Planning Statement

Materials Recovery / Recycling Facility and Inert Landfill

Kilsaran Concrete Unlimited Company

Ballinclare Quarry, Kilbridge, Co. Wicklow.

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Basis of Report

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Acronyms and Abbreviations

ABP	An Bord Pleanála
C&D	Construction and Demolition
CAP23	The Climate Action Plan 2023
CAP24	The Climate Action Plan 2024
CDP	County Development Plan
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EMRWMP	Eastern Midlands Region Waste Management Plan
EU	European Union
NDP	National Development Plan
NHA	Natural Heritage Area
NPF	National Planning Framework
NPO	National Policy Objective
NSO	National Strategic Outcomes
pNHA	Proposed Natural Heritage Area
RPO	Regional Policy Objectives
RSES	Regional Spatial and Economic Strategy
RSO	Regional Strategic Outcomes
SAC	Special Area of Conservation
SID	Strategic Infrastructure Development
SLR	SLR Consulting Limited
SPA	Special Protection Area
WCDP	Wicklow County Development Plan 2022-2028

1.0 INTRODUCTION

1.1 Development 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 report provides an overview of the Proposed Development (as defined in Chapter 2 of the accompanying EIAR) and related project rationale. It appropriately considers relevant considerations within EU Directives and Policies, National Policies and Legislation, Regional Planning Policy, and Local Planning Policy.

This report should also be read in conjunction with the EIAR submitted with this planning application. It is submitted that the Proposed Development should be seen as contributing to the circular economy and proper planning and sustainable development of the area.

The proposed development located at Ballinclare Quarry, near Kilbride, Co. Wicklow, provides for the establishment and operation of a licensed, integrated material recovery / recycling facility and inert landfill which comprises three key elements:

- a soil washing plant to win aggregate from imported soil and stone;
- a construction and demolition (C&D) waste recycling facility to produce aggregate from construction and demolition waste (principally concrete); and
- an inert engineered (i.e. lined) landfill to facilitate backfilling and restoration of the existing quarry void.

In essence, it will provide for the importation, re-use, recovery and/or disposal of by-product materials and inert wastes generated by construction and development projects in Counties Wicklow, Dublin, and Wexford as well as the backfilling and long-term restoration of the former quarry to native woodland habitat.

The proposed soil washing plant will be installed at the former concrete and asphalt production yard in the south-eastern corner of the quarry and will be capable of recovering sand and gravel aggregate from excess soil and stone (managed both as waste and non-waste by-product) which has been imported from construction and development sites across the surrounding region.

The proposed construction and demolition (C&D) waste recovery facility will be established across the footprint of an existing paved area immediately west of the existing internal access road. The principal wastes to be imported to the facility and used to produce recycled aggregates will include concrete (ready-mixed, reinforced, blocks and/or pavement slabs), bricks and bituminous mixtures (hardened asphalt returns and road plannings). Most of these wastes will be sourced from off-site clearance and demolition projects across the surrounding region.

Any aggregates produced from waste materials at either the soil washing plant or the C&D waste recovery facility will be of construction grade and will comply with an engineering specification and the End of Waste criteria for recycled aggregates published by the EPA in September 2023.

It is proposed to backfill the existing quarry void to a final ground level of approximately 80mOD and to leave the upper rock face exposed for a height of up to 15m to facilitate continued nesting by peregrine falcons. Backfilling will be progressed by way of inert landfilling activity on an ongoing and progressive basis in discrete cells with an engineered (natural clay) liner at the base and sides. The final completed landform will substantially,

though not entirely, re-establish the former landform that existed at the application site prior to commencement of historical quarrying activities.

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

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 inert landfill facility as required, pending its re-use as cover material.

Once landfill cells have been backfilled and capped to the proposed final level, they will be progressively restored to a native woodland habitat. As well as improving the landscape and visual characteristics of the site, the establishment of vegetation across completed landfill cells will also reduce soil erosion and the potential volume of suspended solids carried in surface water run-off. The introduction of a woodland habitat will also increase biodiversity on-site as it matures.

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 Northwest of England and the wider UK market.

The company employs over 900 people directly. It operates 12 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 3 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 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, it operates EPA licensed soil waste recovery facilities at Kilmessan in Co. Meath (Waste Licence Ref. No W0296-01) and at Halverstown, Co. Kildare (Waste Licence Ref. No. W0300-01).

1.3 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 DHLGH EIA Portal

1.4 Purpose and Structure of the Planning Statement

This Planning Statement considers the Proposed Development in the context of compliance with and contribution to the principles of proper planning and sustainable development, having regard to International, European, National, Regional and County-level policies and plans including County Development Plans, together with relevant statutory guidelines and legislation.

This Planning Statement is set out as follows:

- Section 1: Introduction
- Section 2: Background to the Application
- Section 3: Proposed Development
- Section 4: Review of Policy and Guidelines
- Section 5: Planning Considerations
- Section 6: Closure

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 planning application site covers approximately 32.6ha (80.5 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 (within the redline boundary) shown in Figure 1, while the wider landholding (within the blueline 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 paved area to eth west of the existing site access road, 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

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. 23 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 over the life of the proposed materials recovery / recycling facility and inert landfill.

There is a concrete paved area to the west of the existing site access road, together with a number of former farm buildings and a former agricultural / 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. Thereafter, traffic turns left (and east) at a T-junction and travels for a further 0.6km along the L1157 Local Road, also known locally as the Breagura 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 Green Angel Skincare / Junction 18 Café premises (the former Tap Restaurant) at Kilbride and travel north-westwards for approximately 2km along the L1157 Local Road to the entrance to Ballinclare Quarry.

All future HGV traffic to and from the proposed Material Recycling / Recovery Facility and Inert Landfill at Ballinclare Quarry will be routed along the L1157 Local Road, amending the one-way system which was in place at the quarry previously (under quarry planning permission(s) Ref 07/45 and 14/2118) which directed inbound traffic along the L1113 Local Road and outbound traffic along the L1157 Local Road.

2.4 Site Drainage

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.

At the present time, rainfall across the existing quarry site (including the former concrete / asphalt production yard) generates run-off which generally falls to the quarry void, while run-off across the western side of the quarry site falls to the drainage channel leading off-site to the Ballinclare Stream. Given that the diorite bedrock is a poor aquifer, there is relatively little infiltration to ground or recharge to the underlying groundwater table.

After extraction and production activities were suspended in 2016, quarry dewatering ceased in the absence of any on-site outlet or end use for the water collecting in the quarry sump. In subsequent years, the quarry void was flooded by surface water run-off from surrounding ground and (relatively minor) groundwater inflows and water levels within the quarry rose gradually over time.

In November 2019, Wicklow County Council issued a discharge licence (Ref. No. WPL116) which provided for off-site discharge of water collecting in the quarry void to the Ballinclare Stream immediately beyond the north-western site boundary.

