

PLANNING STATEMENT

**Inert Landfill and Construction and Demolition (C&D)
Waste Recovery Facility**

Ballinclare Quarry, Kilbride, Co. Wicklow

Prepared for: Kilsaran Concrete Unlimited Company

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SLR



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1.0 INTRODUCTION

1.1 Overview

This planning report has been prepared by SLR Consulting Ireland on behalf of Kilsaran Concrete Unlimited Company (hereinafter ‘Kilsaran’) in relation to a planning application to An Bord Pleanála (hereinafter ‘the Board’) for Strategic Infrastructure Development (SID), pursuant to Section 37E of the Planning and Development Act 2000 (as amended).

The proposed development comprises an integrated inert waste management facility comprising establishment and operation of an inert (lined) landfill, separate construction and demolition (C&D) waste recovery facility and a soil washing plant located at Ballinclare Quarry, near Kilbride, Co. Wicklow. The inert landfill element of the proposed development will provide for the progressive backfilling and restoration of the existing quarry void which was previously approved under *Refs. 93/369, 95/2380, 07/45, 14/2118* and *QY/4*.

It is proposed to backfill the existing quarry void at the application site to original / surrounding ground level by importing and landfilling inert soil and stone waste and in so doing re-establish the landform which existed prior to quarrying. The imported soil and stone waste will principally comprise excess excavated materials generated by construction projects across Counties Wicklow, Dublin and Wexford.

As part of the proposed development, suitable uncontaminated, undisturbed, natural soil waste and/or soil by-product (i.e. non-waste) which conforms to an engineering specification will be imported for re-use in the construction of the basal and side clay liners required for the inert landfill.

Some uncontaminated topsoil waste and/or topsoil by-product will also be imported for use in the final restoration of the backfilled landform. Topsoil will be temporarily stockpiled at the landfill facility as required, pending its re-use as cover material.

As the inert soil and stone to be imported and used for quarry landfilling and restoration purposes is classified as waste, the size and scale of the proposed activity is such that it will also require a waste licence from the Environmental Protection Agency (EPA). The proposed landfilling activity is technically classed by national and European waste management legislation as ‘*deposit onto land*’ and the associated clay lined facility lined development as a ‘*specialty engineered landfill*’ (which involves placement of materials into lined cells which are isolated from each other and from the environment).

The proposed development also provides for the establishment and operation of a construction and demolition (C&D) waste recovery facility across the footprint of the existing paved concrete blockyard at the quarry. The principal wastes to be recycled at this facility will include concrete (ready-mixed, reinforced, blocks and/or pavement slabs), bricks and bituminous mixtures (hardened asphalt returns and road planings).

The size and scale of the proposed C&D waste recovery activities are also such as to require an EPA waste licence. The C&D waste recovery activities are technically classified as ‘*recycling and reclamation of other inorganic materials which includesrecycling of inorganic construction materials*’.

1.2 The Applicant

Kilsaran was founded in 1964 and is a wholly Irish-owned company, whose principal business is the production of materials for the construction industry. The company manufactures paving and walling, pre-mixed dry products, ready-mix concrete, concrete blocks, pre-cast concrete, trowel-ready mortar, aggregates, asphalt and macadam, hard core and fill materials for the Irish and UK markets. It also undertakes surfacing contracts for road construction, building and civil engineering works.

In recent years Kilsaran has focused on a substantial expansion programme to its Paving and Walling division and Pre-mixed Dry Products facilities. The company has also expanded into the UK market with a Supply and Distribution depot added in Manchester to serve the North West of England and the wider UK market.

The company employs over 600 people directly. It operates twelve hard rock quarries and a similar number of sand and gravel pits. Kilsaran manufactures concrete construction products at 20 locations, principally in the east, midlands and south of the country. The company also has three asphalt plants located strategically at quarry sites throughout its operational area.

Although Kilsaran's principal business interest is in mineral extraction and manufacture of building materials and products, in recent years, it has made beneficial use of excess soil and stone waste generated by construction and development activity to backfill and restore a number of its larger worked-out pits and quarries under the EPA waste licencing regime. The company has recently commenced backfilling and restoration of a small number of quarries using imported inert soil waste and has also established a number of construction and demolition (C&D) waste recycling facilities, principally to manage concrete wastes, under the Local Authority waste facility permitting regime.

At the present time, Kilsaran operates an EPA licensed inert soil recovery facility at Kilmessan in Co. Meath (Waste Licence Ref. No W0296-01). The company has also recently commenced operations at another recovery facility, at a former sand and gravel pit at Halverstown in Co. Kildare (Waste Licence Ref. No. W0300-01). The Contents of the Planning Application:

This planning application comprises the following elements:

- Completed Planning Application Form;
- Site Notice and Public (Newspaper) Notice;
- Application Fee
- Drawings / Plans (10 No. copies) - refer to Drawing Schedule;
- Planning Report (3 No. print (hard) copies and 7 No. electronic (soft) copies);
- Consultation Report (3 No. print copies and 7 No. electronic copies);
- Natura Impact Statement (3 No. print copies and 7 No. electronic copies);
- Environmental Impact Assessment Report (3 No. print copies and 7 No. electronic copies);
- A copy of the email confirming receipt of application details by the DHPLG EIA Portal.

2.0 BACKGROUND TO APPLICATION

2.1 Site Location and Context

The application site comprises a former rock quarry and tied manufacturing facilities at Ballinclare Quarry in Co. Wicklow, approximately 2.5km to the north-west of the small settlement of Kilbride and 2.5km south of the village of Glenealy. The site location is indicated in Figure 1.

The overall Kilsaran land ownership area at Ballinclare Quarry extends to approximately 36 ha (89 acres), while the prospective planning application site covers approximately 32.5ha (78.3 acres). The Applicant's landholding is shown edged blue in Figure 1, while the extent of the application area is shown edged red on the same figure.

For the avoidance of doubt, any reference within this Planning Statement to 'site' or 'application site' should be taken construed to refer to the application area shown in Figure 1, while the wider landholding (within the blue line boundary) is identified as 'the overall site' or 'Ballinclare Quarry'.

The application site straddles two townlands, Ballinclare and Carrigmore, and extends across all of the former quarry footprint and includes the former concrete / asphalt production area, a recently constructed paved concrete block yard, established site buildings and infrastructure and a network of settling ponds in the north-western corner. It excludes a compound / yard area leased to Wicklow County Council in the north-western corner of the landholding, identified as its Carrigmore Depot. The existing site layout is shown on a site survey / contour plan in Figure 2.

2.2 Site Description and Land Ownership

The existing quarry development at Ballinclare extends across approximately 24 hectares (c. 59.3 acres), of which the existing quarry extraction area extends to c.9.3 hectares (c. 22.9 acres). Ground levels in the vicinity of the quarry vary between 55mOD to 60mOD along the southern site boundary, close to the L1157 Local Road and rise to 90mOD at the highest point along the northern boundary where the main quarry face cuts into a rock slope which rises northwards. Typical levels along the northern quarry boundary range from 50mOD to 70mOD.

Extraction across the quarry generally extended to a floor level of approximately 37mOD. At the time extraction activity was suspended in 2016, the two existing quarry benches were being extended westwards. As a result, the quarry floor is locally higher at the western end, where the first bench has only been developed to a level of approximately 52mOD. The quarry floor is also locally deeper in the central eastern area of the quarry area and extends to approximately 22mOD where a third bench had been commenced. As a low point, this area effectively acts as the quarry sump at the current time.

The quarry is accessed via a 120m long surfaced entrance road leading off an existing junction with the L1157 Local Road. The former readymix concrete batching plant and asphalt plant were located to the south-east of the quarry holding, east of the access road, in an area where rock was previously excavated to a relatively shallow depth (of between 5m and 10m).

Established ancillary facilities at the quarry include the main site office, a weighbridge and adjoining weighbridge office, staff canteen and toilets, a wastewater treatment system, a wheelwash, a bunded fuel storage area, a garage / workshop and a laboratory. It is proposed to retain all hardstanding areas and site infrastructure for the duration of the on-site landfilling and waste recovery activities.

A concrete block yard which was built on foot of the recent (2016) planning permission is located to the west of the site access road, as are a number of former farm buildings and the former storage yard. The farm buildings comprise a stone barn and two concrete walled barns, all with corrugated tin roofs. A more modern brick-built two-storey building is also present in this area.

2.3 Site Access

Traffic travelling to the application site principally travels to Junction 18 of the M11 Motorway between Dublin and Wexford (beside the Beehive Inn) and travels south-west from there for approximately 3.8km along the L1113 Local Road to Ballinclare Quarry. Traffic turns left (and east) at a T-junction and travels for a further 0.6km along the L1157 local road to the entrance to Ballinclare Quarry.

Alternatively traffic travelling along the R772 Regional Road (the former N11 National Primary Road) can turn off at the Tap Café / Restaurant at Kilbride and travel north-westwards for approximately 2km along the L1157 local road to the entrance to Ballinclare Quarry.

Under the current planning permission for rock quarrying (Planning Ref. 14/2118), HGV's travelling to and from Ballinclare Quarry are directed to use a dedicated one-way haul route. HGV's approaching the quarry from M11 Junction 18 (at the Beehive Inn) travel along the L1113 Local Road, then turn left onto the L1157 Local Road and to the junction with the existing quarry access road. Traffic departing the quarry turns left and travels along the L1157, up to its junction with the R772 Regional Road, and from there proceeds north (or south) to access the M11 Motorway and the National Road network.

As part of the pre-application consultations undertaken with Wicklow County Council (in accordance with the Board direction issued on foot of the Section 37B referral), a walkover survey of the existing local road network around the application site was undertaken and an assessment made of aspects such as road geometry, structural integrity, traffic flows and travel speeds.

Based on these assessments and having regard to local traffic flow characteristics and the changes arising after the M11 motorway opened in 2015, Wicklow County Council advised that it would be preferable to revise the existing long established haul route to the quarry / application site so that HGVs would avoid the L1113 Local Road and would instead travel the shorter distance to and from the R772 Regional Road, in both directions along the L1157 Local Road.

In light of this feedback, this application proposes to route all HGV traffic to and from the proposed integrated inert waste management facility at Ballinclare Quarry along the L1157 Local Road. It has also made provision for a comprehensive road improvement scheme along the length of the L1157 leading up to the application site, including road widening to 6.0m over most of the route length, with road strengthening and repair overlay and road markings. Further details in respect of consultations with the Roads Authority and the proposed road upgrade works to be undertaken in advance of soil / C&D waste intake to the proposed facility, are provided in Chapter 14 (Traffic) of this EIAR.

Under the current proposal, the majority (>95%) of the HGVs travelling to the proposed inert waste management facility from Dublin and North Wicklow will use the M11 Motorway, exiting at Junction 18 and joining the R772 southbound. After travelling south for approximately 4km, traffic heading for the waste facility will turn right from the R772 and onto the L1157 at the ghost island junction near the Tap Restaurant at Kilbride. The access junction to the existing quarry / application site is located along the L1157, approximately 2km north-west of the R772 junction.

It is estimated that less than 5% of HGV traffic will arrive from the direction of Arklow and North Wexford. This traffic will use the M11 Motorway, exiting at Junction 19 to turn onto the R772 Regional Road at Jack Whites Pub. It will then travel north for approximately 5km and turn left, off the R772, and onto the L1157 and continue up to the application site.

Under the proposed revised haul route, all HGV traffic departing the site is required to turn left and follow the upgraded L1157 back to the R772, and from there return to the motorway / national road network.

2.4 Current Land Use

There has been little activity at the application site following suspension of quarrying activities in 2016 following the discovery of small quantities of naturally occurring asbestos (NOA) in the diorite bedrock being quarried at the time.

When it was operating, the quarry at Ballinclare was effectively worked dry, with very little inflow of groundwater recorded into the quarry void. A sump located at the lowest point on the quarry floor collected any surface water run-off as well as any minor inflows of groundwater from the quarry faces. Water collecting in the sump was periodically pumped to water storage tanks for re-use in concrete production on-site or for dust suppression.

Surplus water was pumped off-site via a series of settlement ponds to a drainage channel leading to the Ballinclare Stream immediately beyond the north-western site boundary. Approximately 400m north and downstream of the discharge point, the Ballinclare Stream flows into the Potters River.

Since extraction and production activities ceased in 2016, the floor of the quarry has been flooded with surface water run-off and groundwater ingress. The volume of water in the quarry void at the present time is estimated to be of the order of 270,000m³.

