003) application decisions and granting relief including:

“...that a fresh application to the Respondent [An Bord Pleanála] for continued development in relation to the site at Windmill Hill Rathcoole County Dublin pursuant to the notice dated 11 August 2015 issued by the Respondent in respect of section 37L of the Planning and Development Act 2000 as amended shall be deemed to have been made within the time limits prescribed therein where the application is made not later than twelve weeks of the date of perfection of this Order or such further period as the Board may allow...”

- 1.5 The Planning Authority unreservedly places the establishment and determination of the validity of this application in the hands of An Bord Pleanála.

2 BACKGROUND

- 2.1 The chronology of the Behan's Quarry Planning history prior to the High Court Order is set out in the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021. This file and the explanatory report, sets out the chronology of Behan's Quarry Planning History to 2019. It includes a summary of planning history, legislation and enforcement history purporting to the site. This folder and report will be referred to throughout the following assessment.
- 2.2 The S37L extension of development application gives rise to EIA and the requirements for Environmental Impact Assessment Report (EIAR). A Stage 1 Screening Report to inform Appropriate Assessment (AA) has been submitted with the application.

3 PROPOSED DEVELOPMENT

3.1 Description of Development:

- 3.1.1 To continue the development of a quarry having a total site area of 40.875 ha.
- 3.1.2 The development comprises of further development of a quarry over an area of 26.87 ha, largely coinciding with an existing operational quarry void (current average working depth of the quarry is stated to be 173 mAOD).
- 3.1.3 Laterally extend the existing quarry void to the north (in two separate sections: north west and north east) by approximately 4.1 ha. A total of 5.16 ha of land will be affected by the proposed extension – 1.06 ha is to be provided for the provision of berms to help screen the quarry development and *“to also further extract the existing quarry void to a final average depth of 150 mAOD, east and west of a centrally located existing administration and processing plant area”* [First Paragraph of Appendix 1 Full description of development as laid out in the Cover Letter from Cunnane Stratton Reynolds dated 9th June 2021].
- 3.1.4 Restoration of the site to include reinstatement of worked out quarry to agricultural use by means of the importation of inert sub soil and topsoil amounting to a total of 11,151,570 cubic metres.
- 3.1.5 The proposed duration of the works is stated to be 20 years to reflect anticipated extraction of remaining reserve within 10-15 years. Extraction to be at a rate of approximately 500,000 tonnes per year, with an expected life span of 10-15 years (depending on market conditions). With a further 2-5 years for restoration.
- 3.1.6 Extraction by blasting and mechanical means.
- 3.1.7 Washing, grading and processing on site. The utilisation of the extant existing administration and processing plant area and quarry access (the subject of the Substitute Consent application ABP-310466-21)
- 3.1.8 The main differences between the previous S37L application (ABP decision quashed by High Court Order) and this current proposal are:
 - i. The area of the land proposed in this application is significantly smaller, stated as 26.87 ha. The previous S37L application was over 40.875 ha.
 - ii. The depth of the quarry will be a ‘working floor depth’ of 150 mAOD, which is above the water-table. The previous application was for development below the water-table.
 - iii. The current application does not propose the extraction of lands to the south of the quarry site, which appeared to be included and proposed for extraction in the previous application. These lands comprise the Protected Structure and potential archaeological features.
 - iv. Restoration of all quarried and proposed for quarrying lands within the entire EIA project unit (as indicated in plans submitted).

4 **INFORMATION REQUIRED UNDER S34(2) OF PLANNING AND DEVELOPMENT ACT, 2000, AS AMENDED**

4.1 The provisions of the development plan

- 4.1.1 The subject lands are zoned 'RU' in the current South Dublin County Council Development Plan 2016-2022, with an objective '*To protect and improve rural amenity and to provide for the development of agriculture*'. Industry-Extractive and Concrete/Asphalt Plant in or adjacent to a Quarry are permitted in principle.
- 4.1.2 Schedule 2 – record of Protected Structures: Windmill House, described as a 'Stone Windmill (Ruin) and a Recorded Monument is located to the south of the overall landholding and on lands outlined in blue on the submitted maps.
- 4.1.3 Traveller Accommodation to be provided for on lands to the north-west of the overall landholding, within lands outlined in blue on the submitted drawings.
- 4.1.4 Section 9.2.1 Views and Prospects – Chapter 9 of the current County Development Plan provides for a prospect to be preserved.

Table 9.2: Prospects to be Preserved and Protected

Map Ref.	Prospect	Map Ref.	Prospect
1	Athgoe Hill	10	Piperstown Hill
2	Rustyhill	11	Glenasmole Valley
3	Windmill Hill	12	Cruagh Mountain

- 4.1.5 Section 4.5.0 Tourism and Leisure – Chapter 4 of the current County Development Plan is relevant:

ECONOMIC AND TOURISM (ET) Policy 8 Heritage, Culture and Events Tourism

It is the policy of the Council to support the development of heritage, cultural and events tourism.

ET8 Objective 1:

To support the sensitive restoration of heritage buildings and sites and operate flexibility with regard to the use of converted buildings to facilitate heritage tourism.

- 4.1.6 Section 4.6.0 Rural Economy – Chapter 4 of the current County Development Plan is relevant:

In rural areas of the County there is a need to balance the need for social and economic activity with the protection of the environment and character of the rural landscape. Through zoning and development management objectives, it is the intention of the Council to restrict development in rural areas to appropriate forms of development that have a social or economic connection to the local area.

ECONOMIC AND TOURISM (ET) Policy 9 Rural Economy

It is the policy of the Council to support sustainable rural enterprises whilst protecting the rural character of the countryside and minimising environmental impacts.

ET9 Objective 1:

To support and facilitate sustainable agriculture, horticulture, forestry and other rural enterprises at suitable locations in the County.

ET9 Objective 2:

To support farm diversification and agri-tourism, where a proposed business initiative is subordinate to the primary agricultural use of the site, subject to traffic and environmental safeguards.

ET9 Objective 3:

To protect agriculture and traditional rural enterprises from unplanned and/or incompatible urban development.

ET9 Objective 4:

To support sustainable forestry development at suitable locations in the County, subject to the protection of the rural environment, sensitive areas and landscapes.

4.1.7 Section 4.7.0 Mineral Extraction – Chapter 4 of the current County Development Plan, is relevant:

Mineral extraction and the aggregate industry is an important economic sector that provides the raw materials for the construction industry. The processes involved in extraction can give rise to long-term environmental effects and significantly alter landscape character. Given the need to balance the economic benefits of extraction against potential environmental impacts, it is important to consider the suitability of areas for extraction (taking account of the environmental characteristics and sensitivities of an area) and to manage the impact of extraction where it does occur.

The Landscape Character Assessment of South Dublin County 2015 highlights the high value and sensitivity of rural and mountain areas of the County, given the proximity to Dublin. The protection of these landscapes and, in particular, environmentally sensitive high amenity areas is a priority of the Development Plan. Extraction facilities have the potential to seriously undermine the environmental quality and amenity of these areas and as such, the Council will seek to limit new or expanded facilities in environmentally sensitive and high amenity areas.

ECONOMIC AND TOURISM (ET) Policy 10 Mineral Extraction

It is the policy of the Council to support the sustainable extraction of aggregate resources at suitable locations within the County subject to appropriate environmental safeguards.

ET10 Objective 1:

To facilitate mineral extraction in suitable locations subject to the protection of amenity and environmental quality.

ET10 Objective 2:

To limit the operation of the extractive industry and ancillary uses at environmentally sensitive locations and within areas designated with Zoning Objective 'HA - DM', 'HA-LV' and 'HA-DV' where extraction would result in significant adverse effects and/or prejudice the protection of the County's natural and built heritage.

ET10 Objective 3:

To ensure the satisfactory reinstatement and/or re-use of disused quarries and extraction facilities, where active use has ceased.

4.1.8 Section 9.1.2 Protected Structures – Chapter 9 of the current County Development Plan

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 3 Protected Structures

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

HCL3 Objective 1:

To ensure the protection of all structures (or parts of structures) and the immediate surroundings including the curtilage and attendant grounds of structures contained in the Record of Protected Structures.

HCL3 Objective 2:

To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Guidelines for Planning Authorities, DAHG (2011) including the principles of conservation.

HCL3 Objective 3:

To address dereliction and encourage the rehabilitation, renovation, appropriate use and re-use of Protected Structures.

HCL3 Objective 4:

To prevent demolition and inappropriate alteration of Protected Structures.

HCL3 SLO 1:

To support and facilitate the refurbishment of the Metal Bridge in Palmerstown (RPS Ref 006).

HCL3 SLO 2:

To support and facilitate the refurbishment of the Ballymount Complex Gatehouse in Ballymount Park (RPS Ref. 175) and its inclusion as part of a heritage trail.

HCL3 SLO 3:

To secure the preservation of Windmill Hill, Rathcoole (RPS Ref. 358)

4.1.9 Landscape Character Assessment of South Dublin County, 2015 refers to the subject lands in a number of locations:

- i. Ecclesiastical and Religious Activity (Page 34) *“A single windmill is recorded on Windmill Hill. The mill now standing is of eighteenth-century date but it stands on the site of an earlier mill mentioned in 1413.”*
- ii. Relict Land Use Types: An overview of the Emerging Historic Landscape Character of South Dublin County (Page 49) *“...It is also significant, as recent study of LIDAR imagery has suggested, previously unrecorded archaeological features on the hill and perhaps on the nearby Windmill Hill. It is currently designated as a medieval relict landscape due to the presence of the only medieval windmill site in the study area.”*
- iii. Landscape Character Area Three Athgoe and Saggart Hills – Character Sensitively (Pages 124-129) *“Medieval occupation is also concentrated on the lower slopes and lowlands, around Saggart, Rathcoole, Windmill Hill (medieval windmill) and Coolmine.”* The Character Assessment rates this area with an

overall landscape value of 'High', with a capacity assessment of negligible to low:

- Negligible: Key Characteristics of the landscape are highly vulnerable to development. Development would result in a significant change in landscape character and should be avoided if possible.
- Low: Key characteristics of the landscape are vulnerable to change. There may be limited opportunity to accommodate development without changing landscape character. Great care would be needed in locating development.