The current discharge licence provides for pumping of water from the quarry void (using a rising main pipe) to an existing on-site treatment unit located at the former storage area upstream of a series of existing settlement ponds. The approved water treatment system was installed and commissioned in October 2022 and quarry dewatering commenced shortly thereafter. The system comprises a bespoke Siltbuster treatment plant which reduces naturally-elevated concentrations of arsenic identified in the water which collected in the quarry void, as well as also effectively removing any suspended solids.

Following treatment at the Siltbuster plant, surface water run-off flows under gravity towards the settlement ponds for further polishing and sediment removal. All off-site discharges are sampled and tested in accordance with licence requirements. Test results to date have been consistently compliant with the emission limit values set by the discharge licence.

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 of 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. • 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). • Concrete products manufacturing plant. • Macadam and asphalt manufacturing plant.	Granted	November 2007, subject to 21 conditions

Reg. Ref.	Development Description	Decision Type	Decision Date
	• 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.		
14/2118	Permission for 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.	Granted	8/2/2016, subject to 23 conditions
ABP 309991-21	Development and operation of an inert landfill facility to backfill the existing quarry to original ground level; progressive restoration of the backfilled quarry to long-term grassland / scrub habitat; establishment and operation of a construction and demolition waste recovery facility; installation and operation of a soil washing plant and all associated site works.	Refused	29/09/2023

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 of 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 Previous Planning Applications

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 25m 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 25m above sea level.

Wicklow County Council granted permission for the development on the 4th of 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, Kilsaran submitted the above application for planning permission on 4th of 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; and
- 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.

Planning Permission (Ref: ABP 309991-21)

Having suspended extraction and production activities following discovery of naturally occurring asbestos at the quarry in June 2016, Kilsaran submitted a planning application for Strategic Infrastructure Development at the quarry to An Bord Pleanála in April 2021. The application provided for:

- the development and operation of an inert landfill facility to backfill the existing quarry to original ground level;
- progressive restoration of the backfilled quarry to long-term grassland / scrub habitat;
- establishment and operation of a construction and demolition (C&D) waste recovery facility;
- installation and operation of a soil washing plant; and
- all associated site works.

The application was ultimately refused permission in October 2023, principally on account of perceived deficiencies in baseline ecological surveys around the application site. All other aspects of the proposed development, including need, compliance with policy objectives and traffic impact were deemed satisfactory by the ABP Inspector in his report to the Board.

In assessing the application, the Inspector noted the following:

"The consistent message throughout all levels of policy in terms of waste management is that there is the need to move towards a circular economy….."

"The proposed development would adhere to circular economy principles by recycling construction and demolition wastes and recovering sand, gravel and secondary aggregates from soil waste within the soil washing plant. These waste materials may otherwise end up in non-productive use and the proposed development will allow them to be used as a substitute for virgin quarried materials. The proposed backfilling of the quarry will also form part of a circular economy by returning the site into some sort of active use over time through progressive re-establishment of soil as a growth medium and carbon sink on site….."

"Overall, I would be satisfied that the proposed development is in compliance with the strategic objectives of national and regional policy on waste management. The proposal will contribute towards the circular economy and will successfully reuse existing infrastructure to rejuvenate the site into a useful purpose during its operational and post-operational stages. The site has good access to the national and regional road network to the south of the greater Dublin area and it has been adequately demonstrated by the applicant that there will

be a need for such a facility. The proposal would therefore be acceptable in principle and in accordance with the proper planning and sustainable development of the area subject to an assessment of the issues addressed hereunder.

The principle of the proposed development remains broadly consistent with the previous application in addressing the need for infrastructure to support the needs of the emerging circular economy in the construction and development sectors and the wider requirements of national and regional waste policy. The proposed development has addressed all the concerns and limitations identified with respect to environmental assessment with the previous SID application at the site.

2.7 Planning Consultations

On foot of the ABP decision to refuse the development at Ballinclare in 2023, Kilsaran undertook a further review of its site development strategy and decided to submit a modified planning application which addressed a number of issues and concerns raised in respect of the earlier proposal and which also had regard to recent developments in waste policy and regulation promoting the development of the circular economy.

2.7.1 Consultation with An Bord Pleanála

In early February 2024, a pre-application request was submitted to An Bord Pleanála under reference ABP-318997-24 for a determination as to whether or not the proposed development at Ballinclare Quarry constitutes Strategic Infrastructure Development pursuant to Section 37A of the Planning and Development Acts 2000-2024 (and the Seventh Schedule thereto).

A follow-up virtual (online) meeting to discuss the nature and scale of the proposed development was held via MS Teams with ABP officials on 11 April 2024. Following on from those consultations, An Bord Pleanála formally advised on 21st May 2024 that it considered that the proposed development at Ballinclare Quarry constituted strategic infrastructure within the meaning of Section 37A of the Planning and Development Act, 2000, as amended.

In making its decision, the Board concluded that:

"Having regard to the size and scale of the proposed resource recovery and recycling facility, incorporating an inert engineered landfill facility for quarry backfilling and restoration associated development, an intake greater than 100,000 tonnes per annum, it is considered that the prospective development constitutes development that falls within the definition of environmental infrastructure in the Seventh Schedule of the Planning and development act 2000, as amended, thereby satisfying the requirements set out in section 37A (1) of the Act.

The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A (2) (a) and (b) of the Planning and Development Act 2000, as amended, having regard to National Strategic Outcomes of the National Planning Framework in particular."

2.7.2 Consultations with Prescribed Bodies

In issuing its decision the Board also directed that formal consultations be undertaken with a number of relevant prescribed bodies in advance of any follow-on application for strategic infrastructure being submitted to the Board. The prescribed bodies identified by the Board are listed in Table 2 below.

Table 2
Prescribed Bodies and Other Bodies Identified by ABP

Prescribed Bodies	
Minister for the Environment, Climate and Communications	Minister for Housing, Local Government & Heritage
Wicklow County Council	Eastern and Midland Regional Assembly
Inland Fisheries Ireland	Environmental Protection Agency
Fáilte Ireland	The Heritage Council
An Chomhairle Ealaion	An Taisce
Health Service Executive	Transport Infrastructure Ireland
Health and Safety Authority	Eastern-Midlands Waste Regional Authority
Geological Survey of Ireland	

All of the prescribed bodies listed above have been notified of the Proposed SID application and issued with a full copy of all plans and particulars associated with the application. In addition to this a number have been consulted as part of the scoping exercise for the EIAR which accompanies this planning application.

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 Natura 2000 sites).

2.7.3 Public Consultations

In addition to consultation with prescribed bodies 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 largely undertaken between the 21st of August 2024 and 9th of September 2024. The objective of the consultation exercise was,

(i) to provide the public with information on the proposed development and as well as an opportunity to raise issues / queries and discuss the development with Kilsaran representatives and the Project Team; and

(ii) to engage with, and seek the assistance of, the public in identifying the environmental issues to be assessed in the EIAR and NIS to be prepared and submitted with the project application for development consent.