2.5 Surrounding Land Use

The area surrounding the application site at Ballinclare Quarry is typically rural in character and dominated by forestry and undulating agricultural land. Ground level in the vicinity of the application site generally lies between 60mOD and 70mOD. Ground levels rise in a south-westerly direction to c.270mOD at Westaston Hill (approximately 2km SW) and in a northerly direction to 217mOD at Ballincooley Hill (approximately 1.75km N).

Potters River flows approximately 450m beyond the northern boundary of the application site and then turns south-eastwards and flows approximately 250m to the east of the landholding. Thereafter it continues south-eastward and eventually discharges to the sea at Brittas Bay.

Residential property in the vicinity of the application site generally comprises farmsteads and isolated / one off houses along the local road network. The nearest dwellings to the landholding boundary are those located to the south, west and north of the site, along the local county road network.

There is another quarry located in Kilmacurra West, on the opposite side of the L1157 Local Road. It is understood that this quarry is not currently active. The principal tourism / amenity facility in the vicinity of the quarry is the Kilmacurragh Botanic Gardens, an outpost of the National Botanic Garden in Glasnevin, Dublin, which is located just under 1km to the south-west of the site.

Details of natural features, established land-use and development surrounding the application site at Ballinclare Quarry are shown on Figure 3.

2.6 Planning History

It is unclear when extraction activities first commenced at the application site, however it is known that the use pre-dated 1964. As was required under Section 261 of the Planning and Development Act of 2000, Ballinclare Quarry was registered by SM Morris with Wicklow County Council (WCC) on the 4th March 2005 (Quarry Ref. QY/4). Table 1 below provides an overview of the planning history of Ballinclare Quarry.

Table 1
Planning History Overview

| Reg. Ref. | Development Description | Decision Type | Decision Date |
|------------|---|---------------|---|
| QY/4 | S. 261 Quarry Registration | Registration | 2007 |
| S261A/QY/4 | S. 261A Quarry Review - WCC requested a planning application and EIAR to regularise all elements of the Quarry | Review | 2006 |
| 07/45 | Retention of existing stone quarry (13.414 hectares) including extraction areas, processing areas, stockpiling areas, stone crushing and screening plant, and; <ul style="list-style-type: none"> • Concrete products manufacturing plant; • Macadam and asphalt manufacturing plant; • Waste recovery facility (as per Waste Permit ESS/15/8/12); • Carparking areas; • Ancillary buildings including offices, toilets, laboratory, maintenance workshop, control towers and cabins, aggregate screening and aggregate storage buildings, electricity substations and ancillary buildings (total 2,088.28 sq. metres); • Septic tanks, • weighbridge, • truck wheelwash bay, • floodlighting, • oil and fuel storage tanks and water storage tanks. • Proposed increase of stone extraction depth below the level of existing quarry floor to a level of 25.00 metres above sea level within existing quarry (6.634 hectares), and; • Proposed extension of existing quarry towards the west (10.605 hectares) to a level of 25.00 metres above sea level. | Granted | November 2007, subject to 21 conditions |
| 14/2118 | Permission for continued use of the permitted development under <i>Ref. 07/45</i> for 25 years; <ul style="list-style-type: none"> • Extension to the quarry floor level of +1mOD over an extraction area of 16.5 hectares; • Permission for a concrete block manufacturing plant and concrete block manufacturing yard; Aggregate washing plant; • Replacement of existing septic tank; Increase in product output from 70 to 150 loads per day; • All associated site works. | Granted | 8/2/2016, subject to 23 conditions |

2.6.1 Section 261 Quarry Registration (Quarry Ref. QY/4)

SM Morris Ltd. registered the quarry at Ballinclare with Wicklow County Council in accordance with the requirements of Section 261 of the Planning & Development Act, 2000 (Quarry Ref. QY/4) on the 4th March 2005. The area registered at the time was approximately 13.4 hectares / 33.1 acres.

The planning authority registered the quarry and in accordance with Section 261 (7) of the Planning and Development Act 2000 directed that “a planning application and an environmental impact statement in respect of the quarry within 6 months of the date of service of this notice, or such other period as may be agreed with the Planning Authority” as the extracted area was greater than 5 hectares and operations on site commenced prior to 1st October 1964 and therefore would be likely to have significant effects on the environment.

This direction ultimately begat planning application 07/45 referenced in Table 1 above.

2.6.2 Section 261A Determination (Quarry Ref. S261A/QY/4)

Following a European Court Judgement against Ireland in 2008, which identified shortcomings in the State’s transposition of the EU Environmental Impact Assessment (EIA) and Habitats Directives into Irish law, amending legislation (‘Section 261A’) was introduced via the Planning and Development (Amendment) Act of 2010 to ensure that the regulation and control of quarries had due regard to the requirements of the two Directives.

A review of the planning status of Ballinclare Quarry was undertaken by Wicklow County Council in 2012, in accordance with the requirements of Section 261A. The Council determined in August 2012 that the quarry at Ballinclare and Carrigmore, Kilbride, Co. Wicklow (S261A/QY4) was in compliance with the two Directives and that no further regulatory controls were required at the quarry.

2.6.3 Planning History

In addition to the Section 261/ Section 261A processes listed above, there have been a number of planning applications made in respect of the application site. The following is a list of previously approved development at the site.

Planning Permission (Ref. 93/369)

Within the quarry area, permission for a macadam / asphalt plant was granted in January 1994 under WCC Ref. 93/369 and An Bord Pleanála Ref. PL 27.092182, subject to 10 No. conditions. This permission in relation to the macadam / asphalt plant was superseded by permission Ref. 07/45.

Planning Permission (Ref. 95/2380)

Located within the quarry area, permission for a concrete production manufacturing (readymix) plant was granted in February 1997 under WCC Ref. 95/2380 and An Bord Pleanála Ref. PL 27.099861, subject to 13 No conditions. This permission in relation to the concrete manufacturing plant was superseded by permission Ref. 07/45.

Planning Permission (Ref. 07/45)

On foot of the Section 261 direction by Wicklow County Council of requesting the submission of a planning application and an environmental impact statement (EIS), an application for continued operation of the existing quarry and for further development thereof was submitted to Wicklow County Council on 12th January 2007.

S.M. Morris, the quarry operator at the time, had identified additional stone reserves outside the Section 261 registered area and the planning application provided for extension of the quarry into these lands to the west.

The full details of the planning permission applied for was:

- Retention of existing stone quarry (13.414 hectares) including extraction areas, processing areas, stockpiling areas, stone crushing and screening plant, and;
 - Concrete products manufacturing plant;
 - Macadam and asphalt manufacturing plant;
 - Waste recovery facility (as per Waste Permit ESS/15/8/12);
 - Carparking areas;
 - Ancillary buildings including offices, toilets, laboratory, maintenance workshop, control towers and cabins, aggregate screening and aggregate storage buildings, electricity substations and ancillary buildings (total 2,088.28 sq. metres);
 - Septic tanks, weighbridge, truck wheelwash bay, floodlighting, oil and fuel storage tanks and water storage tanks.
- Proposed increase of stone extraction depth below the level of existing quarry floor to a level of 25.00 metres above sea level within existing quarry (6.634 hectares), and;
- Proposed extension of existing quarry towards the west (10.605 hectares) to a level of 25.00 metres above sea level.

Wicklow County Council granted permission for the development on the 4th December 2007 subject to 39 conditions for a 20 year period, expiring on 3rd December 2027.

Planning Permission (*Ref. 14/2118*)

Following its acquisition of the quarry, the above planning permission was lodged by Kilsaran on the 4th December 2014. The development on an application site of 36 hectares, sought a 25 year permission comprising:

- Continued use of the permitted development under *Ref. 07/45* for 25 years.
- Extension to the quarry floor level of +1mOD over an extraction area of 16.5 hectares.
- Permission for a concrete block manufacturing plant and concrete block manufacturing yard
- Aggregate washing plant.
- Replacement of existing septic tank.
- Increase in product output from 70 to 150 loads per day.
- All associated site works.

This application was submitted with an EIS and NIS Screening Report at the request of Wicklow County Council and was granted on 8th February 2016 subject to 23 Conditions.

2.7 Planning Consultation

Following the quarry closure in 2016, SLR Consulting Ireland was appointed by Kilsaran to examine the feasibility of a range of backfilling and restoration options at the quarry, having regard to the availability of materials, available intake capacity at other waste facilities, market entry and establishment costs and potential water treatment costs.

Arising out of this review, Kilsaran elected to backfill and restore the quarry as an inert waste landfill with the installation of a clay lining system at its base and sides in order to protect groundwater in the surrounding aquifer. On completion of backfilling to former / surrounding ground levels, the resultant landform will be restored to long-term grassland / scrub habitat, similar to that which existed prior to quarrying.

An initial pre-planning consultation meeting was held between officials of Wicklow County Council and representatives of Kilsaran Concrete and SLR Consulting Ireland on 7th February 2019 at the offices of Wicklow County Council in Wicklow Town. Staff from the roads, water and environment services departments of Wicklow County Council were also in attendance.

On 21st June 2019, Kilsaran submitted a request to An Bord Pleanála (ABP, or ‘the Board’) under Section 37B of the Planning and Development Act 2000, as amended, to enter into pre-application discussions with respect to the proposed inert landfill and C&D waste management activities at Ballinclare Quarry, specifically to establish whether or not the proposed waste facility should be classified as Strategic Infrastructure Development (SID) under the Planning and Development Act of 2000 (as amended).

The Board’s representatives met with the Kilsaran on 13th November 2019, and a formal request was made to close the pre-application consultation process by letter on 20th December 2019.

Having reviewed the matter, the Board concluded that the proposed development satisfied the statutory criteria for designation as Strategic Infrastructure and, as such, issued a direction to Kilsaran that a planning application should be submitted directly to it (the Board) for consideration.

In arriving at its decision to classify the proposed development at Ballinclare Quarry as strategic infrastructure, the Board had regard to

- (i) the size and scale of the proposed inert landfill and C&D waste recovery facility;
- (ii) the fact that it would meet a previously identified need for additional waste management capacity for management of inert soil and stone waste within the Eastern / Midland waste region; and
- (iii) support the attainment of national and regional planning objectives to increase the recycling of construction and demolition waste and in so doing, build a circular economy and promote the long-term sustainable use of resources.

Attached to the Board’s decision was a list of prescribed bodies to be notified of the intended application and consulted in advance of its submitting to the Board. The bodies list by the Board are set out in Table 2 below.

Table 2
Prescribed Bodies Listed by the Board

| Prescribed Bodies | |
|---|---|
| Wicklow County Council | Minister of Culture, Heritage and the Gaeltacht |
| Minister for Communications, Marine and Natural Resources | Geological Survey of Ireland |
| Inland Fisheries Ireland | Environmental Protection Agency |
| Bord Fáilte | An Taisce |
| Health Service Executive | Transport Infrastructure Ireland |
| Health and Safety Authority | Eastern-Midlands Waste Regional Authority |
| Irish Water | |

It is recognised that early consultation can help in the identification of potentially significant development issues and allows these issues to be considered at the earliest possible opportunity. This then provides the best opportunity for considering design alternatives (where available) and for implementing measures to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the surrounding environment (including a Natura 2000 site).

In addition to consultation with prescribed bodies therefore, consultations were also initiated with non-statutory consultees, principally local residents and the general public with a likely interest in the planned development at Ballinclare Quarry. These consultations were commenced on 13th October 2020 and ended on 14th December 2020. The objective of this consultation exercise was,

- (i) To provide the public with information on the proposed development and to it with an opportunity to raise queries and discuss the proposed development and raise issues with Kilsaran representatives and their Project Team; and
- (ii) To engage with, and seek the assistance of, the public and prescribed bodies in considering the environmental issues to be assessed in the EIAR and NIS, to be prepared and submitted with the project's application for development consent.

Full details of the pre-planning consultations undertaken in respect of this development are presented in a Pre-Planning Consultation Report which forms part of the submission documentation provided to the Board in support of this planning application. The report presents details regarding the consultation activities and an overview / response to the feedback provided.

Additional consultations, both formal and informal, were also undertaken where required by specialist contributors to the Environmental Impact Assessment Report in preparing their Chapters. Details of such consultations are provided in the EIAR, together with details of reviews undertaken of relevant archives and documentation held by state agencies and organisations. There was also significant consultation between the specialist EIAR contributors on interactions between environmental media and receptors.