4.2 Six Natura 2000 sites located within 15km of the site and three pNHAs identified within 5km of the site.

4.3 Previous developments by the applicant.

4.3.1 The Planning Authority refers An Bord Pleanála to the contents of the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021. This file and the explanatory report, sets out the chronology of Behan's Quarry Planning History to 2019. It includes a summary of planning history, legislation and enforcement history purporting to the site.

4.3.2 Planning History traced to the subject site. The following is an overview only of the planning history traced to the subject lands. Greater detail can be found in Tab 1 through to Tab 14 in the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021.

- i. SD12A/0059/EP – Permission for Extension of Duration **refused** for a dedicated area within the existing quarry site in which no more than 10,000 tonnes per year of imported inert materials (soils, stones, rock, concrete, tarmacadam) generated by off-site construction activities shall be segregated, processed, recycled and reused as raw materials for the existing on-site asphalt manufacturing plant. The proposed development requires a Certificate of Registration under the Waste Management (Facility Permit and Registration) Regulations 2007 and 2008.
- ii. 06S.QD0003 – Permission **refused** for further development of the quarry under Section 37L at this location, to further develop a quarry having a total site area of 40.875ha including reinstatement of worked out quarry to agricultural use by the means of importation of inert subsoil and top soil amounting to a total of 11,151,570 cubic metres.
- iii. PL 06S.SU0068 (SDCC reference: SDQU05A/4) An Bord Pleanala -. The Board, in accordance with Section 177K of the Planning and Development Act, 2000, as amended **refused** substitute consent.
- iv. SD12A/0059 (An Bord Pleanala – PL 06S.241259) – Permission was **granted** by the Board for a development consisting of a dedicated area within the quarry in which no more than 10,000 tonnes per year of imported inert materials generated by off-site construction activities.
Condition 2: This permission shall be for a period of five years from the date of this Order, unless before the end of that period, permission for continuance beyond that date shall have been granted. REASON: To enable the review of its operation having regard to the planning history of the site.
- v. SD11A/0271 - The establishment of a waste management facility with a maximum intake volume of 10,000 tonnes per annum to accept inert waste material including waste bituminous mixtures (EWC 170302), waste concrete (EWC 170101) & waste gravel and crushed rocks (EWC 010408)

- for its recycling & reuse in the existing tarmacadam manufacturing plant located on the site. The proposed facility would require a Certificate of Registration under the Waste Management (Facility Permit and Registration) Regulations 2007 and 2008. No E.I.S. submitted. Decision: **Refuse** permission.
- vi. SD10A/0197 - Establishment of a Waste Management Facility with a maximum intake volume of 24,000 tonnes per annum to accept inert waste material including waste bituminous mixtures (EWC 170302), waste concrete (EWC 170101) & waste gravel and crushed rocks (EWC010408) for its recycling & reuse in the existing tarmacadam manufacturing plant located on the site. Facilitate the deposit of waste bituminous product, waste gravel and waste concrete into haul roads throughout the subject quarry site. Application was **withdrawn** following non-response for further information requested.
 - vii. 06S.PA0006 - Permission **refused** by An Bord Pleanála for a Resource Recovery Facility (N7RRP) for the thermal treatment of 365,000 tonnes per annum of non-hazardous residual municipal waste and construction and demolition (C&D) waste; the recovery of materials (metals [11,500 tonnes – comprising 6,600 tonnes of ferrous and 4,900 tonnes of nonferrous metals per annum] and boiler aggregate/bottom ash [23,000 tonnes per annum]); manufacture of concrete products; and the generation of 28MW of electricity for export to the national grid. The proposal sought to utilize the existing access and egress point from the N7 National Primary Road.
 - viii. SDQU05A/4 The quarry on site was **registered** with South Dublin County Council under Section 261 of the Planning and Development Act 2000. Thirty-six (36) conditions were attached.
 - ix. 88A/709 - Permission **granted** for a mobile asphalt mixing plant within the existing quarry.
 - x. SA1936 - Permission **granted** 1980 for a machinery store at Windmill House.
 - xi. Ref. A.14 (Ref 11547) - Permission **granted** for a quarry at this site. 1968.

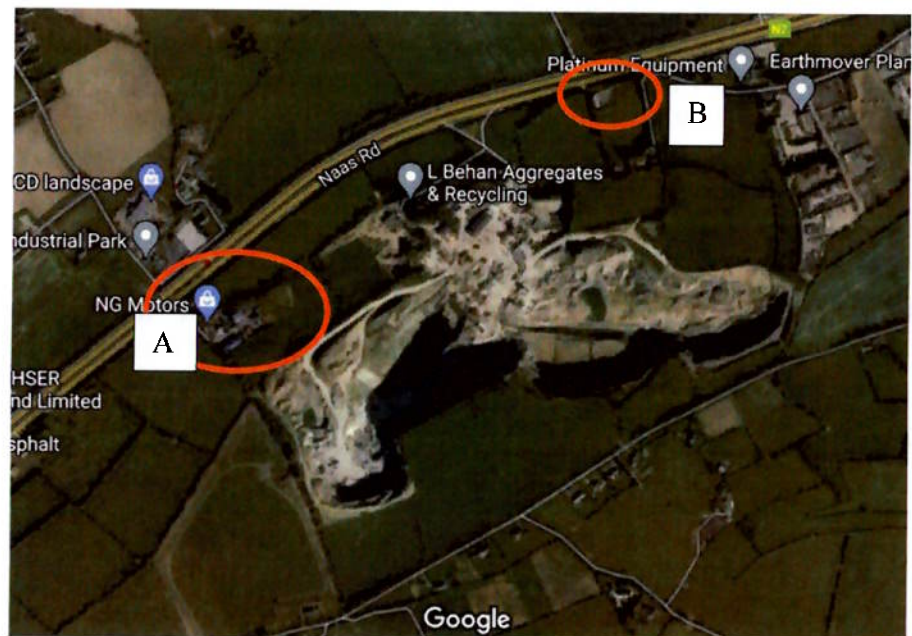
4.4 Previous convictions against the applicant.

- 4.4.1 No convictions traced to the applicant. The Planning Authority would like to draw the Boards attention to two enforcement case files Reg. Ref. S7457 and S8076. Details of which can be found in Tab 15 and Tab 16 of the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021.

4.5 Any other relevant provision or requirement of this Act, and any regulations made thereunder.

- 4.5.1** The Planning Authority would like to draw the Board's attention to two enforcement case files Reg. Ref. S7457 and S8076. Details of which can be found in Tab 15 and Tab 16 of the 'Behan's Quarry Folder S8076' and accompanying explanatory report issued to An Bord Pleanála 16th July 2021.
- 4.5.2** The Planning Authority also notes and would like to draw the Board's attention to commercial activities that are alleged to be taking place to the north and west of lands outlined in blue within the ownership of the applicant. **[Circled and labelled A on Figure 4.1]**. The lands take access from the Naas Road (N7). No planning history can be traced to these lands and a recommendation has been sent to South Dublin County Council's Enforcement department to investigate these works and commercial uses on rural zoned lands.
- 4.5.3** The Planning Authority also notes alleged unauthorised development, works and uses that have taken place on lands outlined in blue located to the north and east of the overall landholding. **[Circled and labelled B on Figure 4.1]** The site is located off the N7 (with an agricultural entrance in place). The development constructed on site appears to take access off the historic Naas Road, now cul-de-sac'd. No planning history can be traced to these lands and a recommendation has been sent to South Dublin County Council's Enforcement department to investigate these works and uses on rural zoned lands.

Figure 4.1



5 OPINION INCLUDING REASONS THEREFOR OF THE CHIEF EXECUTIVE

- 5.1** The Planning Authority has significant concerns regarding the proposed extension of the Behan's quarry with particular regard to the lack of detail submitted with this application and alleged unauthorised development ongoing within the applicant's landholding.
- 5.2** Furthermore, there appears to be a number of issues that remain outstanding, and a number of potential discrepancies should be investigated. The Planning Authority has the following queries that arise from the proposed development description and the delineated boundary lines:
- 5.2.1** The Planning Authority has serious concerns that the site as outlined in red does not indicate how access to the site will be provided to carry out the extension of quarrying works. The red line should be extended to indicate full access from the public road to the site.

The Roads Department also raise issues regarding the red line boundary and stated that *'the applicant shall submit a revised plan showing the Red line boundary extended to include the area around the site access junction at the N7 and include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction.'*

The applicant should also be requested to submit a revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the revised layout should demonstrate conformity with the following key parameters:

- Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
- Auxiliary lane to be extended 160m for merge, 150m for diverge; and
- Auxiliary lane taper to be extended to 75m for the merge and 70m for the diverge.

SDCC roads department note the applicants blue line ownership extends approximately 350m east of the site entrance. The roads department do not understand why the necessary nose, auxiliary lanes and tapers cannot be delivered.

