



An Coimisiún Pleanála

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# PRE-CONSULTATION REPORT

Proposed Kilmartin Soil Recovery Facility





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# PRE-CONSULTATION REPORT

Proposed Kilmartin Soil Recovery Facility

TYPE OF DOCUMENT (VERSION) PUBLIC

PROJECT NO. 40000103

OUR REF. NO. 40000103.R04







DATE: DECEMBER 2025

WSP

Town Centre House  
Dublin Road  
Naas  
Co Kildare

WSP.com

# QUALITY CONTROL

Issue/revision	First issue	Revision 1	Final	
Remarks	DRAFT ISSUE FOR CLIENT COMMENTS	ISSUE	ISSUE	
Date	06/07/2023	09/02/2023	14/02/2024	
Prepared by	William Behan	William Behan	William Behan	
Signature	-	WB	WB	
Checked by	Rhian Llewellyn	Rhian Llewellyn	Rhian Llewellyn	
Signature				
Authorised by	Ruth Treacy	Ruth Treacy	Ruth Treacy	
Signature				
Project number	IE-40000103			
Report number	R04			
File reference	<a href="https://wsponline.sharepoint.com/sites/IE-40000103">https://wsponline.sharepoint.com/sites/IE-40000103</a>			

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# 1 INTRODUCTION

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## 1.1 PURPOSE OF REPORT

This report has been prepared by WSP Ireland Consulting Ltd ('WSP') on behalf of the Applicant ('Kilmartin Junction 14 Limited') to accompany a planning application for a Strategic Infrastructure Development (SID) submitted to An Coimisiún Pleanála ('the Commission') in relation to a proposed soil recovery facility at the Applicant's lands at Kilmartin, Coynes Cross, Newcastle, County Wicklow.

The purpose of this report is to document a non-statutory pre-consultation that the Applicant was directed to undertake by the Commission. Consultees comprise the prescribed bodies as set out by ABP in their communication dated 7 March 2022 (ref: ABP-311426-21; email dated 02 May 2023). Additional consultees have also been included, where considered relevant due to the nature, location and scale of the proposed project.

## 1.2 REPORT STRUCTURE

The report is divided into 3 Chapters,

Chapter	Description
1	Introduction
2	Pre-Consultation Process
3	Pre-Consultation Responses

## 1.3 PROJECT BACKGROUND

The Proposed Development is the establishment and operation of a soil recovery facility within a 17.08 hectare site at Kilmartin, Co. Wicklow (approximately 4 km north-east of Ashford). The soil recovery facility will import up to 2,160,000 tonnes of inert waste, primarily clean soils and stones from construction and development sites. Clean soil and stone will be used to progressively infill a steep-sided natural valley within the site and raise ground levels to approximately 57mOD, tying in with the surrounding landscape. The infill area covers approximately 14.11 hectares.

The soil recovery facility will accept up to 100 loads per day on average (maximum 150 in exceptional circumstances) with a projected operational lifespan of up to 10 years depending on market conditions within the construction sector, followed by one year for final restoration and aftercare of the lands.

The Proposed Development will require the following structures be installed and maintained for the operational life of the Soil Recovery Facility: office and welfare facilities, six parking bays for private vehicles, weighbridge and associated weighbridge cabin, one wheel wash and one spray-system wheel wash, two waste inspection bays and one bunded waste quarantine area, hardstanding area (for vehicle movement and storage), surface water drainage infrastructure from hard standing and discharge to ground (including two interceptors and two soakaways), an internal access road, internal haul roads (constructed from recycled aggregates where available), security features including security gates and fencing, and power supply. These structures will be removed from the site at the end of life point of the soil recovery facility.

Approval will be sought for a connection to the ESB Network for the site office and welfare facilities. Diesel generators will be used to power mobile lighting, if required. Temporary lighting, if required, will be cowled to prevent light spillage.

The temporary relocation of ESB poles within the fill area will be required. This will be subject to prior agreement with ESB.

Wastewater from office and welfare facilities will be managed by a third-party provider, with no connection to foul water mains.

All truck deliveries will access the site via the N11/M11 and Coyne's Cross Road, with internal queuing space provided within the Site and no parking on public roads.

The existing land entrance located on R772 will be upgraded and will be retained following the completion of the Proposed Development.

A groundwater abstraction borehole will be installed to supply water for wheel washes, dust suppression, and welfare facilities, and will be retained for monitoring after restoration.

Restoration will return the site to grassland and hedgerow habitat, similar to its pre-development state. Approximately 120 m of fence and hedgerow opposite the entrance will be temporarily removed to improve sightlines during the life of the soil recovery facility and this will be subsequently reinstated. Native species will be used in hedgerow planting. The restored land will revert to agricultural management.

Permission is sought from An Coimisiún Pleanála for a period of up to 10 years, with an additional year for restoration. The Proposed Development will require a waste licence<sup>1</sup> from the Environmental Protection Agency (EPA) and aligns with national and regional policy objectives to provide adequate licensed soil recovery capacity for the Dublin and Wicklow regions.

## **1.4 PRE-CONSULTATION PROCESS FOR STRATEGIC INFRASTRUCTURE DEVELOPMENT**

Pre-application discussions with respect to the proposed project were carried out between the Board and WSP under Section 37B of the Planning and Development Act 2000, on 20 December 2021. The Board formally requested to close out the consultation process in a letter dated 7 March 2022 (reference: ABP-311426-21).

Having reviewed the matter at a meeting held on 28/02/2022, the Board concluded that the proposed development falls within the scope of paragraphs 37A(2)(b) and (c) of the Planning and Development Act, 2000 as amended. Accordingly, the Board decided that the proposed development met the criteria for strategic infrastructure and, as such, issued a direction under Section 37B(4)(a) of the Planning and Development Act that an application for permission should be made directly to An Bord Pleanála under section 37E of the Act (letters dated 28 February 2022, reference: BD-010123-22 and 14 March 2022, reference: ABP-311426-21).

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<sup>1</sup> The proposed development will be carried out in accordance with a waste licence from the EPA or in accordance with by-product regulations, Article 27 of the European Communities (Waste Directive) Regulations 2011 (see Section 3.5 in Chapter 3.0: Project Description of the Environmental Impact Assessment Report prepared to support the SID Application for further detail).

A list of prescribed bodies to be notified of the application for the proposed development was attached to the Board's decision (letter dated 7 March 2022, reference: ABP-311426-21; email dated 02 May 2023).

## **1.5 PRE-CONSULTATION PURPOSE**

The purpose of this consultation was, to engage with, and seek the observations/comments from, prescribed bodies and additional consultees in considering the environmental issues to be assessed in the EIAR and Stage 1 Appropriate Assessment Screening, to be prepared and submitted with the project's application for development consent.

Pre-consultation can assist in the identification of significant issues so that these issues can be considered at the earliest possible opportunity. It thereby can provide information to be considered in design alternatives (where available) and for implementing measures to avoid, minimise, reduce or, if possible, offset any identified significant adverse effects on the surrounding environment (including protected areas, such as Natura 2000 sites).



## 2 PRE-CONSULTATION PROCESS

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### 2.1 CONSULTATION DATES AND MATERIALS

As part of the non-statutory pre-consultation process, the consultees were contacted on 25 May 2023 by email and each received the following materials:

- Invitation to Pre-Consultation Letter: notifying each prescribed body of the proposed development and seeking the bodies' comments/observations by 26 June 2023. This letter included a description of the proposed development, the development design aspects, and the post closure restoration and aftercare. The document also included 3 drawings which provided further context regarding the development proposal.
- A copy of the pre-consultation materials is provided in Appendix 1A.
- The non-statutory pre-consultation period occurred over 25 May 2023 to 26 June 2023. It is noted that, were submissions made after the close of the consultation deadline, these have been considered herein up until a final deadline of 26 October 2023 at which stage consultation was considered closed.

### 2.2 CONSULTEES

The consultees contacted are as follows<sup>2</sup>:

- An Chomhairle Ealaíon (Arts Council)\*.
- An Taisce\*.
- Failte Ireland\*.
- Health and Safety Authority\*.
- Inland Fisheries Ireland\*.
- Minister for Agriculture, Food and Marine\*.
- Minister for Environment, Climate and Communications\*.
- Minister for Housing, Local Government and Heritage (contacted via the Development Applications Unit (DAU))\*.
- Geological Survey of Ireland (a division of the Department of the Environment, Climate and Communications)\*.
- The Heritage Council\*.
- Transport Infrastructure Ireland\*.
- Eastern-Midlands Waste Regional Authority.
- Electricity Supply Board (ESB).
- Health Service Executive.
- Irish Water.
- Minister for Tourism, Culture, Arts, Gaeltacht Sport and Media.
- Wicklow County Council (including National Roads Office and N11/M11 Scheme project liaison officer).

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<sup>2</sup> Asterisk (\*) indicates prescribed body, as set out by ABP, considered relevant for the purposes of Section 37E (3) (c) of the Principal Act.

### 3 PRE-CONSULTATION RESPONSES

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The following sections presents a record of feedback received. The Applicant's responses to comment/observations is indicated by bolded text in the following sections. Received response documents are provided in Appendix 1B.

#### 3.1 AN CHOMHAIRLE EALAÍON (ARTS COUNCIL)

The prescribed body was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

#### 3.2 AN TAISCE

The prescribed body was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

#### 3.3 FAILTE IRELAND

The prescribed body was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

#### 3.4 HEALTH AND SAFETY AUTHORITY

The prescribed body was sent the consultation material via email on the 25 May 2023.

The Health and Safety Authority provided the following written response (external reference: 4098) dated 19 June 2023:

The Health and Safety Authority (the Authority), acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) gives technical advice to the Planning Authority when requested, under regulation 24(2) in relation to:

**Noted.**

- a) The siting and development of new establishments;
- b) Modifications to establishments of the type described in Regulation 12(1); and
- c) New developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident.

Since the above-referenced application appears to be outside the scope of the Regulations, the Authority has no observations to forward. **Noted.**

#### 3.5 INLAND FISHERIES IRELAND

The prescribed body was sent the consultation material via email on the 25 May 2023.

A telephone call was held between Inland Fisheries Ireland and WSP on the 28 June 2023 to discuss the project. Points for discussion were:

- 1) IFI commented that the project design should include for adequate surface water control measures during construction (e.g., silt fences), as required. **Noted. The surface water control**

measures proposed for the project are described in Chapter 3 Project Description of the EIAR.

- 2) IFI commented that down-stream dilution effects on any pollutants (e.g. sediments) entering the watercourses should not be considered as a reasonable justification for screening out of any likely significant effects potentially arising from planned/unplanned releases to surface water in the Screening for Appropriate Assessment. **Noted.**

### 3.6 MINISTER FOR AGRICULTURE, FOOD AND MARINE

The prescribed body was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

### 3.7 MINISTER FOR ENVIRONMENT, CLIMATE AND COMMUNICATIONS

The prescribed body was sent the consultation material via email on the 25 May 2023.

The Geological Survey Ireland (a division of the Department of the Environment, Climate and Communications) provided the response set out in Section 3.9. No other responses to consultation were received from the Department of Environment, Climate and Communications.

### 3.8 MINISTER FOR HOUSING, LOCAL GOVERNMENT AND HERITAGE

The prescribed body was sent the consultation material via email on the 25 May 2023.

The Department of Housing, Local Government, and Heritage provided the following written response (external reference: Pre00104/2023) dated 29 June 2023:

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings. **Noted.**

#### Archaeology

The information provided was not sufficiently detailed to allow for a full assessment of the archaeological implications of this proposal, however the Department wishes to advise that as part of EIA requirements you are obliged to retain the services of a Consultant Archaeologist to carry out the Archaeological Impact Assessment (AIA) as part of the overall Cultural Heritage Impact Assessment (CHIA) of the proposed development, which shall incorporate a detailed desktop study and field inspection. This should be integrated into the finalised EIAR. An Archaeological Impact Assessment (AIA) and Cultural Heritage Impact Assessment (CHIA) are included in Chapter 10 'Cultural Heritage' of the EIAR. It is noted that the term 'cultural heritage' is used within the EIAR as a collective term to refer to all heritage assets of archaeological, architectural, and historical or cultural value. Chapter 10 'Cultural Heritage' of the EIAR was prepared by Conor Ryan. Conor is an Associate of the Chartered Institute for Archaeologists (ACIfA) and has over 8 years' experience in the production of heritage reports for planning purposes.

The Department further advises that the following are also carried out, as appropriate, as part of an overall CHIA to ensure a comprehensive assessment of the proposed development:

The desk-study and field inspection regime should inform:

- Targeted non-intrusive advance geophysical survey or prospection (such as Ground Penetrating Radar Surveys).

- Targeted advance archaeological test excavation.

Any and all intrusive advance investigations (such as, but not limited to, ground investigations for soils/geology/hydrogeology) carried out as part of the EIA or design process should be subject to a programme of archaeological monitoring by a suitably qualified archaeologist.

**Noted. The EIAR addresses the risk of intrusive works (e.g. soil stripping) and proposes measures, including the requirement for an archaeological investigation strategy/archaeological oversight of any intrusive works, to mitigate for the potential presence of undiscovered archaeological remains within the Site. It is proposed that where required or advised by the project archaeologist, targeted geophysical survey or prospection, and targeted advance archaeological test excavation, will be carried out (where feasible) at locations where stripping works will be required to facilitate installation of site entrance /site infrastructure. It is noted that GPR may not be an effective investigative tool within the valley due to the steepness of the valley slopes.**

The results of these investigations should inform the EIA process and be incorporated within the EIA Report. The Department is happy to provide further advice and clarification as and if required in relation to the preparation of suitably comprehensive assessments as outlined above, with particular regard to the scope and locations for any advance non-intrusive prospection or advance test excavation that would be appropriate to inform the assessment of this proposed scheme. **Noted.**

Further to the above, and by way of general archaeological advice, please note that, whilst the proposed development site (PDS) may or may not contain within it known or subsurface Recorded Monuments and/or Archaeological sites that may require assessment as part of the overall CHIA, the PDS itself is located within a wider area of known archaeological settlement and activity—see Record of Monuments and Places and the Historic Environment Viewer (available: [www.archaeology.ie](http://www.archaeology.ie)). All of these Recorded Monuments, both within and outside the PDS, are subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments Act 1930-2014. Therefore the CHIA must include an assessment of the possible effects of the proposal on the wider archaeological landscape. It is of importance that the study area for the CHIA should be of sufficient size and extent to support this. **Noted.**

The Department would draw particular attention to the following National Monuments and sites subject to a Preservation Order that are located in general proximity to the PDS: **Noted.**

- Kilmartin, Church (RMP WI019-018001-; PO 133/1940).

