

Spink Quarry, Knockbaun, Abbeyleix, Co. Laois

Spink Quarry

Environmental Impact Assessment Report

Appendix 2

Schedule of Conditions

P.A. Ref. 10/383

2021

Prepared by:

J Sheils Planning & Environmental Ltd

31 Athlumney Castle, Navan, Co. Meath



Part of the Breedon Group

Laois County Council Planning Authority, Viewing Purposes Only

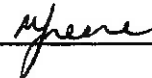
LAOIS COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS, 2000 to 2010

NOTIFICATION OF FINAL GRANT

TO: Larry Behan,
C/O Cross, Architect & Surveyor,
11 An Crois, Allenwood,
Naas,
Co. Kildare.

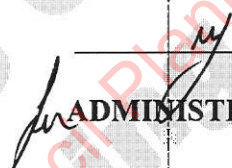
I hereby certify that no notice of appeal against
the Council's decision herein has been received.

Signed: 

Planning Register Number: 10/383
Valid Application Receipt Date: 23/07/2010

In pursuance of the powers conferred upon them by the above-mentioned Acts, Laois County Council have granted PERMISSION to the above named, for the development of land, namely:-continue use for (a) quarrying on an area of 16.79 ha in an overall site area of 26.70 ha, (b) offices, weighbridge, service workshop, laboratory, toilets, canteen and stores having a total floor area of 466.52m², septic tank, bord na mona puraflo effluent treatment system and entrance, (c) of all associated plant and machinery including crushers, tar plant, bitumen storage tanks, screen house, bunded fuel tanks, silos, bins, generators, (d) wheel washing and dust suppression systems and surface water drainage lagoons. This application is accompanied by an Environmental Impact Statement at Knockbaun, Spink subject to the 20 conditions set out in the Schedule attached.

Signed on behalf of LAOIS COUNTY COUNCIL


ADMINISTRATIVE OFFICER, PLANNING

Date: 19/09/2011

It should be noted that an outline permission is a permission subject to the subsequent approval of the Planning Authority and that until such approval has been obtained to detailed plans of the development proposed, the development is NOT AUTHORISED.

NOTE:

The permission herein granted shall, on the expiration of the period of 10 years beginning on the date of the granting of permission, cease to have effect as regards:-

1. In case the development to which the permission relates is not commenced during the period, the entire development and
2. In case such development is so commenced, so much thereof as is not completed within that period.

YOU ARE ADVISED TO CHECK WITH LAOIS COUNTY COUNCIL AND OTHER STATUTORY BODIES SUCH AS E.S.B., EIRCOM, ETC., IN RELATION TO THE

LOCATION OF ANY UNDERGROUND SERVICES BEFORE DEVELOPMENT COMMENCES.

Laois Co Council -
Viewing Purposes Only
Laois County Council Planning Authority, Viewing Purposes Only

SCHEDULE 1

Having regard to the governments guidelines on Quarries and Ancillary Activities, April 2004 and the provisions of the Laois County Development Plan 2006-12, which recognize the importance of aggregates to the economy and the need to work minerals where they occur, and the rural nature of the site, it is considered that, subject to conditions, the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety. The proposed development would therefore, be in accordance with the proper planning and sustainable development of the area.

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CONDITIONS

1. The quarry shall be operated in accordance with plans, particulars, and Environmental Impact Statement received by the Planning Authority on 23rd of July, 2010, as amended by additional information received by the Planning Authority on 14th of February, 2011, 22nd of February, 2011 and 20th of June, 2011, except where otherwise required by the conditions in this Schedule.

Reason: In the interest of proper planning and development.

2. (a) This permission is for a 10 year period to work the quarry, plus two years for final re-instatement works unless, prior to the end of the period, planning permission has been granted for its extension for a further period.

(b) A programme of works for the quarry will be submitted to the planning authority at yearly intervals. The planning authority will review the programme of works and advise of any planning issues to be addressed if required.

Reason: In the interest of orderly development.

3. The Quarry shall be operated between the hours of 07:30 and 18:00 hours, Monday to Friday and between 07:30 and 14:00 hours on Saturday. The quarry shall not operate on Sundays or on Public/Bank holidays. Quarry activities and loading of trucks may take place outside these times provided that the noise levels arising from these activities comply with the noise limits stated in Condition No. 4.

Reason: In the interest of residential amenities.