Members of the public were invited to attend a local public information and consultation event at the Green Angel Skincare / Junction 18 Café premises (the former Tap Restaurant) in Kilbride (at the junction of L1157 Local Road and R772 Regional Road) on the evening of 21 August 2024, between 16.00 hours and 20.00 hours.

The notice advertising the event was distributed by means of an advance leaflet drop to local residents within 1km of the application site and along the L1157 Local Road leading to the site from the R772 Regional Road. The leaflet provided outline details of the development, a link to a dedicated project website (www.ballinclarematerialsrecovery.ie) and an email address for submission of observations and feedback. Prior notice of the public consultation event was also provided by way of an advert in the local Wicklow People newspaper on 14 August 2024.

The event was an informal and open forum, with a series of display boards available for inspection, presenting details of the proposed development, visualisations / photomontages and information on environmental topics. Company representatives were available for question / discussion in relation to any potential concerns, and input and feedback was sought in respect of potential refinement of development proposals to reduce or minimise concerns about potential development impacts.

Around 40 individuals attended the public consultation event and a total of 31 written submissions were received at consultation stage via the dedicated project website. The vast majority of comments / concerns raised in submissions received from the local community were in relation to the increase in traffic volumes on the local road network and perceived safety risks to the local community which might arise therefrom.

Concerns were also raised in respect of a range of other issues including implications for climate from traffic emissions, operational management, the control of waste intake, potential for illegal / hazardous waste intake to site and potential for noise and air quality impacts. Submissions also raised concerns around potential flood impacts, groundwater contamination, impacts on peregrine falcon, control of invasive species and road upgrade / improvement proposals.

Further detail in respect of pre-planning consultations undertaken with the local community are presented in the Consultation Report accompanying this planning application, together with an overview / response to the feedback provided. The concerns raised in the course of the public consultation are also addressed in respective Chapters of the EIAR.

2.7.4 Other Consultations

Aside from the formal consultation process required under Section 37, other informal consultations and discussions were also undertaken directly with local officials / officers of State bodies and agencies by individual EIA contributors when undertaking environmental impact assessment in their specialist discipline. Relevant details / outcomes of those consultations are detailed in the specialist environmental chapters of this EIAR, together with details of any relevant data or information provided.

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 Buckroney-Brittas 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; and

(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 2022-2028, the application site is located within a landscape sensitivity area identified as "Corridor Area East" This area is described as "The N11 corridor", comprising lands along *"the main access corridor along the east of the County*".

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 southwest 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 the establishment and operation of a licensed, integrated material recovery / recycling facility and inert landfill which comprises three key elements.

- a soil washing plant to win aggregate from imported soil and stone;
- a construction and demolition (C&D) waste recycling facility to produce aggregate from construction and demolition waste (principally concrete); and
- an inert engineered (i.e. lined) landfill to facilitate backfilling and restoration of the existing quarry void.

In essence, it will provide for the importation, re-use, recovery and/or disposal of by-product materials and inert wastes generated by construction and development projects in Counties Wicklow, Dublin, and Wexford as well as the backfilling and long-term restoration of the former quarry to native woodland habitat.

In applying for planning permission for a materials recovery and recycling facility and inert landfill at the application site, Kilsaran is seeking to address some of the shortcomings identified in the previous (2021) SID application (Case Ref. ABP-309991-21)) through the incorporation of more extensive biodiversity enhancement measures and some amendments to the long-term site restoration proposals. These measures include

- Establishment of native woodland in defined areas around the site
- Leaving section of upper quarry face exposed for peregrine falcon(s)
- Retention of settlement / treatment ponds and features of biodiversity value
- Provision for roosting bats and breeding / roosting birds (including Barn Owl)
- Establishment of artificial sand martin colony
- Establishment of perimeter deer fence (to include access points for mammals).

The revised application will also include a number of other amendments to the earlier SD application which in summary includes

- A reduction in the annual material intake from a maximum 800,000 tonnes per annum to a maximum of 600,000 tonnes per annum – comprising 550,000 tonnes of soil and stone (waste and by-product) and 50,000 tonnes of C&D waste (principally concrete, brick, bituminous waste / asphalt, tiles etc.)
- A reduction in the total volume of landfilled / deposited soil and stone to c. 6.5m tonnes;
- Installation of a new weighbridge on the inbound traffic lane;
- Provision of queuing lanes within the site to facilitate HGV queueing within the application site at peak times;
- Installation of an additional wheelwash facility along the egress route from the landfilling area to immediately remove soil and mud carried on wheels or truck underbodies (rather than carry it through the site);
- Indicative design for upgrading works along local access road (L1157), specifically
- Widening of the L1157 Local Road to 6m to provide for safe passing on oncoming HGV’s, removal of passing bays at or close to farm accesses, incorporation of additional traffic monitoring and/or control measures and
- Establishment of appropriately funded community benefit scheme administered by WCC.

The Applicant also envisages that the proposed development will also offer some further opportunities for community gain, including for example, facilitating public access to areas of the site for nature / wildlife / biodiversity related studies or walks (by prior arrangement).

The re-application will also have regard to advances in soil washing technologies and will also accommodate recent regulatory decisions by the EPA in respect of

(i) by-product criteria for excess soil and stone criteria generated at greenfield construction and development sites which essentially allows it to be managed as a non-waste material under Article 27 of the EC (Waste Directive) Regulations of 2011 (S.I. 126 of 2011);

(ii) end of waste criteria for recycled aggregates produced from construction and demolition waste materials

3.1 Development Overview

The proposed development at Ballinclare Quarry will provide for the following:

- Installation and operation of a soil washing plant at the former concrete / asphalt yard to produce construction grade sand and gravel aggregate from imported excess soil and stone. 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;
- Construction of a close-sided industrial shed (portal frame structure with roof mounted solar panels) at the existing paved area to the west of the access road to house crushing and screening equipment and process / recycle inert C&D waste (principally solid / reinforced concrete, bricks, ceramics and solid bituminous waste mixtures);
- Use of external paved and hardstanding areas surrounding the C&D waste processing shed for the external handling and storage of both unprocessed and processed C&D wastes;
- Separation of any intermixed solid construction and demolition (C&D) wastes (principally metal, timber, PVC pipes and plastic) prior to its removal off-site to authorised waste disposal or recovery facilities;
- Substantial backfilling of the existing quarry void to a maximum level of 80mOD through disposal of imported inert soil and stone waste and residual fines from the soil washing process and the use of non-waste soil by-product for engineering, capping and/or landscaping purposes
- The progressive restoration of the completed landfill landform to long-term native woodland habitat;
- Continued use of established site infrastructure and services including, site / weighbridge office, staff welfare facilities, surface water run-off and wastewater treatment systems, weighbridge, garage / workshop, wheelwash, hardstand areas, fuel and water storage tanks to service the proposed development;
- Clearance of vegetation and felling of a number of mature trees to facilitate widening of the internal site access road and make provision for off-road queuing of inbound HGVs within the application site boundary;
- Decommissioning of any remaining fixed plant and infrastructure associated with former rock extraction or concrete / asphalt production activities;
- Off-site removal of any waste materials or bulky wastes associated with former quarrying or production activities;
- Installation of a new weighbridge along the inbound lane of the quarry access road;
- Installation of an additional wheelwash facility on the eastern side of the former concrete / asphalt yard;
- Modification / upgrade of existing drainage channel along the site access road, Installation of silt trap and hydrocarbon interceptor to treat run-off and provision of

additional pumping capacity to transfer run-off from existing surface water pond at site entrance to quarry sump