These monuments are subject to statutory protection under Section 14 of the National Monuments (Amendment) Act 1930-2014. **Noted.**

Extensive advance archaeological investigations have been carried out in relation to recent developments in close proximity to the proposed development, notably along the route of the M11 motorway bordering the PDS to the west. The Department advises that these findings must be consulted and given adequate weight in the CHIA to aid in evaluating the likely effects of this proposed development to the archaeological and cultural heritage resource. **Noted.**

There is a potential that previously unknown sub-surface archaeological sites or features may be present within the PDS. Advance prospection would be required to establish the extent of such features so that the potential likely impacts of the proposed development could be established. **Noted.**

Notwithstanding the above, the Department awaits the submission of this assessment before commenting further. **Noted.**

#### Nature Conservation

The Department is not in a position to make specific comment on this particular referral at this time. No inference should be drawn from this that the Department is satisfied or otherwise with the proposed activity. **Noted.**

The Department may submit observations/recommendations at a later stage in the process. The above observations/recommendations are based on the papers submitted to this Department on a pre-planning basis and are made without prejudice to any observations that the Minister may make in the context of any consultation arising on foot of any development application referred to the Minister, by the planning authority/ies, in the role as statutory consultee under the Planning and Development Act, 2000, as amended. **Noted.**

You are requested to send further communications to the Development Applications Unit (DAU) at [manager.dau@npws.gov.ie](mailto:manager.dau@npws.gov.ie). **Noted.**

### 3.9 GEOLOGICAL SURVEY IRELAND

The prescribed body was sent the consultation material via email on the 25 May 2023.

The Geological Survey Ireland (a division of the Department of the Environment, Climate and Communications) provided the following written response (external reference: 23/127) dated 12 June 2023 via email:

Geological Survey Ireland is the national earth science agency and is a division of the Department of the Environment, Climate and Communications. We provide independent geological information and gather various data for that purpose. Please see our website for data availability. We recommend using these various data sets, when conducting the EIAR, SEA, planning and scoping processes. Use of our data or maps should be attributed correctly to 'Geological Survey Ireland'. **Noted.**

The publicly available data referenced/presented here, should in no way be construed as Geological Survey Ireland support for or objection to the proposed development or plan. The data is made freely available to all and can be used as independent scientific data in assessments, plans or policies. It should be noted that in many cases this data is a baseline or starting point for further site-specific assessments. **Noted.**

With reference to your email received on the 25 May 2023, concerning the Pre-Application Consultation for Soil Recovery Facility, Kilmartin, Co Wicklow, Geological Survey Ireland would encourage use of and reference to our datasets. Please find attached a list of our publicly available datasets that may be useful to the environmental assessment and planning process. We recommend that you review this list and refer to any datasets you consider relevant to your assessment. The remainder of this letter and following sections provide more detail on some of these datasets. **Noted.**

#### Geoheritage

A national inventory of geoheritage sites known as County Geological Sites (CGSs) is managed by the Geoheritage Programme of Geological Survey Ireland. CGSs, as adopted under the National Heritage Plan, include sites that are of national importance which have been selected as the very best examples for NHA (Natural Heritage Areas) designation. NHA designation will be completed in

partnership with the National Parks and Wildlife Service (NPWS). CGSs are now routinely included in County Development Plans and in the GIS of planning departments, to ensure the recognition and appropriate protection of geological heritage within the planning system. CGSs can be viewed online under the Geological Heritage tab on the online Map Viewer. **Noted.**

The audit for Co. Wicklow was carried out in 2014. The full report details can be found at here. Our records show that there are no CGSs in the vicinity of the Soil Recovery Facility. **Noted.**

Geological Survey Ireland's Groundwater and Geothermal Unit, provides advice, data and maps relating to groundwater distribution, quality and use, which is especially relevant for safe and secure drinking water supplies and healthy ecosystems. Proposed developments need to consider any potential impact on specific groundwater abstractions and on groundwater resources in general. We recommend using the groundwater maps on our Map viewer which should include wells; drinking water source protection areas; the national map suite - aquifer, groundwater vulnerability, groundwater recharge and subsoil permeability maps. Background information is also provided in the Groundwater Body Descriptions. Please read all disclaimers carefully when using Geological Survey Ireland data. **Noted.**

The Groundwater Data Viewer indicates an aquifer classed as a 'Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones' underlies the proposed Soil Recovery Facility development. The Groundwater Vulnerability map indicates the range of groundwater vulnerabilities within the area covered is variable. We would therefore recommend use of the Groundwater Viewer to identify areas of High to Extreme Vulnerability and 'Rock at or near surface' in your assessments, as any groundwater-surface water interactions that might occur would be greatest in these areas. **Noted.**

GWClimate is a groundwater monitoring and modelling project that aims to investigate the impact of climate change on groundwater in Ireland. This is a follow on from a previous project (GWFlood) and the data may be useful in relation to Flood Risk Assessment (FRA) and management plans. Maps and data are available on the Map viewer. **Noted.**

Geological Survey Ireland has completed Groundwater Protection Schemes (GWPSs) in partnership with Local Authorities, and there is now national coverage of GWPS mapping. A Groundwater Protection Scheme provides guidelines for the planning and licensing authorities in carrying out their functions, and a framework to assist in decision-making on the location, nature and control of developments and activities in order to protect groundwater. The Groundwater Protection Response overview and link to the main reports is here: <https://www.gsi.ie/en-ie/programmes-and-projects/groundwater/projects/protecting-drinking-water/what-is-drinking-water-protection/county-groundwater-protection-schemes/Pages/default.aspx>. **Noted.**

Geological Survey Ireland maintains online datasets of bedrock and subsoils geological mapping that are reliable and accessible. We would encourage you to use these data which can be found here, in your future assessments. **Noted.**

Please note we have recently launched QGIS compatible bedrock (100K) and Quaternary geology map data, with instructional manuals and videos. This makes our data more accessible to general public and external stakeholders. QGIS compatible data can be found in our downloadable bedrock 100k .zip file on the Data & Maps section of our website. **Noted.**

Geohazards can cause widespread damage to landscapes, wildlife, human property and human life. In Ireland, landslides, flooding and coastal erosion are the most prevalent of these hazards. We



recommend that geohazards be taken into consideration, especially when developing areas where these risks are prevalent, and we encourage the use of our data when doing so. **Noted.**

Geohazards can cause widespread damage to landscapes, wildlife, human property and human life. In Ireland, landslides, flooding and coastal erosion are the most prevalent of these hazards. We recommend that geohazards be taken into consideration, especially when developing areas where these risks are prevalent, and we encourage the use of our data when doing so. Geological Survey Ireland also engaged in a national project on Groundwater Flooding. The data from this project may be useful in relation to Flood Risk Assessment (FRA) and management plans, and is described in more detail under 'Groundwater' above. **Noted.**

Geological Survey Ireland provides data, maps, interpretations and advice on matters related to minerals, their use and their development in our Minerals section of the website. The Active Quarries, Mineral Localities and the Aggregate Potential maps are available on our Map Viewer. **Noted.**

We would recommend use of the Aggregate Potential Mapping viewer to identify areas of High to Very High source aggregate potential within the area. In keeping with a sustainable approach we would recommend use of our data and mapping viewers to identify and ensure that natural resources used in the proposed developments are sustainably sourced from properly recognised and licensed facilities, and that consideration of future resource sterilization is considered. **Noted.**

Geological Survey Ireland provides baseline geochemistry data for Ireland as part of the Tellus programme. Baseline geochemistry data can be used to assess the chemical status of soil and water at a regional scale and to support the assessment of existing or potential impacts of human activity on environmental chemical quality. Tellus is a national-scale mapping programme which provides multi-element data for shallow soil, stream sediment and stream water in Ireland. At present, mapping consists of the border, western and midland regions. Data is available at <https://www.gsi.ie/en-ie/data-and-maps/Pages/Geochemistry.aspx>. This page also hosts Geochemical Mapping of Agricultural and Grazing Land Soil of Europe (GEMAS) and lithogeochemistry (rock geochemistry) from southeast Ireland datasets. Geological Survey Ireland and partners are undertaking applied geochemistry projects to provide data for agriculture (Terra Soil), waste soil characterisation (Geochemically Appropriate Levels for Soil Recovery Facilities) and mineral exploration (Mineral Prospectivity Mapping). **Noted.**

The following guidelines may also be of assistance: **Noted.**

- Institute of Geologists of Ireland, 2013. Guidelines for the Preparation of the Soils, Geology and Hydrogeology Chapters of Geology in Environmental Impact Statements. **Noted.**
- EPA, 2022. Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR).

#### Other comments

Should development go ahead, all other factors considered, Geological Survey Ireland would much appreciate a copy of reports detailing any site investigations carried out. The data would be added to Geological Survey Ireland's national database of site investigation boreholes, implemented to provide a better service to the civil engineering sector. Data can be sent to the Geological Mapping Unit, at <mailto:GeologicalMappingInfo@gsi.ie>, 01-678 2795. **Noted.**

### 3.10 THE HERITAGE COUNCIL

The prescribed body was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

### 3.11 TRANSPORT INFRASTRUCTURE IRELAND

The prescribed body was sent the consultation material via email on the 25 May 2023.

Transport Infrastructure Ireland provided the following written response (external reference: TII23-123111) dated 07 July 2023 via email:

Transport Infrastructure Ireland (TII) acknowledges receipt by email in May 2023 notice of an upcoming Strategic Infrastructure Development (SID) application to be made for a soil recovery facility over approximately 22.6 hectares (ha.) that is to be accompanied by an Environmental Impact Assessment Report (EIAR) and Stage 1 Screening for Appropriate Assessment (AA). TII notes that pre-application consultation sought is directed by An Bord Pleanála. **Noted.**

The indicated application site is located to the immediate east of N11 Junction 14 (Coynes Cross). The proposed development is stated to have an estimated lifespan of nearly 4 no. years necessitating 100 no. 20 tonne daily loads proposed to utilise the N/M11, up to 150 daily loads “in exceptional circumstances”. **Noted.**

TII wishes to advise that it is not in a position to engage directly with planning applicants in respect to proposed developments. TII will endeavour to consider and respond to planning applications referred to it given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidelines as outlined in the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012). Regard should also be had to other relevant guidance and circulars available at [www.TII.ie](http://www.TII.ie). **Noted.**

Project Ireland 2040, National Development Plan, 2018 – 2027, outlines the investment priority to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users. Government also includes the objective to maintain the strategic capacity and safety of the national roads network, including planning for future capacity enhancements, in National Strategic Outcome 2 of the National Planning Framework. This requirement is further reflected in the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012). **Noted.**

The requirement to protect the capacity, safety and efficiency of the existing national road network is reflected in the Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy, 2019-2031. The maintenance and protection of the strategic function of the national road networks and associated junctions are amongst the guiding principles of the transport strategy of the RSES at Regional Policy Objective (RPO) 8.1. RPO 8.1 promoting integration of land use and transportation planning includes the Integrated Land Use and Transportation Guiding Principle set out at section 5.6; “The strategic transport function of national roads and associated junctions should be maintained and protected.” RPO 8.2 promotes the management and enhancement of strategic land transport networks, including by travel demand management. **Noted.**



The national road network caters for Ireland's inter-urban and inter-regional transport requirements and gives access to regional and international markets through strategic airport and port locations. As part of this network, the M11 is a strategic motorway and the N11 is a highly important national road, both part of the European TEN-T Comprehensive Network. The TEN-T Regulations define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport, co-ordinated to achieve integrated and intermodal long-distance travel routes across Europe. **Noted.**

TII advise that significant improvements to the national road network have been overseen by County Councils as road and planning authorities for their respective areas, in collaboration with TII. Therefore, there is an onus and a policy requirement on road and planning authorities to safeguard the national investment made. A priority of TII is therefore the maintenance of the existing national road network, including junctions, and safeguarding Exchequer investment in national roads to date. **Noted.**

TII's observations seek to address the safety, capacity and strategic function of the national road network in accordance with TII's statutory functions and the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012). **Noted.**

The indicated SID application area does not appear to include lands within Motorway Maintenance and Renewal Contracts (MMaRC) Network Area A. Any works in that area will require compliance with all relevant TII standards as detailed within the TII publications website [www.tiipublications.ie](http://www.tiipublications.ie). **Noted.**

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred. **Noted.**

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the national road network. The developer should have regard, inter alia, to the following:

- Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes. **Noted. Consultation was held with Wicklow County Council and National Roads Office. See Section 3.16 for details.**
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development. **Noted.**
- The developer should have regard to any EIAR/EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts. **Noted.**
- The developer, in preparing EIAR, should have regard to TII Publications (formerly DMRB and the Manual of Contract Documents for Road Works). **Noted.**
- The developer, in preparing EIAR, should have regard to TII's Environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes (National Roads Authority, 2006). **Noted.**
- The EIAR/EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce

noise impacts (see Guidelines for the Treatment of Noise and Vibration in National Road Schemes (1st Rev., National Roads Authority, 2004)). **Noted.**

- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment (TTA) be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads. In relation to national roads, TII's Traffic and Transport Assessment Guidelines (2014) should be referred to in relation to proposed development with potential impacts on the national road network. The scheme promoter is also advised to have regard to Section 2.2 of the NRA/TII TTA Guidelines which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads to facilitate the private development proposed as TII will not be responsible for such costs. **Noted.**
- The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required. **Noted. A Stage 1 Road Safety Audit has been undertaken for the proposed development and is included in the SID application pack. The findings of the audit were used to optimise the internal layout of the soil recovery facility. A drawing of the proposed conditions is provided in in the drawing pack submitted to support the SID Application.**
- The developer should assess visual impacts from existing national roads. **Noted. This is considered in Chapter 12 (Landscape and Visual) of the EIAR.**
- In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network. **Noted.**
- TII recommends that that applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. Where abnormal 'weight' loads are proposed, separate structure approvals/permits and other licences may be required in connection with the proposed haul route and all structures on the haul route through all the relevant County Council administrative areas should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal 'weight' load proposed. **Noted.**

The national road network is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities in association with TII. **Noted.**

The applicant/developer should also consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul route traverses to ascertain any operational requirements such as delivery timetabling, etc., and to ensure that the strategic function of the national road network is safeguarded. **Noted.**

Additionally, any damage caused to the pavement on the existing national road arising from any temporary works due to the turning movement of abnormal 'length' loads (e.g., tearing of the surface course, etc.) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site. **Noted.**

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

**Noted.**

TII trusts that the foregoing comments are of use in your scoping process. **Noted.**

### 3.12 EAST-MIDLANDS WASTE REGIONAL AUTHORITY

The East-Midlands Waste Regional Authority was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

### 3.13 HEALTH SERVICE EXECUTIVE

The Health Service Executive was sent the consultation material via email on the 25 May 2023.