4. **Noise**

(a) Noise levels attributable to the quarry (when assessed at the nearest noise sensitive location) shall comply with the noise threshold limit values set out in the EPA (2006) 'Environmental Management Guidelines – Environmental Management in the Extractive Industry';

08.00 – 20.00 hrs 55dB (A) LAeq (1 hr)

20.00 – 08.00 hrs 45dB (A) LAeq (1 hr)

Noise levels shall be measured at the noise monitoring locations shown on Figure 3.6 of the Environmental Impact Statement received by the Planning Authority on 23rd of July, 2010. Monitoring results shall be submitted to the Planning Authority on a quarterly basis per year.

(b) 95% of all noise levels measured shall comply with the specified limit value(s). No individual noise measurement shall exceed the limit value(s) by more than 2 dB (A).

(c) There shall be no tonal or impulsive noise at noise sensitive receptors during night-time hours due to activities carried out on site.

Reason: To protect the amenities of the properties in the vicinity of the area.

5. There shall be no testing or use of alarms or sirens outdoors between 20:00 hours and 06:00 hours.

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Reason: In the interest of public health and residential amenity.

6. Air Quality

(a) Activities at the site shall not give rise to total dust deposition of greater than 350mg/m² per day monthly mean in accordance with TA Luft VDI Method 2119 (Bergerhoff Gauge), measured at the dust sensitive locations shown on Figure 2 of the Air Quality Monitoring Report, received by the Planning Authority on 14th of February, 2011.

(b) Monitoring results shall be submitted to the Planning Authority on a quarterly basis per year. Dust monitoring shall be carried out monthly during the period April to September inclusive. The results of the monitoring shall be submitted to the Planning Authority four weeks after the end of the month being reported on.

(c) The measurement technique shall be the VDI Method 2119 – Part 2 (Bergerhoff Gauge).

Reason: To protect the amenities of the properties in the vicinity of the area.

7. Blasting & Vibration

(a) The developer shall only carry out blasting during 09.00 – 18.00 hrs, Monday to Friday, except in emergencies or for health & safety reasons beyond the control of the developer. The developer shall put in place a procedure for notifying local residents of the date(s) and times of blasting. This documented procedure shall be agreed with the Planning Authority, and be available on-site for inspection by the Planning Authority.

(b) No blast or combination of simultaneous blasts shall give rise to a ground-borne vibration level at the nearest noise sensitive receptor which exceeds a peak particle velocity of 12 mm/second, as measured in any of the three mutually orthogonal directions about a fixed point.

(c) No blast shall give rise to an air overpressure level at the nearest noise sensitive receptor that exceeds 125 dB (Lin) maximum peak. 95% of all air overpressure levels measured at the nearest noise receptor location shall conform to the specified limit value. No individual air overpressure value shall exceed the limit value by more than 5 dB(Lin).

(d) The developer shall carry out blast monitoring (groundborne vibration and air overpressure) for each blast. The monitoring locations shall be agreed in advance with the Planning Authority and shall be established prior to commencement of development. Blast monitoring shall be carried out for each blast, unless otherwise agreed in writing with the Planning Authority. The following information shall be recorded for each blast: date; time; location in the quarry; amount of explosive used; maximum instantaneous charge; vibration and air overpressure monitoring results. The results of the monitoring shall be submitted to the Planning Authority four weeks after the end of the quarter being reported on.

Reason: To protect the amenities of the properties in the vicinity of the area.

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8. Water Quality Protection

(a) Within 8 weeks of the date of the final grant of permission, the developer shall submit to and have received the agreement of the Planning Authority, details of the method of preventing unlicensed discharge of trade effluents to surface water from the discharge pond.

(b) Only clean uncontaminated water shall be allowed discharge to surface waters or groundwaters. Any other discharges shall be classified as trade discharges and shall be subject to a discharge license under Section 4 of the Local Government (Water Pollution) Acts 1977 to 1990.

(c) No surface water shall be allowed to flow from the site onto the public road, during the construction or operational phases of the development.

(d) All surface water run-off from vehicle re-fuelling, loading and set-down areas shall pass through adequately sized and located silt traps and hydrocarbon interceptors before any discharge to surface or ground waters. The separator shall be a Class I full retention separator, and shall be in accordance with I.S. EN 858-2:2003 (separator systems for light liquids). The separator shall be located, installed, operated and maintained in accordance with the recommendations of the manufacturer and to the satisfaction of the Planning Authority.

(e) All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds should be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004). All tank storage areas shall, as a minimum be bunded, to a volume not less than the greater of the following:

- (i) 110% of the capacity of the largest tank or drum within the bunded area
- (ii) 25% of the total volume of substance that could be stored within the bunded area.