- Installation of a silt trap and hydrocarbon interceptor at the proposed C&D waste recovery facility to treat run-off prior to being pumped to the soil wash plant or surface water ponds elsewhere on site.
- Installation of a sub-surface concrete wastewater holding tank;
- Construction and establishment of an on-site (passive) wetland treatment system and any associated drainage infrastructure to treat / polish water collected from the active backfilling / landfilling cells prior to its discharge off-site to the Ballinclare Stream;
- Re-use of an existing storage shed as a dedicated waste inspection and quarantine facility to inspect and store suspect waste consignments as required. Any waste which has been accepted at the facility and which is likely (on basis of visual inspection) or confirmed (on basis of compliance testing) to be non-compliant with waste acceptance criteria for the facility will be temporarily stored at this location pending results of further waste classification testing and a decision as to how and where they should ultimately be disposed of or recovered;
- Re-alignment, upgrading and ongoing maintenance of internal haul routes across the application site;
- Temporary stockpiling of topsoil pending re-use as cover material for final restoration of the inert landfill / backfilled quarry void;
- Implementation of a series of measures to enhance local biodiversity including the retention of habitats and features of biodiversity value (e.g. ponds, buildings), quarry face retention for nesting peregrine falcon, establishment of an artificial sand martin colony, creation of roost space / deployment of bird boxes for bats, creation of habitat / erection of bird nest boxes for breeding / roosting birds and erection of fence along the site perimeter to include access points for mammals.
- Environmental monitoring of noise, dust, surface water and groundwater for the duration of the landfilling and restoration works and C&D waste recovery / recycling activities and for a short period thereafter;
- All ancillary site works, landscaping and perimeter fencing.

The proposed site layout during the initial phase of site development (Landfill Phase 1A) and a mid-lift stage (Stage 2) is shown in Figures 4 and 5 respectively.

A full and detailed description of the proposed development is provided in Chapter 2 of the EIAR which accompanies this planning application. The following sections of this planning report describes the key characteristics aspects of the proposed materials recovery / recycling facility and inert landfill at Ballinclare Quarry, sufficient to inform this planning statement.

3.2 Site Preparation / Establishment Works

Prior to commencement of the recycling / recovery and inert landfilling activities at the application site, the following site preparation works will be required:

- Securing existing site perimeter with additional fencing / planting as required; (including deer fence);
- Completing the dewatering of the quarry void in advance of engineering (lining) works and inert waste landfilling activities;
- Felling of a small number of mature trees along the western side of the existing internal access road to facilitate its widening and construction of 2 internal queuing lanes for HGVs;
- Modification / upgrade of existing drainage channel along the site access road to facilitate construction of additional queuing lane and the increase in paved area along site access road.

- Installation of silt trap and hydrocarbon interceptor to treat run-off and provision of additional pumping capacity to transfer it from existing surface water pond at site entrance to quarry sump;
- Installation of a silt trap and hydrocarbon interceptor at the proposed C&D waste recovery facility;
- Cutting and mulching of any existing scrub and vegetation across the proposed development footprint and off-site removal to authorised waste facilities (to be undertaken in phases prior to commencement of works in designated areas);
- Decommissioning and dismantling of any other legacy infrastructure from prior development (e.g. production plant, metal, WEEE, additives etc.) and removal off-site to other Kilsaran production sites or authorised waste facilities as required;
- Reconfiguration of existing site office and re-establishment of staff welfare facilities;
- Installation of new weighbridge at the northern end of inbound lane along internal access road;
- (Re-)commissioning the existing wheelwash facility on outbound lane of site access road and construction of an additional wheelwash facility on the eastern side of former concrete / asphalt yard (in the south-eastern corner of the site);
- Minor repair / maintenance / upgrading works to existing bunded fuel storage area and concrete slab with sub-surface drainage to hydrocarbon interceptor and soakaway area;
- Maintenance and continued use of previously approved septic tank and wastewater treatment facilities and installation of sub-surface concrete wastewater holding tank (to augment existing capacity);
- Maintenance and continued use of existing (Siltbuster) water treatment plant to treat off-site discharge from sump in quarry floor and/or water balancing ponds;
- Excavation, clearance and levelling of existing ground at proposed wetland area and construction of the wetland treatment area;
- Installation and commissioning of the soil washing plant in the former concrete / asphalt yard;
- Construction of the proposed concrete portal frame structure at the C&D waste recovery facility at the paved area to the west of the access road;
- Construction / installation of surface water drainage infrastructure between the inert landfill area, recovery shed and C&D waste recovery area, existing settlement ponds and proposed wetland area;
- Upgrading of existing internal access roads across the site leading to the initial landfill cell (Phase 1A) on the western side of the quarry, the soil washing plant, C&D waste recovery facility and wetland area;
- Establishment of biodiversity enhancement features; and
- 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.

3.3 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 and recycled (secondary) aggregates from

selected, more granular soil intake (managed both as waste and non-waste by-product) and claybound C&D waste intake imported to the facility.

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.

Top-up water for the plant will be provided by capturing run-off from the surrounding paved area in a sump beside the wash plant and pumping it to the recycling tank. This will be further supplemented by run-off captured by the on-site water management system at other waste areas around the facility.

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 no requirement to make provision for treatment for any process water associated with the soil washing activity.

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 which extends across the former production yard. Shallow concrete foundations will likely be required to support the elevated plate press which dewaters the thickened sludge to form a filter cake.

3.4 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 area to the west of the site access road. 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 with roof mounted solar panels 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

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 solid recyclable C&D materials have accumulated in external stockpiles).

During recycling campaigns, the crushing plant will be set up on the paved concrete floor within the open-sided waste recovery shed. The recyclable C&D wastes will be transferred from external stockpiles to the mobile crusher within the shed to produce recycled (secondary) aggregates.

Once crushed and processed, the recycled materials will be moved from inside the shed to external stockpiles pending testing (to confirm compliance with recently published EPA End of Waste criteria) and/or subsequent sale and export off site, most likely for re-use in pavement or road construction.