The necessary land to the west of the site entrance is also in the ownership of the applicant. The access layouts for the merging and diverging lanes connecting to the N7 should be upgraded and improved in accordance with the current TII design requirements.

The Roads Department also requires the applicant to submit a report showing capacity checks to ascertain whether any additional storm discharges from the north western portion of the proposed site can be accommodated by the culvert located on the northern portion of the Site adjacent to the N7/M7". The Roads Department also raises concerns regarding the need to submit analysis on whether additional on-site wheel washes or other additional measures are required to

prevent dirt and stone material being deposited on the adjacent public road network, including junctions, where spillage has been and continues to be an issue.

The applicant is also requested to submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant is requested to revisit these existing procedures in relation to the proposed revision of the quarry extent and void depth and update these procedures as appropriate. These procedures are required to be agreed in writing with the planning authority.

- 5.2.2 Section 2.1 'Proposed Development Description' of EIAR states: The extracted area extends to 28.8 hectares. This differs from the description of development as stated in Appendix 1 *Full description of development* in the Cover Letter from Cunnane Stratton Reynolds dated 9th June 2021, which states 26.87 ha. ABP should clarify the full extent of lands proposed to be extracted. Potential *missing 1.93ha*.
- 5.2.3 The Planning Authority understands that it is proposed to extend the current void laterally by 4.1 ha and that the remaining 1.06 ha will be provided for the provision of screening berms. The Planning Authority seeks clarification on this phrase to confirm that 4.1 ha only will form the lateral extension.

Furthermore, it is proposed to develop the quarry by extending the existing quarry void by a further 4.1 hectares. Section 4 'Potential Effects' of EIAR states that the land take (**permanent loss**) will be **5.19ha**. Section 10 'Landscape and Visual of the EIAR states that the quarry will be expanded 'laterally northwards across three small fields, over an additional 5.19 ha of which **4.1 ha will be extracted**. Section 11.0 Traffic explains that 'the quarry void over approximately 4.1 ha, (requiring a total additional land take of 5.19 ha. For landscaping berms). The Planning Authority seeks clarification on whether or not it is proposed that the entire 5.19 ha will be permanently lost. It is the Planning Authority's opinion that the 1.06 ha for screening berms should be retained and should not be permanently lost. Clarification to be sought.

- 5.2.4 This application relates to the continued extraction of reserves over a lateral extension of approximately 4.1 hectares and to a final average working depth of 150 mAOD (metres above Ordnance Datum). The Planning Authority notes that the current *average* working depth of the quarry is stated to be 173 mAOD (Section 2.1 of EIAR). The Planning Authority understands and reads that the proposed works, working to a depth of 150 mAOD, will take place outside of the existing quarry footprint. However, clarity should be sought on this matter and the applicant should state and demonstrate clearly the full extent of the proposed works in drawing and cross-sections which are unequivocal in nature and which can be easily assessed over time.

5.3 Other Issues of Concern:

- 5.3.1 The applicant does not propose 'to extend the current quarry void in a southerly direction at this time as was previously proposed under the quashed S37L application'. **The Planning Authority welcomes this deviation.** However, the Planning Authority remains extremely concerned by the applicant's use of the phrase 'at this time' (Section 1.2.1 of EIAR). The protection of the recorded monument and hinterland and archaeological potential at this location should be paramount. Both the National Monuments Department (in a verbal report 18th August 2021 given to the report author) and the Heritage Officer (also given in a verbal report 18th August 2021 to the report author) raised seriously concerns about the likely loss of archaeology from existing quarried lands and the lack of archaeological investigations particularly given the discovery of several archaeological features south of the site (in vicinity of Windmill site) this all suggests an archaeological rich landscape in this area.

A full and thorough Archaeological Impact Assessment should be carried out **prior to any decision being made** for potential disturbance of archaeological remains on lands affected by this application (this should also include lands located to the south outlined in blue at Windmill Hill). The applicant will be required to apply for a licence to carry out the work (method statement), for written agreement of the Planning Authority.

- 5.3.2 The cover letter further states "*The EIA project boundary envelopes an area of 46.14 ha. That encloses previous recent quarry application areas, current workings and intended future workings*". The planning authority raise concerns about the wording 'intended future workings' and would ask ABP to seek clarification. It is the Planning Authority's opinion that all works should be kept away from national monument (and any that may yet to be found).
- 5.3.3 The cover letter states "...in deference to the requirements of environmental Impact Assessment (EIA), quarry planning guidance and best practice the proposed development includes for a restoration proposal of the application site and the associated lands of the administration and plant processing area within the ownership and control of the applicant and thus capable of being proposed and reinforceable by condition for this restoration under S34(4)"

The Planning Authority notes that the development description includes '*restoration of the site to include reinstatement of worked out quarry to agricultural use by means of the importation of inert sub soil and topsoil amounting to a total of 11,151,570 cubic metres*'. The Planning Authority has serious concerns regarding this aspect of the proposed development. The application is seriously deficient in information. A verbal report from the Senior Executive Engineer in the Waste Management Section, 18th August 2021, raised the following concerns and the deficiency in information provided:

- i. It is unclear under what licencing arrangements the importation of inert waste is being used. Clarification on which licence the proposed development would pertain to i.e. issued by the EPA or the Local Authority.
- ii. The hours of importation

- iii. Management plans
- iv. The potential for increased traffic levels at an otherwise access/egress that requires a significant upgrading. (Refer to Section 5.2.1 of this report)
- v. Noise, dust and noise management
- vi. Comments from Irish Water regarding importation of waste and placing above watermain (this is ongoing issue).

5.3.4 The significant loss of Green Infrastructure, which links the site southwards towards the Dublin Mountains is generally not acceptable and if granted would be contrary to County Development Plan policy (Chapter 8). Significant mitigation measures are required to demonstrate that uninterrupted linkages of hedgerows/trees etc are provided for. Bat activity is prevalent within this part of the County and should be mitigated for.

The Public Realm Section states serious concerns regarding the potential significant negative environmental impacts of this proposed development on the existing landscape and on local biodiversity and ecology. The submitted EIA recommends a number of landscape mitigation and remediation measures including the implementation of the landscape planting along the boundary edges and internally however no landscape proposals have been submitted detailing how these mitigation measures will be implemented. This is not acceptable for an application of this size and significance.

In addition to the submission of detailed landscape proposals prepared by a suitably qualified landscape architect, the applicant/developer should be required to implement the following Landscape Mitigation and Remediation Measures contained with Section 10.5 of the submitted EIA prepared by Golder Associates Ireland Limited. These **measures should be implemented prior to the excavation of the proposed site** and during its operational and should include:

- Management/Improvement of the retained site boundary hedgerows and trees: Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Reprofilling of the existing mounds on the south eastern and southwestern boundaries of the Site, where required, in order to help reduce the prevalence of these structures on views within the locality;
- Woodland planting added to existing and new earth mounds (within the Proposed Development). These will be planted with a woodland species mix (including tree and shrub species), to form a substantial belt of woodland along the hillside. This will soften the form of the constructed mound, add to the height of the mound as a visual screen, and contribute to vegetation/habitat in the landscape generally; and
- Annual review/management of the new boundary planting to ensure that it becomes established and provides adequate visual screening, with generic improvements and spot fixes (including supplementary planting or thinning) to be implemented where required.

Measures to be implemented after the cessation of quarrying include:

- Management/Improvement of site boundary hedgerows: A final survey and appraisal of the site boundary hedgerows in terms of (a) species mix - for

- biodiversity and maximum screening (height, density of foliage), and (b) intactness/continuity. Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Management/Improvement of woodlands on the mounds: A final survey of the woodland planted earth mounds, with generic improvements and spot fixes (including supplementary planting, or thinning) to be implemented where required;
 - Re-vegetation/colonisation of site outside of excavation: In accordance with current best practice recommendations the areas between the excavation and the woodland-planted earth mounds around the perimeter of the site will be allowed to re-vegetate/colonise naturally. This results in greater biodiversity and habitats most appropriate to the site conditions;
 - Removal of built infrastructure: All buildings and redundant infrastructure to be removed from site and the lands prepared for natural re-vegetation/colonisation;
 - Lake formation in quarry void to a level of 155mAOD: Engineered shallow areas on the floor of the quarry will initially provide islands and will ultimately be covered by water as the quarry fills to its natural level (determined by the water table), forming a permanent lake. The shallow areas will provide suitable substrate for aquatic invertebrates, with gentle grading of shoreline and marginal planting added (to be determined at the time, with the advice of an ecologist);
 - Quarry benches: At a number of locations (to be determined at the time, with the advice of an ecologist) a mixture of trees and shrub species will be planted in an engineered substrate to form patches of habitat. This will create a platform for a more diverse flora to develop naturally and provide habitat and food resources for birds, mammals, insects and other invertebrates.
 - Quarry faces: Whilst recognising the geological heritage value of the exposed quarry faces, it is proposed that some native tree and shrub species be planted in/on fissures and ledges, to help break up the bare profile of the quarry face. Other plant species will be allowed to find and colonise the area by natural means and these will include various mosses, lichens, algae, ferns, flowering plants, etc. The gradually increasing plant diversity over time will in turn ensure that a corresponding diverse list of animal species (birds, mammals, butterflies and other insects, other invertebrates, etc.), can become established.
 - Safety measures: An agricultural fence to be installed around the edge of the excavation, to act as a visual indicator of the edge and a physical barrier for people and animals. Signage as required around edges to notify of danger.