The Health Service Executive provided the following written response (external reference: EHIS 3230) dated 26 June 2023:

#### Proposed Development

The proposed development includes for the restoration of a deep sided valley by backfilling with clean soils and stones. It includes the associated temporary operational facilities required to enable the soil recovery facility activities.

It is proposed to accept, recover and use inert and clean soil and stone to fill the raise the ground levels in the base of the valley to within ca. 55 m of the crest of the eastern and western sides of the Site.

Permission was previously granted in 2009 for Buchpa Ltd to develop a soil recovery facility on the site. A waste licence was granted in 2010 for infilling and land raising using inert soil and stone. However, the development has not significantly advanced due to economic recession from 2010-2016.

The void space has been estimated at ca. 1,200,000 m<sup>3</sup> and this would represent ca. 2,160,000 tonnes at an estimated rate of 1.8 tonnes per 1m<sup>3</sup> of clays and soils. The facility will accept up to 100 loads per day on average (with up a maximum of up to 150 loads per day in exceptional circumstances). The bulk of the materials are expected to be imported to the site will be sourced in Co. Wicklow, South Dublin and North Wexford. **Noted.**

#### General Introduction

The following documents should be taken into consideration when preparing the Environmental Impact Assessment Report: **Noted.**

- Guidelines on the information to be contained in EIS (2002), 187kb.
- Advice Notes on Current Practice in the preparation of EIS (2003), 435kb.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment **Noted.**

[https://www.housing.gov.ie/sites/default/files/publications/files/guidelines for planning authorities and an bord pleanala on carrying out eia - august 2018.pdf](https://www.housing.gov.ie/sites/default/files/publications/files/guidelines%20for%20planning%20authorities%20and%20an%20bord%20pleanala%20on%20carrying%20out%20eia%20-%20august%202018.pdf) **Noted.**

EU publication: Environmental Impact Assessment of Projects - Guidance on the preparation of the Environmental Impact Assessment Report, EU, 2017 **Noted.**

[http://ec.europa.eu/environment/eia/pdf/EIA\\_guidance\\_EIA\\_report\\_final.pdf](http://ec.europa.eu/environment/eia/pdf/EIA_guidance_EIA_report_final.pdf) **Noted.**

Adoption of the Directive (2014/52/EU) in April 2014 initiated a review of the above guidelines.

The new guidelines can be seen at:

<https://www.epa.ie/news-releases/news-releases-2022/epa-publishes-guidelines-on-the-information-to-be-contained-in-environmental-impact-assessment-reports.php> **Noted.**

Generally, the Environmental Impact Assessment should examine all likely significant impacts and provide the following information for each: **Noted.**

- a. Description of the receiving environment.
- b. The nature and scale of the impact.
- c. An assessment of the significance of the impact.
- d. Proposed mitigation measures.
- e. Residual impacts.

Directive 2014/52/EU has an enhanced requirement to assess likely significant impacts on Population and Human Health. It is the experience of the Environmental Health Service (EHS) that impacts on human health are often inadequately assessed in EIAs in Ireland. It is recommended that the wider determinants of health and wellbeing are considered in a proportionate manner when considering the EIA. Guidance on wider determinants of health can be found at [www.publichealth.ie](http://www.publichealth.ie) **Noted.**

In addition to any likely significant negative impacts from the proposed development, any positive likely significant impacts should also be assessed. **Noted.**

The HSE will consider the final EIAR accompanying the planning application and will make comments to the planning authority on the methodology used for assessing the likely significant impacts and the evaluation criteria used in assessing the significance of the impact. This report only comments on Environmental Health Impacts of the proposed development. It is based on an assessment of the correspondence submitted to this office dated 25th May 2023. **Noted.**

The Environmental Health Service (EHS) recommends that the following matters are included and assessed in the EIAR: **Noted.**

- Public Consultation.
- Population and Human Health.
- Water (Hydrology and Hydrogeology).
- Land and Soils.
- Air, Dust and Odour.
- Climate Change and Opportunity for Health Gain **Conditions attaching to any EPA Waste Licence will likely include a requirement for continued environmental monitoring during the construction phase and/or operational phase of the soil recovery facility. The land is privately owned by the Norse family who intend to return the Site to agricultural use in the medium term so the lands are not available to enter long term community / amenity use.**
- Noise and Vibration.
- Waste Management.
- Ancillary Facilities.

- Cumulative Impacts.

#### Public Consultation

The applicant should consider the appointment of a community liaison officer. Early and meaningful public consultation with the local community should be carried out to ensure all potentially significant impacts have been adequately addressed. All parties affected by the proposed development, including those who may benefit financially from the project, must be fully informed of what the proposal entails especially with regard to potential impacts on surrounding areas. Sensitive receptors and other stake-holders should be identified to ensure all necessary and appropriate mitigation measures are put in place to avoid any complaints about the proposed wind farm development in the future. **Noted.**

With the lifting of restrictions around public gatherings as a result of Covid 19 prevention measures there should be no barrier to holding public consultation events albeit within current government guidance at the time. Meaningful public consultation, where the local community is fully informed of the proposed development must be undertaken. Members of the public should be given sufficient opportunities to express their views on the proposed development. **Noted. Opportunities for the public to make observations on the proposed development will be provided. The application and supporting documents will be made available online through a dedicated project website ([www.kilmartinjunction14.ie](http://www.kilmartinjunction14.ie)) and the Board's public access service. Paper copies of the application will be available to view at the Board's office and at the Local Authority's office. Newspaper and site notices will be used to inform the public and any other interested parties about the proposed application and the associated public consultation period. At least six weeks will be allowed for the public to make observations on the proposed application to An Bord Pleanála. Further guidance on public participation relating to SIDs can be found at <https://www.pleanala.ie/en-ie/observations-sid>.**

The Environmental Impact Assessment Report (EIAR) should clearly demonstrate the link between public consultations and how those consultations have influenced the decision-making process in the EIA. To assist with the consultation and planning process it is recommended that the applicant develops a dedicated website for the proposed development. All correspondence, maps, project updates and documentation including the EIAR should be uploaded to the website. The EIAR should state the period of planning permission sought, the length of time construction is estimated to take, and if it is anticipated that the renewable energy development will be decommissioned and removed or will continue to operate (following any further planning consent) at the end of this period of planning permission (should permission be granted). **Noted.**

#### Location of the proposed facility

The EIAR should include a map and a description of the proposed waste recycling facility, which should identify the nearest sensitive receptors and the location of the nearest watercourse. **Noted. For clarity, it is confirmed that the proposed project is a soil recovery facility and it is not proposed to recycle aggregate.**

#### Assessment of Consideration of Alternatives

The EIAR should consider an assessment of alternatives. **Noted.**

#### Noise & Vibration

The potential impacts for noise and vibration from the proposed development on all noise sensitive locations must be clearly identified in the EIAR. The EIAR must also consider the appropriateness and effectiveness of all proposed mitigation measures to minimise noise and vibration. **Noted.**

A baseline noise monitoring survey should be undertaken to establish the existing background noise levels. **Noted.**

In addition, an assessment of the predicted noise impacts during the construction phase and the operational phase of the proposed development must be undertaken which details the change in the noise environment resulting from the proposed development. **Noted.**

#### Odour and Air Quality

Due to the nature of the proposed construction works generation of airborne dust has the potential to have significant impacts on sensitive receptors. A Construction Environmental Management Plan (CEMP) should be included in the EIAR which details dust control and mitigation measures. Measures should include: **Noted. Dust control and mitigation measures are set out in the relevant chapters of the EIAR. Conditions attaching to any EPA Waste Licence will likely include a requirement for continued environmental monitoring during the construction phase and/or operational phase of the soil recovery facility.**

- Sweeping of hard road surfaces.
- Provision of a water bowser on site, regular spraying of haul roads.
- Wheel washing facilities at site exit.
- Provide covers to all delivery trucks to minimise dust generation.
- Inspect and clean public roads in the vicinity if necessary.
- Dust monitoring at the site boundary.
- Truck inspection and maintenance plan.

#### Potential impacts on surface and ground water quality

The proposed development has the potential to have a significant impact on the quality of both surface and ground water. All drinking water sources must be identified. Public Water Scheme sources and supplies should be identified. Measures to ensure that all sources and supplies are protected should be described. **Noted.**

Any potential significant impacts to drinking water sources should be assessed and proposed mitigation measures described in the EIAR. **Noted.**

#### Cumulative Impacts

All existing or proposed industrial and commercial developments in the vicinity should be clearly identified in the EIAR. **Noted.**

The impact on sensitive receptors of the proposed development combined with any other industrial and commercial developments in the vicinity should be considered. The EIAR should include a detailed assessment of any likely significant cumulative impacts of the proposed waste recycling development **Noted. For clarity, it is confirmed that the proposed project is a soil recovery facility.**



#### Existing Facility

The EIAR should include the results of any mitigation measures employed in respect of the existing waste recycling facility, including the results of any monitoring undertaken and corrective actions.

**Noted.**

#### Ancillary Facilities

The EIAR should include details of the location of all site office, construction compound, fuel storage depot, sanitary accommodation and canteen, First Aid facilities, disposal of wastewater and the provision of a potable water supply to the site canteen. **Noted.**

### **3.14 IRISH WATER**

Irish Water was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

### **3.15 MINISTER FOR TOURISM, CULTURE, ARTS, GAELTACHT SPORT AND MEDIA**

The Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media was sent the consultation material via email on the 25 May 2023. No response to consultation was received.

The Department of Housing, Local Government, and Heritage provided the following written response (external reference: CHG-MO-01124-2023) dated 28 August 2023:

In relation to your email of 25 May 2023, I wish to advise that planning matters in general fall within the remit of the Department of Housing, Local Government and Heritage (DHLGH). Please note that following the coming into force of the Planning and Development, Heritage and Broadcasting (Amendment) Act 2021 (Act 11 of 2021) all Heritage functions previously held by the Department of Culture, Heritage and the Gaeltacht are now held by DHLGH. This applies to Section 37E of the Planning and Development Acts referenced, and as such no pre-application consultation with the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media is necessary in this instance. **Noted.**

DHLGH's Development Applications Unit are the relevant unit to contact on this topic and can be contacted at . I note this Unit has already been copied on your original email. DHLGH's referrals email address may also be of assistance in this instance (referrals@housing.gov.ie). **Noted.**

Gaeltacht Areas.

It should be noted in that the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media remains a notice party under Regulation 28(1) of the Planning and Development Regulations 2001 in relation to any planning application in an area where the proposed development could – in the view of the local Planning Authority – have a material impact on the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language. Such developments must be brought to the attention of the Department. Relevant documentation in relation to such planning applications should be submitted to [pleanailteanga@tcagsm.gov.ie](mailto:pleanailteanga@tcagsm.gov.ie), however in this specific instance the proposed development does not appear to impact a Gaeltacht region. **Noted.**

### **3.16 WICKLOW COUNTY COUNCIL**

Wicklow County Council (WCC) was sent the consultation material via email on the 25 May 2023.

An online consultation meeting was held with the WCC Project Liaison Officer for the N11/M11 Junction 4 to Junction 14 Improvement Scheme (known as the N11/M11 Scheme), WCC Transportation & Roads Infrastructure, and National Roads Office, and WSP/PMCE traffic and transport experts on 11 October 2023.

The meeting minutes are provided in Appendix 1B. In summary, points for discussion were:

- 1) An overview of the proposed Kilmartin project.
- 2) The status of the (1) N11/M11 Bus Priority Interim Scheme that is proceeding between Loughlinstown Roundabout to Junction 5 and Junction 9 (Glenview) and the (2) N11/M11 road improvement scheme between Junction 4 to Junction 14 (known as the 'N11/M11 Scheme').

Option selection (phase 2) has been completed for the N11/M11 Scheme and further funding is being sought to progress the project to phase 3 (Design and Environmental Evaluation).

The potential for cumulative impacts should both projects go ahead was discussed, noting that the proposed Kilmartin project Site is located close to Junction 14 and this junction is on the route for HGV vehicles to/from the site. It was noted that it is unlikely that the N11/M11 Scheme would spatially interface with the Kilmartin project. Furthermore, considering potential timelines for development of the scheme, no temporal overlap would be anticipated in the short- to medium-term.

No spatial overlap between the proposed Kilmartin project and the Bus Priority Interim Scheme is anticipated. **The schemes are considered in Chapter 14 (Interactions, Cumulative and Combined Effects) of the EIAR.**

- 3) Considering the nature of the project and the potential number of HGV deliveries, WCC advised that there was the potential for dust on HGVs to mix with water on local and national roads to create muds on the roads. WCC consider that the use of a standard wheel wash for all HGVs existing the site is not considered to be sufficient mitigation on its own and further measures will be required to avoid mud on the roads. **Noted. This potential effect is considered in Chapter 11 (Traffic and Transport) of the EIAR and mitigation is proposed to avoid adverse effects to public roads.**
- 4) WCC requested that the calculations are clearly provided for the traffic and transport assessment. A detailed traffic schedule must be included and breakdown of modelling track TTA report. **Noted.**
- 5) WCC requested confirmation that there was sufficient space for HGVs to pass on the ca 325 m section of road between the proposed site entrance and the roundabout at the Cullenmore interchange. **Measurements of the carriageway/edge lines taken using aerial imagery indicate that there is over 7 m distance between carriageway edge lines (see Chapter 11 Traffic and Transport of the EIAR). This is considered sufficient road width for HGVs to pass without tracking onto verges or road edges. It is noted that HGVs were previously used to import inert soil and stone to the Applicant's lands at the site under a waste permit and no incidents between vehicles or damage to roads occurred from those activities at that time.**

### 3.17 ESB

ESB was sent the consultation material via email on the 25 May 2023.