2.8 National and Local Designations

2.8.1 Natura 2000, NHA and pNHA Sites

There are no designated nature conservation sites (Special Area of Conservation (SAC), Special Protection Area (SPA), Natural Heritage Area (NHA) or proposed Natural Heritage area (pNHA) within or adjacent to the application site. The closest such sites are the Deputy's Pass Nature Reserve SAC (Site Code 000717) and the Glenealy Woods pNHA (Site Code 001756), which, at their closest point are located approximately 1.6 km and 1.1km to the north-west of the application site respectively. The next closest site is the Buckroneys-Brittias Dunes and Fen SAC (Site Code 000729) some 7 km southeast of the application site.

2.8.2 Recorded Monuments

There are no recorded monuments located within or immediately adjacent to the application site. The nearest recorded monument is located approximately 300m to the west, in a nearby agricultural field and is identified as a church, holy well and graveyard (Ref. WI030-014). While there is now no physical trace of it, the local 25 inch historical map identifies it as the site of Kilmanoge Church.

Thereafter, the nearest recorded monument is a ringfort (Ref. WI031-004) located approximately 500m to the east north-east (ENE) at its closest point. Elsewhere, a number of archaeological sites, described as burnt mounds, were identified in recent years during pre-construction investigations along the M11 Motorway corridor to the east of the site.

2.8.3 Built Heritage

There are no structures identified on the National Inventory of Architectural Heritage within or in the immediate vicinity of the application site. There nearest protected structures in the local area are,

- (i) Westaston Demesne Country House (Structure No. 30-18) is a late-17th Century house which now in ruins, located approximately 0.9km to the south-west of the application area.
- (ii) Coolacork Country House (Structure No. 31-06), a late 18th Century house located approximately 0.95km to the north-east.

There is a further cluster of protected structures located around the townland of Ballymurrin Lower, approximately 1.5km to the east of the application site (and to the east of the M11 Motorway).

2.8.4 Landscape

According to the current Wicklow County Development Plan 2016-2022, the application site is located within a landscape sensitivity area identified as a “Corridor Area”. This area is described as “*comprising lands either side of the main transport routes within the County, the N11 and N81*”. The landscape around the site is further categorised as being of ‘*medium vulnerability*’. At the present time however, almost all external views into the application site are screened by existing dense roadside vegetation around the site boundary and by further intervening vegetation within the site itself.

2.8.5 Geological Heritage

The online Irish Geological Heritage map indicates that Kilmacurra Quarry on the western side of the L1157 Local Road is designated a County Geological Site (CGS). The quarry, which is currently partially flooded is located approximately 700m to the south west of the application site. There are no other designated geological sites in the immediate vicinity.

3.0 PROPOSED DEVELOPMENT

The proposed development at Ballinclare Quarry provides for progressive backfilling and restoration of the existing quarry void, previously approved under *Refs. 93/369, 95/2380, 07/45, 14/2118* and *QY/4*, by way of establishment and operation of an inert waste landfill facility.

The inert landfill will principally provide for the importation, disposal and/or recovery of inert construction waste generated by construction activities in Counties Wicklow, Dublin and Wexford. It is proposed to backfill the existing quarry void at the application site to original / surrounding ground level and in so doing re-establish the landform which existed prior to quarrying. The landfilling and restoration activities will both be undertaken on an ongoing, progressive basis.

As part of the proposed development, suitable uncontaminated, undisturbed, natural soil waste and/or soil by-product (i.e. non-waste) which conforms to an engineering specification will be imported for re-use in the construction of the basal and side clay liners required for the inert landfill. Some uncontaminated topsoil waste and/or topsoil by-product will also be imported for use in the final restoration of the backfilled landform. Topsoil will be temporarily stockpiled at the landfill facility as required, pending its re-use as cover material.

The proposed development also provides for the establishment and operation of a construction and demolition (C&D) waste recovery facility across the footprint of the existing paved concrete blockyard. The principal wastes to be recycled at this facility will include concrete (ready-mixed, reinforced, blocks and/or pavement slabs), bricks and bituminous mixtures (hardened asphalt returns and road planings). Provision is also for the installation of a soil washing plant at the former concrete / asphalt yard in the south-eastern corner of the application site to recover sand and gravel / aggregate from more granular soil intake and claybound C&D intake.

The proposed site layout when all proposed waste management facilities are established and fully operational is shown in Figure 4.

In summary, the proposed development will comprise the following:

- Backfilling of the existing void at Ballinclare Quarry to original ground level by developing and operating an inert waste landfill facility with a total intake capacity of approximately 6,165,000 tonnes of inert soil and stone waste and (non-waste) soil and stone by-product and its progressive restoration to long-term scrub / grassland habitat thereafter;
- Continued use of existing site infrastructure and services including, site / weighbridge office, staff welfare facilities, wastewater treatment system, outbound weighbridge, garage / workshop, wheelwash, hardstand areas, fuel and water storage tanks to service the proposed development;
- Installation of a new weighbridge along the inbound lane of the quarry access road;
- Decommissioning of any remaining fixed plant and infrastructure associated with former rock extraction activities or with aggregate, concrete and asphalt production activities at the application site;
- Off-site removal of any materials or bulky wastes associated with the former quarrying and production activities;
- Construction of an industrial shed (portal frame structure) at the paved blockyard area to house crushing and screening equipment and to process / recycle inert C&D waste (principally concrete, bricks, ceramics and solid bituminous waste mixtures);
- Use of any external paved area surrounding the C&D waste processing shed as a hardstanding area for the external handling and storage of both unprocessed and processed C&D wastes;

- Separation of any intermixed C&D wastes (principally metal, timber, PVC pipes and plastic) prior to its removal off-site to authorised waste disposal or recovery facilities;
- Installation and operation of a soil washing plant at the former concrete / asphalt production yard to recover sand and gravel and secondary aggregates from soil waste for subsequent use in the production of construction materials
- Construction of an on-site (passive) wetland treatment system and attendant drainage infrastructure to treat surface water run-off / groundwater collecting in the sump / floor of the quarry area during landfilling operations and any surface water run-off from the C&D waste recovery area prior to its discharge off-site;
- Re-use of an existing storage shed as a dedicated waste inspection and quarantine facility to inspect and store suspect waste consignments as required;
- Upgrading and ongoing maintenance of established internal haul roads across the application site;
- Temporary stockpiling of topsoil pending re-use as cover material for phased and/or final restoration of the inert landfill / backfilled quarry; and
- Environmental monitoring of noise, dust, surface water and groundwater for the duration of the landfilling and restoration works and C&D waste recovery activities, and for a short period thereafter.

3.1 Site Preparation / Establishment Works

Prior to commencement of the backfilling and recovery activities at the application site, the following site preparation works will be required:

- Securing existing site perimeter with additional fencing / planting as required;
- Dewatering of the quarry void prior to any basal lining / landfilling activities;
- Cutting and mulching of any existing scrub and vegetation across the proposed development footprint and off-site removal to authorised waste facilities (undertaken in phases prior to commencement of works in designated areas);
- Decommissioning and dismantling of any other legacy infrastructure from prior development (eg. production plant, metal, WEEE, additives etc.) and removal off-site to other Kilsaran production sites or authorised waste facilities (as case may be);
- Installation of new weighbridge, reconfiguration of site / weighbridge office and re-establishment of staff welfare facilities and wheelwash facility;
- Minor repair / maintenance / upgrading works to existing bunded fuel storage area and concrete slab with sub-surface drainage to hydrocarbon interceptor and soakaway area;
- (Re-)commissioning of previously approved septic tank and wastewater treatment facilities;
- Excavation, clearance and levelling of existing ground at proposed wetland area and construction of the wetland treatment area;
- Construction of the proposed concrete portal frame structure (open on two sides) at the C&D waste recovery facility;
- Construction / installation of surface water drainage infrastructure between the landfill, recovery shed and C&D waste recovery area and the proposed wetland area;
- Installation and commissioning of the soil washing plant in the former concrete / asphalt yard in the south-eastern corner of the application site;
- Upgrading of internal access roads leading to the waste recovery facility and wetland area;
- Establishment of environmental control and monitoring infrastructure.

It is likely that some or all of the proposed site establishment / pre-commencement works outlined above will be subject to prior agreement and oversight of the EPA, in accordance with standard conditions attaching to any EPA waste licence issued in respect of the proposed waste activities.

3.2 Proposed C&D Waste Recovery Shed

It is proposed to construct a large, roofed portal frame structure, open on two sides at the existing paved concrete (former blockyard) area to the west of the site access road, as indicated in the site layout plan in Figure 4. All future C&D waste processing, crushing and recovery activities will take place within this structure in order to reduce noise and fugitive dust emissions.

The proposed structure will be of portal frame steel construction and will have a plan footprint area of approximately 42m long by 36m wide, with the long axis orientated in an east-west direction. The structure height will vary from 10m at the haunch (top of sidewall column supports) to a maximum of 12m at the roof apex.

It is envisaged that once C&D waste recovery infrastructure is established at Ballinclare Quarry, mobile crushing plant will be brought to the facility periodically (when sufficient quantities of recyclable material has accumulated in external stockpiles).

During recycling campaigns, the crushing plant will be set up on the paved concrete floor within the proposed open-sided waste recovery shed. The recyclable C&D waste will be transferred from external stockpiles to the mobile crusher within the shed. Once crushed and processed, the recycled material (secondary aggregates) will be moved out of the shed to external stockpiles pending testing, sale and export off site.

Recycling activities will produce a particulate, granular aggregate conforming to standard industry specifications and End-of-Waste criteria set by the EPA and it is envisaged that they will most likely be re-used in road construction or for concrete production.

Surface water run-off from the shed roof and the existing paved concrete slab will be collected by surface water drains and/or channels around the perimeter of the slab and transferred across to the proposed on-site (passive) wetland treatment system to remove any potential sediment and treat any potential contaminants in the run-off.

3.3 Soil Washing / Aggregate Recovery Plant

At the outset of the project, a soil washing plant will be set up and commissioned in the former concrete / asphalt production yard in the south-eastern corner of the application site. This plant will effectively recover sand and gravel aggregate from selected, more granular soil waste and claybound C&D waste imported to the facility. The proposed location and configuration of the soil screening / aggregate recovery plant is shown in the site layout plan in Figure 4.

The soil washing plant comprises a loading hopper, a number of soil screens in series with connecting conveyor systems, a primary wastewater treatment tank (thickener), a buffer tank holding sludge and recycled water, an elevated plate press and filter cake discharge area.

There will be no surface water / groundwater emissions or off-site discharges arising from the proposed soil washing and aggregate recovery activities as all process water will be re-circulated within a closed loop system. As such, there is therefore no requirement to make provision for treatment for any process water associated with the activity. It is likely that occasional water top-ups will be required for the plant and if so, these will be provided from the existing water storage tanks.

All elements of the washing plant are either mobile or largely self-standing and can be readily lifted into place, assembled in-situ and relocated / removed as required. Most of the plant will be supported on the existing concrete slab across the former production yard or on thickened foundations where required.

3.4 Phasing of Excavation and Backfilling Works

Final formation levels on completion of the landfilling and restoration works vary on account of the sloped nature of the original, pre-quarrying landform, from approximately 90mOD at the northern boundary to approximately 55mOD to 60mOD along the southern boundary.

The final, restored landform at Ballinclare Quarry has been developed to produce a slightly domed landform that falls from the northern side of the site to the south eastern corner and is shown in the restoration plan in Figure 5. Corresponding cross-sections are shown in Figure 6.

It is envisaged that the existing quarry at Ballinclare will be restored in four phases. The landfilling works will progress initially across the deeper quarry void from west to east, in Phases 1 through 3, and turn southwards thereafter in Phase 4 to progress across the former processing / production area, as indicated (in outline) in Figure 4.

Each landfill phase will be initially developed by placing a 1m thick layer of low permeability material across the quarry floor to form the basal liner. The liner would not have to cover the whole basal area of any defined development phase to allow the placement of inert soil and stone waste. A minimum area of liner would however have to be in place to ensure that there is sufficient space to allow HGV's / trucks and landfill plant to operate.

As the basal area fills with inert waste, the installation of the basal liner would then progress in line with the importation of suitable low permeability materials. Once the basal extent of the phase has been reached, the installation of the steepwall liner to the walls would be progressed and the open face of the inert waste would then be sloped back at a suitable gradient.

Such an approach reduces the volume of low permeability clay lining material required to be imported to the facility initially. During the operational life of the facility, the lining system may be installed as suitable clay soil waste is imported or, alternatively, it could be stockpiled, to be placed on a campaign basis either by site based personnel or by a Contractor.