Drainage from the bunded areas shall be collected and disposed of in a safe manner. The integrity and water-tightness of the bunded areas shall be assessed on a regular basis/every two years and a report on such assessment shall be available for inspection by the Planning Authority.

(f) The developer shall take precautions to ensure that oils, fuels and additives used in the operations are stored in secure areas. All waste oil shall be removed from the site and disposed of to the satisfaction of the Planning Authority.

(g) The developer shall have on site an adequate supply of containment booms and suitable absorbent material to contain and absorb any spillage.

(h) All pump sumps, storage tanks, or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separator, shall be fitted with high liquid level alarms (or oil detectors as appropriate).

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(i) In the event of quarrying activities having an adverse impact on the existing private wells in the vicinity, the developer shall undertake appropriate remedial measures agreed with the Planning Authority at his own expense. In the event of disruption of water supplies, the developer shall cease any operations causing such disruption until the affected water supply has been restored or replaced.

(j) The developer shall carry out monitoring of surface water and groundwater in the vicinity of the site. The monitoring locations, sampling procedure, and suite of water quality parameters to be tested for shall be agreed in advance with the Planning Authority. Monitoring shall be carried out on a monthly basis and the monitoring shall begin prior to the commencement of the authorised activity. The results of the monitoring shall be submitted to the Planning Authority four weeks after the end of every month being reported on.

Reason: In the interest of public health.

9. Waste Management

(a) Unless specifically authorised under a Waste Management Consent (i.e. a Waste Licence or a Waste Permit), no waste shall be burnt on site.

(b) Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor. The waste shall be transported only from the site of the activity to the site of recovery/disposal in a manner which will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.

(c) All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the Planning Authority. In any case no such wastes shall be stored on the site except within the confines of the buildings on site. Adequate on-site arrangements for the storage of recyclable materials prior to collection shall be made to the satisfaction of the Planning Authority.

(d) All hazardous waste generated on site shall be disposed of through licensed collection and disposal contractors. The applicant shall maintain records of the quantities generated and the routes, quantities and dates of removal of the material off site. All records shall be made available to the Planning Authority whether requested in writing or by a member of staff of the Planning Authority at the site.

(e) The developer shall as part of the AES submit a report on the contribution by this facility to the achievement of the recovery targets stated in national and European Union waste policies and shall include the following:-

- (i) The separation of recyclable materials from on-site waste.
- (ii) The recovery of Construction and Demolition Waste.
- (iii) The recovery of metal waste.

Reason: In the interest of public health.

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10. Environmental Nuisance

(a) Effective site roads and the haul road shall be provided and maintained to ensure the safe movement of vehicles within the facility. The facility entrance and hardstanding areas shall be appropriately paved and maintained in a fit and clean condition.

(b) The developer shall ensure that the activities shall be carried out in a manner such that emissions including odours, noise and dust do not result in significant impairment of, and/or significant interference with amenities or the environment beyond the facility boundary.

(c) The developer shall, at a minimum of one-week intervals, inspect the facility and its immediate surrounds for nuisances caused by mud, dust and odours. The developer shall maintain a record of all nuisance inspections.

(d) Security and stock-proof fencing and gates shall be installed and maintained by the developer. Gates shall be locked shut when the facility is unsupervised. Subject to the satisfactory reinstatement of the site, the requirement for such site security may be removed, with the agreement of the Local Authority.

Reason: In the interest of safeguarding local amenities and the protection of public health.

11. Environmental Management & Monitoring

(a) The developer shall implement the Environmental Management System (EMS) provided to the Planning Authority within 1 month of the date of grant of permission.

(b) The developer shall establish and implement an environmental monitoring programme as part of the EMS. This programme shall include such surveys, sampling, analysis and measurements as set out in this permission. The frequency, methods and scope of monitoring, as set out in the conditions attached to this permission may be amended with the written agreement of, or upon direction from the Planning Authority, pending review of the monitoring results.

(c) Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission or discharge.

(d) All treatment / abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/supplier or installer.

(e) Sampling and analysis of all pollutants as well as reference measurement methods to calibrate automated measurement systems shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards which will ensure the provision of data of an equivalent scientific quality shall apply.

(f) The developer shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points as required by the Planning Authority.

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(g) All monitoring locations shall be situated at locations that provide a representative measurement of the impact of the activity and shall take account of local meteorological and topographical conditions.

(h) The developer shall ensure that documented Accident Prevention & Emergency Response Procedures are in place that will address the hazards on-site, particularly in relation to the prevention and management of accidents with a possible impact on the environment. These procedures shall be reviewed annually and updated as necessary.