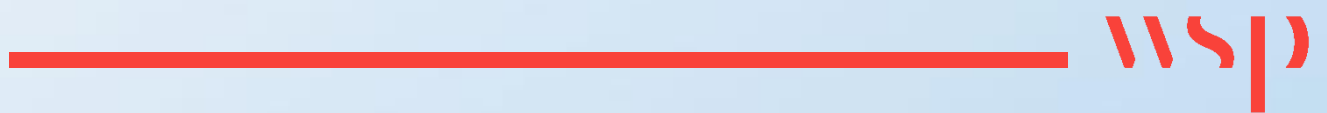
Prior to the submission of the consultation material to ESB, a telephone call was held between ESB and WSP on the 17 May 2023 to discuss the project. Points for discussion where:

1. An overview of the proposed Kilmartin project.
2. Reason for seeking ESB's consultation.

ESB followed up via email on 12 June 2023 to confirm that they are unable to engage with the project until permission is granted. They provided a weblink to the ESB guidance outlining the application process that the Applicant must follow to request the movement of ESB pole(s) or line(s).

# Appendix 1A

## **PRE-CONSULTATION MATERIALS**





[Name of Prescribed Body],  
Address Line 1,  
Address Line 2,  
Address Line 3,  
Eircode

XXXXXXXX-CONSULTXX

1 May 2023

Dear Sir/Madam,

**RE: [NAME OF PRESCRIBED BODY] STRATEGIC INFRASTRUCTURE DEVELOPMENT APPLICATION TO AN BORD PLEANÁLA - SOIL RECOVERY FACILITY PRE-APPLICATION CONSULTATION WITH THE WICKLOW COUNTY COUNCIL**

We are writing on behalf of our Client, Kilmartin Junction 14 Limited to advise that it is intends to apply for permission to develop and operate of a Soil Recovery Facility at the Applicant's lands located at Kilmartin, near Coyne's Cross, Co. Wicklow (hereafter referred to as 'the Project' or 'the Development').

The proposed Soil Recovery Facility will facilitate the infilling of a naturally occurring topographic feature (i.e. a deep depression) to levels that tie in with ground levels elsewhere on the Site. The fill material will comprise inert surplus soil and stone from construction and development sites predominantly located in the greater Dublin area and eastern counties such as Counties Wicklow, South Dublin, Wexford, Carlow and Kildare. Grassland and hedgerow will be reinstated in phases at the Site in the medium-term to return the land to agricultural use in the longer term.

An Bord Pleanála (ABP) has previously determined that the proposed development constitutes Strategic Infrastructure Development and that as such, an application for development consent must be made directly to the Board rather than to the Local Authority (as required by Section 37E of the Planning and Development Acts, as amended).

The planning application will be accompanied by an Environmental Impact Assessment Report (EIAR) and Stage 1 Screening for Appropriate Assessment (AA). It is envisaged that the planning application will be submitted to An Bord Pleanála before the end of Quarter 3 2023.

ABP have advised that pre-application consultations in respect of the proposed soil recovery facility be held with the [Name of Prescribed Body] in advance of submitting the planning application for the Project.

To that end, we have provided information in respect of the proposed development in the following sections which you are invited to read and review. Should you have any views, concerns and/or suggestions in respect of the development, we would greatly appreciate if you could provide such feedback to us as part of this consultation exercise. All comments and feedback received will be reviewed, and where appropriate, will be addressed in finalising the development proposal and the accompanying Environment Impact Assessment Report and /or Stage 1 Screening for Appropriate Assessment.

Submissions or feedback should be forwarded before Monday 26 June 2023 via post to WSP's Naas office, at the address provided below, or via email to [ruth.treacy@WSP.com](mailto:ruth.treacy@WSP.com).

The proposed project details are provided overleaf:

Town Centre House  
Dublin Road  
Naas  
Co Kildare  
[wsp.com](http://wsp.com)

## INTRODUCTION

The Applicant is seeking to develop a soil recovery facility at their lands at Kilmartin, Coynes Cross, Newcastle, County Wicklow. The Site consists of four to five traditional agricultural fields measuring ca. 22.6 ha and occupies a relatively deep valley running north to south with steep sides to the east and west. It is proposed to accept, recover and use inert and clean soil and stone to fill the valley and raise the ground levels in the base of the valley to within ca. 55 m of the crest of the eastern and western sides of the Site.

Permission was previously granted in 2009 for Buchpa Ltd to develop a soil recovery facility on the site. A waste licence was granted in 2010 for infilling and land raising using inert soil and stone. However, the development has not significantly advanced due to economic recession from 2010-2016.

The Applicant entity is wholly owned by Mr William Norse. Mr Norse is the owner of the freehold interest in the lands and the Norse family has owned and farmed the lands within the planning application boundary since at least the 1940s. The Norse family own all land on which the development is to take place, the land to the west of the Coynes Cross road and the land to the east of the lane. The family home is located to the north of the development site along the L-5064 road.

## SITE LOCATION AND CONTEXT

The Application Site ('the Site') is located in the townlands of Kilmartin, Co. Wicklow, and is approximately 4 km north-east of Ashford (National Grid Reference of 328517E, 201025N). The site is irregular in shape and is bounded to the south and north by agricultural land with some coniferous forestry to the south. Coynes Cross road is located to the west of the site and this connects to the R772 and M11 (via Junction 14) to the south-west of the site. An existing entrance to the site is located on the Coynes Cross Road. A small lane is located to the east of the site that links the L-5064 to the R761 Coast Road. The land further to the east is agricultural land.

The Site is bounded by two small streams, one to the north and one to the south of the site. The northern stream runs from west to east along the L-5064 road ca. 300 m north of the footprint area. The southern stream runs from west to east across the southern boundary of the site. These streams confluence ca. 600 m to the southeast of the site and flow southwards into Broad Lough where they confluence with the Vartry river to form the Leitrim River and ultimately discharge to the Irish Sea at Wicklow town.

The Site is set in a rural environment and is used for sheep grazing and some small arable crop farming in the northern section. The presence of a steep sided valley, and periodically wet waterlogged ground at the base of the valley, limits the land's agricultural potential. Consequently, the land use is mainly confined to sheep grazing.

The bulk of the adjacent lands are given to agricultural usage. There is some coniferous forestry to the south of the Site and dwellings to the north of the Site.

## OVERVIEW OF PROPOSED DEVELOPMENT

Drawings showing the site location, existing and proposed conditions at the site are provided in Appendix A.

The proposed development includes for the restoration of a deep sided valley by backfilling with clean soils and stones. It includes the associated temporary operational facilities required to enable the soil recovery facility activities (e.g. site facilities, site management).

The void space has been estimated at ca. 1,200,000 m<sup>3</sup> and this would represent ca. 2,160,000 tonnes at an estimated rate of 1.8 tonnes per 1m<sup>3</sup> of clays and soils.

The facility will accept up to 100 loads per day on average (with up to a maximum of up to 150 loads per day in exceptional circumstances). Based on a maximum 20 tonnes per load this indicates that the site will receive a maximum of 550,000 tonnes per year giving a site life of ca. 3.93 years (on the basis that site will operate 5.5 days per week and 50 weeks per year). However, it is likely that there will be quieter periods of construction over the proposed restoration period and importation rates may be significantly lower than 100 loads a day and therefore the facility's operational lifespan may be up to 10 years.

The bulk of the materials are expected to be imported to the site will be sourced in Co. Wicklow, South Dublin and North Wexford. All trucks will access the site via the N11 dual carriageway, from either the north or south, and the Cullenmore interchange which is adjacent to the site. From the Cullenmore interchange, trucks will travel a short stretch (c. 325 m) of the Coynes' Cross Road to the site entrance. The proposed entrance will be designed to ensure adequate sightlines in both directions. Trucks will not pass any residential dwellings or their entrances whilst accessing or exiting the site via Junction 14.

### *Site infrastructure*

The proposed development will require the following structures be installed and maintained for the operational phase of the Soil Recovery Facility:

- Site Accommodation and ancillary facilities comprising a site office, weighbridge office, welfare facilities, canteen, storage container. An administration car park for 6 No. private vehicles will be provided.
- Weighbridge.
- Wheelwash.
- Site access, roads, parking and hardstanding areas, including a bunded waste quarantine area and 2 No. waste quarantine bays.
- Security features, including security gates and fencing.
- Water supply connection (e.g. installation of onsite groundwater well or connection to water mains).
- Power supply. It is intended that approval will be sought for a connection to the ESB Network for the site office and welfare facilities. Diesel generators will be used to power mobile lighting, if required.

### *Site management*

It is envisaged that there will be a minimum requirement for 4 No. staff at the site during the operational phase, comprising 2 No. machine operators, 1 No. Weighbridge operator, 1 No. Site Manager. The proposed mobile plant on the site will comprise 1 No. bulldozer and 1 No. excavator, tractor and bowser. No fixed plant is proposed. Mobile lighting will be provided, if required.

The site will be open for the reception of trucks from 8:00am to 6:00pm Monday to Friday and from 8am to 2pm Saturday. Preparation works prior to daily opening will be carried out from 7:30am to 8:00am Monday to Friday and from 7:30am to 8:00am Saturday. Processing and handling of received materials will be completed on a daily basis from 6:30pm to 7:30pm Monday to Friday and 2pm to 3pm Saturday. The facility will be closed on Sundays and Public/Bank Holidays.

Traffic management measures will be used during construction phases, including signage, roadside notices (where appropriate, and subject to agreement / approval from the Local Authority), and speed restrictions within the site. All HGV traffic entering or exiting the application site will be required to pass over the proposed weighbridge. All egressing HGV traffic will be routed across the new weighbridge on the outbound lane and through the proposed wheelwash. It will be possible to queue a minimum of 5 trucks between the site entrance and the site office. There will be no queuing on the local road network prior to unloading of inert soils and stone.

Hedgerow and tree removal on the Applicant's lands is required to facilitate infilling and improve vehicle sightlines at the proposed site entrance, and supplementary planting will be carried out to offset this hedgerow and tree loss and to bolster natural ecological corridors on site. The restoration plan will include replanting of hedgerows with native species.

### *Topsoil Management and Storage*

Existing topsoil in the footprint of the void space will be removed prior to fill emplacement and temporarily stored in stockpiles within the application site, away from the active infilling area and in such location and manner as not to create any temporary adverse visual impact or dust nuisance. This topsoil will be placed to the final restoration surface as restoration progresses.

## **WASTE ACCEPTANCE AND HANDLING PROCEDURES**

### *Waste acceptance*

The following waste types will be accepted onto the site:

- Construction and demolition (C&D) materials consisting of clean inert soils and stones. This material will be used in the filling operation.
- Pre-segregated hardcore C&D materials consisting of concrete, blocks and bricks. This material will be used the construction of site haul roads and hardstanding areas, as required. This material will meet end of waste criteria prior to use where applicable.

The proposed infilling of the quarry void using inert soil comprises the following classes of waste activity in accordance with the Waste Management Act 1996, as amended:

- Class No. R5 - recycling and reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials (Principal Activity). This activity is limited to the recovery of inert soil and stone through deposition, for the purposes of improvement and development of land.
- Class No. R13 (storage of waste pending any of the operations R1 to R12). This activity will be limited to the storage of imported wastes for recovery purposes at the facility (e.g. stockpiles of inert soil and topsoil).

It is envisaged that the following wastes (EWC codes) will be deposited (or recovered) at the facility:

- 17 05 04 Soil and stones other than those mentioned in 17 05 03.
- 17 05 06 Dredging spoil other than those mentioned in 17 05 05
- 20 02 02 soil and stone from municipal facilities
- 17 05 08 track ballast other than those mentioned in 17 05 07

Material will only be accepted onto the site during the working hours set out above. No contaminated soils will be accepted at the facility.

The following waste acceptance procedures will be adhered to:

- 1) On arrival, HGV drivers will identify themselves to site-based staff at the site / weighbridge office (most likely the facility manager or an authorised assistant) before proceeding to the active landfilling area or stockpile area (as appropriate). Staff will take a copy of the delivery docket, record the time and date of arrival, the nature, origin and weight of the imported waste (or by-product), the customer / client name, the truck licence plate number, the relevant waste collection permit details and any further details required by an EPA waste licence for the proposed waste facility. All records of waste intake will be maintained on site for waste tracking and auditing purposes. Only authorised vehicles will be directed to the appropriate deposition area.
- 2) Any waste materials that are deemed to be unacceptable for recovery at the facility on the basis of a visual inspection at the weighbridge or waste inspection bays will be rejected and will be directed away from the Site to an appropriate disposal facility.
- 3) A site operative will be on duty at the deposition area to direct and control the deposition of the material. Material will be deposited in the active deposition area except where inclement weather or ground conditions would require that the material is temporarily stockpiled until conditions improve and the materials can then be deposited in the active deposition area.
- 4) As materials are tipped they will be given a thorough inspection by the site operative. Should any non conforming materials be tipped, the site manager will be informed. Any non-compliant waste will be transferred to the waste inspection bay and quarantine area for closer inspection and classification. Should subsequent testing indicate that the quarantined materials are non-inert and cannot be accepted and used for restoration purposes at this site, they will be removed off-site by permitted waste collectors to an appropriate waste disposal facility.

Where possible, single sources of large volumes of soil imported to site for backfilling purposes shall be identified in advance and subject to basic characterisation testing by the contractor to confirm that soils at that location can be classified as inert. The recovery facility will require all soil and stones forwarded for backfilling and recovery purposes to be free of construction or demolition waste or any non-hazardous /hazardous domestic, commercial or industrial wastes and invasive species. The waste acceptance methodology will be set out in the EIAR and align with EPA best practice guidance.

#### *Waste Handling*

All C&D soil and clay materials will be brought to the site in covered trucks to avoid the generation of windblown dust on the approach roads and within the site. Only hauliers in possession of a waste collection permit will be allowed to access the site.

Clean soils and stone will be deposited in the designated tipping area appropriate for the type of waste. Should temporary stockpiling of this material be required, stockpiles will be located near to the active tipping face therefore and their location is not fixed as it will move in line with the filling sequence.