By working in this way, it will be possible to provide for progressive restoration of the former quarry void from an early stage in the proposed development. This will improve the landscape and visual characteristics of the site and the early establishment of vegetation will reduce the potential volume of suspended solids carried in surface water run-off.

The area around the existing sand storage shed on the southern limit of the landfilling area (which will be re-used as a waste inspection and quarantine shed for the duration of the soil waste recovery activities) will be last to be landfilled and restored.

Further details in respect of the landfill development, landfill phasing and landfilling disposal activities are provided in Chapter 2 of the accompanying EIAR. Note that the phasing plan outlined is indicative and will need to be reviewed based on anticipated input rates of inert soil and stone waste and the availability of low permeability material for construction of the engineered basal liner system.

3.5 Intake Capacity and Expected Lifespan

The only materials required to backfill and restore the former quarry are inert soil, stone and rock. At the present time, it is considered that the principal sources of such material over the lifetime of the waste recovery facility will be construction sites in Counties Wicklow, Dublin and Wexford.

The total volume of inert soil required to create the restored landform is approximately 3,425,000m³. The basal liner and landfill materials will be subject to a degree of compactive effort (by earthworks plant and a tracked bulldozer respectively) and materials placed at the bottom of the landfill will be further compacted by the weight of overlying materials.

An average target compaction density of 1.8 tonnes/m³ assumed for tonnage assessment purposes, suggests an import requirement for approximately 6,165,000 tonnes of inert soil and stones (comprising liner materials and inert wastes).

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

- Availability of acceptable inert soil materials at construction / development sites;
- Prevailing economic climate and related construction industry output;
- Distance of construction projects from the facility (and scale of activity);
- Logistical / programming constraints at sites generating inert materials;
- Climatic conditions (reduced construction activity in wet weather) and
- Disruptions along the existing local and national road network.

In light of these and other variables, prediction of intake rates and volumes and timing of activities is not an exact science. Assuming the combined clay liner and inert waste intake of 6,165,000 tonnes is imported at the projected maximum intake rate of 750,000 tonnes per annum would suggest that inert landfilling activities could be complete in a minimum of 8.2 years. Were the average intake rate to fall short of this level and to average 350,000 tonnes per annum, the duration of the inert landfilling activities could extend to approximately 17.6 years.

It is anticipated that the construction and demolition (C&D) waste recovery activities will continue for as long as the inert landfilling activities are ongoing across the former quarry void (in view of the economies of scale achieved in undertaking both activities at the one location). The rate of C&D waste recovery is expected to be a maximum of 50,000 tonnes per annum. Soil washing activities will cease in advance of the final phase of landfilling (Phase 4) across the former quarry footprint.

This application provides for a cessation of C&D waste recovery activities on completion of landfilling activities and for any associated infrastructure to be decommissioned and materials removed off site. Any proposed post closure use for the recycling shed and/or surrounding paved area will be the subject of a separate planning application.

3.6 Working Hours

It is intended that the weekday operating hours for the proposed development will be the same as those in the planning permission previously granted for quarrying at the application site (Wicklow County Council Planning Ref. 14/2118), between 08:00 hours and 18:00 hours, Monday to Friday

In response to feedback from the public consultation, it is proposed to set working hours on Saturday to between 08.00 hours and 14.00 hours, but to limit waste intake and handling to 10 No. Saturdays in any given year and to only undertake maintenance work on other Saturdays. The facility will be closed on Sundays and Public / Bank Holidays.

3.7 Employment

The proposed backfilling operations will require a minimum of four personnel to be based at the facility at all times during working hours.

One individual will be nominated as the facility / site manager and will be required to

- check that the soil and stone / C&D waste being imported to the facility for landfilling or recovery has been pre-approved for intake and/or complies with waste acceptance criteria;
- collate and maintain records of waste intake and
- manage the environmental monitoring and reporting programme.

Three further individuals will be required to

- (i) be in attendance at the weighbridge office to weigh HGV's in and out for the facility;
- (ii) operate the site plant and equipment at the inert landfill facility on a full-time basis (such as a bulldozer or mechanical excavator) as required;
- (iii) visually inspect and monitor the suitability of the inert soil and stone waste being accepted and placed at the facility;
- (iv) oversee the intake of C&D waste at the waste recovery area on an ongoing basis; and
- (v) manage the processing, handling and C&D recovery activities on an intermittent, campaign basis, as required;
- (vi) oversee the dispatch of recycled aggregates off-site, to an ultimate end-use which is permitted by EPA End of Waste criteria.

In addition to the full time site-based staff, it is envisaged that operatives and drivers travelling to and from the proposed waste facility will also share the established staff welfare facilities at the site.

3.8 Traffic Movement and the Rate of Importation

It is envisaged that the maximum annual intake of inert soil and stone / C&D waste at the proposed waste facility at Ballinclare will be of the order of 750,000 tonnes of inert soil and stone and 50,000 tonnes of construction and demolition (C&D) waste per annum. The combined annual intake of 800,000 tonnes per annum is equivalent to an average of:

- 16,000 tonnes per week (assuming 50 weeks in a working year)
- 2,900 tonnes per day (assuming 5.5 days in a working week)
- 290 tonnes per hour (assuming 10 hours in a working day)

If it is conservatively assumed that each HGV / truck consignment travelling to the waste facility at Ballinclare has a carrying capacity of 20 tonnes, this suggests that at a projected maximum intake rate of 800,000 tonnes per annum, there will be 14 to 15 HGV / truck trips generated every hour by the proposed site activities. This is equivalent to 28 to 30 individual HGV / truck movements in or out of the site every hour.

3.9 Site Restoration

Inert Landfill Facility

The principal activity which will be undertaken at the application site at Ballinclare Quarry is the landfilling and restoration of the lands within the former bedrock quarry. As previously noted, the site will be restored to a landform which closely resembles that which pre-existed the quarry development and merges with the surrounding landscape.

As working areas are progressively landfilled to within 1 metre of the final ground level envisaged by the restoration scheme, a cover layer comprising 150mm of topsoil and up to 850mm of subsoil will be placed above the inert soil and stone waste.

The soil cover layer will initially be seeded with a grass mix in order to promote stability and minimise soil erosion and dust generation. Some hedgerows will also be planted to re-establish former field boundaries which were lost in order to facilitate the development of the quarry. The proposed final landform contours and planting scheme is indicated in the long term restoration plan in Figure 5.

On completion, it is expected that the backfilled quarry lands will be passively managed and that they will likely return to a long-term grassland / scrub habitat, and possibly some agricultural grassland use, similar to that which existed prior to quarrying.

Topsoil and subsoil will be imported to the site on a continual basis and shall not be used immediately in landfilling / restoring the former quarry. The topsoil and subsoil shall be stockpiled separately within the former quarry footprint, away from the active landfilling area and in such location and manner as not to create any temporary adverse visual impact or dust nuisance. These materials will then be used on an ongoing basis in the progressive restoration of the former quarry, as the upper surface of the landfill body approaches the proposed final ground level.

On completion, any rainfall over the landfill footprint will either

- (i) percolate directly into the backfilled soil mass (depending on the permeability and/or degree of saturation of the soil at the ground surface);
- (ii) run-off over the ground surface to be collected by surface water channels which will carry it to the wetland area (and/or separate settlement pond, if required) on the western side of the application site, from whence it will be discharged off-site to the Ballinclare Stream and Potter's River.

Locally, in the south eastern corner of the landfill area, the final restored ground levels will be lower than at the discharge point to the Ballinclare Stream and cannot therefore drain to it under gravity. Accordingly, it is envisaged that surface water run-off from this area will collect at a swale / attenuation pond to be constructed close to the south-eastern boundary. Discharge from the swale will be to a minor (unnamed) stream which flows for 300m parallel to the L1157 Local Road and into the Kilmacurragh Stream, which in turn flows into the Potters River approximately 400m further downstream.

The long-term surface water management regime for the backfilled landform, will be established incrementally over time, as landfill and restoration works proceed. On completion of the quarry backfilling and restoration works, any outstanding long-term site drainage works will be completed.

C&D Waste Recovery Facility

On cessation of C&D waste recovery activity at Ballinclare Quarry, any remaining stockpiles of unprocessed C&D waste will be crushed and added to processed waste stockpiles. These stockpiles will in turn be gradually run down as recycled (secondary) aggregate is sold to the market.

The waste recovery shed will be dismantled to ground / foundation level and, insofar as possible, all structural elements (steelwork, wall cladding wall panels etc.) will be recycled and/or recovered. All processing plant and machinery will be removed off-site and any related site infrastructure will also be decommissioned and/or removed off-site as appropriate.

Any paved or hardstanding surfaces around the C&D waste recovery area will be excavated in phases as space is freed up and will be processed / recovered on-site and sold to market. If a residual volume of processed aggregate remains at the end, it will be either be used in final restoration works around the application site or transferred to another C&D waste recovery facility off-site.

As the paved or hardstanding surfaces are excavated and recycled, a replacement cover layer comprising a combined 500mm of topsoil and mineral subsoil will be placed over exposed in-situ soil. This material will most likely be imported (as non-waste) from construction sites.

The upper surface of the reinstated ground around the recovery area will be graded so as to ensure that any surface water run-off falls to drainage channels which will run north-westwards, toward the wetland area. The area will then be seeded with a native grass mix and will most likely evolve to a seasonal grassland habitat over time.

4.0 REVIEW OF POLICY AND GUIDELINES

4.1 Waste Policy

4.1.1 Waste Framework Directive 2008

The key EU directive in respect of waste management is the Waste Framework Directive 2008 (Directive 2008/98/EC). This directive has two key objectives:

- the protection of human health and the environment;
- the conservation of raw materials and strengthening the economic value of waste.

The underlying policy objective is to make the EU a recycling society that seeks to prevent waste and, where waste cannot be prevented, uses it as a resource.

Article 4(1) of the 2008 directive introduced a more comprehensive waste hierarchy than the previous 2006 directive. This hierarchy is to be treated as a priority order for waste management (as opposed to a guiding principle). The order of preference for waste management should be as follows:

- prevention;
- preparing for re-use;
- recycle;
- other recovery;
- disposal.

When applying the waste hierarchy, member states are required to encourage the options that deliver the best overall environmental outcomes. In particular, member states are required to take measures to promote re-use, recycling and recovery.

4.1.2 A Resource Opportunity: Waste Management Policy in Ireland (2012)

'A Resource Opportunity', the national waste management policy was published by the Department of the Environment, Community and Local Government in July 2012. The guiding principles of the policy are:

- prevention and minimisation of waste is the key priority;
- the maximum value must be extracted from waste that is generated;
- disposal must be a last resort.

The polluter pays principle was also considered to be a fundamental principle of the policy. The policy approach adopted in the plan reflected the waste hierarchy set out in the Waste Framework Directive.

Section 9 of the policy relates to recovery. It defines recovery as

“any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy”.

The policy does not include any specific measures in relation to soil and stone.

4.1.3 A Waste Plan for a Circular Economy (2020)

The recently published national waste plan 'A Waste Action Plan for a Circular Economy' references (in Chapter 11) the major construction projects envisaged under Project Ireland 2040 and the huge potential they provide in terms of preventing and recycling of construction and demolition waste and the challenge in ensuring there is capacity to manage the waste generated. The policy document specifically states that

‘it is vital that there is sufficient capacity for the recovery and/or disposal of the envisaged increased construction and demolition waste’.

4.1.4 Eastern Regional Waste Management Plan (2015 – 2021)

Wicklow is one of several counties in the Eastern Midland waste region of Ireland which is covered by the Eastern Midlands Region Waste Management Plan (EMRWMP, 2015-2021) which was published by Dublin City Council (the lead Local Authority for the plan) in May 2015.

Construction and demolition waste, the bulk of which (70% to 80%) is comprised of soil and stone waste, is identified as a priority waste stream in Chapter 11 of the current regional waste plan. At the time it was drafted in 2014 / 2015, much construction and demolition waste (including C&D waste which otherwise could be recovered) was being used to for 'land improvement' or 'reclamation' works or for backfilling and infilling and extracts from the plan in following paragraphs should be read in that context.

Section 7.3 of the plan addresses 'priority waste' streams, including construction and demolition (C&D) waste. It notes an increase in construction related activity at the time the plan was in preparation (during 2014) and emphasises the importance of ensuring that appropriate processing facilities are in place to facilitate increased reuse, recycling and recovery of all C&D waste streams.