(i) The following shall constitute an incident for the purposes of this permission:

- (i) An emergency.
- (ii) Any emission which does not comply with the requirements of this permission, and
- (iii) Any indication that environmental pollution has, or may have taken, or will likely take, place.

(j) In the event of an incident the developer shall, within the shortest possible timeframe:-

- (i) Carry out an immediate investigation to identify the nature, source and cause of the incident and any emission arising therefrom.
- (ii) Isolate the source of any such emission.
- (iii) Evaluate the environmental pollution, if any, caused by the incident.
- (iv) Identify and execute measures to minimise the emissions/malfunction and the effects thereof.
- (v) Identify the date, time and place of the incident.
- (vi) Notify the Planning Authority and other relevant authorities as specified by the Planning Authority e.g. Regional Fisheries Board.

(k) The developer shall provide a proposal to the Planning Authority for its agreement within one month of the incident occurring or as otherwise agreed by the Authority to, identify and put in place measures to avoid reoccurrence of the incident, and to identify and put in place any other appropriate remedial action.

(l) The developer shall record all sampling, analyses, measurements, examinations, inspections, calibrations and maintenance carried out in accordance with the requirements of this permission and all other such monitoring which relates to the environmental performance of the facility.

(m) The developer shall submit to the Planning Authority, by the 31st January of each year, an Annual Environmental Statement (AES) covering the previous calendar year. This report, which shall be to the satisfaction of the Planning Authority, shall include as a minimum the information specified below:-

- (i) Emissions from the facility.
- (ii) Waste management records (including quantity and composition of waste recovered and disposed of on and off-site during the reporting period and each previous year -relevant EWC codes to be used).
- (iii) Complaints summary.

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- (iv) Schedule of Environmental Objectives and Targets.
- (v) Environmental management plan – report for previous year.
- (vi) Environmental management plan – proposal for current year.
- (vii) Environmental monitoring report summary – including noise, surface water and groundwater.
- (viii) Tank and pipeline testing and inspection report (every 3 years).
- (ix) Reported incidents summary.
- (x) Management and staffing structure of the facility, and a programme for public information.
- (xi) Any other items reasonably specified by the Planning Authority.

(n) The developer shall as a minimum maintain the following documents at the site and make them available for inspection by the Planning Authority and other authorised persons:-

- (i) The permissions relating to the development.
- (ii) The current EMS for the facility.
- (iii) The previous year's Annual Environmental Statement for the facility.
- (iv) Records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this permission and all other such monitoring which relates to the environmental performance of the facility.
- (v) Relevant correspondence with the Planning Authority.
- (vi) Up to date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points.
- (vii) *Up to date Standard Operational Procedures for all processes, plant and equipment to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment.*
- (viii) *Training records for all staff whose duties may have an environmental impact.*

This documentation shall be available to the Planning Authority for inspection at all reasonable times.

Reason: In the interest of safeguarding local amenities and the protection of public health.

12. Groundwater, Surfacewater and Water Table

(a) A dedicated servicing and refuelling area shall be provided with an impermeable surface. No servicing or refuelling of vehicles shall occur outside of this dedicated area. All surface water run-off from vehicle re-fuelling, loading and set-down areas shall pass through adequately sized and located silt traps and hydrocarbon interceptors before any discharge to surface or ground waters. The separator shall be a Class I full retention separator, and shall be in accordance with I.S. EN 858-2:2003 (separator systems for light liquids). The separator shall be located, installed, operated and maintained in accordance with the recommendations of the manufacturer and to the satisfaction of the Planning Authority.

(b) All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds should be designed having regard to Agency guidelines 'Storage and Transfer of Materials for

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Scheduled Activities' (2004). All tank storage areas shall, as a minimum be bunded, to a volume not less than the greater of the following:

- (i) 110% of the capacity of the largest tank or drum within the bunded area
- (ii) 25% of the total volume of substance that could be stored within the bunded area.

Drainage from the bunded areas shall be collected and disposed of in a safe manner. The integrity and water-tightness of the bunded areas shall be assessed on a regular basis/every two years and a report on such assessment shall be available for inspection by the Planning Authority.

(c) Only clean uncontaminated water shall be allowed discharge to surface waters or groundwaters. Any other discharges shall be classified as trade discharges and shall be subject to a discharge license under Section 4 of the Local Government (Water Pollution) Acts 1977 to 1990.

(d) The developer shall take precautions to ensure that oils, fuels and additives used in the operations are stored in secure areas. All waste oil shall be removed from the site and disposed of to the satisfaction of the Planning Authority.