Materials designated for backfilling will be moved from the stockpile to the active tipping face by dozer. Here it will be deposited, levelled/rolled and shaped to conform with a phased approach inline with the infill programme.

Recycled aggregate to be used on site will be stockpiled and moved by dozer and placed in the appropriate areas to form haul roads around the site.

#### *Compliance Sampling and Testing*

A representative sample shall be taken from one in every 100 loads of inert soil accepted at the facility and subjected to compliance testing which is less extensive than characterisation testing and focuses on key contaminant indicators. These data shall be used to confirm that the accepted soils are inert and comply with acceptance criteria. Compliance testing will be undertaken by the Applicant. Laboratory testing of soil, will be undertaken off-site at an ILAB / UKAS accredited laboratory.

#### **CAPACITY AND LIFESPAN**

Approximately 2.16 million tonnes of inert soils and stone will be required to be imported on to site during the operational lifespan of the soil recovery facility. This operation of this facility will raise the land at the Site and improve its agricultural potential land allowing for increased agricultural potential and to provide additional waste capacity within the State and region.

The duration of infilling activities at the Site will largely be dictated by the rate at which externally sourced inert soil and stone is imported to the site. There are many factors which will influence this, including, but not limited to the:

- Availability of acceptable inert materials from development sites;
- economic climate and related construction industry output;
- proximity of development projects to the facility;
- planning and scheduling constraints at sites providing inert restoration materials; and
- Physical site conditions relating to weather.

Taking into account the above factors, the intake rates and duration are a best estimate. Over the short-to-medium term (>5 years), it is likely significant quantities of inert soil could be sourced from mixed residential and commercial development in the greater Dublin and Kildare areas.

It is estimated that the rate of importation of inert materials to the void reach a maximum intake of 550,000 tonnes per annum should large commercial developments or infrastructure works proceed within the surrounding catchment area at some point over its operational life.

If the maximum importation rate was 550,000 tonnes per annum, the expected operational life of the facility would be ca 3.93 years. If however the rate of infilling is less than anticipated, the recovery facility could be operational for up to 10 years.



#### **PHASING OF RECOVERY ACTIVITIES AND LAND RESTORATION**

There will be phased emplacement of the fill within the void space and subsequent reinstatement of stored topsoil, landscaping and planting of grasses and hedgerow.

The Applicant's intention is to return the lands on the Site to agricultural use.

Yours faithfully,

A handwritten signature in blue ink that reads 'Ruth Treacy'.

Ruth Treacy  
Technical Director at WSP Ireland Consulting Ltd

RL





## **Appendix A – Drawings**

Contains the following drawings :

- Site Location
- Existing Conditions
- Proposed Conditions



OSI Licence No.  
CYAL50192220

OSI MAP DETAILS:

Projection / Spatial Reference:  
=====

Projection= IRENET95\_ITM

ITM Centre Point Coordinates:

=====

X,Y= 728398m,700946m

Reference Index:

=====

Map Series | Map Sheets  
1:2,500 | 3906-A

SITE  
LOCATION

SITE  
ACCESS

SITE  
NOTICE

N 201,200

Cill Mhártain  
Kilmartin

E 328,300

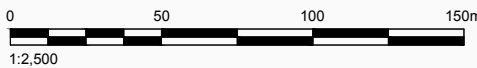
E 328,700

N11  
Junction 14

N 200,800

LEGEND:

APPLICATION SITE BOUNDARY



NOTES:

GRID REFERENCES ARE IN METRES  
& TO IRISH NATIONAL GRID.

LEVELS ARE IN METRES  
& TO O.S. DATUM.

DIMENSIONS ARE IN METRES.

CLIENT

HERBERT STREET FINANCIAL

CONSULTANT



YYYY-MM-DD

2023-Feb-20

PREPARED

POB

DESIGN

POB

REVIEW

RT

APPROVED

RT

PROJECT

SOIL RECOVERY FACILITY  
KILMARTIN, ASHFORD, Co. WICKLOW

TITLE

SITE LOCATION PLAN

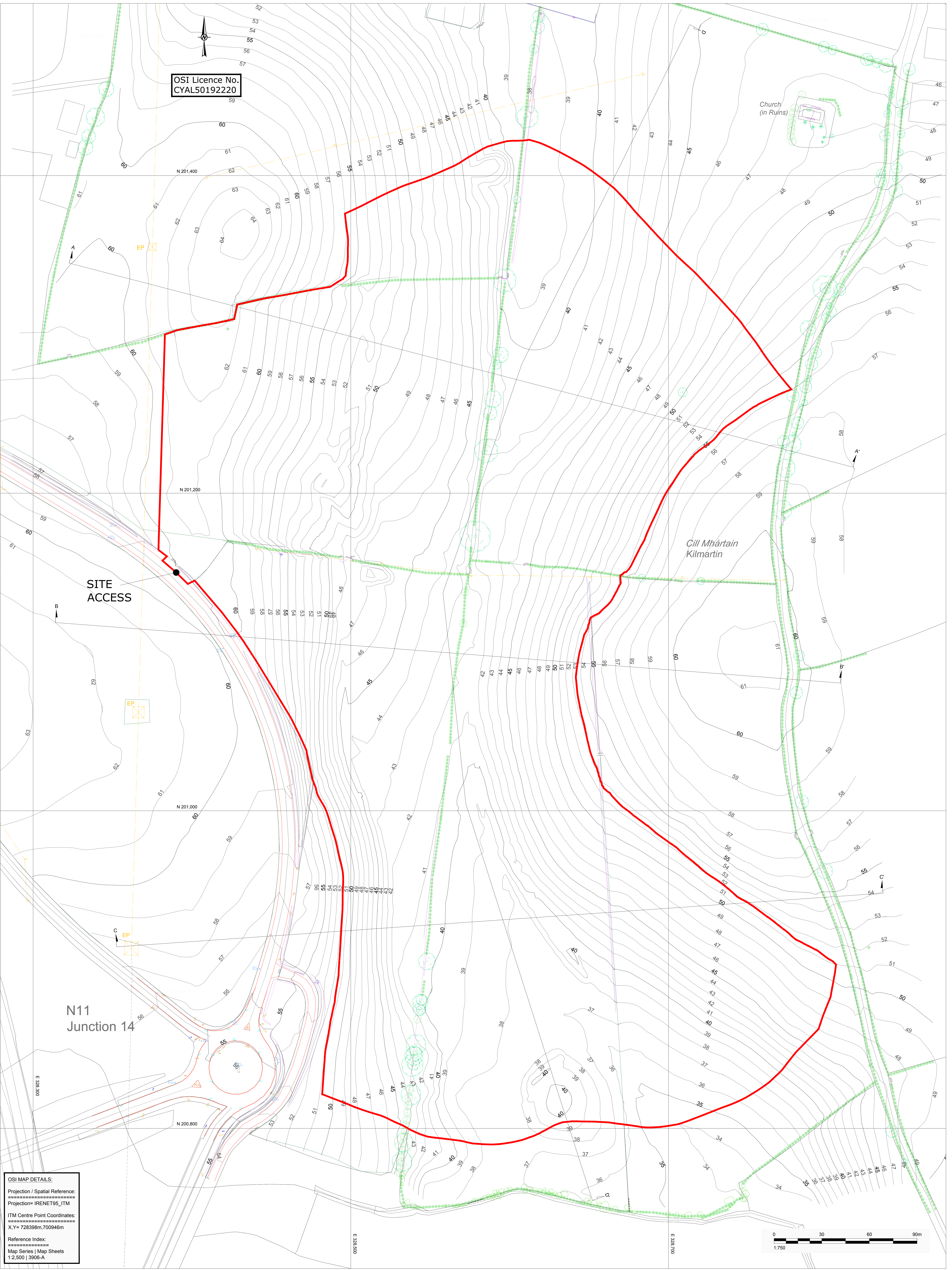
PROJECT No.  
40000103

DRAWING No.  
01

Rev.  
A

SCALE  
1:2,500 A3





OSI MAP DETAILS:  
Projection / Spatial Reference:  
=====

Projection= IRENET95\_ITM

ITM Centre Point Coordinates:  
=====

X,Y= 728398m,700946m

Reference Index:  
=====

Map Series | Map Sheets  
1:2,500 | 3906-A

NOTES:  
GRID REFERENCES ARE IN METRES  
& TO IRISH NATIONAL GRID.  
LEVELS ARE IN METRES  
& TO O.S. DATUM.  
DIMENSIONS ARE IN METRES.

LEGEND:  
— APPLICATION SITE BOUNDARY  
— EXISTING GROUND CONTOUR (mOD)  
— OVERHEAD POWER LINES

CLIENT  
HERBERT STREET FINANCIAL

CONSULTANT  
wsp

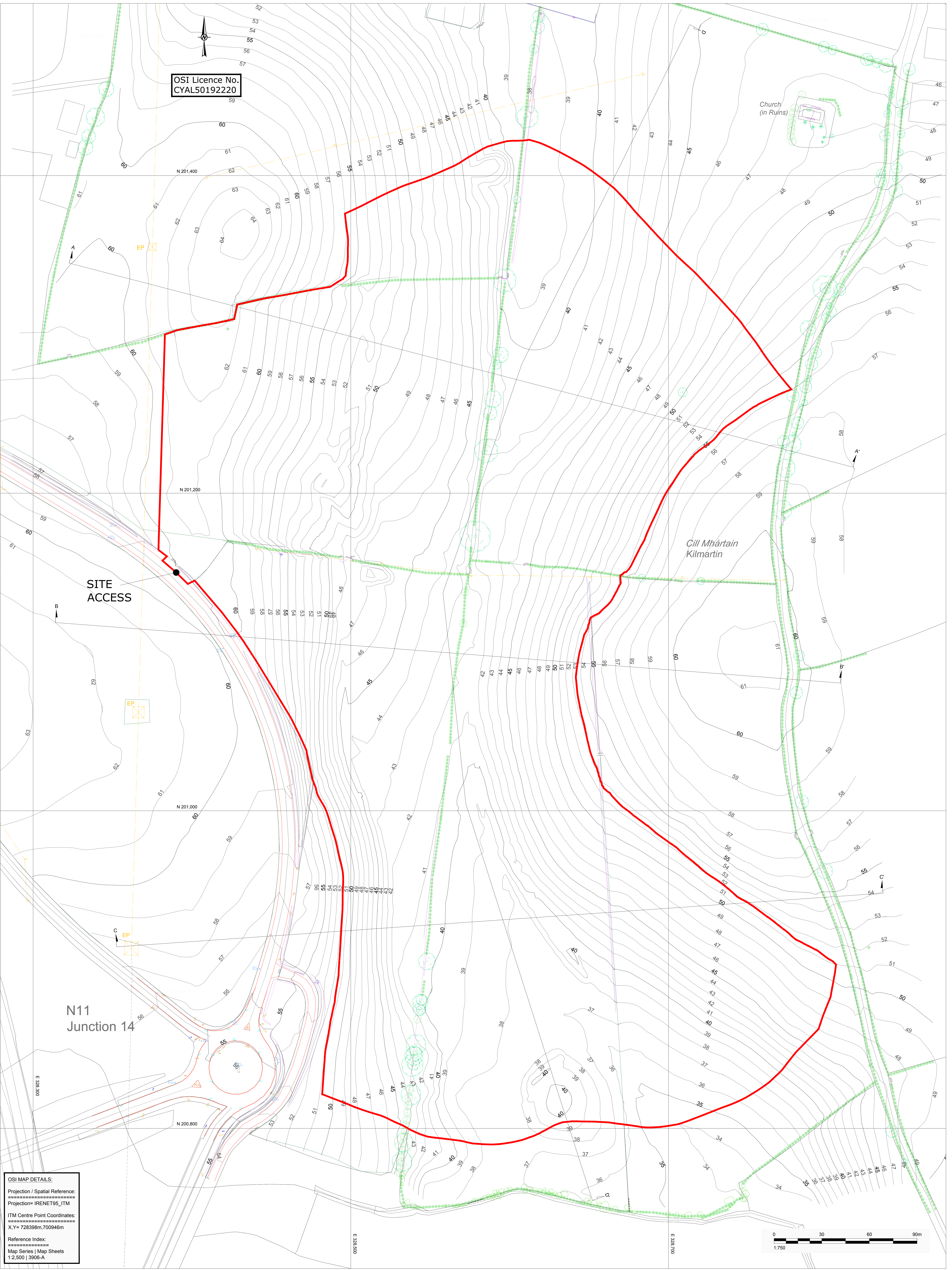
YYYY-MM-DD 2023-Feb-20  
DESIGNED POB  
PREPARED POB  
REVIEWED RT  
APPROVED RT

PROJECT  
SOIL RECOVERY FACILITY  
KILMARTIN, ASHFORD, Co. WICKLOW

TITLE  
EXISTING CONDITIONS

PROJECT NO. 40000103  
DRAWING NO. 02  
REV. A  
SCALE 1:750 A0





OSI Licence No.  
CYAL50192220

SITE ACCESS

Cill Mhártain  
Kilmartin

Church  
(in Ruins)

N11  
Junction 14

OSI MAP DETAILS:  
Projection / Spatial Reference:  
=====

Projection= IRENET95\_ITM

ITM Centre Point Coordinates:  
=====

X,Y= 728398m,700946m

Reference Index:  
=====

Map Series | Map Sheets  
1:2,500 | 3906-A

NOTES:  
GRID REFERENCES ARE IN METRES  
& TO IRISH NATIONAL GRID.  
LEVELS ARE IN METRES  
& TO O.S. DATUM.  
DIMENSIONS ARE IN METRES.

LEGEND:  
— APPLICATION SITE BOUNDARY  
— EXISTING GROUND CONTOUR (mOD)  
— OVERHEAD POWER LINES

CLIENT  
HERBERT STREET FINANCIAL

CONSULTANT



YYYY-MM-DD 2023-Feb-20  
DESIGNED POB  
PREPARED POB  
REVIEWED RT  
APPROVED RT

PROJECT  
SOIL RECOVERY FACILITY  
KILMARTIN, ASHFORD, Co. WICKLOW

TITLE  
EXISTING CONDITIONS

PROJECT NO. 40000103  
DRAWING NO. 02  
REV. A  
SCALE 1:750 A0



E [REDACTED]

**From:** [REDACTED]  
**Sent:** 25 May 2023 12:01  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: KILMARTIN JUNCTION 14 LIMITED: KILMARTIN, CO. WICKLOW STRATEGIC INFRASTRUCTURE DEVELOPMENT APPLICATION TO AN BORD PLEANÁLA - SOIL RECOVERY FACILITY PRE-APPLICATION CONSULTATION WITH [REDACTED]  
**Attachments:** 40000103-CONSULT16.pdf

Dear [REDACTED]

We are writing on behalf of our Client, Kilmartin Junction 14 Limited to advise that they intend to apply for planning permission to develop and operate a Soil Recovery Facility at the Applicant's lands located at Gilmartin, near Coyne's Cross, Co. Wicklow (hereafter referred to as 'the Project' of 'the Development').