Section 11.2.2 of the plan notes a sharp decrease in the number of operational landfills in recent years. It states that '*given the sharp decrease in the number of operational landfills nationally, which have been a significant outlet for C&D waste in the past, alternative recovery options will be required to facilitate the recovery of C&D waste arising in future years*'. The plan is however silent about who specifically should be responsible for providing alternative outlets or intake capacity for soil and stone / C&D wastes or where these facilities should be located.

The EMRWMP highlights that a number of pre-existing or previously authorised C&D waste facilities, would if re-assessed today, be considered unsuitable for backfilling / infilling activities. Section 11.2.2 of the plan states that '*Many sites selected for infill facilities are considered marginal agricultural land, and may include wetland habitats or lands subject to flooding. There is an increasing recognition of the potential ecological and biodiversity value of these wetland sites. There is also a sense that at many of these sites, the deposition of waste material rather than improvement or development of the land was the primary purpose of the activity.*'

The EMRWMP proceeds to address future waste management requirements for C&D waste and highlights that '*Concrete, stone and other masonry-type waste can be crushed and screened as a substitute for virgin quarried stone material in a variety of engineering applications if the appropriate technical criteria have been met, e.g. road construction, access tracks for agricultural or forestry holdings*'.

The EMRWMP also highlights the suitability of former extraction sites for C&D waste disposal / recovery activities, noting specifically that '*Quarries also frequently require large quantities of soil material to fill voids, and for other remediation and landscaping applications.*'

Although the establishment and operation of an inert landfill recovery is technically classified as a waste disposal activity rather than a waste recovery activity, it does nonetheless satisfy one of the key requirements for a waste recovery operation in that the waste intake serves a useful purpose, in this instance, the backfilling and long-term restoration of lands previously used for extraction to agricultural grassland use.

Given that the proposed facility is also within a former quarry, the application site would be recognised by the current regional waste plan as amongst one of the more suitable locations at which to locate a relatively large-scale construction waste facility.

4.2 Planning Policy

4.2.1 National Planning Framework (NPF 2040)

The National Planning Framework ‘Ireland 2040 Our Plan’ has succeeded the 2002 National Spatial Strategy (NSS). Published in February 2018, the NPF is the Government’s high-level strategic plan for shaping the future growth and development of the State to the year 2040. The aim of the framework is:

- To develop a new region-focused strategy for managing growth;
- To link in tandem with the “Project Ireland 2040 National Development Plan 2018-2027” – a new 10-year investment plan for the State;
- To utilise State-owned lands for certain strategic purposes;
- To provide more sustainable and environmentally focused planning at local level; and
- To back the NPF and planning system in law with the creation of an Independent Office of the Planning Regulator.

The NPF provides guidance on how and where the future development of Ireland will take place. This framework seeks to define where we live and where we work. It provides a future roadmap for transportation objectives. To ensure that sustainable infrastructure exists for the populations through to 2040, transport and planning must work in tandem with each other, providing guidance for sustainable living, working and commuting.

Ireland 2040 includes both a vision and strategy which is underpinned by a series of National Policy Objectives. These objectives are aligned with the Government’s ten year National Investment Plan. The National Planning Framework seeks to:

- Guide the future development needs of Ireland and a projected 1 million increase in population;
- Provide guidance to facilitate the creation of nearly ¾ of one million additional jobs to achieve full employment and a need for a half million more homes in more compact settlements by 2040;
- Enable and encourage people to live closer to where they work, moving away from the current unsustainable trends of increased commuting;
- Regenerate rural Ireland by promoting environmentally sustainable growth patterns;
- Plan for and implement a better distribution of regional growth, in terms of jobs and prosperity;
- Transform settlements of all sizes through imaginative urban regeneration and bring life / jobs back into cities, towns and villages;
- Co-ordinate delivery of infrastructure and services in tandem with growth, through joined-up NPF/National Investment Plan

The framework identifies that Ireland’s “four cities and Dublin are geographically distributed, but their influence does not extend to all parts of Ireland, in particular the North-Western and Midland regions.” These regions require “accessible centres of employment and services that can be a focal point for investment and have the widest possible regional influence’.

There are few specific references to County Wicklow in the National Development Plan, but the development of Wicklow is considered in the context of the wider Mid-East Region.

The Mid-East has experienced high levels of population growth in recent decades and managing the challenges of future growth is deemed critical. A sustainable pattern of development with greater focus on employment creation and local infrastructure needs is identified as a key priority.

The framework also discusses the required planning and investment needed to support rural job creation and states the following in relation to aggregates and construction materials generally:

*“Extractive industries are important for the supply of aggregates and construction materials and minerals to a variety of sectors, for both domestic requirements and for export. The planning process will play a key role in realising the potential of the extractive industries sector by identifying and protecting important reserves of aggregates and minerals from development that might prejudice their utilisation. Aggregates and minerals extraction will continue to be enabled where this is compatible with the protection of the environment in terms of air and water quality, natural and cultural heritage, the quality of life of residents in the vicinity, and **provides for appropriate site rehabilitation.**”*

The following policy is of partial relevance to this application in that the proposed development facilitates continued use of previously developed land (consistent with the principles of sustainability), supports rural based employment and also achieves a long-term benefit through the restoration of the application site to its original landform.

National Policy Objective 23

*“Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of **maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.**”*

4.2.2 Regional Spatial and Economic Strategy

The Regional Spatial and Economic Strategy (RSES) for the Eastern Midland region supports implementation of the economic policies and objectives set out in the National Planning Framework and the National Development Plan, Project Ireland 2040. Adopted by the Eastern Midland Regional Assembly on 29th June 2019, the RSES is a strategic plan which identifies regional planning assets, opportunities and pressures and identifies appropriate policy responses in the form of Regional Planning Policy Objectives.

Section 10.4 of the RSES supports the development of a circular economy by fostering an approach that views waste as a valuable material resource, to be retained in use at its highest value for as long as possible and then re-used, recovered or recycled, leaving a minimum of residual waste. This approach helps conserve other resources, achieve increased resource efficiency and reduce carbon emissions.

The RSES directs Local Authorities to achieve reductions in waste, increases in waste re-use and recycling and reductions in waste being sent for disposal and to comply with the strategic objectives, targets and goals set out in the Eastern Midlands Region Waste Management Plan 2015-2021 (and any subsequent revision thereof).

In terms of the rural economy, it is a stated regional policy objective to,

RTO 6.7:

*Support Local Authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of **maintaining and protecting the natural landscape and built heritage.***

4.2.3 Wicklow County Development Plan 2016-2022

The current Wicklow County Development Plan relates to the period 2016 – 2022. The aim of the plan relates to facilitating sustainable development, the provision of high quality employment and residential development, the provision of quality environments and social and physical infrastructure.

Waste Management

The most relevant policies of the County Development Plan in relation to waste include the following:

- **WE2** To require all new developments, whether residential, community, agricultural or commercial to make provision for storage and recycling facilities (in accordance with the standards set out in Development & Design Standards of this plan).
- **WE3** To facilitate the development of existing and new waste recovery facilities and in particular, to facilitate the development of ‘green waste’ recovery sites.
- **WE6** To facilitate the development of sites, services and facilities necessary to achieve implementation of the objectives of the Regional Waste Management Plan.

The role of a land-use plan in the achievement of these objectives is somewhat limited, but it will play a role in guiding the location of new facilities and services that are necessary to implement the County’s Waste Management Plan

Extractive Industries

In relation to extractive industries, Wicklow County Council outlines a strategic overall objective:

“To support and facilitate the exploitation of County Wicklow’s natural aggregate resources in a manner, which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area.”

Relevant policies in relation to the restoration of extractive sites include the following provisions:

- **EX4** To have regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:
 - ‘Quarries and Ancillary Activities: Guidelines for Planning Authorities’ (2004, DoEHLG);
 - ‘Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non Scheduled Minerals)’, EPA 2006;
 - ‘Archaeological Code of Practice between the DoEHLG and the Irish Concrete Federation’ 2009;
 - ‘Geological Heritage Guidelines for the Extractive Industry’, 2008; and
 - ‘Wildlife, Habitats and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry’, NPWS 2009.

Development Management

Appendix 1 of the Wicklow County Development Plan outlines development management policies for business, commercial and employment developments. In the section on Extractive Industry, the following criteria are listed (on Page 32) in respect of the reclamation and restoration of quarries:

“Where it is proposed to reclaim, regenerate or rehabilitate old quarries (that were not subject to restoration as part of the grant of permission or licence) by filling or re-grading with inert soil or similar material, or to use worked-out quarries as disposal locations for inert materials, the acceptability of the proposal shall be evaluated against the following key criteria:

- *the impact of the proposal on the landscape;*
- *any possible loss of biodiversity that may have developed in the worked-out quarry;*

- *the impact such proposals may have on natural ground and surface water flows or networks in the area and the potential to give rise to flooding or new surface water flows onto adjoining lands or roads, and;*
- *the suitability of the road network in the area to accommodate the traffic flows of heavy vehicles that may be generated.*

Further on in Appendix 1, in the section on Waste and Emissions, on Page 61, the following criteria are listed in respect of facilities for the disposal of inert materials;

“Applications for the development of commercial waste disposal or recycling facilities catering for the disposal or reuse of inert clean soils, clay, sands, gravels and stones shall only be permitted at appropriate locations and shall be subject to the following:

- *the proposed development shall be in accordance with the policies set out in the Eastern-Midlands Region Waste Management Plan*
- *the proposed development shall not result in adverse impacts on the landscape or unnecessarily interfere with natural land form and topography in any area, without detailed justification*
- *such facilities shall not give rise to significant adverse impacts on a designated Natura 2000 site, or interfere with a protected view or prospect, a public right of way, an existing or planned piece of strategic infrastructure, or an important tourist site;*
- *a development shall not be permitted if it has a detrimental impact on the amenity of adjoining residents, by reason of unacceptable levels of traffic, noise, dust, lighting or other impact resulting from the operation of the facility”.*

Roads

Wicklow County Council has a comprehensive roads programme for national, regional and local roads which is predominately stated in objectives and policies. A review of these policies and objectives identifies the following objectives to which regard is had in preparing this planning application:

- **TR28:** To continue to improve local roads to the appropriate standards (given the location), consistent with predicted traffic flow and in accordance with Government policy and the Roads Programme adopted by the Council;
- **TR33:** Rural local roads shall be protected from inappropriate development and road capacity

5.0 PLANNING CONSIDERATIONS

5.1 Principle of and Need for the Development

The former hard rock quarry at Ballinclare has been identified as a suitable site for an integrated inert waste management facility to provide for the intake and management of inert wastes generated by construction activity in the local area and across the wider Greater Dublin Area / Mid-East Region. The development provides for

- the development and operation of an inert landfill to provide for intake and disposal of inert soil and stone and,
- separate C&D waste recovery facilities to provide for complementary recovery of C&D wastes generated.

The application site is considered to be particularly suited for such development given its location on the south side of the Dublin city region, its proximity to the M11 Motorway and the R772 Regional Road (the former N11 National Primary Road) and the comparable high level of HGV traffic previously permitted to and from the application site when it operated as a quarry / construction materials production facility.

The opportunity to use inert soil and stone / C&D waste to develop and operate an inert landfill facility and to also achieve a beneficial outcome in the process, arises as a result of a significant increase in the volume of such material being generated by a significant lift in levels of construction activity across the Greater Dublin Area in recent years (and particularly since 2015). The increased level of construction activity has generated increased demand for integrated waste outlets which can accept inert soil and stone / C&D waste for disposal or recovery purposes.

The requirement to install a clay landfill liner means that it will be classified as a disposal facility and the activity of placing soil and stone on land will be a disposal activity. In almost every other aspect however, the facility and the activity will be similar to that at existing soil waste recovery facilities. The requirement for an inert landfill facility is driven primarily by recent regulatory change. In January 2020, the EPA published new guidance¹ on acceptance criteria for soil and stone intake at authorised soil waste recovery facilities which do not have a basal or side liner which seeks to provide greater protection to surrounding groundwater aquifers.

The implementation of this guidance will impose tighter limits on the concentrations of potential contaminants in soil and stone which may be accepted for intake and recovery at existing authorised (unlined) soil waste recovery facilities and is expected to particularly impact soil and stone waste generated by development activities at non-greenfield (or 'brownfield') development sites. Soil and stone excavated at such sites is more likely to exhibit some low level impact or degradation by historical activities, resulting in the presence of low level concentrations of potential contaminants such as fuel / mineral oil or trace quantities of combustion products (such as polyaromatic hydrocarbons, PAH's).