The Public Realm Department has provided conditions to be attached in the event of a favourable decision.

- 5.3.5 The Water Services Department has raised a number of concerns regarding insufficient information submitted for a full assessment to be carried out. This includes: 1) surface water drainage plans for the proposed development, including attenuation and pollution mitigation devices up to and including the point of connection to the public surface water sewer. 2) information on how surface water is managed and attenuated on site to and how discharge is limited to greenfield run off rates. 3) SUDS features and proposals 4) Details how surface water run-off is cleansed of silt and other pollutants such as hydrocarbons on site prior to discharging to the public surface water network and/or watercourse. This also relates to proposed/existing wheelwash facilities. Only clean uncontaminated water shall be discharged to the public surface water network and/or watercourse. 5) locations of proposed and existing petrol / oil interceptors on site. 7) Details of all proposed water pollution mitigation measures detailed within chapter 6 of the submitted EIAR.
- 5.3.6 With regards to Flood Risk there is a lack of information, and the applicant should be requested to submit a site-specific flood risk assessment report with the inclusion of a justification test where applicable in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report should outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. The applicant should submit plans showing the location of the proposed development in relation to surrounding flood zones identified on the OPW CFRAM maps
- 5.3.7 Irish Water's Report requests additional information. The applicant is requested to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Furthermore, Irish Water raises concerns regarding the proximity of the works to a 1270mm concrete public watermain that traverses the site from west to east. ADDITIONAL INFORMATION required to assess the impact of the development on this major infrastructural piece. Information pertaining to foul drainage is also requested by Irish Water.
- 5.3.8 Photomontages of the development from the N7 would be beneficial for the assessment.

In Summary, 1) the Planning Authority understands that there may be a number of anomalies with the drawings and the proposed development description that require clarification. The clarification of which, will not only help to enhance the overall assessment but will ensure that all plans and drawings that will eventually rest on the public file can be easily read in the interests of the management of development on the lands and to ensure that what is granted is unequivocal and not open for misinterpretation. 2) Significantly more information is required regarding, roads issues (including access to the site and the necessity for an upgraded junction) water services, foul drainage, parks and public realm, green infrastructure and heritage (archaeology). The Planning Authority is therefore of the opinion that the above should be sought by way of Additional Information prior to a final decision being made.

RECOMMENDATION: ADDITIONAL INFORMATION

5.4 CONDITIONS: The Planning Authority is of the opinion that additional information should be sought as above, in Section 5.3. However, in the event that ABP decides to grant permission, the recommendations of conditions are set out by the Planning Authority (below) and are based on a review of the conditions imposed as part of the quarry registration process, the updated conditions on the foot of the Planning Report for file reference SDQU05A/4 and in addition, current policies, objectives and guidelines and greater knowledge of the works at this location.

5.4.1 The conditions outlined in the following section of this report were previously attached to the original Substitute Consent application and are considered to be relevant (original numbers kept for ease of cross-referencing) and should be attached in the event of a consent being granted.

Condition 1 General

A general condition is required to be imposed to ensure clarity and precision as to what land the substitute consent application relates to, what development it relates to and how and to what extent conditions applied affect, modify or limit the proposal submitted and the on-going relevance, if any, of the conditions imported in 2007 as part of the Section 261 process for the Registration of this quarry.

Condition 8 Communication and Consultation

- a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to the Planning Authority. All changes in personnel or particulars must also be notified to the Planning Authority as soon as they occur.
- b) A public notice shall be erected and maintained at each entrance to the quarry. This notice shall contain the name of the company and contact details including contact outside operating hours, which may be used in the event that any person wishes to contact the operator in relation to any aspect of the quarry operation.
- c) To establish engagement with those living or owning property close to the quarry, within six months of the date of this decision, the operator shall establish and support a local consultative forum, to include representatives of the operator, and representatives of the local community and landed interests, including representatives of each residential estate within 750 metres of the entire quarry complex. This group shall constitute a forum for the operator's representatives and representatives from environmental, economic, social and community groups to discuss issues of common interest or to be consulted regarding environmental management and associated issues related to the quarry operations which are considered to impact upon local amenity. The forum will also provide an opportunity for the operator to receive views and suggestions and for stakeholders to receive information about operators' projects, plans, and practices. The forum shall comprise at least 7 but not more than 15 non-operator members, who shall be selected by lot if the numbers of applicants exceed the positions available and shall meet at least once a year.
- d) The operator shall provide all consultative forum members and occupiers within 750 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as

the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of an aspect of the quarry operation.

Reason: In the interest of residential amenity and the proper planning and sustainable development of the area.

Condition 9 Access for Monitoring

Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter onto the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. Authorised officers carrying out such inspections shall check-in with the quarry manager or his/her representative prior to such inspections.

Reason: In the interests of residential amenity, pollution control and public health.

Condition 10 Updated Digital Terrain Model

Five years from the date of this decision and at five yearly intervals thereafter the operator shall submit to the Planning Authority an up-to-date Digital Terrain Model of the entire lands within the quarry operator's ownership. The digital Terrain model shall be prepared by a professionally qualified surveyor in accordance with the specifications of condition 2 and agreed by the Planning Authority and shall include details of all areas.

- a) that have been excavated to date
- b) that have been prepared for excavation and
- c) that have been restored

Reason: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.

Condition 11 Annual Environmental Audit

On an annual basis (by the end of February each year) for the permitted lifetime of the quarry, three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose name shall be submitted to the Planning Authority for prior approval and shall contain the following:

- a) A record of all movements of heavy vehicles outside the permitted operating hours.
- b) A record of surface water quality and groundwater quality and levels, measured at monthly intervals.
- c) A full record of any such breaches over the previous year of dust, noise, vibration / air over pressure and water quality standards.
- d) A written record of all the complaints received including actions taken on each complaint.

Reason: To ensure that the quarry shall be operated in compliance with the stated standards in the interest of residential amenity, pollution control, public health and the proper planning and sustainable development of the area.

Note: This requirement is in addition to the Annual Environmental Report requirement set out in Condition 47 below.

Condition 13 Control of External Lighting

The current scheme of external lighting for the entire site shall be submitted for the written agreement of the planning authority. This scheme shall be designed, installed and operated so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over lighting. Measures shall be included to provide adequate screening from adjacent residential areas where appropriate, and to minimise any light overspill.

Reason: In the interest of residential amenity air traffic safety and the proper planning and sustainable development of the area.

Condition 14 Advance Warning Signs

Metal advance warning signs, the design of which has to be agreed with the Planning Authority as part of the quarry registration process shall be maintained at all site entrances and exits. These signs shall be maintained in good and clean condition. The material content, design and location of these signs shall be as agreed with the Planning Authority.

Reason: In the interest of traffic safety.

Condition 15 Maintenance of Public Roadway

No waste, debris, excavated materials, or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc., in the vicinity of the site.

Reason: In the interest of traffic safety, environment quality and residential amenity.

Condition 16 Wheel Washing Facility

- (a) A paved surface shall be provided at the site exit to the public road, and shall be kept free from soil, sand and gravel deposits at all times.
- (b) At least two wheel washing facilities shall be installed at an appropriate location along this paved surface. They shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. They shall be kept properly maintained at all times and cleaned at regular intervals, such that trucks, on exiting both wheel washes in succession, shall not have mud or dust adhering to their tyres.
- (c) All heavy goods vehicles exiting the site shall use the wheel washing facilities and shall travel only on the paved surface to the exit.

Reason: In order to prevent dust emissions and the resulting mud generated by the wheel washes reaching the public road network and in the interests of amenity.

Condition 17 Surface Water Run-Off

All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected, appropriately pre-treated, and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, or to discharge to any effluent disposal system or public foul sewer.

Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 18: Discharges to surface or Ground Waters

- (a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts 1977 – 1990 or as may be amended from time to time.
- (b) Only clean uncontaminated storm water shall be discharge to surface waters. Interceptor traps shall be fitted to the storm water drainage system where appropriate; to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soak ways or groundwater.
- (c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc) to existing drains or watercourses then the discharge shall be limited to a rate of 6 litres per second per hectare of impermeable surface to reduce risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge by means of a 'Hydrocrack' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority.

Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 19: Surface Water Run-Off From Open Cut Areas

Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses shall be maintained.

Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

Condition 20 Ground Water Levels

- a) A groundwater level monitoring programme shall be implemented at the quarry. Groundwater levels of designated borehole should be recorded at monthly frequency, and reports to the Planning Authority on a quarterly basis including the previous five year's water level data and in tabular, graphical and drawing format. [The purpose of this is to receive the monitoring information data, that it be presented in graphical format that shows the current results in context with the previous five years' data, and that drawings be used where appropriate to show locations and elaborate on the data].
- b) A water balance report for the site to be provided to the Planning Authority on the annual basis showing estimates and calculations for natural precipitation, evapotranspiration and water discharging to ground. This report to include the previous five years water balance estimates for the quarry where available. [The purpose of this is to provide information to the council on the quantity of precipitation deposited on the site, the volume of water leaving the site, and the quantity of water drawn in to the site from the ground sources as a result of activity].
- c) Twice per annum a water quality sample of water from the quarry floor water impoundment area shall be collected and test for parameters relevant to groundwater quality and to be agreed in writing with the Planning Authority in advance. [The

purpose of this is to inform the council of the suitability of water in the quarry for recreational water use as proposed in aftercare and use of site].