3.5 Phasing of Landfilling Works

Final formation levels on completion of the landfilling and restoration works will vary on account of the sloped nature of the surrounding original, pre-quarrying landform. Rather than restore the site to its original pre-development landform however, it is proposed to backfill it to a maximum level of 80mOD along the northern boundary and to leave approximately 15m of existing rock face exposed to facilitate continued nesting by peregrine falcons at this location.

Backfilling at other areas around the former quarry area will extend up to the surrounding (original) ground level which typically falls from north to south, to a level of approximately 55mOD to 60mOD along the southern boundary.

The final, restored landform at Ballinclare Quarry will comprise a very slightly domed / sloping plateau which extends across the northern quarry area and falls from a ground level of 80mOD to surrounding undisturbed ground levels of between 55mOD and 60mOD, as shown in the site restoration plan in Figure 6. Corresponding landfill cross-sections are shown in Figure 7.

It is envisaged that the existing quarry will be restored in three distinct phases. The landfilling Phase 1 works will initially progress cross the deeper quarry void from the existing quarry floor to approximately 60mOD in four sub-phases (identified as Phases 1A to 1D). Of the 4 sub phases,

- Phase 1A comprises the initial inert landfilling cell at the western end of the quarry,
- Phase 1B comprises an inert landfill cell at the eastern end of the quarry;
- Phase 1C comprises a landfill cell extending eastward from Phase 1A toward the quarry sump. While this cell is under construction, the deeper quarry area between 22mOD and 37mOD (which will function up to this stage as a sump for surface water run-off and groundwater inflows) will be backfilled using a combination of site-sourced materials and imported non-waste (by-product) materials;
- Phase 1D will comprise one further inert landfill cell in the centre of the quarry (constructed over the deeper quarry area backfilled during Phase 1C).

Each inert landfill cell will be initially developed by placing a 1m thick layer of low permeability material across the quarry floor to form the basal liner.

Low rise clay bunds will be constructed at the base of active (lined) landfilling areas / cells to permit localised capture and management of any surface water run-off (which may be impacted or lightly contaminated by contact with the inert soil waste) in temporary sumps / ponds behind them. Surface water run-off collecting in these sumps will be managed separately to surface water run-off and groundwater inflows from non-landfill areas which will collect in the deeper sump area.

In addition to preventing surface water run-off water from flowing over exposed bedrock on the quarry floor, the collection of surface water run-off in temporary sumps within landfill cells will also facilitate some initial settling out of suspended solids before it is fed to the on-site water management system for subsequent treatment and off-site discharge.

The installation of the basal liner will progress in line with the importation of suitable low permeability by-product materials as landfilling with inert waste extends laterally and/or progresses upwards Once the basal extent of each landfill cell has been reached, the installation of the steepwall liner against the existing quarry side walls will progress upward and the open front face of the landfilled waste will be sloped at a suitable (i.e. safe) gradient.

Although the proposed approach reduces the volume of low permeability clay by-product material to be imported to the facility for engineering (lining) purposes at the outset, it is expected that suitable soil by-product material will be imported on an ongoing basis over the operational life of the facility as it becomes available from construction and application sites. The imported soil by-product will either be used immediately for engineering (lining) purposes at the landfill cells or alternatively, could be stockpiled, to be placed on a campaign basis at a later date (either by site-based personnel or by an appointed earthwork Contractor).

The deeper quarry excavation area (extending to 22mOD) will serve as a large sump to drawdown groundwater levels and capture surface water run-off for the duration of landfilling Phases 1A and 1B. Over the course of Phase 1C, temporary storage (balancing) ponds will also be constructed at a higher level in areas backfilled previously (during Phases 1A and/or 1B). These balancing ponds will hold and retain water which has not come into contact with backfilled waste materials which has been captured separately and pumped up from the quarry floor. Balancing ponds are required after Phase 1C to manage and address a

potential deficit which might otherwise arise in the volume of run-off available to supply the soil wash plant (were it to be immediately discharged off-site).

Following completion of Phase 1 landfilling to 60mOD, a sloped landform will be constructed above it, rising north and eastwards against the existing rock face to a maximum of around 80mOD. The extent, height and shape of the proposed Phase 2 landform are indicated in Figure 5. As for the Phase 1 landfilling, a steepwall liner will be constructed against the quarry face and low-rise clay bunds will be constructed at the base of active landfilling areas / cells to permit localised capture and management of any surface water run-off in contact with the inert waste.

In Phase 3, landfilling will progress southwards across the former concrete / asphalt production area, following decommissioning of the soil washing plant. Landfilling will progress from the existing floor level of approximately 50mOD to a final restored level which falls from approximately 80mOD in the north to 55mOD in the south, as indicated. A sump to collect surface water run-off in contact with the inert waste will be provided throughout this phase, at the existing low point in the south-eastern corner of this area.

The area around the existing aggregate 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 on-site waste activities) will be last area to be landfilled and restored.

Once landfill cells have been backfilled and capped to the proposed final level, they will be progressively restored to a native woodland habitat. As well as improving the landscape and visual characteristics of the site, the establishment of vegetation across completed landfill cells will also reduce soil erosion and the potential volume of suspended solids carried in surface water run-off.

The phasing plan outlined above is indicative and will need to be reviewed based upon anticipated input rates of inert soil and stone waste and the availability of low permeability by-product material for engineering (lining) purposes.

3.6 Intake Capacity and Expected Lifespan

The only materials required to backfill and restore the former quarry are inert soil, stone, and rock (and other particulate soil-like / sludge wastes). At the present time, it is envisaged that the principal sources of these materials over the lifetime of the proposed development will be construction sites in Counties Wicklow, Dublin, and Wexford.

3.6.1 Landfill Volume

The total volume of soil required to create the final (restored) landform is approximately 3,600,000m^3. 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.

If an average target compaction density of 1.8 tonnes/m^3 is assumed for tonnage assessment purposes, this suggests an import requirement for approximately 6,500,000 tonnes of soil and stones. The overall volume will comprise a mix of

(i) natural soil and/or non-waste by-product to be used in engineering works (principally the construction of basal and side liners and separation berms);

(ii) low permeability filter cake materials produced by the on-site soil washing activities; and

(iii) imported inert soil and stone waste (and other permitted particulate wastes).

The inert landfill facility will be developed in 3 separate phases as follows:

(i) Phase 1 (comprising sub-phases 1A to 1D) will extend across the existing quarry void area from a lower quarry floor level of 22mOD to approximately 60mOD (and has a total intake capacity of approximately 2,900,000 tonnes);

(ii) Phase 2 will extend above the central / eastern quarry void area from approximately 60mOD up to 80mOD (and has a total intake capacity of 2,750,000 tonnes); and

(iii) Phase 3 will extend across the former concrete yard to south-east of the quarry void (and has a total intake capacity of 850,000 tonnes).