Up to relatively recently, and in the absence of any other reference criteria, the established practice in Ireland was to classify many of these soils as inert by screening contaminant concentrations against the inert waste acceptance criteria set out in Council Decision 2003/33/EC². As these criteria allow waste materials with low level concentrations of metals and organic contaminants from non-greenfield sites to be classified inert, soil and stone from many non-greenfield sites has, until now, been deemed in practice to be acceptable for recovery at unlined soil recovery facilities.

¹ Guidance on Waste Acceptance Criteria at Authorised Soil Recovery Facilities, EPA, January 2020, Wexford

² Council Decision 2003/33/EC of 19 December 2002 establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex II to Directive 1999/31/EC.

With the implementation and roll-out of the new EPA acceptance criteria at soil recovery facilities in coming years, it is expected that significant volumes of soil and stone waste which have been slightly impacted by prior land use and/or historical activity will no longer be accepted for intake at unlined soil recovery facilities and will need to be diverted instead for disposal at inert lined landfill facilities authorised to accept soil and stone / C&D waste with contaminant concentrations up to the inert waste acceptance limits set by Council Decision 2003/33/EC.

As the recent EPA guidance is only now being rolled out and implemented at unlined soil waste recovery facilities, it is not clear what impact it will have in diverting soil and stone waste generated by construction projects, particularly at non-greenfield sites, to lined facilities. No definitive study has yet been completed on what the regulatory impact of the new waste acceptance regime is likely to be and it will take some time for reliable statistics to emerge.

Notwithstanding this, Kilsaran expects that an increased proportion of soil and stone waste currently generated by construction activities at non-greenfield sites across the Greater Dublin Area will in future be diverted for disposal at lined landfill facilities and has prepared this proposal in anticipation of an increased demand for inert landfill disposal capacity emerging over the next few years.

Although a recently updated report on soil waste recovery / disposal capacity across the Eastern Midland Waste Region³ indicated that there appeared to be sufficient soil waste recovery capacity available in the Eastern Midlands Waste Management Region, it did not undertake any detailed assessment as to the likely volume of soil and stone which would need to be diverted to lined disposal facilities as a consequence of the new EPA guidance on waste acceptance criteria at soil recovery facilities.

The updated capacity report indicates that in the latest year for which data is available (2018), a total of 2,789,010 tonnes of soil and stone was accepted and recovered at authorised (i.e. licensed, permitted and registered) soil waste recovery facilities across the Eastern Midland Region. Although available waste statistics do not differentiate between the proportion of soil and stone waste originating from greenfield and non-greenfield sites, it is considered likely that a significant proportion of the overall waste stream within the region is generated at non-greenfield development sites and that a proportion of this will need to be diverted to lined inert landfill facilities in the years ahead as more onerous waste intake restrictions are applied at unlined soil waste recovery facilities.

In addition, it is likely that the total volume of soil and stone waste intake increased further in 2019 and would be expected to increase further once construction activity fully recommences following lifting of current Covid restrictions. The updated capacity report does note in its conclusions that *'there is an increasing demand for inert landfill capacity as construction and development at brownfield sites in urban centres increases'*.

At the present time, there are only two active inert landfills currently operating in the Eastern Midland Waste Management Region;

- one operated by Integrated Materials Solutions (IMS) at Hollywood Great, the Naul in North Dublin (Waste Licence Ref W0129-03)
- another operated by Walshestown Restoration Ltd near Punchestown, Naas, Co. Kildare (Waste Licence Ref. W024-01).

It is notable, that while there are landfill facilities to the north and west of Dublin City and the Greater Dublin Area (GDA), there are currently none located to the south of the city region. As well as meeting expected future demand arising from the recent regulatory change in soil acceptance criteria, it is envisaged that the inert landfill at Ballinclare will also address existing (and growing) demand for inert

³ Construction and Demolition Waste Soil and Stone Recovery / Disposal Capacity Update Report 2020, Regional Waste Management Regions, Dec 2020

landfill disposal capacity generated by construction projects across the south of Dublin and southern part of the GDA / Mid-Eastern region.

In view of the limited availability of soil waste recovery capacity on the southern side of Dublin City and across the southern portion of the GDA / Mid-Eastern region, Kilsaran also envisages that the proposed landfill facility will also accept soil and stone waste generated within its catchment area which would otherwise be acceptable at soil recovery facilities. Such intake will be used both for construction of the soil liner and for general backfilling of the former quarry void.

5.2 Compliance with Planning Policy

5.2.1 European Directives

In accordance with the requirements of the EIA Directive as transposed into Irish law, the application is accompanied by an Environmental Impact Assessment Report.

In order to assist the Board, the application is also accompanied by an Appropriate Assessment Screening Report / Natura impact Assessment which provides the necessary information to allow it to assess the proposed development for potential impacts on designated sites, as required by the Habitats Directive.

As outlined above, the Waste Framework Directive directs that waste be pushed up the waste hierarchy and regards disposal as a last resort. The need to drive waste up the waste hierarchy and away from landfill is also set out in national waste policy, regional waste policy, regional planning policy and county planning policy.

As previously stated above, this development includes provision for an inert waste landfill specifically for soil and stone, and while this is classified as a disposal facility / disposal activity, it is considered that there is a need for such development as a result of recent regulatory change.

Although the inert landfill element of this development is classified as a waste disposal activity, it must be recognised that it does nonetheless also satisfy one of the key requirements for a waste recovery operation in that the waste intake will serve a useful purpose, in this instance, the backfilling of lands previously used for extraction and their long term restoration to former ground level and to agricultural grassland use.

5.2.2 National and Regional Policies

The former national waste policy *A Resource Opportunity: Waste Management Policy in Ireland (2012)* set out the principles of national policy in relation to waste management. It built upon the principles of the Waste Framework Directive and noted the importance of pushing waste up the waste hierarchy and the role of recovery in the waste hierarchy.

The recently updated national waste plan *A Waste Action plan for a Circular Economy (2020)* identifies a key challenge for the construction industry in the years ahead is to expand the range and use of recycled products in the sector.

The Regional Spatial and Economic Strategy (RSES) for the Eastern Midland Area supports the strategic objectives, targets and goals of the Eastern Midland Region Waste Management Plan and the development of a circular economy in which materials are retained in use at their highest value for as long as possible in order to conserve other resources.

As an established supplier of construction materials, Kilsaran considers that the proposed development of C&D waste and aggregate recovery activities at Ballinclare Quarry will:

- (i) provide it with an opportunity to establish itself in the emerging market for recycled construction products and recycled aggregates in particular;

- (ii) be complementary to its existing aggregate business, with aggregate recovered from the soil washing plant providing it with additional (replacement) source of sand and gravel materials for use at its concrete production plants;
- (iii) be consistent with the stated aims of national waste policy in respect of management and beneficial re-use construction and demolition waste streams; and
- (iv) allow it to establish its credentials as a leader and innovator in the development of a circular economy and beneficial use of construction and demolition waste.

5.2.3 County Development Plan Policies

The County Development Plan is integrated into the planning policy and waste policy hierarchy by reflecting European, national and regional policy in relation to:

- the need to push waste up the waste hierarchy;
- the need to provide appropriate waste facilities to support the economy and society;
- the potential for extractive sites to be restored to appropriate agricultural uses and/or provide habitats.

It is considered that the proposed development and operation of an integrated waste management facility at the former quarry in Ballinclare is in accordance with these principles (and those of national and regional waste policy) and can be justified on the following basis:

- the unsuitability of possible alternative outlets for infilling / backfilling with waste soil and stone in light of potential adverse impacts on their *'ecological and biodiversity value'* (Ref. EMRWMP, Pg. 107);
- the recognition in the current EMRWMP that that *'quarries also frequently require large quantities of soil material to fill voids'*. Clearly in this instance, there is significant benefit in the proposed backfilling / landfilling of the existing disturbed landform at the quarry at Ballinclare. It will restore the landform to its original, pre-development ground level, thereby enhancing the local landscape and facilitating its return to grassland / natural habitat over the long-term;
- ongoing and continued increases in the level of construction activity at non-greenfield sites across the region, coupled with the recent introduction of more onerous waste acceptance / intake criteria at soil waste recovery facilities will give rise to increasing demand for inert waste disposal capacity at licensed inert landfill facilities;
- the favourable location of the application site, close to the M11 Motorway and the R772 Regional Road (the former N11 National Primary Road);
- the pre-existing land-use and established activities at the application site and the precedent these establish in respect of the proposed development.

In the Development Management Guidelines in Annex 1 of the CDP, in the section on "Reclamation and Restoration of Quarries", several criteria in the granting of permission for such development are set out and each is addressed below:

The Impact of the Proposal on the Landscape

According to the current Wicklow County Development Plan 2016-2022, the application site is located within a landscape sensitivity area identified as a 'Corridor Area'. This area is described as *"comprising lands either side of the main transport routes within the County, the N11 and N81"*. The landscape around the application site is further categorised as being of *'medium vulnerability'*.

At the present time however, almost all external views into the application site are screened by existing dense roadside vegetation around the site boundary and by further intervening vegetation within the site itself. Furthermore, the application site is not located in any designated nature conservation sites and is not designated a County Geological Site. There are no recorded monuments located within the Ballinclare

quarry. The proposed development and operation of waste management facility and the long-term restoration of the landform have no direct impacts on known items of cultural heritage. There are no scenic routes within the immediate area. In conclusion it was considered that the impact to the landscape and its character was minor to negligible. Further details can be found in Chapter 14 of the EIAR accompanying this application.

Potential Loss of Biodiversity

SLR Consulting Ireland conducted an Ecological Impact Assessment to inform the wider Environmental Impact Assessment process and production of an Environmental Impact Assessment Report to accompany the application.

It is assessed that with the implementation of appropriate mitigation measures, the proposed waste facility will not have a significant adverse impact on the overall biodiversity resource at a local or county level, and may ultimately have a positive impact at the local level dependent on the construction and plant species-selection at the proposed water-treatment wetland. Further details can be found in Chapter 5 of the EIAR accompanying this application.

Natural Ground and Surface Water Impacts on Adjoining Lands

Chapter 7 of the EIAR provides a description of the surface water (hydrology) and groundwater (hydrogeology) conditions in the application area within the context of the site and regional setting, and assesses the potential impacts that the proposed development will have on surface water and groundwater.

In terms of surface water, Ballinclare Quarry lies within the catchment of Potter's River. The river is located to the north and east of the quarry and flows in an easterly direction initially and then turns to flow south-eastwards toward the coast. The Kilmacurragh Stream flows approximately 200m to the south of the application site and flows in an easterly direction to its confluence with the Potter's River. There is currently a discharge licence in place which provides for off-site discharge of excess surface water run-off and dewatered groundwater to the Potter's River via the Ballinclare Stream.

Bedrock aquifer maps published on the GSI website provide a detailed classification of bedrock aquifer types and indicate that the diorite bedrock underlying the application site is classified as a poor aquifer (PI) which is generally unproductive except in local zones. Guidance on Groundwater Protection Responses for Landfills published by the GSI suggests that this hydrogeological setting is generally suitable for landfill development, subject to EPA landfill design guidance and/or conditions attached to a waste licence.

The potential adverse impacts on the receiving environment (sensitive receptors) have been assessed in the EIAR and appropriate mitigation measures identified to address any potential adverse impacts on groundwater and surface water at the construction, operational and post operation stage of the proposed development. With the identified mitigation measures in place, it is considered that any potentially significant effects, most notably on the Potter's River will be reduced to 'not significant'.

Road Network Suitability

As described previously, as part of the pre-application consultations undertaken with Wicklow County Council (in accordance with the Board direction issued on foot of the Section 37B referral), a walkover survey of the existing local road network around the application site was undertaken and an assessment made of aspects such as road geometry, structural integrity, traffic flows and travel speeds.

As previously noted, arising out of these consultations, this development includes provision for a comprehensive road improvement scheme along the length of the L1157 local road leading up to the application site, including road widening to 6.0m over most of the route length, with road strengthening and repair overlay and road markings.

An assessment of proposed traffic movements on the local road network, presented in Chapter 14 of the EIAR accompanying this application concluded that no additional traffic related impacts will arise from the proposed development, over and above that which has been previously assessed and permitted. As a result therefore, it is concluded there will be no likely significant effect on either traffic safety or the existing capacity of local roads and junctions arising as a result of the proposed development.