The proposed Soil Recovery Facility will facilitate the infilling of a naturally occurring topographic feature (i.e. a steep sided valley) to levels that tie in with ground levels elsewhere on the Site. The fill material will comprise inert surplus soil and stone from construction and development sites in Counties Wicklow, South Dublin, Wexford, Carlow and Kildare. Grassland and hedgerow will be reinstated in phases at the Site in medium-term.

An Bord Pleanála (ABP) has previously determined that the proposed development constitutes Strategic Infrastructure Development and that as such, an application for development consent must be made directly to it rather than to the Local Authority (as required by Section 37E of the Planning and Development Acts, as amended).

ABP have advised that pre-application consultations in respect of the proposed soil recovery facility be held with the [REDACTED] in advance of submitting the planning application for the Project.

To that end, we have provided information in respect of the proposed development in the attached letter. Should you have any views, concerns and/or suggestions in respect of this document development, we would greatly appreciate if you could provide such feedback to us as part of this consultation exercise. All comments and feedback received will be reviewed, and where appropriate, will be addressed in finalising the development proposal and the accompanying Environment Impact Assessment Report and /or Stage 1 Screening for Appropriate Assessment.

Submissions or feedback should be forwarded before Monday 26 June 2023 via post to WSP's Naas office, at the address provided below, or via email to [REDACTED]

Kind regards,



**Ruth Treacy**  
Technical Director  
MSc., CRWM, MCIWM, MIEI  
She/Her



WSP in Ireland  
Town Centre House  
Naas

Co. Kildare W91 TD0P

[wsp.com](http://wsp.com)

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# Appendix 1B

## RECEIVED RESPONSES





An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

☎ 0818 289 389 📧 [landuseplanning@hsa.ie](mailto:landuseplanning@hsa.ie) 🌐 [www.hsa.ie](http://www.hsa.ie)

Ruth Tracey Technical  
Director WSP in Ireland  
Town Centre House, Naas  
Co. Kildare W91 TD0P

Our Ref: 4098

19 June 2022

**Re: KILMARTIN JUNCTION 14 LIMITED: KILMARTIN, CO. WICKLOW STRATEGIC  
INFRASTRUCTURE DEVELOPMENT APPLICATION TO AN BORD PLEANÁLA - SOIL  
RECOVERY FACILITY PRE-APPLICATION CONSULTATION WITH THE HEALTH AND  
SAFETY AUTHORITY, & your email of 25 May 2023**

Dear Ms Tracey,

The Health and Safety Authority (the Authority), acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) gives technical advice to the Planning Authority when requested, under regulation 24(2) in relation to:

- (a) the siting and development of new establishments;
- (b) modifications to establishments of the type described in Regulation 12(1);
- (c) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident.

Since the above-referenced application appears to be outside the scope of the Regulations, the Authority has no observations to forward.

If you have any queries please contact the undersigned.

Yours sincerely

Marcus Phelan  
Inspector,  
COMAH, Chemical Production & Storage (CCPS)





An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

☎ 0818 289 389 ✉ [landuseplanning@hsa.ie](mailto:landuseplanning@hsa.ie) 🌐 [www.hsa.ie](http://www.hsa.ie)



Your Ref: **40000103-CONSULT13**

Our Ref: G Pre00104/2023 (Please quote in all related correspondence)

29 June 2023

WSP Ireland  
Town Centre House  
Naas  
Co. Kildare  
W91 TD0P

Via email: [ruth.treacy@wsp.com](mailto:ruth.treacy@wsp.com) ; [rhian.llewellyn@wsp.com](mailto:rhian.llewellyn@wsp.com)

**Proposed Pre Planning Development: WSP for Kilmartin Junction 14 Limited.,: Pre SID - that they intend to apply for planning permission to develop and operate a Soil Recovery Facility at the Applicant's lands located at Gilmartin, near Coyne's Cross, Co. Wicklow**

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings.

### **Archaeology**

The information provided was not sufficiently detailed to allow for a full assessment of the archaeological implications of this proposal, however the Department wishes to advise that as part of EIA requirements you are obliged to retain the services of a Consultant Archaeologist to carry out the Archaeological Impact Assessment (AIA) as part of the overall Cultural Heritage Impact Assessment (CHIA) of the proposed development, which shall incorporate a detailed desktop study and field inspection. This should be integrated into the finalised EIAR.

The Department further advises that the following are also carried out, as appropriate, as part of an overall CHIA to ensure a comprehensive assessment of the proposed development:

- The desk-study and field inspection regime should inform:
  - Targeted non-intrusive advance geophysical survey or prospection (such as Ground Penetrating Radar Surveys)
  - Targeted advance archaeological test excavation



- Any and all intrusive advance investigations (such as, but not limited to, ground investigations for soils/geology/hydrogeology) carried out as part of the EIA or design process should be subject to a programme of archaeological monitoring by a suitably qualified archaeologist

The results of these investigations should inform the EIA process and be incorporated within the EIA Report. The Department is happy to provide further advice and clarification as and if required in relation to the preparation of suitably comprehensive assessments as outlined above, with particular regard to the scope and locations for any advance non-intrusive prospection or advance test excavation that would be appropriate to inform the assessment of this proposed scheme.

Further to the above, and by way of general archaeological advice, please note that, whilst the proposed development site (PDS) may or may not contain within it known or subsurface Recorded Monuments and/or Archaeological sites that may require assessment as part of the overall CHIA, the PDS itself is located within a wider area of known archaeological settlement and activity—see Record of Monuments and Places and the Historic Environment Viewer (available: [www.archaeology.ie](http://www.archaeology.ie)). All of these Recorded Monuments, both within and outside the PDS, are subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments Act 1930-2014. Therefore the CHIA must include an assessment of the possible effects of the proposal on the wider archaeological landscape. It is of importance that the study area for the CHIA should be of sufficient size and extent to support this.

The Department would draw particular attention to the following National Monuments and sites subject to a Preservation Order that are located in general proximity to the PDS:

- Kilmartin, Church (RMP WI019-018001-; PO 133/1940)

These monuments are subject to statutory protection under Section 14 of the National Monuments (Amendment) Act 1930-2014.

Extensive advance archaeological investigations have been carried out in relation to recent developments in close proximity to the proposed development, notably along the route of the M11 motorway bordering the PDS to the west. The Department advises that these findings must be consulted and given adequate weight in the CHIA to aid in evaluating the likely effects of this proposed development to the archaeological and cultural heritage resource. There is a potential that previously unknown sub-surface archaeological sites or features may be present within the PDS. Advance prospection would be required to establish the extent of such features so that the potential likely impacts of the proposed development could be established.



Notwithstanding the above, the Department awaits the submission of this assessment before commenting further.

### **Nature Conservation**

The Department is not in a position to make specific comment on this particular referral at this time. No inference should be drawn from this that the Department is satisfied or otherwise with the proposed activity.

The Department may submit observations/recommendations at a later stage in the process.

The above observations/recommendations are based on the papers submitted to this Department on a pre-planning basis and are made without prejudice to any observations that the Minister may make in the context of any consultation arising on foot of any development application referred to the Minister, by the planning authority/ies, in the role as statutory consultee under the Planning and Development Act, 2000, as amended.

You are requested to send further communications to the Development Applications Unit (DAU) at [manager.dau@npws.gov.ie](mailto:manager.dau@npws.gov.ie).

Is mise le meas,

A handwritten signature in dark ink, appearing to read 'Diarmuid Buttimer', written over a circular stamp or seal.

**Diarmuid Buttimer**  
**Development Applications Unit**  
**Administration**



Ruth Treacy  
WSP  
Town Centre House  
Naas  
Co. Kildare W91 TD0P

12 June 2023

**Re: Pre-Application Consultation for Soil Recovery Facility, Kilmartin, Co Wicklow**

**Your Ref: 40000103-CONSULT09**

**Our Ref: 23/127**

Dear Ruth,

Geological Survey Ireland is the national earth science agency and is a division of the Department of the Environment, Climate and Communications. We provide independent geological information and gather various data for that purpose. Please see our [website](#) for data availability. We recommend using these various data sets, when conducting the EIAR, SEA, planning and scoping processes. Use of our data or maps should be attributed correctly to 'Geological Survey Ireland'.

The publicly available data referenced/presented here, should in no way be construed as Geological Survey Ireland support for or objection to the proposed development or plan. The data is made freely available to all and can be used as independent scientific data in assessments, plans or policies. It should be noted that in many cases this data is a baseline or starting point for further site-specific assessments.

With reference to your email received on the 25 May 2023, concerning the Pre-Application Consultation for Soil Recovery Facility, Kilmartin, Co Wicklow, Geological Survey Ireland would encourage use of and reference to our datasets. Please find attached a list of our publicly available datasets that may be useful to the environmental assessment and planning process. We recommend that you review this list and refer to any datasets you consider relevant to your assessment. The remainder of this letter and following sections provide more detail on some of these datasets.

**Geoheritage**

A national inventory of geoheritage sites known as County Geological Sites (CGSs) is managed by the Geoheritage Programme of Geological Survey Ireland. CGSs, as adopted under the National Heritage Plan, include sites that are of national importance which have been selected as the very best examples for NHA (Natural Heritage Areas) designation. NHA designation will be completed in partnership with the National Parks and Wildlife Service (NPWS). CGSs are now routinely included in County Development Plans and in the GIS of planning departments, to ensure the recognition and appropriate protection of geological heritage within the planning system. CGSs can be viewed online under the Geological Heritage tab on the online [Map Viewer](#).

The audit for Co. Wicklow was carried out in 2014. The full report details can be found at [here](#). **Our records show that there are no CGSs in the vicinity of the Soil Recovery Facility.**

**Groundwater**

Geological Survey Ireland's [Groundwater and Geothermal Unit](#), provides advice, data and maps relating to groundwater distribution, quality and use, which is especially relevant for safe and secure drinking water supplies and healthy ecosystems.

Proposed developments need to consider any potential impact on specific groundwater abstractions and on groundwater resources in general. We recommend using the groundwater maps on our [Map viewer](#) which should include: wells; drinking water source protection areas; the national map suite - aquifer, groundwater vulnerability, groundwater recharge and subsoil permeability maps. Background information is also provided in the Groundwater Body Descriptions. Please read all disclaimers carefully when using Geological Survey Ireland data.

**The Groundwater Data Viewer indicates an aquifer classed as a 'Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones' underlies the proposed Soil Recovery Facility development.**



**The Groundwater Vulnerability map indicates the range of groundwater vulnerabilities within the area covered is variable. We would therefore recommend use of the Groundwater Viewer to identify areas of High to Extreme Vulnerability and ‘Rock at or near surface’ in your assessments, as any groundwater-surface water interactions that might occur would be greatest in these areas.**

[GWClimate](#) is a groundwater monitoring and modelling project that aims to investigate the impact of climate change on groundwater in Ireland. This is a follow on from a previous project (GWFlood) and the data may be useful in relation to Flood Risk Assessment (FRA) and management plans. Maps and data are available on the [Map viewer](#).

Geological Survey Ireland has completed Groundwater Protection Schemes (GWPSs) in partnership with Local Authorities, and there is now national coverage of GWPS mapping. A Groundwater Protection Scheme provides guidelines for the planning and licensing authorities in carrying out their functions, and a framework to assist in decision-making on the location, nature and control of developments and activities in order to protect groundwater. **The Groundwater Protection Response overview and link to the main reports is here:** <https://www.gsi.ie/en-ie/programmes-and-projects/groundwater/projects/protecting-drinking-water/what-is-drinking-water-protection/county-groundwater-protection-schemes/Pages/default.aspx>

### **Geological Mapping**

Geological Survey Ireland maintains online datasets of bedrock and subsoils geological mapping that are reliable and accessible. We would encourage you to use these data which can be found [here](#), in your future assessments.

**Please note we have recently launched QGIS compatible bedrock (100K) and Quaternary geology map data, with instructional manuals and videos. This makes our data more accessible to general public and external stakeholders. QGIS compatible data can be found in our downloadable bedrock 100k .zip file on the [Data & Maps](#) section of our website.**

### **Geohazards**

Geohazards can cause widespread damage to landscapes, wildlife, human property and human life. In Ireland, landslides, flooding and coastal erosion are the most prevalent of these hazards. We recommend that geohazards be taken into consideration, especially when developing areas where these risks are prevalent, and we encourage the use of our data when doing so.

Geological Survey Ireland has information available on landslides in Ireland via the National Landslide Database and Landslide Susceptibility Map both of which are available for viewing on our dedicated [Map Viewer](#). Associated guidance documentation relating to the National Landslide Susceptibility Map is also available.

Geological Survey Ireland also engaged in a national project on Groundwater Flooding. The data from this project may be useful in relation to Flood Risk Assessment (FRA) and management plans, and is described in more detail under ‘Groundwater’ above.

### **Natural Resources (Minerals/Aggregates)**

Geological Survey Ireland provides data, maps, interpretations and advice on matters related to minerals, their use and their development in our [Minerals section](#) of the website. The Active Quarries, Mineral Localities and the Aggregate Potential maps are available on our [Map Viewer](#).

We would recommend use of the Aggregate Potential Mapping viewer to identify areas of High to Very High source aggregate potential within the area. In keeping with a sustainable approach we would recommend use of our data and mapping viewers to identify and ensure that natural resources used in the proposed developments are sustainably sourced from properly recognised and licensed facilities, and that consideration of future resource sterilization is considered.