3.6.2 Rate of Waste / Material Intake

It is envisaged that the combined (cumulative) intake of (i) inert soil / C&D waste for on-site disposal and recovery and (ii) non-waste by-product material required for on-site landfill engineering works or supplied to the soil wash plant, will not exceed 600,000 tonnes per annum.

Within this overall intake, the annual intake of soil and stone (waste and by-product) is likely to be of the order of 550,000 tonnes per annum. Where suitable, inert soil and stone waste will be imported and processed at the soil washing plant to recover construction grade aggregates. If not, it will be placed directly at the engineered (lined) landfill facility.

While any by-product intake will principally comprise soil and stone sourced from greenfield (i.e. previously undeveloped) construction sites, it could possibly evolve to include other prospective by-product materials as other regulatory decisions in respect of by-products are made and/or enacted by the EPA over time.

The annual intake of inert, construction and demolition waste will be of the order of 50,000 tonnes per annum and will principally comprise concrete (ready-mixed, reinforced, blocks and/or pavement slabs), bricks and bituminous mixtures / hardened asphalt.

The expected throughput at the soil washing plant is likely to average around 300,000 tonnes per annum and feedstock will comprise a mix of waste and by-product soil materials, albeit these would have to be processed and managed separately to ensure full and appropriate waste traceability. Processing this volume of soil would generate approximately 225,000 tonnes of construction grade aggregate for off-site export and 75,000 tonnes of filter cake material for disposal at the adjoining inert landfill facility.

Within this development application, flexibility is required to vary the quantities of inert soil and stone waste and by-product materials which may be imported and managed on-site in any given calendar year. Given the phased nature of the proposed landfill development and likely fluctuations in the level of activity within the construction and development sector over the projected life of the facility, the requirements for (and availability of) soil by-product material could vary considerably from year to year, with more materials being required in some years and near none in others.

In recognition of this and for the purposes of this EIAR therefore, application is made for a maximum intake of 600,000 tonnes of inert soil / C&D waste to this facility per annum. Although it is unlikely that this scenario will arise over the operational life of the proposed facility, it is conservative and will at least ensure that all relevant planning and waste licencing decisions are robust and provide the required degree of operational flexibility required at the facility. This approach will also ensure that any technical studies which inform regulatory decision making are equally robust.

3.6.3 Development Lifespan

The duration of landfilling activities at the application site will largely be dictated by the rate at which approximately 6,500,000 tonnes of externally sourced soil and stone intake and the natural / by-product soils required for landfill engineering works are imported to the facility. Several factors which will influence this, including, but not restricted to the:

Volume of inert soil waste and/or soil by-product materials generated at construction / application sites in the surrounding region.

- 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.

Were the combined clay liner (non-waste by-product) and inert waste intake of 6,500,000 tonnes to be imported at a projected maximum (combined) intake rate of 550,000 tonnes per annum and the entirety of such intake was directed to the inert landfill, landfilling activities could be complete in a minimum of 10.5 years.

Given the focus on maximising materials recovery and re-use, this scenario is unlikely to occur, and it is envisaged that, on average, between imported inert waste, filter cake material generated on site and soil by-product materials used for landfill engineering purposes, the average intake to the landfill will be of the order of 300,000 to 350,000 tonnes per annum. This in turn suggests an operational lifespan of between and 18.5 and 21.5 years for the proposed landfill facility.

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 / footprint, particularly 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. As previously noted, any soil washing, and aggregate recovery activities will cease in advance of the final landfill phase across the former concrete / asphalt yard (Phase 3).

This application provides for a cessation of C&D waste recovery activities at the waste recovery shed / paved area to the west of the access road on completion of landfilling activities and for any associated infrastructure to be decommissioned and materials removed off site.

In light of the above, making allowance for a degree of uncertainty around the rate of material intake to the facility and provision for post-landfill restoration and aftercare works, it is projected that the overall life of this facility could extend to 25 years. Accordingly, this planning application seeks permission for a 25-year period to facilitate completion of landfilling and restoration works at the former quarry site.

3.7 Working Hours

Weekday operating hours for proposed development activities 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 line with the previous planning permission, it is envisaged that that loading and unloading of lorries will take place from 7am each working day.

In response to feedback from public consultations, Kilsaran has given a commitment that no work other than general housekeeping (site management) activities and plant maintenance will take place on site on Saturdays. The facility will be closed on Sundays and Public / Bank Holidays.

3.8 Employment

The proposed backfilling operations will require a minimum of six personnel to be based at the facility at all times during working hours. When operating at full capacity, up to 15 people could be employed at the facility (depending on the number of ongoing activities).

One member of staff will be nominated as the facility / site manager and will be required to

(i) 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;

(ii) collate and maintain records of waste intake; and

(iii) manage the environmental monitoring and reporting programme.

Other staff will be required to

(i) be in attendance at the weighbridge office to weigh HGVs in and out of 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 and processing of soil and stone at the soil wash plant on an ongoing basis;

(v) manage the processing, handling, and C&D recovery activities on an intermittent, campaign basis, as required; and

(vi) oversee the dispatch of recycled aggregates off-site, to an ultimate end-use which is sanctioned by the EPA's National End of Waste Decision criteria in respect of recycled aggregates.

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.

3.9 Site Access

Under the existing quarry planning permission(s) (Planning Ref 07/45 and 14/2118), HGVs travelling to and from Ballinclare Quarry were directed to use a dedicated one-way haul route. Inbound HGVs approaching the quarry from M11 Junction 18 (at the Beehive Inn) travelled approximately 4km along the L1113 Local Road, then turned left onto the L1157 Local Road and travelled a further 600m up to the junction with the existing quarry access road.

Outbound traffic departing the quarry turned left and travelled along the L1157 for approximately 2km, up to its junction with the R772 Regional Road (the former N11 National Primary Road) at the Green Angel Skincare / Junction 18 Café premises (formerly the Tap Restaurant) and, from there, proceeded north (or south) to access the M11 Motorway and the National Road network.

As part of pre-application consultations undertaken with Wicklow County Council in respect of the earlier (2021) planning application, 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, pavement condition, traffic flows and travel speeds.

Based on these assessments and having regard to local traffic flow characteristics and the changes which arose after the M11 motorway opened in 2015, Wicklow County Council advised that it would be preferable to avoid using the previous (established) haul route to the quarry and that HGVs should avoid using the L1113 Local Road. It proposed that HGVs should instead travel the shorter distance between the quarry and the R772 Regional Road in both directions along the L1157 Local Road. In more recent follow-up discussions with Council officials in September 2024, in advance of submitting this planning application, it was confirmed that this remains the Council's view / recommendation.

In light of this feedback, this planning application provides for the routing of all traffic to and from the proposed development at Ballinclare Quarry along the L1157 Local Road. It also

includes provision for a comprehensive road improvement scheme along the entire length of the L1157 leading up to the application site, including road widening to 6.0m everywhere along its length, with road strengthening and repair overlay and road markings where required.