On completion of inert landfilling and final restoration activities, there will be a permanent reduction in HGV traffic movements over the public road network and through the access road junction to the application site on the L1157 Local Road, with consequent improvement of the human environment.

5.3 Environmental Impact Assessment

Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) identify the nature and scale of development that requires mandatory Environmental Impact Assessment (EIA) and submission of an Environmental Impact Assessment Report (EIAR) in support of an application for planning permission / development consent.

Paragraph 11 of Part 2 of Schedule 5 states that the following form of development requires an EIA.

(b) *Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.*

As the planned combined annual intake of soil / stone / construction and demolition (C&D) waste intake to the planned waste facility at Ballinclare Quarry is 800,000 tonnes per annum, it exceeds the threshold limit of 25,000 tonnes per annum for EIA and there is therefore a requirement for EIA and an EIAR under Part 2 of Schedule 5.

5.4 Appropriate Assessment

An Appropriate Assessment Screening Report and Natura Impact Statement accompanying this application details assessments regarding the potential effects of the proposed waste management facility (either alone or in combination with other projects or plans) on the integrity of the Buckroneys-Brittias Dunes and Fen SAC with respect to the conservation objectives of the site and on its structure and function. The focus of the report is on demonstrating, with supporting evidence and the implementation of mitigation measures, that there will be no adverse effects on the integrity of the SAC.

The element of the proposed development identified as having potential to affect the Buckroneys-Brittias Dunes and Fen SAC is the discharge of water from the quarry void during the dewatering process and subsequently, during the operation of the waste management facility at the quarry, and the resulting potential for the discharge of impacted surface water to the Potter's River.

The mitigation measures outlined in this report, when fully implemented, are considered to be sufficient to prevent any effect on the qualifying interests of Buckroneys-Brittias Dunes and Fen SAC. The integrity of Buckroneys-Brittias Dunes and Fen SAC will not be affected by the proposed development.

Based on the available scientific information and project details, it is submitted that the Competent Authority has sufficient information to it to determine that the proposed development, individually or in combination with other plans or projects, will not have an adverse effect on the integrity of Buckroneys-Brittias Dunes and Fen SAC. Further details can be found in the Appropriate Assessment Screening Report and Natura Impact Statement which accompanies this application.

6.0 SUMMARY AND CONCLUSION

The proposed integrated waste management facility at Ballinclare Quarry provides for the development and operation of an inert landfill and complementary C&D waste recovery facilities.

The development will provide:

- an opportunity to address expected future increase in demand for waste disposal capacity for lightly impacted soil and stone generated by construction works at non-greenfield development sites across the southern part of the Greater Dublin Region;
- an opportunity to restore the former quarry to its original (pre-development) landform and to long-term grassland use;
- an opportunity to improve the visual quality / amenity value of the local rural landscape.
- an opportunity for the Applicant to establish itself in the emerging market for recycled construction products and recycled aggregates in particular;
- an additional (replacement) source of sand and gravel materials for the Applicant to use at its concrete production plants.

The proposed development is consistent with the stated aims of national waste policy in respect of construction and demolition waste streams and will allow the Applicant to establish itself as a leader in the development of a circular economy and beneficial use of construction and demolition waste.

This approach, to use of waste to achieve beneficial outcomes, in this instance principally the backfill and restoration of former quarry but also to develop additional sources of (recycled) aggregate, is well established and recognised in principle through national, regional and local planning and waste policy. There are also multiple planning precedents established in using inert soil and stone waste for quarry backfill and restoration purposes.

As set out in the EIAR and the AA Screening Report / Natura Impact Assessment, it is anticipated that with appropriate mitigation measures in place, the proposed development would not have any significant adverse effects on the natural environment, local residential amenity, the safety and capacity of the road network, local archaeological heritage or any designated nature conservation sites.

On this basis therefore, it is submitted that there are no material considerations to warrant refusal of this application and that consequently, planning permission should be granted for the proposed development.

FIGURES

**Figure 1
Site Location Map**

**Figure 2
Existing Site Layout**

**Figure 3
Surrounding Land Use**

**Figure 4
Proposed Site Layout**

**Figure 5
Final Restoration Plan**

**Figure 6
Cross-Sections**

00036.00080.0.16.FIG 1-1.0.Site Location Map.dwg



NOTES

1. EXTRACT FROM ORDNANCE SURVEY 1:50,000 DISCOVERY SERIES MAPPING SHEET NO. 56 & 92
2. ORDNANCE SURVEY IRELAND LICENCE NO. CYAL50167032 (C) ORDNANCE SURVEY IRELAND/ GOVERNMENT OF IRELAND

LEGEND

-  LANDHOLDING BOUNDARY (c.36 Ha. / 89 acres)
-  PLANNING APPLICATION AREA (c. 32.5 Ha.)

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**KILSARAN CONCRETE
PLANNING STATEMENT**

BALLINCLARE QUARRY RESTORATION
INERT WASTE & C+D WASTE RECOVERY FACILITY
KILBRIDE (N11), CO. WICKLOW

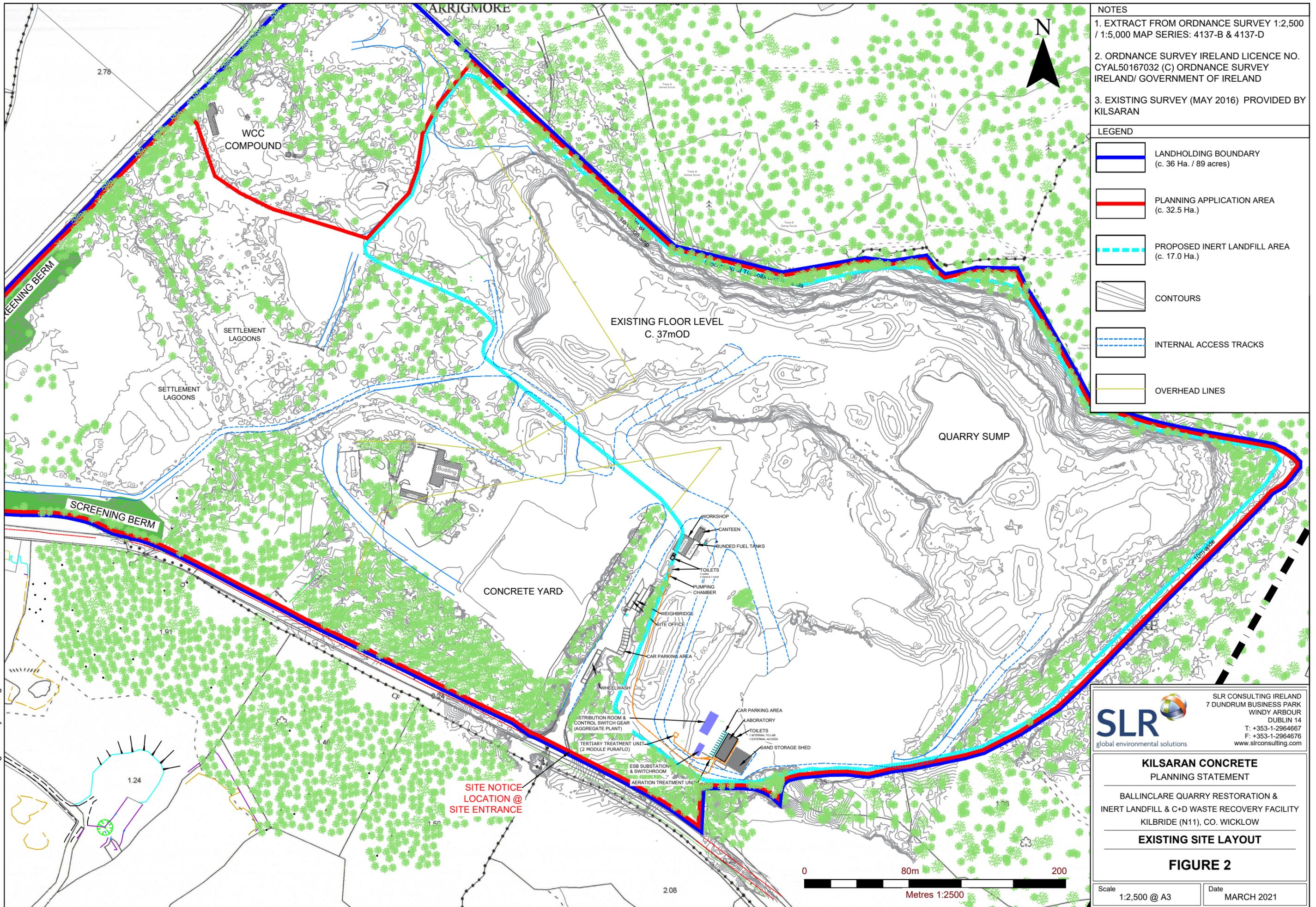
SITE LOCATION MAP

FIGURE 1

Scale 1:50,000 @ A3 Date MARCH 2021



00036.00080.0.16.FIG 1-3.0.Existing Site Layout.dwg



- NOTES**
1. EXTRACT FROM ORDNANCE SURVEY 1:2,500 / 1:5,000 MAP SERIES: 4137-B & 4137-D
 2. ORDNANCE SURVEY IRELAND LICENCE NO. CYAL50167032 (C) ORDNANCE SURVEY IRELAND/ GOVERNMENT OF IRELAND
 3. EXISTING SURVEY (MAY 2016) PROVIDED BY KILSARAN

LEGEND

| | |
|--|--|
| | LANDHOLDING BOUNDARY (c. 36 Ha. / 89 acres) |
| | PLANNING APPLICATION AREA (c. 32.5 Ha.) |
| | PROPOSED INERT LANDFILL AREA (c. 17.0 Ha.) |
| | CONTOURS |
| | INTERNAL ACCESS TRACKS |
| | OVERHEAD LINES |

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**KILSARAN CONCRETE
PLANNING STATEMENT**

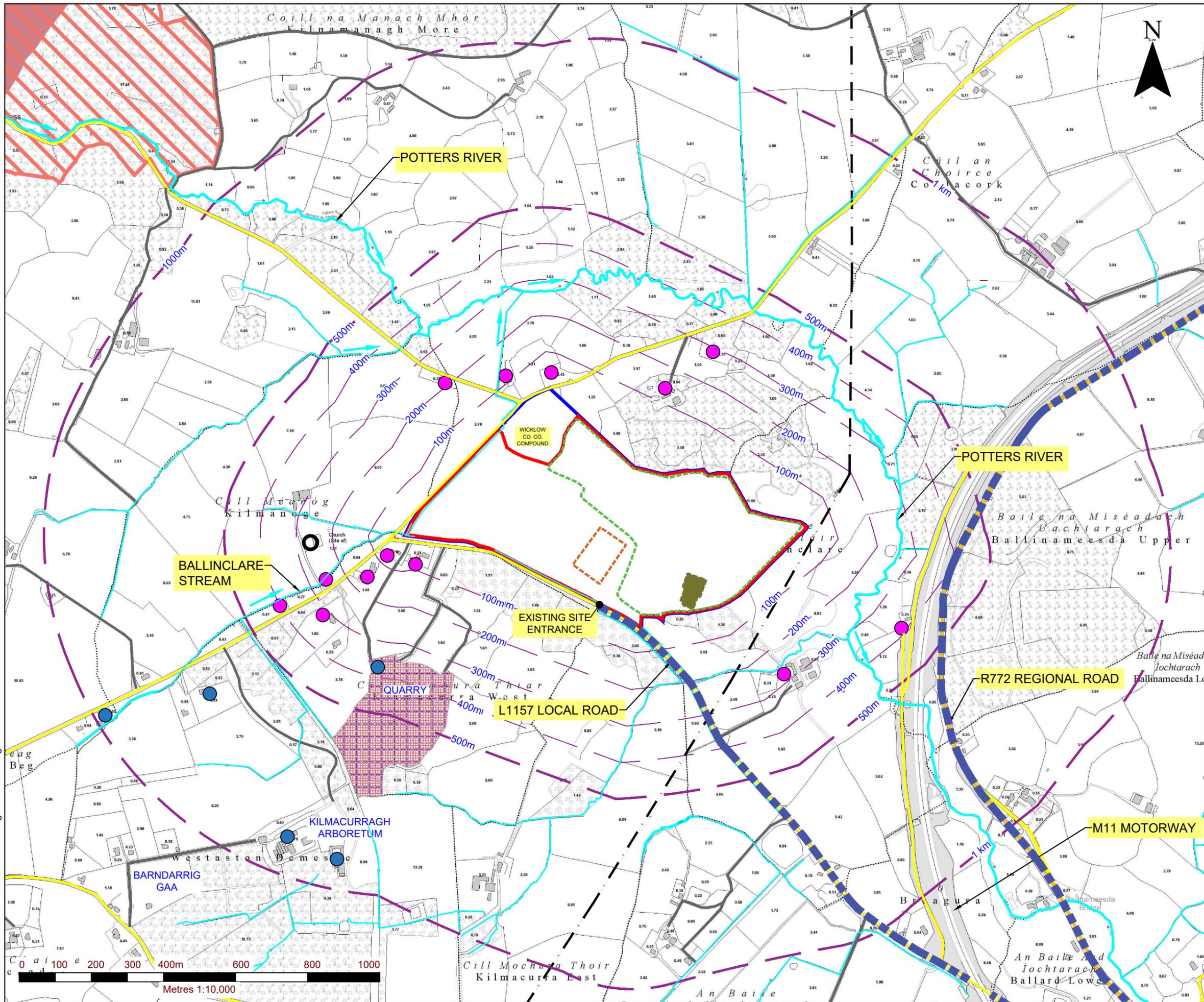
BALLINCLARE QUARRY RESTORATION &
INERT LANDFILL & C+D WASTE RECOVERY FACILITY
KILBRIDE (N11), CO. WICKLOW