### **Geochemistry of soils, surface waters and sediments**

Geological Survey Ireland provides baseline geochemistry data for Ireland as part of the Tellus programme. Baseline geochemistry data can be used to assess the chemical status of soil and water at a regional scale and to support the assessment of existing or potential impacts of human activity on environmental chemical quality. Tellus is a national-scale mapping programme which provides multi-element data for shallow soil, stream sediment and stream water in Ireland.



At present, mapping consists of the border, western and midland regions. Data is available at <https://www.gsi.ie/en-ie/data-and-maps/Pages/Geochemistry.aspx>. This page also hosts Geochemical Mapping of Agricultural and Grazing Land Soil of Europe (GEMAS) and lithogeochemistry (rock geochemistry) from southeast Ireland datasets. Geological Survey Ireland and partners are undertaking applied geochemistry projects to provide data for agriculture ([Terra Soil](#)), **waste soil characterisation ([Geochemically Appropriate Levels for Soil Recovery Facilities](#))** and mineral exploration ([Mineral Prospectivity Mapping](#)).

#### **Guidelines**

The following guidelines may also be of assistance:

- Institute of Geologists of Ireland, 2013. Guidelines for the Preparation of the Soils, Geology and Hydrogeology Chapters of Geology in Environmental Impact Statements.
- [EPA, 2022](#). Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR)

#### **Other Comments**

Should development go ahead, all other factors considered, Geological Survey Ireland would much appreciate a copy of reports detailing any site investigations carried out. The data would be added to Geological Survey Ireland's national database of site investigation boreholes, implemented to provide a better service to the civil engineering sector. Data can be sent to the Geological Mapping Unit, at <mailto:GeologicalMappingInfo@gsi.ie>, 01-678 2795.

I hope that these comments are of assistance, and if we can be of any further help, please do not hesitate to contact me Clare Glanville, or my colleague Trish Smullen at [GSIPlanning@gsi.ie](mailto:GSIPlanning@gsi.ie).

Yours sincerely,

Dr. Clare Glanville  
**Senior Geologist**  
**Geological Survey Ireland**

Trish Smullen  
**Geoheritage and Planning Programme**  
**Geological Survey Ireland**

Enc: Table - Geological Survey Ireland's Publicly Available Datasets Relevant to Planning, EIA and SEA processes.



Ruth Tracey, Technical Director  
WSP  
Town Centre House  
Dublin Road  
Naas  
Co Kildare

By email: [ruth.tracey@WSP.com](mailto:ruth.tracey@WSP.com)

**Data | Date**

07 July 2023

**Ar dTag | Our Ref.**

TII23-123111

**Bhur dTag | Your Ref.**

40000103-CONSULT11

**Re.: Proposed Strategic Infrastructure Development Application Pre-Application Consultation for a Soil Recovery Facility at Kilmartin, Coynes Cross, Newcastle Co. Wicklow on behalf of Kilmartin Junction 14 Limited.**

**Dear Ms. Tracey,**

Transport Infrastructure Ireland (TII) acknowledges receipt by email in May 2023 notice of an upcoming Strategic Infrastructure Development (SID) application to be made for a soil recovery facility over approximately 22.6 hectares (ha.) that is to be accompanied by an Environmental Impact Assessment Report (EIAR) and Stage 1 Screening for Appropriate Assessment (AA). TII notes that pre-application consultation sought is directed by An Bord Pleanála.

The indicated application site is located to the immediate east of N11 Junction 14 (Coynes Cross). The proposed development is stated to have an estimated lifespan of nearly 4 no. years necessitating 100 no. 20 tonne daily loads proposed to utilise the N/M11, up to 150 daily loads “in exceptional circumstances”.

TII wishes to advise that it is not in a position to engage directly with planning applicants in respect to proposed developments. TII will endeavour to consider and respond to planning applications referred to it given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidelines as outlined in the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012). Regard should also be had to other relevant guidance and circulars available at [www.TII.ie](http://www.TII.ie).

Project Ireland 2040, National Development Plan, 2018 – 2027, outlines the investment priority to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users. Government also includes the objective to maintain the strategic capacity and safety of the national roads network, including planning for future capacity enhancements, in National Strategic Outcome 2 of the National Planning Framework. This requirement is further reflected in the existing Statutory Section 28 *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012).

The requirement to protect the capacity, safety and efficiency of the existing national road network is reflected in the *Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy, 2019-2031*. The maintenance and protection of the strategic function of the national road networks and associated junctions are amongst the guiding principles of the transport strategy of the RSES at *Regional Policy Objective* (RPO) 8.1. RPO 8.1 promoting integration of land use and transportation planning includes the Integrated Land Use and

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag [www.tii.ie](http://www.tii.ie).  
TII processes personal data in accordance with its Data Protection Notice available at [www.tii.ie](http://www.tii.ie).



Bonneagar Iompair Éireann  
Ionad Gnó Gheata na Páirce  
Sráid Gheata na Páirce  
Baile Átha Cliath 8  
Éire, D08 DK10



Transport Infrastructure Ireland  
Parkgate Business Centre  
Parkgate Street  
Dublin 8  
Ireland, D08 DK10



[info@tii.ie](mailto:info@tii.ie)



[www.tii.ie](http://www.tii.ie)



+353 (0)1 646 3600



+353 (0)1 646 3601

Transportation Guiding Principle set out at section 5.6; “*The strategic transport function of national roads and associated junctions should be maintained and protected.*” RPO 8.2 promotes the management and enhancement of strategic land transport networks, including by travel demand management.

The national road network caters for Ireland’s inter-urban and inter-regional transport requirements and gives access to regional and international markets through strategic airport and port locations. As part of this network, the M11 is a strategic motorway and the N11 is a highly important national road, both part of the European TEN-T Comprehensive Network. The TEN-T Regulations define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport, co-ordinated to achieve integrated and intermodal long-distance travel routes across Europe.

TII advise that significant improvements to the national road network have been overseen by County Councils as road and planning authorities for their respective areas, in collaboration with TII. Therefore, there is an onus and a policy requirement on road and planning authorities to safeguard the national investment made. A priority of TII is therefore the maintenance of the existing national road network, including junctions, and safeguarding Exchequer investment in national roads to date.

TII’s observations seek to address the safety, capacity and strategic function of the national road network in accordance with TII’s statutory functions and the provisions of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012).

The indicated SID application area does not appear to include lands within Motorway Maintenance and Renewal Contracts (MMaRC) Network Area A. Any works in that area will require compliance with all relevant TII standards as detailed within the TII publications website [www.tiipublications.ie](http://www.tiipublications.ie).

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII’s statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred.

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the national road network. The developer should have regard, *inter alia*, to the following:

- Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes.
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development.
- The developer should have regard to any EIAR/EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts.
- The developer, in preparing EIAR, should have regard to TII Publications (formerly DMRB and the Manual of Contract Documents for Road Works).
- The developer, in preparing EIAR, should have regard to TII’s Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006).
- The EIAR/EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1<sup>st</sup> Rev., National Roads Authority, 2004)).

- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment (TTA) be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads. In relation to national roads, TII's Traffic and Transport Assessment Guidelines (2014) should be referred to in relation to proposed development with potential impacts on the national road network. The scheme promoter is also advised to have regard to Section 2.2 of the NRA/TII TTA Guidelines which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads to facilitate the private development proposed as TII will not be responsible for such costs.
- The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required.
- The developer should assess visual impacts from existing national roads.
- In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network.
- TII recommends that that applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. Where abnormal 'weight' loads are proposed, separate structure approvals/permits and other licences may be required in connection with the proposed haul route and all structures on the haul route through all the relevant County Council administrative areas should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal 'weight' load proposed.

The national road network is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities in association with TII.

The applicant/developer should also consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul route traverses to ascertain any operational requirements such as delivery timetabling, etc., and to ensure that the strategic function of the national road network is safeguarded.

Additionally, any damage caused to the pavement on the existing national road arising from any temporary works due to the turning movement of abnormal 'length' loads (e.g., tearing of the surface course, etc.) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

TII trusts that the foregoing comments are of use in your scoping process.

**Yours sincerely,**




---

**Alban Mills**  
**Senior Regulatory and Administration Executive**



Cúram Sláinte Pobail Thoir

Bóthar Thaobh an Ghleanna,  
Cill Mhantáin A67 HX30.

Community Healthcare East

Glenside Road,  
Wicklow A67 HX30

[www.hse.ie](http://www.hse.ie)  
[@hselive](https://twitter.com/hselive)

0404 63300

**Date:** 26/06/2023

**Our reference:** EHIS

**Report to:** WSP's Nass Office Town Centre House Dublin Road, Nass, Co Kildare  
[Ruth.treacy@WSP.Com](mailto:Ruth.treacy@WSP.Com)

**Type of Consultation:** A pre application scoping request for an SID at Kilmartin, Co. Wicklow

**Proposed development:** Strategic Infrastructure Development (SID) Planning Application at Kilmartin, Co. Wicklow

Dear Sir/ Madam

Details of the application were circulated to the following HSE stakeholders on the 9<sup>th</sup> June 2023.

- Emergency Planning – Brendan Lawlor
- Estates – Helen Maher/Stephen Murphy
- Director of National Health Protection – Eamonn O'Moore
- CHO – Martina Queally

If you have any queries regarding this report please contact, Eugene Monahan Principal Environmental Health Officer in the first instance.

Yours Sincerely

Eugene Monahan  
Principal Environmental Health Officer

## **HSE EIA Scoping Environmental Health Service Submission**

**Report Date:** 26/06/223

**Our reference:** EHIS 3230

**Report to:** WSP's Nass Office Town Centre House Dublin Road, Nass, Co Kildare  
[Ruth.treacy@WSP.Com](mailto:Ruth.treacy@WSP.Com)

**Type of Consultation:** A pre application scoping request for an SID at Kilmartin, Co. Wicklow

**Proposed development:** Strategic Infrastructure Development (SID) Planning Application at Kilmartin, Co. Wicklow

Details of the application were circulated to the following HSE stakeholders on the 9<sup>th</sup> June 2023.

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- Estates – Helen Maher/Stephen Murphy
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- CHO – Martina Queally

## **Proposed Development**

The proposed development includes for the restoration of a deep sided valley by backfilling with clean soils and stones. It includes the associated temporary operational facilities required to enable the soil recovery facility activities.

It is proposed to accept, recover and use inert and clean soil and stone to fill the raise the ground levels in the base of the valley to within ca. 55 m of the crest of the eastern and western sides of the Site.

Permission was previously granted in 2009 for Buchpa Ltd to develop a soil recovery facility on the site. A waste licence was granted in 2010 for infilling and land raising using inert soil and stone. However, the development has not significantly advanced due to economic recession from 2010-2016.

The void space has been estimated at ca. 1,200,000 m<sup>3</sup> and this would represent ca. 2,160,000 tonnes at an estimated rate of 1.8 tonnes per 1m<sup>3</sup> of clays and soils. The facility will accept up to 100 loads per day on average (with up a maximum of up to 150 loads per day in exceptional circumstances). The bulk of the materials are expected to be imported to the site will be sourced in Co. Wicklow, South Dublin and North Wexford.

## **General Introduction**

The following documents should be taken into consideration when preparing the Environmental Impact Assessment Report:

- Guidelines on the information to be contained in EIS (2002), 187kb
- Advice Notes on Current Practice in the preparation of EIS (2003), 435kb
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment

[https://www.housing.gov.ie/sites/default/files/publications/files/guidelines\\_for\\_planning\\_authorities\\_and\\_an\\_bord\\_pleanála\\_on\\_carrying\\_out\\_eia\\_-\\_august\\_2018.pdf](https://www.housing.gov.ie/sites/default/files/publications/files/guidelines_for_planning_authorities_and_an_bord_pleanála_on_carrying_out_eia_-_august_2018.pdf)

EU publication: Environmental Impact Assessment of Projects - Guidance on the preparation of the Environmental Impact Assessment Report, EU, 2017

[http://ec.europa.eu/environment/eia/pdf/EIA\\_guidance\\_EIA\\_report\\_final.pdf](http://ec.europa.eu/environment/eia/pdf/EIA_guidance_EIA_report_final.pdf)

Adoption of the Directive (2014/52/EU) in April 2014 initiated a review of the above guidelines.

The new guidelines can be seen at:

<https://www.epa.ie/news-releases/news-releases-2022/epa-publishes-guidelines-on-the-information-to-be-contained-in-environmental-impact-assessment-reports.php>

**Generally, the Environmental Impact Assessment should examine all likely significant impacts and provide the following information for each:**

- a. Description of the receiving environment
- b. The nature and scale of the impact
- c. An assessment of the significance of the impact
- d. Proposed mitigation measures
- e. Residual impacts

Directive 2014/52/EU has an enhanced requirement to assess likely significant impacts on Population and Human Health. It is the experience of the Environmental Health Service (EHS) that impacts on human health are often inadequately assessed in EIAs in Ireland. It is recommended that the wider determinants of health and wellbeing are considered in a proportionate manner when considering the EIA. Guidance on wider determinants of health can be found at [www.publichealth.ie](http://www.publichealth.ie)

In addition to any likely significant negative impacts from the proposed development, any positive likely significant impacts should also be assessed.

The HSE will consider the **final EIAR accompanying the planning application** and will make comments to the planning authority on the methodology used for assessing the likely significant impacts and the evaluation criteria used in assessing the significance of the impact. This report only comments on Environmental Health Impacts of the proposed development. It is based on an assessment of the correspondence submitted to this office dated 25<sup>th</sup> May 2023.

**The Environmental Health Service (EHS) recommends that the following matters are included and assessed in the EIAR:**

- Public Consultation
- Population and Human Health
- Water (Hydrology and Hydrogeology)
- Land and Soils
- Air, Dust and Odour
- Climate Change and Opportunity for Health Gain
- Noise and Vibration
- Waste Management
- Ancillary Facilities
- Cumulative Impacts

### **Public Consultation**

The applicant should consider the appointment of a community liaison officer. Early and meaningful public consultation with the local community should be carried out to ensure all potentially significant impacts have been adequately addressed. All parties affected by the proposed development, including those who may benefit financially from the project, must be fully informed of what the proposal entails especially with regard to potential impacts on surrounding areas. Sensitive receptors and other stake-holders should be identified to ensure all necessary and appropriate mitigation measures are put in place to avoid any complaints about the proposed wind farm development in the future.