Under the routing proposal, it is expected that the majority of the HGVs travelling to the proposed development from Dublin and North Wicklow will use the M11 Motorway, exiting at Junction 18 and joining the R772 Regional Road southbound. After travelling south for approximately 4km, traffic heading for the facility will turn right, off the R772, and onto the L1157 at the ghost island junction beside the Junction 18 Coffee Shop and Green Angel premises at Kilbride. The access junction to the quarry and proposed development is located along the L1157, approximately 2km north-west of the R772 junction.

It is expected that only a minor proportion of HGV traffic will arrive from the direction of Arklow and North Wexford to the south. 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, turn left off the R772 and onto the L1157, and continue thereafter up to the quarry and proposed development.

The proposed haul route requires all HGV traffic (with the exception of that travelling west to Rathdrum or to local sites) to turn left when departing the proposed facility and follow the upgraded L1157 back to the junction with the R772 Regional Road, and from there continue toward the national motorway network.

3.10 Traffic Movements

As previously noted, the maximum annual intake of soil and stone (waste and by-product) at the proposed materials recovery / recycling facility and inert landfill at Ballinclare Quarry will be 550,000 tonnes per annum, while that of construction and demolition (C&D) waste will be 50,000 tonnes per annum.

When averaged out over a year, the combined maximum intake of 600,000 tonnes per annum is equivalent to an average of

- 12,000 tonnes per week (assuming 50 weeks in a working year)
- 2,400 tonnes per day (assuming 5 days in a working week)
- 240 tonnes per hour (assuming 10 hours in a working day)

If it is conservatively assumed that the average HGV / truck consignment travelling to the waste facility at Ballinclare has a carrying capacity of 25 tonnes, this suggests that at a projected maximum intake rate of 600,000 tonnes per annum, there will be 9 to 10 HGV / truck trips generated every hour by on-site activities. This is equivalent to 18 to 20 individual HGV / truck movements in or out of the site every hour.

In order to minimise HGV traffic across the existing public road network, recycled aggregates generated by soil washing and C&D waste recovery activities will be dispatched off-site using a ‘backloading’ system whereby HGVs which have previously delivered inert / C&D waste or by-product to the facility will pick up a consignment of recycled aggregate before departing the site. As previously noted, recycled aggregates will be dispatched off-site either directly to a construction / application site or to one of Kilsaran’s other production locations or facilities.

Reducing the total number of trips and unladen HGV / truck movements from the facility offers clear financial and environmental benefits. These are considered sufficiently strong to incentivise the implementation of a backloading system at the proposed development and to minimise any additional HGV movements across the public road network.

For traffic assessment purposes therefore, it is assumed that the off-site export of recycled aggregates from the facility will be on the return (outbound) leg of a round trip which brought

soil / C&D waste to the proposed facility import trips and, as a consequence, the activity will not generate any additional traffic movements over the local road network.

Based on the figures indicated previously, production of recycled aggregates for off-site dispatch and backloading is likely to average 225,000 tonnes /annum from the soil wash plant and 50,000 tonnes per annum from the C&D waste recovery facility (assuming 100% recovery rate), equivalent to 275,000 tonnes in total. This would mean that a significant proportion of HGV's journeys to and from the proposed facility at Ballinclare Quarry will be fully laden on both legs of their return journey.

In order to facilitate the proposed development, it will be necessary for some road upgrade and improvement works to be undertaken along the L1157 Local Road leading to the application site. These works will comprise junction improvements around the existing site access gates and road widening to 6m along the entire route (with the elimination of any requirement for passing bays) so as to facilitate safe opposed passage of HGVs / lorries. Pavement strengthening, drainage improvements and re-surfacing works will also be required locally along the road.

3.11 Site Restoration

3.11.1 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 will substantially reinstate that which existed prior to quarry development at the site and will better merge the site into the surrounding rural landscape.

As working areas are progressively landfilled toward the final ground level envisaged by the proposed landfill / site restoration scheme, a cover layer comprising 150mm of topsoil and up to 500mm 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.

Thereafter native woodland planting will be established on a progressive / phased basis. Details of the proposed final landform and the native woodland planting scheme are provided on the long-term restoration plan presented in Figure 6.

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); or

(ii) run-off over the restoration surface (without coming into contact with the underlying inert waste) and be collected by surface water channels which will carry it to the settlement ponds and/or wetland area (or to the separate swale / attenuation pond feature on the western flank of the backfilled quarry). It will then be discharged off-site to the Ballinclare Stream and the Potters River approximately 450m further downstream).

Locally, in the southeastern 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 once restored, 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 sale 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.

3.11.2 C&D Waste Recovery Facility

At the present time, it is anticipated that C&D waste recovery activities will end at Ballinclare Quarry following cessation of landfilling and completion of restoration works at the adjoining inert landfill facility.

On cessation of C&D waste recovery activities, 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 as recycled aggregate to the 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 150mm of topsoil and up to 500mm of mineral subsoil will be placed over exposed in-situ soil. This material will most likely be imported (as non-waste by-product) 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. This 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.

The WFD sets the following targets for EU Member States:

- by 2020, the preparing for re-use and the recycling of waste materials (such as paper, metal, plastic, and glass) from households shall be increased to a minimum of overall 50 % by weight;
- by 2020, the preparing for re-use, recycling, and other material recovery, including backfilling operations using waste to substitute other materials, of non-hazardous construction and demolition waste shall be increased to a minimum of 70 % by weight;
- by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 55 %, 60% and 65% by weight by 2025, 2030 and 2035 respectively.

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.

The WFD 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 soil and stone which will be imported to the planned facility at Ballinclare Quarry, will be typically excess soil and stone material generated by construction and development activity. Given that excavation and handling of such material incurs a cost, it can be implicitly assumed that engineering designers and/or works contractors will avoid or minimise, insofar as possible, the volume of excess soil material excavated when undertaking development or maintenance works.

It can also be implicitly assumed that excess excavated soil material will only be exported off-site where it is not possible to re-use it within the development site or to backfill temporary excavations.

Where soil waste is uncontaminated (inert), it can be re-used at off-site locations for practical and beneficial purposes without the need for treatment, processing, or other form of recycling.

Where excess inert soil is generated by development activity and requires to be exported off site, if not designated (non-waste) by-product, the highest tier activity on the waste hierarchy to which it may be assigned is to waste recovery activity.

The backfilling and restoration at the subject site using excess soil and stone;

- facilitates its long-term restoration to a woodland habitat; and
- better integrates the site into the natural landscape and will improve the overall visual quality and coherence of the surrounding rural landscape.

In so doing, it will achieve a desirable outcome which would not otherwise be possible or would require extensive use of natural soil resources.