EXISTING SITE LAYOUT

FIGURE 2

Scale 1:2,500 @ A3 Date MARCH 2021

00036.00080.0.16.FIG 1-4.0.Surrounding Land Use.dwg



NOTES

1. EXTRACT FROM ORDNANCE SURVEY 6 INCH MAPPING WW030 & WW0311
2. ORDNANCE SURVEY IRELAND LICENCE NO. CYAL50167032 (C) ORDNANCE SURVEY IRELAND/ GOVERNMENT OF IRELAND
3. EXISTING SURVEY (MAY 2016) PROVIDED BY KILSARAN

LEGEND

| | |
|--|---|
| | LANDHOLDING BOUNDARY (c. 36 Ha. / 89 acres) |
| | PLANNING APPLICATION AREA (c. 32.5 Ha.) |
| | INERT WASTE LANDFILL FOOTPRINT (c. 17.0 Ha.) |
| | C&D WASTE RECOVERY FACILITY AREA |
| | PROPOSED SOIL WASHING PLANT |
| | 500m, 1km, 2km & 3km DISTANCE OFFSETS FROM BOUNDARY |
| | RESIDENTIAL RECEPTORS |
| | COMMERCIAL RECEPTORS |
| | 002274 - DEPUTY'S PASS NATURE RESERVE SAC |
| | 001756 - GLENEALY WOODS pNHA |
| | R772 REGIONAL ROAD |
| | LOCAL ROAD NETWORK |
| | ACCESS TRACKS |
| | 220KV ELECTRIC OVERHEAD LINE |
| | RIVER / STREAMS |
| | HAUL ROUTE |

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KILSARAN CONCRETE
PLANNING STATEMENT

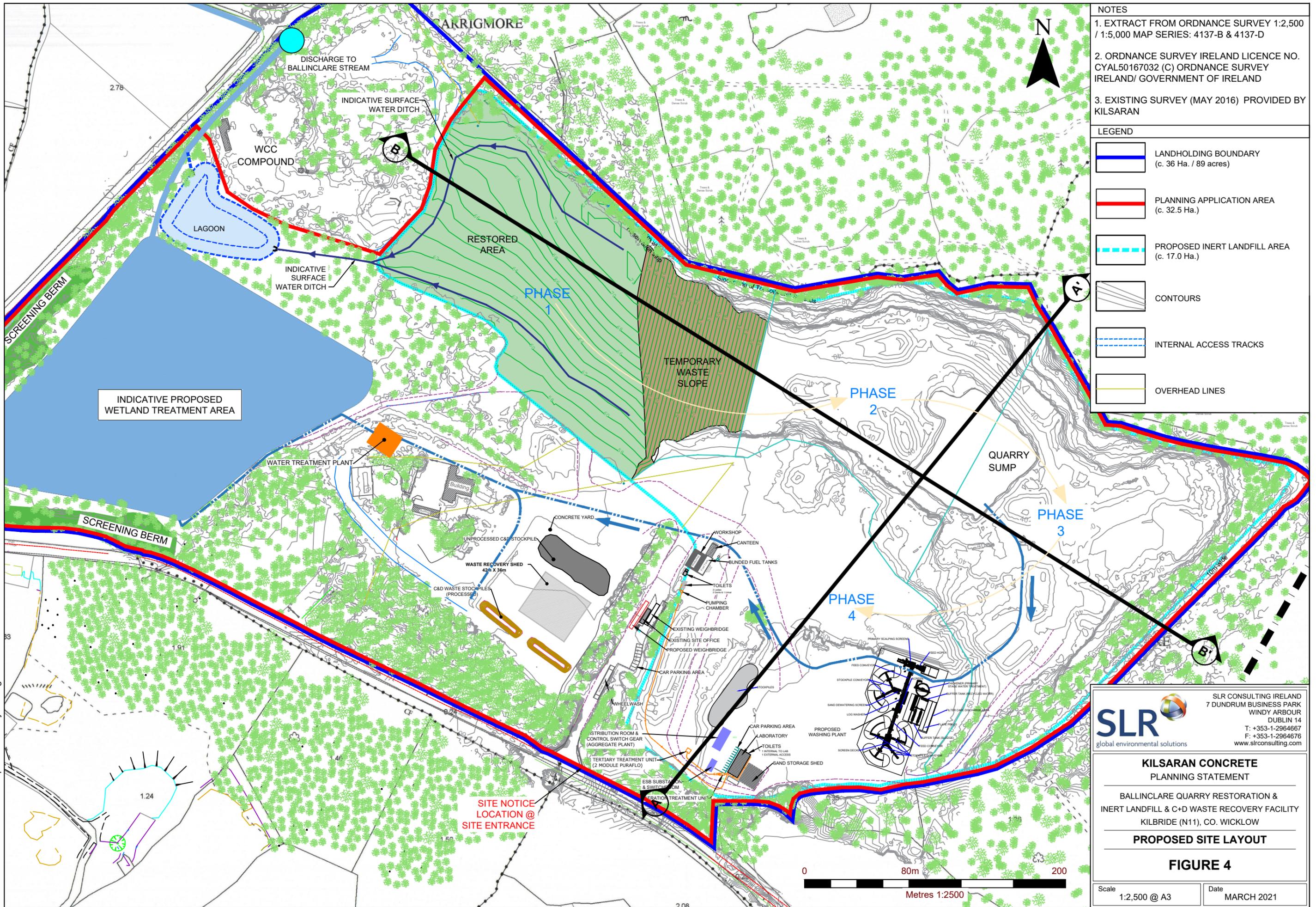
BALLINCLARE QUARRY RESTORATION &
INERT WASTE & C+D WASTE RECOVERY FACILITY
KILBRIDE (N11), CO. WICKLOW

SURROUNDING LAND USE

FIGURE 3

Scale: 1:10,000 @ A3 Date: MARCH 2021

00036.00080.0.16.FIG 2-2.0.Prososed Site Layout.dwg



NOTES

- EXTRACT FROM ORDNANCE SURVEY 1:2,500 / 1:5,000 MAP SERIES: 4137-B & 4137-D
- ORDNANCE SURVEY IRELAND LICENCE NO. CYAL50167032 (C) ORDNANCE SURVEY IRELAND/ GOVERNMENT OF IRELAND
- EXISTING SURVEY (MAY 2016) PROVIDED BY KILSARAN

LEGEND

| | |
|--|--|
| | LANDHOLDING BOUNDARY (c. 36 Ha. / 89 acres) |
| | PLANNING APPLICATION AREA (c. 32.5 Ha.) |
| | PROPOSED INERT LANDFILL AREA (c. 17.0 Ha.) |
| | CONTOURS |
| | INTERNAL ACCESS TRACKS |
| | OVERHEAD LINES |

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**KILSARAN CONCRETE
PLANNING STATEMENT**

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INERT LANDFILL & C&D WASTE RECOVERY FACILITY
KILBRIDE (N11), CO. WICKLOW

PROPOSED SITE LAYOUT

FIGURE 4

Scale 1:2,500 @ A3 Date MARCH 2021

00036.00080.0.16.FIG 2-4.0.Restoration Surface and Landscape Plan.dwg



NATIVE HEDGE MIX
 Two rows to be planted at 40cm centres with rows 40cm apart (i.e. 2.5 plants/m; approx. 1,250m in total = 3,125 plants). Transplants to be planted randomly with no more than 3 plants of the same species in one row. Feathered Transplants to be planted approximately every 8m, with a random allocation of alder and oak along the hedge, and to be maintained as hedgerow trees.

| No. | Plant Name | Common Name | Height (cm) | Age | % |
|---|--------------------|--------------|-------------|------|-----|
| Transplants/Container Grown Shrubs | | | | | |
| 340 | Corylus avellana | Hazel | 60-90 | 1+0 | 20 |
| 560 | Crataegus monogyna | Hawthorn | 60-90 | 1+1 | 25 |
| 225 | Ilex aquifolium | Holly | 60-80 | 2Lt | 10 |
| 225 | Prunus avium | Wild Cherry | 60-90 | 1+0 | 10 |
| 340 | Prunus spinosa | Blackthorn | 60-90 | 1+0 | 20 |
| 225 | Sambucus nigra | Elder | 60-90 | 1+1 | 10 |
| Feathered Transplants | | | | | |
| 110 | Alnus glutinosa | Common alder | 175-200 | 2xTR | 2.5 |
| 110 | Quercus petraea | Sessile oak | 175-200 | 2xTR | 2.5 |

NOTES
 ORDNANCE SURVEY IRELAND LICENCE NO. CYAL50167032 (C) ORDNANCE SURVEY IRELAND/ GOVERNMENT OF IRELAND

LEGEND

- LANDHOLDING BOUNDARY (c. 36 Ha. / 89 acres)
- PLANNING APPLICATION AREA (c. 32.5 Ha.)
- PROPOSED INERT LANDFILL AREA (c. 17.0 Ha.)

RESTORATION MEASURES

- AREAS TO BE RESTORED TO GRASSLAND
- PROPOSED NATIVE HEDGEROWS
- WETLAND TREATMENT AREA TO BE RETAINED AS A WILDLIFE / BIODIVERSITY FEATURE

RESTORATION PROPOSALS
 The inert landfill area at Ballinclare, Co. Wicklow will be restored to agricultural grassland, which is one of the beneficial afteruses recommended in the EPA Guidelines 'Environmental Management in the Extractive Industry' (2006). The restoration will take place on a phased basis, in conjunction with the phased filling activities. The below restoration elements will be implemented.

Retention of Existing Vegetation: All existing screening vegetation along the site boundaries, and most of the internal woodland areas and scrub vegetation will be retained.

Spreading of soil and grass seeding: The area to be grass seeded will be covered with approximately 350mm of subsoil and 150mm of topsoil on completion of each phase of the landfilling/re-grading works. The material will be sourced from the material imported into the site, which will be stored in temporary stockpiles. Once the earthworks are complete the area will be grass seeded, using a suitable agricultural grass seed mix.

Hedge Planting: On completion of all earthworks, native hedges will be planted in the approximate locations of former boundary lines, to provide green corridors and break up the large site.

NOTES:
Earthworks: All soil handling to be carried out, as per current best practice guidance. Topsoil and subsoil to be handled separately.
Grass Seeding: Prior to any seeding works surface preparation and final cultivation will be carried out in accordance with current best practice. Seeding to take place whilst suitable weather conditions prevail. The sowing specifications will be as per the manufacturer's instructions.

Planting General: All proposed species are native. All plants to be protected with spiral guards or alternatively with rabbit proof fencing. All plant handling, planting and establishment works will be carried out in accordance with current best practice and will take place in the appropriate planting season (e.g. bareroot planting: November to March only) and in favourable weather conditions. The planting will be carried out by a suitably qualified landscape contractor.
Aftercare: Establishment maintenance will be carried out for 2 years following each stage of the planting works (minimum 3 maintenance visits per year; i.e. spring, summer and autumn). This will include weed control, replacement planting where required and the adjustment/removal of tree ties and spiral guards.

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RESTORATION SURFACE AND LANDSCAPING PLAN

FIGURE 5

Scale 1:2,500 @ A3 Date MARCH 2021

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