(e) The developer shall have on site an adequate supply of containment booms and suitable absorbent material to contain and absorb any spillage.

(f) All pump sumps, storage tanks, or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separator, shall be fitted with high liquid level alarms (or oil detectors as appropriate).

(g) The developer shall carry out monitoring of surface water and groundwater in the vicinity of the site. The monitoring locations, sampling procedure, and suite of water quality parameters to be tested for shall be agreed in advance with the Planning Authority. Monitoring shall be carried out on a monthly basis and the monitoring shall begin within 4 weeks of the date of this grant of permission. The results of the monitoring shall be submitted to the Planning Authority four weeks after the end of every month being reported on.

Reason: In the interest of public health.

13.

a) Landscaping and reinstatement of the site shall take place as per the Landscaping Section of the Environmental Impact Statement received by the Planning Authority on the 23rd of July, 2010.

b) The site shall be fully restored within 2 years of permanent cessation of quarrying and extraction operation on site.

c) Following termination, or planned cessation of use or involvement of all or part of the site in the authorised activity for a period greater than six months, or a period as agreed with the Planning Authority, the developer shall, to the satisfaction of the Planning Authority, decommission, render safe or remove for disposal / recovery, buildings, infrastructure, plant or equipment, or any waste, materials or substances or other matter

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contained therein or thereon, that may result in environmental pollution. The developer shall carry out such tests, investigation or submit certification, as requested by the Planning Authority, to confirm that there is no residual risk to the environment following cessation of the operation or part thereof.

Reason: To ensure the satisfactory completion of the development and visual amenity.

14. All overburden material, which is removed during the preparation stage, shall be graded and seeded to stabilize side slopes and dust suppression sprays shall be used during periods of dry weather to ensure adequate dust suppression management.

Reason: In the interest of public health and residential amenity.

15. A contour survey of the site shall be taken @ 0.5m intervals and submitted to the Planning Authority within 6 months of this order. A bench mark shall be established on site as a reference point from which all levels shall be taken.

Reason: To ensure effective monitoring of the development.

16. A stock and trespass proof fence shall be erected around the full perimeter of the site and a lockable gate maintained at the site entrance.

Reason: In the interest of orderly development.

17.

(a) The applicant shall maintain the public road free of material from the site that may compromise the safe operation of the road. In the interest of clarity, and for the avoidance of doubt, site management shall provide for the routine removal of any such mud and debris (including loose material in verges) in the public roadway on a daily basis towards the close of business each day. The quarry shall suspend deliveries in the event that the proposed wheel wash becomes ineffective resulting in material being deposited on the public road.

(b) The applicant shall conduct a topographical survey of the R430 within 200 metres either side of the quarry access to facilitate assessment of the road profile at the access with respect to drainage and road camber. The applicant shall agree with the Road Design Office of Laois County Council proposals to improve this section of road.

(c) The applicant shall make an annual contribution of €15,000 to the Laois County Council Road Design Office by 28th of February each year, towards the costs of maintenance and strengthening of the Regional Road R430 and its bridges and culverts.

Reason: In the interest of traffic safety.

18. Prior to the commencement of development, a contribution shall be payable to Laois County Council, in accordance with the Council's Development Contribution Scheme, in respect of public infrastructure and

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facilities benefiting development in the area of the planning authority, and that is provided or that it is intended will be provided by, or on behalf of, the Council.

The contribution payable will be based on the contribution rate applicable at the time of payment and not the rate in existence when permission is granted. The amount of the development contribution is set out below and is subject to annual revision with reference to the Wholesale Price Index (Building and Construction), and penalty interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Land Use for working of minerals

Category A Land Use for working of minerals	Rate of €2,513 per 1 hectare of site	Amount of Contribution
	€2,513 * 27 hectares	€67,851.00

Commercial/Offices

Category	Rate per m ² * Internal Floor Area	Amount of Contribution
Roads	€30 * 511.00 m ²	€15,330.00
Amenity	€15 * 511.00 m ²	€7,665.00
Total	€45	€22,995.00

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Laois County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the planning authority.

19. Within three months of the date of this order the operator shall lodge with the planning authority a cash deposit of €100,000 or a bond of an insurance company of same value, in relation to the restoration and making safe of the site as required in connection with the development, and provision of road access coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

20. The applicant shall ensure that no water plants are introduced to the flooded quarry when operations have ceased as part of the reinstatement plan for the site as recommended in the Natura Impact Assessment received by the Planning Authority on 14th of February, 2011.

Reason: To prevent the introduction of alien invasive species which may impact upon the integrity of the nearby River Barrow and Nore cSAC.