- d) A zone of influence on groundwater report shall be prepared and submitted to the Planning Authority describing the effects of the quarry on groundwater levels on the site and beyond its site boundary to a distance of 1,000 meters radius. This report shall include cross section and plan drawings, and be agreed with the Planning Authority in advance.[The purpose of this report is to demonstrate to the Council the extent of influence of the activity on water table levels in the area – both on-site and off-site]
- e) That the depth and volume of the quarry be provided to the Planning Authority on an annual basis. (This is in addition to the Digital Terrain Model required by other conditions hereby attached)

Reason: In the interest public health, the protection of ground water resources, and the proper planning and sustainable development of the area.

Condition - 22 Settlement Ponds

Settlement Ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the Planning Authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. Appropriate measures shall be put in place to prevent silt leaving the site in any drain or watercourse during the cleaning process.

Reason: To minimise dust in the interest of proper planning and sustainable development of the area.

Condition 23 – Details of Drainage Arrangements

Within six months of the date of this decision full details, including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority.

Reason: To prevent water pollution in the interest of public health and the protection of natural heritage and the proper planning and sustainable development of the area.⁵

Condition 29 – Storage of Topsoil

All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil to be used for on-going landscaping shall be stockpiled in a manner so as to ensure that the soil flora and fauna are not destroyed.

Reason: To ensure the satisfactory rehabilitation of the site in the interests of amenity and the proper planning and sustainable development of the area.

Condition 30 – Security For Compliance with Conditions

Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €500,000 (Five Hundred Thousand Euro), together with an agreement empowering the Planning Authority to apply such security (or part thereof) to the satisfactory completion of the rehabilitation and aftercare works in the event that the operator fails to secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index.

Reason: To ensure the satisfactory rehabilitation of the site in the interests of amenity and the proper planning and sustainable development of the area.

Condition 31 – Archaeological Impact Assessment

- a) An Archaeological Impact Assessment (AIA) shall be prepared for the entire 5.16 ha of the landholding that will be directly affected by the development.

The AIA shall be prepared by a suitably qualified archaeologist (licenced under the National Monuments Acts 1930-94) and shall be based on desk study / field survey, aerial photography and if necessary geophysical survey, etc.

- b) The AIA shall be submitted to the Heritage and Planning division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. In the event that the AIA indicates significant archaeological potential the archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of Environment, Heritage and Local Government.
- c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of the Recorded Monument, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government.
- d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator.

Reason: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of proper planning and sustainable development of the area.

Condition 35 – Access to Quarry

No access to the lands for the purposes of quarry operations shall be provided from the minor public road adjoining the quarry lands to the south or adjoining land outside of the blue land ownership-line unless a separate planning permission for such development is granted.

Reason: To prevent endangering public safety by reason of traffic hazard having regard to the substandard condition of the road and in the interests of residential and rural amenity

Condition 36 – Screening of the Exposed Quarry Cliff Face

Within 3 months of the date of this decision, proposals prepared by a qualified Landscape Consultant to address and mitigate the impact of the exposed cliff face which is widely visible from areas to the north of the quarry site, particularly along the N7 and from areas to the north of the quarry shall be submitted for the written agreement of the Planning Authority.

Reason: To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.

Condition 40 – Burning of Waste

No burning, disposal or mixing of waste materials or use of waste materials in boilers should take place without prior consent of the Local Authority.

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

Condition 41 – Waste Management

Applicant shall ensure that extractive waste is managed without endangering human health and without using processes or methods which could harm the environment, and in particular without risk to water, air, soil, and fauna and flora, without causing a nuisance through noise or odours and without adversely affecting the landscape or places of special interest in accordance with Regulation 4(1) of Waste Management (Management of Waste from Extractive Industries) Regulations 2009. Applicant must therefore familiarise himself with the provisions of the Waste Management (Management of Waste from Extractive Industries) Regulations 2009.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 42 – Non- extractive Waste Management

Applicant shall ensure that other waste beyond extractive waste such as waste streams arising from other ancillary activities including manufacturing of concrete and bituminous mixes/ asphalt (canteen food waste), scrap machinery, tyres, construction and demolition waste and sludge type material) are managed in accordance with the other relevant regulations of Waste Management Act 1996 as amended.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 43 – Waste Storage Management

Applicant shall use designated storage areas for particular waste types and authorised waste collectors for the collection, reuse, and disposal of waste oils, batteries, tyres, domestic waste and scrap metal in compliance with the relevant regulations of the Waste Management Act 1996 as amended.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 44 – Extractive Waste Management Plan

The applicant shall draw up a waste management plan (to be known as an Extractive Waste Management Plan) for minimisation, treatment, recovery and disposal of extractive waste taking account of the principle of sustainable development. This plan shall be drawn up in accordance with regulation 5 of the Waste Management (Management of Extractive Waste from extractive industries) Regulation 2009. The plan shall also contain an audit of extractive waste arising per annum and other waste per annum arising from ancillary operations such as bituminous, asphalt and concrete production. This plan shall be reviewed every 5 years as per Regulation 5 (4) of the Waste Management (Management of Extractive Waste from extractive industries) Regulation 2009. The plan should be drawn up within three months after the approval of this application.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 45 – Imported Waste Management

Applicants shall ensure that imported waste to site is authorised by South Dublin County Council in accordance with Waste Management (Waste Facility and Registration) Regulations 2007 as amended.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 46 – Waste Facility Permits

Applicant shall comply at all times with all conditions of existing waste facility permits and Water Pollution discharge licence and no development or change of use shall be undertaken that would conflict with such permits without prior approval.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition 47 – Annual Environmental Report

An Annual Environmental Report required under the existing Certificate of Registration, the applicant shall provide an overarching Annual Environmental Report for management of extractive waste and other waste streams resulting from ancillary operations such as bituminous, asphalt and concrete production. This annual Environmental Report shall include as a minimum the following information and shall be prepared in accordance with any relevant guidelines issued by the South Dublin County Council:

- a) Details of any non-compliances with substitute consent conditions
- b) The management and staffing structure of the facility
- c) Any court order or conviction under the act
- d) The quantity (in tonnes), composition and origin of all extractive wastes and other waste streams from ancillary operations during the reporting year (by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments
- e) Quantities (in tonnes), composition, and destination of extractive waste and other waste stream from ancillary operations consigned for onward transport to recovery from the facility within the reporting year (by European Waste Catalogue code(s),

- and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.
- f) Quantities (in tonnes), composition, and destination of extractive waste and other waste stream from ancillary operations consigned for onward transport to disposal from the facility within the reporting year (by European Waste Catalogue code(s), and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.
 - g) Dates of the construction and demolition waste crushing activity during the reporting year and details of the quantity of waste processed
 - h) The names of the agent and the carrier of the waste, and their waste collection permit details (to include issuing authority and vehicle registration number)
 - i) TFS details for the waste materials sent off-site for recovery/disposal within the reporting year (if applicable)
 - j) Any load rejected at the site
 - k) Reportable incidents during the reporting year
 - l) All complaints received during the year
 - m) The destination of all extractive wastes and other waste streams from ancillary operations transported from the facility during the year
 - n) Schedule of environmental improvements on the facility for the reporting year
 - o) Results of any environmental monitoring carried out at the facility
 - p) Review of Environmental Liabilities
 - q) Report on Insurances
 - r) Report on Financial provisions

Note: This requirement is in addition to the Annual Environmental Audit requirement set out in condition 11 above.

ROADS

- 5.4.2 a) Within 6 months of this permission, proposals for an upgraded access junction at the N7 shall be submitted for the written agreement of the Planning Authority, which shall include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction (Lands located within the blue line and within the ownership of the applicant).
- b) the applicant shall submit a revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the applicant shall ensure the revised layout conforms to the following key parameters:
 - Nose length of 75m with a ratio of 1:25 shall be provided for the merge,

and a nose length of 70m with a ratio of 1:15 shall be provided for the diverge;

- Auxiliary lane shall be extended 160m for merge, 150m for diverge; and
- Auxiliary lane taper shall be extended to 75m for the merge and 70m for the diverge.

c) Within a timeframe to be agreed in writing with the Planning Authority but shall be no later than two years after the date of this permission the upgraded junction shall be in place and fully operational in accordance to items a) and b).

ENVIRONMENTAL HEALTH

5.4.3 Dust

- a. The applicant shall prepare a programme for the identification and reduction of fugitive emissions using an appropriate combination of best available techniques, which shall be submitted for the written agreement of the Planning Authority within 6 months of the date of the final permission. This programme shall be included in the Environmental Management Programme.
- b. The total dust deposition (soluble and insoluble) at the site boundary shall not exceed $350 \text{ mg/m}^2 / \text{day}$ (when averaged over a 30-day period). This shall be measured using the Bergerhoff Method (German standard VDI 2119, 1972) The number and position of dust monitoring points shall be agreed in writing with the Planning Authority within 6 months of the date of the final permission.
- c. Results of the continuous monitoring shall be forwarded to the Planning Authority on a quarterly basis, the quarters being January-March, April-June, July-September, October- December. Results for each quarter shall be submitted for the written agreement of the Planning Authority by the last day of the first month of the following quarter.
- d. The applicant shall submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant shall update and improve these existing procedures incorporate the extension of the quarry hereby permitted and update these procedures as appropriate. These procedures shall be submitted for the written agreement of the planning authority within 6 months of the date of this permission.

5.4.4 Noise

- a. Noise from all quarry activities shall not exceed the following noise emission limit values at the nearest noise sensitive receptor.