With the lifting of restrictions around public gatherings as a result of Covid 19 prevention measures there should be no barrier to holding public consultation events albeit within current government guidance at the time. Meaningful public consultation, where the local community is fully informed of the proposed development must be undertaken. Members of the public should be given sufficient opportunities to express their views on the proposed development.

The Environmental Impact Assessment Report (EIAR) should clearly demonstrate the link between public consultations and how those consultations have influenced the decision-making process in the EIA. To assist with the consultation and planning process it is recommended that the applicant develops a dedicated website for the proposed



development. All correspondence, maps, project updates and documentation including the EIAR should be uploaded to the website. The EIAR should state the period of planning permission sought, the length of time construction is estimated to take, and if it is anticipated that the renewable energy development will be decommissioned and removed or will continue to operate (following any further planning consent) at the end of this period of planning permission (should permission be granted).

### **Location of the proposed facility**

The EIAR should include a map and a description of the proposed waste recycling facility, which should identify the nearest sensitive receptors and the location of the nearest watercourse.

### **Assessment of Consideration of Alternatives**

The EIAR should consider an assessment of alternatives.

### **Noise & Vibration**

The potential impacts for noise and vibration from the proposed development on all noise sensitive locations must be clearly identified in the EIAR. The EIAR must also consider the appropriateness and effectiveness of all proposed mitigation measures to minimise noise and vibration.

A baseline noise monitoring survey should be undertaken to establish the existing background noise levels.

In addition, an assessment of the predicted noise impacts during the construction phase and the operational phase of the proposed development must be undertaken which details the change in the noise environment resulting from the proposed development.

### **Odour and Air Quality**

Due to the nature of the proposed construction works generation of airborne dust has the potential to have significant impacts on sensitive receptors. A Construction Environmental Management Plan (CEMP) should be included in the EIAR which details dust control and mitigation measures. Measures should include:

- Sweeping of hard road surfaces
- Provision of a water bowser on site, regular spraying of haul roads
- Wheel washing facilities at site exit
- Provide covers to all delivery trucks to minimise dust generation
- Inspect and clean public roads in the vicinity if necessary
- Dust monitoring at the site boundary
- Truck inspection and maintenance plan

### **Potential impacts on surface and ground water quality**

The proposed development has the potential to have a significant impact on the quality of both surface and ground water. All drinking water sources must be identified. Public Water Scheme sources and supplies should be identified. Measures to ensure that all sources and supplies are protected should be described.

Any potential significant impacts to drinking water sources should be assessed and proposed mitigation measures described in the EIAR.

### **Cumulative Impacts**

All existing or proposed industrial and commercial developments in the vicinity should be clearly identified in the EIAR.

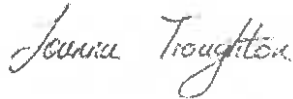
The impact on sensitive receptors of the proposed development combined with any other industrial and commercial developments in the vicinity should be considered. The EIAR should include a detailed assessment of any likely significant cumulative impacts of the proposed waste recycling development

### **Existing Facility**

The EIAR should include the results of any mitigation measures employed in respect of the existing waste recycling facility, including the results of any monitoring undertaken and corrective actions.

### **Ancillary Facilities**

The EIAR should include details of the location of all site office, construction compound, fuel storage depot, sanitary accommodation and canteen, First Aid facilities, disposal of wastewater and the provision of a potable water supply to the site canteen.



Joanna Troughton  
Senior Environmental Health Officer



Arlene Ward  
Environmental Health Officer



Ms. Ruth Treacy  
William.Behan@wsp.com

28 August 2023

Our Ref: CHG-MO-01124-2023

Dear Ms Treacy,

In relation to your email of 25 May 2023, I wish to advise that planning matters in general fall within the remit of the [Department of Housing, Local Government and Heritage \(DHLGH\)](#). Please note that following the coming into force of the [Planning and Development, Heritage and Broadcasting \(Amendment\) Act 2021 \(Act 11 of 2021\)](#) all Heritage functions previously held by the Department of Culture, Heritage and the Gaeltacht are now held by DHLGH. This applies to Section 37E of the Planning and Development Acts referenced, and as such no pre-application consultation with the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media is necessary in this instance.

DHLGH's Development Applications Unit are the relevant unit to contact on this topic, and can be contacted at . I note this Unit has already been copied on your original email. DHLGH's referrals email address may also be of assistance in this instance ([referrals@housing.gov.ie](mailto:referrals@housing.gov.ie)).

#### **Gaeltacht Areas**

It should be noted in that the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media remains a notice party under Regulation 28(1) of the Planning and Development Regulations 2001 in relation to any planning application in an area where the proposed development could – in the view of the local Planning Authority – have a material impact on the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language. Such developments must be brought to the attention of the Department. Relevant documentation in relation to such planning applications should be submitted to [pleanailteanga@tcagsm.gov.ie](mailto:pleanailteanga@tcagsm.gov.ie), however in this specific instance the proposed development does not appear to impact a Gaeltacht region.

Trusting that the above information is of assistance to you.

Yours sincerely,

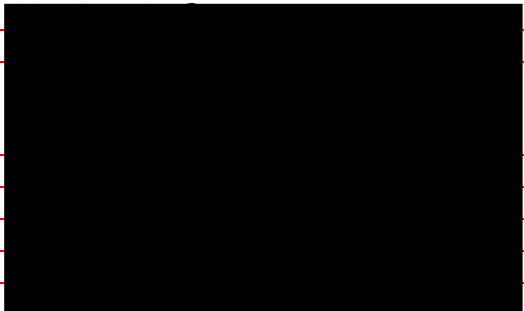
A handwritten signature in black ink, appearing to read 'Helen Francis', is written over a horizontal line.

Helen Francis  
Private Secretary



## Minutes

<b>Job Title</b>	Proposed Kilmartin Soil Recovery Facility Project Pre-Consultation Call		
<b>WSP Project Number</b>	40000103	<b>Date</b>	October 11, 2023
<b>Time</b>	11:30 AM	<b>Venue</b>	MS Teams
<b>Purpose</b>	To discuss the potential impact of the project on the proposed N11/M11 road development		

ATTENDEES			
Name	Company	Phone	Email
Rhian Llewellyn (RLI)	WSP	-	
William Behan (WB)	WSP	-	
Brendan Doyle (BD)	Wicklow County Council (WCC), N11/M11 Project Liaison Officer	-	
John Bowes (JB)	WCC	-	
Declan O'Brien (DOB)	WCC	-	
Elizabeth Lawless (EL)	Kildare NRA	-	
Antonis Papdakis (AP)	PMCE	-	
Alan O'Reilly (AOR)	PMCE	-	

COPIES TO			
Name	Company	Phone	Email
All attendees	-	-	-

## ITEM

<b>1.0 INTRODUCTION</b>
All attendees introduced themselves.
<b>2.0 OVERVIEW OF KILMARTIN PROJECT</b>
<p>In response to pre-consultation, TII advised a meeting with the attendees to understand if the Proposed Kilmartin Soil Recovery Facility Project ('Kilmartin Project') may have any potential for significant impacts to national roads, noting the N11/M11 Junction 4 to Junction 14 Improvement Scheme (known as the N11/M11 Scheme) is located within the vicinity of the Kilmartin Project site.</p> <p>WSP advised that they issued pre-consultation materials to TII and WCC in May 2023 to seek their comments/observation on the project. However, not everyone on the call from WCC had had sight of this document and this call was their first introduction to the proposed Kilmartin Project.</p> <p>WSP provided a high level overview of the Kilmartin Project noting that the proposed project operation phase was up to 10 years with the applicant seeking (in rare instances) a maximum of up to 150 deliveries per day of inert soil and stone. HGV volumes and routes to site were discussed.</p> <p>DOB asked to confirm what type of material coming to site and it was confirmed to be inert soils and stone by WSP.</p>

## AGENDA

DOB asked to confirm if the working hours for 5.5 days were used in the traffic assessment calculations and WSP confirmed that was correct.

### 3.0 STATUS OF THE N11/M11 SCHEME AND TIMELINE FOR DEVELOPMENT

Phase 2 (option selection) for the N11/M11 Scheme has been completed and the project team are seeking funding to progress the scheme in the next phase of the National Development Plan (2026-2030). WCC flagged that there is significant need for the scheme and funding will be sought at the earliest opportunity. However, it is unlikely that significant advances to the project will be made within the next 4 years. Phases 3 (Design and Environmental Evaluation) and 4 (Statutory Processes) need to be completed in the next project stages, should funding be received.

EL advised that there are two schemes; (1) N11/M11 Bus Priority Interim Scheme that was proceeding between Loughlinstown Roundabout to Junction 5 and Junction 9 (Glenview) and the (2) N11/M11 road improvement scheme between Junction 4 to Junction 14.

### 4.0 POTENTIAL FOR CUMULATIVE IMPACTS BETWEEN THE TWO PROJECTS

BD noted that considering the location of the Kilmartin project, it is unlikely that the N11/M11 project will spatially intersect. BD will provide the project spatial boundary location files to WSP so they might confirm this.

BD noted that in the medium-term (ca. 4 years), the Kilmartin and N11/M11 projects will not temporally intersect but the long-term future temporal overlap is uncertain.

### 5.0 ANY OTHER BUSINESS/CLOSING REMARKS

#### **AOB 1: Dust**

Based on experiences with a separate project on the N81 where dust on HGVs has mixed with water to create mud on roads, JB noted that there may be the potential for a similar impact to occur for the proposed Kilmartin Project due to the potential number of deliveries. JB flagged that the project should ensure that this potential impact was considered for Kilmartin and that measures were put in place to avoid impacts to local roads/N11/M11. He recommended a full truck wash be considered, noting a wheel wash would not be sufficient to manage the potential impact from dust on HGVs.

DOB expressed his main concern regarding the condition of road and material on the road.

WSP confirmed the potential impact will be assessed and suitable mitigation will be put in place, as required.

#### **AOB 2: TTA Assessment**

DOB requested that the calculations are clearly provided for the traffic and transport assessment. A detailed traffic schedule must be included and breakdown of modelling track TTA report.

PMCE confirmed calculations will be provided in the application and gave details on their approach adopted for the traffic assessment.

#### **AOB 3: HGVs**

DOB asked if there was sufficient space for HGVs to pass on the ca 325 m section of road between the proposed site entrance and the roundabout at the Cullenmore interchange. PMCE confirmed that from their visual assessment of the local roads and site that they felt there was sufficient space for HGVs to pass without tracking over verges.

#### **Closing remarks:**

EL asked the next step. WSP confirm that the consultation will be documented in the pre-consultation report accompanying the SID application. This will set out how individual items raised have been addressed in the application.

---

**From:** Murphy, Damien (ESB Networks) [REDACTED]  
**Sent:** 29 May 2023 12:42  
**To:** Behan, William  
**Subject:** RE: KILMARTIN JUNCTION 14 LIMITED: KILMARTIN, CO. WICKLOW STRATEGIC INFRASTRUCTURE DEVELOPMENT APPLICATION TO AN BORD PLEANÁLA - SOIL RECOVERY FACILITY PRE-APPLICATION CONSULTATION WITH THE ESB

**Categories:** Kilmartin

Hi William,

I had a chat with the Engineering Officer who looks after that area and he has advised me that ESB will only look at the works involved here once planning permission has been granted for the project.

Then the customer can submit an application to get an existing pole or line moved on the link below.

<https://www.esbnetworks.ie/existing-connections/alterations-and-meter-work/relocate-a-pole-or-line>

Please note that an Ordnance Survey Map is required showing exact location.

Please let me know if you need anything else.

Regards

Damien.

---

**From:** Behan, William <William.Behan@wsp.com>  
**Sent:** Thursday 25 May 2023 12:02  
**To:** Murphy, Damien (ESB Networks) [REDACTED]  
**Cc:** Llewellyn, Rhian <rhian.llewellyn@wsp.com>; Treacy, Ruth <ruth.treacy@wsp.com>  
**Subject:** RE: KILMARTIN JUNCTION 14 LIMITED: KILMARTIN, CO. WICKLOW STRATEGIC INFRASTRUCTURE DEVELOPMENT APPLICATION TO AN BORD PLEANÁLA - SOIL RECOVERY FACILITY PRE-APPLICATION CONSULTATION WITH THE ESB

**CAUTION:** This message is from an EXTERNAL SENDER - be CAUTIOUS, Do NOT Click any links or Open any attachments if you were not expecting them.

Dear Damien Murphy,

We are writing on behalf of our Client, Kilmartin Junction 14 Limited, to advise that they intend to apply for planning permission to develop and operate a Soil Recovery Facility at the Applicant's lands located at Gilmartin, near Coynes Cross, Co. Wicklow (hereafter referred to as 'the Project' or 'the Development').

The proposed Soil Recovery Facility will facilitate the infilling of a naturally occurring topographic feature (i.e. a steep sided valley) to levels that tie in with ground levels elsewhere on the Site. The fill material will comprise inert surplus soil and stone from construction and development sites in Counties Wicklow, South Dublin, Wexford, Carlow and Kildare. Grassland and hedgerow will be reinstated in phases at the Site in the medium-term.

We note that there is existing ESB infrastructure (poles and powerlines) located within the project footprint, which will require temporary relocation during the operational phase of the Soil Recovery Facility to allow for the deposition of inert soil and stone within the void space. The Applicant will seek the necessary permissions from ESB through the appropriate channels and process.

To that end, we have provided information in respect of the Project in the attached letter. Should you have any views, concerns and/or suggestions in respect of the Project, we would greatly appreciate it if you could provide such feedback to us as part of this consultation exercise. All comments and feedback received will be reviewed, and where appropriate, addressed in finalising the development proposal and the accompanying Environment Impact Assessment Report and /or Stage 1 Screening for Appropriate Assessment.

Submissions or feedback should be forwarded before Monday 26 June 2023 via post to WSP's Naas office, at the address provided below, or via email to [ruth.treacy@WSP.com](mailto:ruth.treacy@WSP.com)

Kind regards,



**Ruth Treacy**

Technical Director

MSc., CRWM, MCIWM, MIEI

She/Her



WSP in Ireland  
Town Centre House  
Naas  
Co. Kildare W91 TD0P

[wsp.com](http://wsp.com)

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An timpeallacht? - Smaoinigh air sula bpriontáileann tú an r-phost seo.  
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\* \* \* \* \*

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Town Centre House  
Dublin Road  
Naas  
Co Kildare

**wsp.com**

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