Daytime	08:00-20:00 hrs	Night time	20:00-08:00
	LAeq (1hr) = 55dBA		LAeq (1 hr) = 45 dBA
- b. Audible tones or impulsive noise shall only take place between the hours of 8.00am and 20.00pm and shall not take place between the hours of 20.00 in the evening and 8.00am in the morning.
- c. Monitoring shall be carried out by or on behalf of the quarry during each quarter, the quarters being January-March, April-June, July-September,

October-December. Results for each quarter shall be submitted for the written agreement of the Planning Authority by the last day of the first month of the following quarter.

5.4.5 Vibration

- a. Ground Borne vibration shall not exceed the following Emission Limit Value at the site boundary: Peak Particle Velocity = 12 mm/s, measured in any of the three mutually orthogonal directions at the receiving location (for vibration with a frequency of less than 40 Hz).
- b. Air Overpressure shall not exceed the following Emission Limit Value at the site boundary: 125 dB (Linear maximum peak value) with a 95% confidence limit.
- c. Every blast shall be monitored at the site boundary. **The number and location of blast monitors shall be agreed in writing with the Planning Authority within 6 months of the date of this permission.**
- d. Normal hours of blasting shall be between 09:00 -18:00 hrs Monday to Friday. Advance notification of blasting shall be given to nearby residents through use of written letters, signage at site entrance, telephone or warning sirens.
- e. Blast/vibration monitoring shall be submitted every quarter, the quarters being January-March, April-June, July-September, October-December. Results for each quarter shall be submitted by the last day of the first month of the following quarter.
- f. Any exceedance of any of these criteria shall be notified to the local authority and shall be submitted for the written agreement of the Planning Authority. The reason for this exceedance shall be clearly demonstrated and all measures that have been put in place on a permanent or temporary basis after that to prevent the recurrence of the exceedance shall be submitted for the written agreement of the Planning Authority.
- g. Note: The current environmental standards for noise, vibration and dust, contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (non scheduled Minerals)" are referred to. Should these standards be revised in the future or should new standards be introduced, either by legislation or guidance, from the Environmental Protection Agency or its successor, the quarry operations shall be carried out in compliance with the revised standards.

WATER SERVICES

5.4.6 The applicant shall submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a water supply connection is required, the applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) shall be submitted for the written agreement of the Planning Authority. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Reason: In the interest of public health and to ensure adequate water facilities.

5.4.7 The proposed development is in close proximity to a 1270mm concrete public watermain which runs through the site from west to east. The applicant shall submit a drawing in plan and cross-sectional views which clearly shows the distance between all existing structures and the public watermain as well as existing cover levels over the watermain. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and determine what the required separation distance is from the existing public watermain traversing the site. The outcome of this engagement with Irish Water's diversions shall be submitted for the written agreement of the Planning Authority.

Reason: In the interest of public health and to ensure adequate water facilities.

5.4.8 All works on site shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

- 5.4.9 The applicant shall submit surface water drainage plans for the development. The applicant shall submit a drawing showing existing surface water drainage layouts including attenuation and pollution mitigation devices up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all A/s, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- 5.4.10 The applicant shall submit design calculations and plans clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site and discharged at no greater than pre-developed greenfield run off rates.
- 5.4.11 The applicant shall submit a drawing showing plan and cross sectional views of existing SuDS (Sustainable Drainage Systems) features for the development. These shall be maximised within the surface water design strategy for the development.
- 5.4.12 The applicant shall clearly demonstrate how surface water run off is cleansed of silt and other pollutants such as hydrocarbons on site prior to discharging to the public surface water network and/or watercourse. This also relates to existing wheelwash facilities. Only clean uncontaminated water shall be discharged to the public surface water network and/or watercourse.
- 5.4.13 The applicant shall submit a drawing showing plans, locations and details of all water pollution mitigation measures, for the written agreement of the Planning Authority.
- 5.4.14 Fuel tank leakages shall not allow polluted water to enter surface water drainage network. The applicant shall demonstrate that all works comply with the Greater Dublin Regional Code of Practice for Drainage Works in this regard.
- 5.4.15 The applicant shall show the locations of existing petrol / oil interceptors on site. All petrol/oil interceptors on the surface water drainage network shall be of Class 1 standard as per the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

FOUL DRAINAGE

5.4.16 The applicant shall submit a drawing showing existing foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a wastewater connection is required the applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public wastewater drainage infrastructure. The Confirmation of Feasibility (COF) shall be submitted for the written agreement of the Planning Authority. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Reason: In the interest of public health and to ensure adequate water facilities

5.4.17 All works shall comply with the Irish Water Standard Details & Code of Practice for Waste Water Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

RESTORATION OF QUARRY

Plans for the full restoration of the site shall form a separate planning application, which shall be submitted within 6 months of the date of this permission.

Reason: In the interests of clarity, management of waste and in the interests of proper planning and sustainable development.

DEVELOPMENT CONTRIBUTIONS

5.4.18 The developer shall pay to the Planning Authority a financial contribution of €17,220 (seventeen thousand two hundred and twenty Euro), in respect of public infrastructure and facilities benefiting development within 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

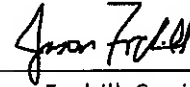
The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority



Tracy McGibbon

A/Senior Executive Planner



Jason Frehill, Senior Planner

Date: 18th August 2021

APPENDICES

Appendix 1: Parks and Public Realm Report**SOUTH DUBLIN COUNTY COUNCIL****INTERNAL MEMORANDUM**

- **Public Realm Planning Report**

Location: Windmillhill Road, Rathcoole, Co. Dublin
Applicant: Laurence Behan
Reg. Ref: ABP-310466-21
Report Date: 11/08/2021
Planning Officer: TRACY MCGIBBON
Recommendation: **Additional Information**

Relevant Sections, Policies and Objectives of the SDCC Development Plan 2016-2022:**DP 2016-22 Section 8.3.0 Public Open Space Hierarchy and Landscape Setting**

It is the policy of the Council to provide a hierarchy of high quality and multi-functional public parks and open spaces.

G4 Objective 1: To support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces.

G4 Objective 2: To connect parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity and people and to strengthen the overall Green Infrastructure network.

DP 2016-22 Section 8.1.0 Green Infrastructure Network

G2 Objective 1: To reduce fragmentation of the Green Infrastructure network and strengthen ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network

G2 Objective 2: To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.

G2 Objective 5: To integrate Green Infrastructure as an essential component of all new developments.

G2 Objective 9: To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County by increasing tree canopy coverage using locally native species and by incorporating them within the design proposals and supporting their integration into the Green Infrastructure Network.

G2 objective 11: To incorporate appropriate elements of Green Infrastructure e.g. new tree planting etc. into existing areas of hard infrastructure wherever possible.

G2 Objective 13: To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species

DP 2016-22 Section 8.5.0 Green Infrastructure within Urban Areas

G6 Objective 1: To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.

DP 2016-22 Section 9 Heritage Conservation and Landscapes

HCL15 Objective 3: To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.

DP 2016-22 Section 8.4.0 Sustainable Urban Drainage Systems

Sustainable Urban Drainage Systems (SUDS) drain surface water in an environmentally friendly way by replicating natural systems in managed environments. SUDS systems seek to collect, store and clean surface water using natural systems and to release it back into the environment in a slow and controlled way, thereby reducing the risk of fluvial and pluvial flooding. Key features, such as integrated constructed wetlands, permeable surfaces, filter strips, ponds, swales and basins are easy to manage, environmentally friendly and aesthetically attractive.

G5 Objective 1: To promote and support the development of Sustainable Urban Drainage Systems (SUDS) at a local, district and county level and to maximise the amenity and biodiversity value of these systems

G5 Objective 2: To promote the provision of Green Roofs and/or Living Walls in developments where expansive roofs are proposed such as industrial, retail and civic developments

Proposed Development

The main elements of the proposed development will consist of:

- Continued use of the existing quarry (26.87 ha) and further expansion of the quarry by 4.1ha (extracted area) along the northern boundary;
- Removal of three agricultural fields over 5.1ha area (extraction and buffer boundary area) for the proposed site extended area;
- Removal of trees and scrub on internal field boundaries;
- Creation of mounds around the boundary edges using the site's cleared earth;
- Implementation of the landscape planting along the boundary edges and internally as part of the proposed mitigation and restoration measures; and 10 to 15 years, depending on market conditions with a further 2-5 years for restoration.

Zoning

The site is zoned RU - *"To protect and improve rural amenity and to provide for the development of agriculture"*

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

The Public Realm Section would have serious concerns as to the potential significant negative environmental impacts of this proposed development on the existing landscape and on local biodiversity and ecology. The submitted EIAR recommends a number of landscape mitigation and remediation measures including the Implementation of the landscape planting along the boundary edges and internally however no landscape proposals have been submitted detailing how these mitigation measures will be implemented.

Landscape Mitigation and Remediation Measures

In addition to the submission of detailed landscape proposals prepared by a suitably qualified landscape architect the applicant/developer shall implement the following Landscape Mitigation and Remediation Measures contained with Section 10.5 of the submitted EIAR prepared by Golder Associates Ireland Limited. Measures to be implemented prior to the excavation of the proposed site and during its operational include:

- Management/Improvement of the retained site boundary hedgerows and trees: Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Reprofilling of the existing mounds on the south eastern and southwestern boundaries of the Site, where required, in order to help reduce the prevalence of these structures on views within the locality;
- Woodland planting added to existing and new earth mounds (within the Proposed Development). These will be planted with a woodland species mix (including tree and shrub species), to form a substantial belt of woodland along the hillside. This will soften the form of the constructed mound, add to the height of the mound as a visual screen, and contribute to vegetation/habitat in the landscape generally; and
- Annual review/management of the new boundary planting to ensure that it becomes established and provides adequate visual screening, with generic improvements and spot fixes (including supplementary planting or thinning) to be implemented where required.

Measures to be implemented after the cessation of quarrying include:

- Management/Improvement of site boundary hedgerows: A final survey and appraisal of the site boundary hedgerows in terms of (a) species mix - for biodiversity and maximum screening (height, density of foliage), and (b) intactness/continuity. Generic improvements and spot fixes to be made where required to optimise the health of the hedgerows, their biodiversity value and visual screening function;
- Management/Improvement of woodlands on the mounds: A final survey of the woodland planted earth mounds, with generic improvements and spot fixes (including supplementary planting, or thinning) to be implemented where required;
- Re-vegetation/colonisation of site outside of excavation: In accordance with current best practice recommendations the areas between the excavation and the woodland-planted earth mounds around the perimeter of the site will be allowed to re-vegetate/colonise naturally. This results in greater biodiversity and habitats most appropriate to the site conditions;
- Removal of built infrastructure: All buildings and redundant infrastructure to be removed from site and the lands prepared for natural re-vegetation/colonisation;
- Lake formation in quarry void to a level of 155mAOD: Engineered shallow areas on the floor of the quarry will initially provide islands and will ultimately be covered by water as the quarry fills to its natural level (determined by the water table), forming

a permanent lake. The shallow areas will provide suitable substrate for aquatic invertebrates, with gentle grading of shoreline and marginal planting added (to be determined at the time, with the advice of an ecologist);

- Quarry benches: At a number of locations (to be determined at the time, with the advice of an ecologist) a mixture of trees and shrub species will be planted in an engineered substrate to form patches of habitat. This will create a platform for a more diverse flora to develop naturally and provide habitat and food resources for birds, mammals, insects and other invertebrates.
- Quarry faces: Whilst recognising the geological heritage value of the exposed quarry faces, it is proposed that some native tree and shrub species be planted in/on fissures and ledges, to help break up the bare profile of the quarry face. Other plant species will be allowed to find and colonise the area by natural means and these will include various mosses, lichens, algae, ferns, flowering plants, etc. The gradually increasing plant diversity over time will in turn ensure that a corresponding diverse list of animal species (birds, mammals, butterflies and other insects, other invertebrates, etc.), can become established.
- Safety measures: An agricultural fence to be installed around the edge of the excavation, to act as a visual indicator of the edge and a physical barrier for people and animals. Signage as required around edges to notify of danger.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following information be requested:

1. Landscape Plan

Prior to commencement of development, the Applicant / Developer of the lands shall submit for the written agreement of the Planning Authority a comprehensive landscaping scheme with the following details:

- a) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings.
- b) All hard and soft landscaping works shall be completed in full accordance with the approved Landscape Plan, within the first planting season following completion of the development (completion of works on site).

- c) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- d) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS5837: 2005 Trees in Relation to Construction: Recommendations.
- e) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

The Applicant / Developer of the Lands is advised to discuss the brief for the landscape plan with the Parks Public Realm Section and the Heritage Officer of SDCC prior to submission of the landscape plan.

REASON: To assimilate the development into its surroundings, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 and other relevant objectives of the CDP 2016-2022

2. Landscape Management

Prior to commencement of development a landscape management plan, including long term design objectives and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority. The landscape scheme shall be carried out in accordance with the approved management plan.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022

3. Biodiversity Management Plan

Given the numerous policies and objectives regarding Green Infrastructure in the County Development Plan 2106-2022 and given the sensitive nature of the site it is requested that an overarching Biodiversity Management Plan be drawn up by the applicant to oversee the various biodiversity issues on the site including bats, birds, amphibians, invertebrates, mammals etc. and the provision of a range of appropriate habitat types to mitigate against potential biodiversity impacts.

The plan should indicate how biodiversity and green infrastructure is to be protected, enhanced and developed on this site during construction and into the future, taking into account matters that included the following:

- i. Protection of existing trees on site
- ii. Protection and enhancement measures for bats
- iii. Protection and enhancement of identified habitats
- iv. The use of SUDS and Climate Adaption Measures

REASON: To protect and enhance areas of biodiversity, in accordance with policies IE7 Objective 5, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

4. Environmental Impact Assessment Report (EIAR)

The mitigation, remediation measures and recommendations contained within the submitted EIAR prepared by Golder Associates Ireland Limited shall be implemented in full by the applicant/developer.

REASON: To ensure the protection of the natural Heritage of the site including water features in accordance with policies, in accordance with policies IE1 Objective 5, IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL1 Objective 1, HCL1 Objective 2, HCL1 Objective 3, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

5. Construction and Environmental Management Plan

The applicant shall submit a Construction and Environmental Management Plan (CEMP) which provides the environmental management framework to be adhered to during the pre-commencement and construction phase of the proposed development and incorporates the mitigation principles that the work is carried out in a way that minimises the potential for any environmental impacts to occur. The CEMP should be prepared in accordance with the mitigation measures and commitments made in the Environmental Impact Statement and other planning submissions for the development.

REASON: To ensure the protection of the natural Heritage of the site including Water Features in accordance with policies, in accordance with policies IE1 Objective 5, IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL1 Objective 1, HCL1 Objective 2, HCL1 Objective 3, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

Prepared By: Oisín Egan
Executive Parks Superintendent

Endorsed By: Laurence Colleran

Senior Executive Parks Superintendent

Appendix 2: Water and Drainage Report

Surface Water Report:

Further Information Required:

- 1.1 The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts including attenuation and pollution mitigation devices up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- 1.2 It is unclear how surface water is managed and attenuated on site to and how discharge is limited to greenfield run off rates. The applicant shall submit a design calculations and plans clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site and discharged at no greater than pre-developed greenfield run off rates.
- 1.3 The applicant shall submit a drawing showing plan and cross sectional views of existing and proposed SuDS (Sustainable Drainage Systems) features for the development. These shall be maximised within the surface water design strategy for the development.
- 1.4 The applicant is required to show how surface water run off is cleansed of silt and other pollutants such as hydrocarbons on site prior to discharging to the public surface water network and/or watercourse. This also relates to proposed/existing wheelwash facilities. Only clean uncontaminated water shall be discharged to the public surface water network and/or watercourse. The applicant shall also show the locations of proposed and existing petrol / oil interceptors on site.
- 1.5 The applicant is required to submit a drawing showing plans, locations and details of all proposed water pollution mitigation measures detailed within chapter 6 of the submitted EIAR.
- 1.6 Fuel tank leakages must not allow polluted water to enter surface water drainage network. All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works in this regard.
- 1.7 The applicant shall also show the locations of proposed and existing petrol / oil interceptors on site.. All petrol/oil interceptors proposed on the surface water drainage network shall be of Class 1 standard as per the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Flood Risk

Further Information Required:

- 2.1 The applicant is required to submit a site-specific flood risk assessment report with the inclusion of a justification test where applicable in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands.
 - 2.2 The applicant shall submit plans showing the location of the proposed development in relation to surrounding flood zones identified on the OPW CFRAM maps.
 - The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
 - All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
-

Water Report:

**Referred to IW
Refer to EHO**

Foul Drainage Report:

**Referred to IW
Refer to EHO**

Signed: _____
Ronan Toft AE

Date: _____

Endorsed: _____
Chris Galvin SE.

Date: _____

Appendix 3 - Irish Water

1 Water

1.1 The applicant is required to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a water supply connection is required the applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

1.2 The proposed development is in close proximity to a 1270mm concrete public watermain which runs through the site from west to east. The applicant is required to submit a drawing in plan and cross sectional views which clearly shows the distance between all existing and proposed structures and the public watermain as well as existing and proposed cover levels over the watermain. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and determine what the required separation distance is from the existing public watermain traversing the site. The outcome of this engagement with Irish Water's diversions shall be submitted to the planning authority as a response to Request for Further Information

1.3 All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. Where a wastewater connection is required the applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public wastewater drainage infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

2.2 All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure

Reason: In the interest of public health and to ensure adequate water facilities.

Appendix 5 – Roads Report**Register Reference: ABP-310466-21****Date: 17-Jul-2021****Development:**

The development consists of further development of a quarry over an area of 26.87 ha. that largely coincides with an existing operational quarry void currently at an average working depth of approximately 173 mAOD and final floor of approximately 150 mAOD. It is proposed to laterally extend the existing quarry void to the north by approximately 4.1 ha. over a total of 5.16 ha. to accommodate screening berms and to also further extract the existing quarry void to a final average depth of 150 mAOD, east and west of a centrally located existing administration and processing plant area. A restoration plan to return the application site and existing administration and processing plant area to agricultural and amenity use upon completion of proposed extraction has been prepared and is proposed to be implemented upon cessation of extraction. The proposal duration is 20 years to reflect anticipated extraction of remaining reserve within 10 - 15 years depending on market conditions, and a further 2 - 5 years for restoration. The existing quarry is accessed at a single location from the N7. The reserve consists of sandstone (greywacke) and is currently extracted by blasting and mechanical means. The excavated material is crushed at the working face by mobile plant and transported to a central plant area for washing, grading and processing. The further development of the quarry relates to further extraction only and is to utilise the extant existing administration and processing plant area and quarry access that are included in a concurrent application for substitute consent. The application site is contained within a quarry area registered in 2005 under S.261 and assessed in 2012 under S.261A (ref. no. SDQU05A/04) by the local planning authority. The S.261A notice was reviewed under An Bord Pleanála ref. 06S.QV.0090 resulting in a requirement for application for substitute consent accompanied by remedial Environmental Impact Assessment Report (rEIAR). That application (ref. no. L06S.SU0068) was made in 2013 and an application to further develop that quarry (ref. no. PL06S.QD0003) was made in 2015. Those applications have been superseded By High Court Order (2018 No. 929 JR) that inter alia ordered the making of this application. This application is made concurrent with an application for substitute consent for quarrying at this location, also part of that Order. The application is accompanied by an Environmental Impact Assessment Report (EIAR). The EIAR is for an EIA project unit over 46.14 ha. that encompasses the area of the further development of the quarry application under S.37L, the concurrent substitute consent application and the quarry as registered under S.261.

Location: Windmillhill Road, Rathcoole, Co. Dublin
 Applicant: Laurence Behan
 App. Type: Application for Substitute Consent
 Planning Officer: TRACY MCGIBBON

Date Recd: 05-August-2021

Description:

The development consists of further development of a quarry over an area of 26.87 ha. that largely coincides with an existing operational quarry void currently at an average working depth of approximately 173 mAOD and final floor of approximately 150 mAOD.

It is proposed to laterally extend the existing quarry void to the north by approximately 4.1 ha. over a total of 5.16 ha. to accommodate screening berms and to also further extract the existing quarry void to a final average depth of 150 mAOD, east and west of a centrally located existing administration and processing plant area. A restoration plan to return the application site and existing administration and processing plant area to agricultural and amenity use upon completion of proposed extraction has been prepared and is proposed to be implemented upon cessation of extraction. The proposal duration is 20 years to reflect anticipated extraction of remaining reserve within 10 - 15 years depending on market conditions, and a further 2 - 5 years for restoration. The existing quarry is accessed at a single location from the N7.

Volume of Material to be Extracted:

In the concurrent planning application, the applicant intends a lateral extension of the current quarry to the north-western and north-eastern side of the current quarry footprint. The volume of stone within the existing void and these new areas is estimated at approximately 5M tonnes. This remaining reserve is expected to be extracted at an average rate of 500,000 tonnes per year, as has been the average for the previous approximately 25 years for the site. Based on these calculations the quarry has an expected lifespan of 10 to 15 years depending on market conditions.

Traffic and Transport Assessment:

The quarry operates 5.5 days per week and 50 weeks per year. The extracted stone material is typically transported in 10 and 20 tonne loads.

The Average Annual Daily Traffic (AADT) figures have been recorded by the TII's traffic conte which is located between junction 5 Athgoe and junction 6 Castlewarden.

The traffic generated by the quarry represent between 0.19% and 2.36% of total traffic on the N7 national Road between 1990 and 2020.

The trip generation and volume of exported material is shown on Table 11.1 below:

It shows that since 2015, 1 million tonnes per annum are extracted from the existing quarry. This equates to 290 loads per day leaving the site and a total of 580 HGV round trips using the site access.

In addition to the stone delivery trips, there are currently and average of 144 staff trips, and 156 ancillary trips per day using the site entrance.

Table 11.1: Derived Trip Generation - Extraction of Material

Year	Material Extraction				
	Tonnes per annum	Tonnes per week	Loads per week	Loads per day	Trips per day (HGVs)
1990	540,000	10,800	864	157	314
1991	540,000	10,800	864	157	314
1992	432,000	8,640	691	126	252
1993	432,000	8,640	691	126	252
1994	432,000	8,640	691	126	252
1995	432,000	8,640	691	126	252
1996	432,000	8,640	691	126	252
1997	432,000	8,640	691	126	252
1998	560,000	11,200	896	163	326
1999	560,000	11,200	896	163	326
2000	560,000	11,200	896	163	326
2001	560,000	11,200	896	163	326
2002	560,000	11,200	896	163	326
2003	560,000	11,200	896	163	326
2004	500,000	10,000	800	145	290
2005	500,000	10,000	800	145	290
2006	500,000	10,000	800	145	290
2007	1,000,000	20,000	1,600	291	582
2008	1,000,000	20,000	1,600	291	582
2009	1,000,000	20,000	1,600	291	582
2010	50,000	1,000	80	15	30
2011	50,000	1,000	80	15	30
2012	50,000	1,000	80	15	30
2013	50,000	1,000	80	15	30
2014	580,000	11,600	928	169	338
2015	1,000,000	20,000	1,600	291	582
2016	1,000,000	20,000	1,600	291	582
2017	1,000,000	20,000	1,600	291	582
2018	1,000,000	20,000	1,600	291	582
2019	1,000,000	20,000	1,600	291	582
2020	1,000,000	20,000	1,600	291	582

Access Road Junction Layout:

The red line for the extension of the quarry application (ABP-310466-21) does not extend to the N7 access to the site. Any proposals of this kind should demonstrate an analysis of the access and egress from the site and recommending measures to protect the safe use of this access.

The access to the quarry is situated centrally on the northern boundary of the quarry and this connects to the westbound carriageway of the N7. The site access is a left in left out arrangement.

The access road junction was constructed in 2006. A design assessment of this junction was carried out in accordance with Chapter 2 of the TII Publications document DN-GEO-03035, version 4, 'NRA addendum to Standard TD22/92-Layout of grade separated junctions' which was the relevant design standard at the time of construction. The assessment determined that the junction did not meet the required geometric parameters for the merge and diverge

layout in accordance with the relevant standards at the time. However, a divergent auxiliary lane was incorporated into the design which exceeded the required design standards required at the time.

Current Junction Design Guidelines:

The current relevant junction design guidelines require:

1. Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
2. Auxilliary lane to be extended 160m for merge, 150m for diverge; and
3. Auxilliary lane taper to be extended to 75m for the merge and 70m for the diverge.

The applicant does not intend to implement these standards because there is an existing access to the east of the site access that would be affected by these changes, and the applicant believes the divergent layout has worked satisfactorily up to now.

SDCC roads department note the applicants blue line ownership extends approximately 350m east of the site entrance. The roads department do not understand why the necessary nose, auxiliary lanes and tapers cannot be delivered.

The necessary land to the west of the site entrance is also in the ownership of the applicant. The access layouts for the merging and diverging lanes connecting to the N7 should be upgraded and improved in accordance with the current TII design requirements.

Drainage:

The rEIAR states "As part of the water management system on the site, water abstracted from the western quarry pit is discharged following periods of prolonged rainfall to a culvert located on the northern portion of the Site adjacent to the N7/M7". Capacity Checks are required to ascertain whether any additional discharges can be accommodated by this culvert.

Dust:

It is mentioned in Air Quality section of the rEIAR that site specific mitigation measures have been employed on since 1990 to ensure that the impacts of dust are controlled. The roads department suggest that a copy of these Site-Specific mitigation measures is submitted as additional information so an assessment of their continued effectiveness can be decided.

The Roads Department recommend that the Applicant submit the following Additional Information:

1. The applicant shall submit a revised plan showing the Red line boundary extended to include the area around the site access junction at the N7 and include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction.
2. The applicant shall submit a revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the applicant must ensure the revised layout conforms to these key parameters:
 - Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
 - Auxilliary lane to be extended 160m for merge, 150m for diverge; and
 - Auxilliary lane taper to be extended to 75m for the merge and 70m for the diverge.
3. The applicant shall submit a report showing capacity checks to ascertain whether any additional storm discharges from the north western portion of the proposed site can be

accommodated by the culvert located on the northern portion of the Site adjacent to the N7/M7".

4. The applicant shall submit analysis on whether additional on-site wheel washes or other additional measures are required to prevent dirt and stone material being deposited on the adjacent public road network.
5. The applicant shall submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant shall revisit these existing procedures in relation to the proposed revision of the quarry extent and void depth and update these procedures as appropriate. These procedures to be agreed with the planning authority.

Should Permission be granted the following conditions should apply:

1. The Red line boundary shall be extended to include the area around the site access junction at the N7 and include the lands necessary to implement the layout revisions as prescribed in the current TII guidelines in relation to nose, auxiliary lanes and tapers in the vicinity of the site entrance junction.
2. Prior to commencement, the applicant shall submit an agreed revised site entrance layout onto the N7 conforming to the current TII guidelines on accesses onto National Roads. In particular, the applicant must ensure the revised layout conforms to these key parameters:
 - Nose length of 75m with a ratio of 1:25 to be provided for the merge, and a nose length of 70m with a ratio of 1:15 to be provided for the diverge;
 - Auxiliary lane to be extended 160m for merge, 150m for diverge; and
 - Auxiliary lane taper to be extended to 75m for the merge and 70m for the diverge.
3. Prior to commencement, the applicant shall undertake capacity checks to ascertain whether any additional storm discharges from the north-western portion of the proposed site can be accommodated by the culvert located on the northern portion of the Site adjacent to the N7/M7" and any additional measures to be agreed with the planning authority.
4. Prior to commencement, the applicant shall submit analysis on whether additional on-site wheel washes or other additional measures are required to prevent dirt and stone material being deposited on the adjacent public road network and any additional measures to be agreed with the planning authority.
5. Prior to commencement, the applicant shall submit the current Site-Specific mitigation measures to control dust at the proposed site which have been employed since 1990. The applicant shall revisit these procedures in relation to the proposed revision of the quarry extent and void depth and update these procedures as appropriate. Any additional measures to be agreed with the planning authority.