As well as providing an outlet for inert soil and stone waste and/or residual particulate waste which cannot otherwise be re-used or recovered (and the filter cake materials produced by the proposed on-site soil washing plant in particular), the proposed inert landfill facility and disposal activities at Ballinclare Quarry will ultimately contribute to a minor local positive impact in facilitating the backfilling of a former quarry void and its long-term restoration to a native woodland habitat.

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 were:

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

This policy approach reflects the waste hierarchy set out in the Waste Framework Directive. The polluter pays principle was also considered a fundamental principle of this policy. The policy does not include any specific measures in relation to management of soil and stone.

4.1.3 Eastern Midland Regional Waste Management Plan (2015-2021)

Wicklow is one of several counties in the Eastern Midland waste region of Ireland which was 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. This plan remained in force until very recently, having only been superseded by the *National Waste Management Plan for a Circular Economy 2024 - 2030* in March 2024.

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 former EMRWMP. At the time the plan was prepared around 2014 / 2015, much C&D waste (including that such as concrete and bituminous waste) was being used for '*land improvement*' or '*reclamation*' works rather than for more beneficial backfilling and infilling purposes, and extracts from the plan referenced below should be read in that context.

Section 7.3 of the former EMRWMP addressed 'priority waste' streams, including construction and demolition (C&D) waste. It noted an increase in construction related activity during 2014 and emphasised the importance of ensuring that appropriate processing facilities were in place to facilitate increased reuse, recycling, and recovery of all C&D waste streams.

Section 11.2.2 of the former plan stated 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 was however silent about who specifically should be responsible for providing alternative waste outlets / capacity or where these recovery facilities should be located.

The former EMRWMP highlighted that a number of pre-existing or previously authorised C&D (construction and demolition) waste recovery facilities (which included soil recovery facilities), would if re-assessed today, be considered unsuitable for backfilling / infilling activities. Section 11.2.2 of the plan stated 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 former EMRWMP addressed future waste management requirements for C&D waste and highlighted 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 former plan also highlighted the suitability of former extraction sites for soil / C&D waste recovery activities, noting specifically that '*Quarries also frequently require large quantities of soil material to fill voids, and for other remediation and landscaping applications*.'

The following policies were outlined in Section 16.4.4 of the former plan, specifically in respect of soil recovery / backfilling:

- 'Policy E13 –*Future authorisations by local authorities, the EPA and An Bord Pleanála must take account of the scale and availability of existing back filling capacity'.*
- 'Policy E14 –*The local authorities will co-ordinate the future authorisations of backfilling sites in the region to ensure balanced development serves local and regional needs with a preference for large restoration sites ahead of smaller scale sites with shorter life spans. All proposed sites for backfilling activities must comply with environmental protection criteria set out in the plan'*.

It is noted that the proposed development at Ballinclare Quarry, and specifically the inert landfill element, fully aligns with the policy preferences of the former EMRWMP to manage excess soil and stone waste by

(i) using it for backfilling and restoration purposes

(ii) locating it at a quarry / extractive site

(iii) locating it at a site with a large intake capacity with longer development life span.

By these criteria, it is likely that the application site would have been among one of the more suitable locations at which to develop such a large-scale recovery / disposal facility.

4.1.4 Waste Action Plan for Circular Economy

The Government's national waste policy for the period out to 2025 titled '*A Waste Action Plan for a Circular Economy*' was published in September 2020. Across all waste streams, including construction and demolition (C&D) waste, the policy document looks to:

- shift the focus away from waste disposal and treatment (at the lowest tier of the waste hierarchy);
- promote waste avoidance and prevention (at the highest tier of the waste hierarchy), particularly at earlier stages in the production cycle;
- develop a circular economy where waste is re-purposed as a resource; and

- ensure that excess or previously unwanted materials or products remain in productive use for longer.

The policy document identifies a number of specific challenges around the management of C&D waste in the construction and development sector which need to be addressed and overcome in the years ahead including the need to:

- Promote waste prevention in the first instance;
- Follow best available techniques;
- Expand the range and use of recycled products;
- Create a market demand for recycled products.

In Chapter 11, the plan references the major construction projects envisaged under Project Ireland 2040 and the huge potential they provide in terms of preventing and recycling of C&D 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*'.

In Chapter 13, the policy addresses the delivery of indigenous waste management capacity and in discussing challenges around this topic states:

'*The primary objective here is to support the development – for environmental and economic reasons – of the adequate and appropriate treatment capacity at indigenous facilities to ensure that the full circularity and resource potential of materials is captured in Ireland. Adequate in this sense refers to volume, while appropriate here relates to where a treatment process sits in the waste hierarchy. While the move away from disposal and increased use of recovery has helped Ireland in realising our EU targets, we need to drive on and move up the waste hierarchy with reducing reliance on recovery over the medium term.'*

The national waste plan also identifies that one of the key challenges for the construction industry in the years ahead is to expand the range and use of recycled products in the sector. The proposed development at Ballinclare Quarry is consistent with the stated aims of national waste policy in respect of C&D waste streams in that it

- promotes and supports the development of the circular economy;
- provides the capacity required to recover and/or dispose of the increased volumes of C&D waste which will be generated by the construction sector in the future; and
- ensures that there will be a range of waste management options available to industry stakeholders which will allow excess soil and C&D wastes to be directed to the highest tier of the waste hierarchy.

As well as providing an outlet for inert soil and stone waste and/or residual particulate waste which cannot otherwise be re-used or recovered, and the filter cake materials produced by the proposed on-site soil washing plant in particular, the inert landfill facility will also contribute to a minor local positive impact in facilitating the backfilling of a former quarry void and its long-term restoration to a native woodland habitat.

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.

- provide it with an opportunity to establish itself in the emerging market for recycled construction products and recycled aggregates in particular;
- 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;
- conserve natural resources and in so doing enhance the sustainability of its activities within the construction materials sector; and

- 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.

4.1.5 National Waste Management Plan for a Circular Economy

The Waste Management Act 1996 requires Local Authorities to make a waste management plan either individually or collectively for their functional areas. The Regional Waste Management Planning Offices, under the auspices of the County and City Management Association National Oversight Group, have recently co-ordinated the preparation of a new national waste plan, titled the *National Waste Management Plan for a Circular Economy*.

This plan, published in March 2024, sets out a framework for the prevention and management of waste across the entire State for the period 2024 to 2030 and, in this region, supersedes the Eastern Midlands Regional Waste Management Plan 2015-2021.

The Circular Economy Act 2022 is supported by a wider circular policy base which establishes the framework for the national transition to a circular economy. The role of the waste and resource sector is central to this transition and the *National Waste Management Plan for a Circular Economy* (the 'Plan') provides a framework which supports this national objective and outlines a strategy to achieve it.

The Plan was prepared on foot of a two-year engagement and collaboration with key stakeholders and interested parties. Responsibility for key deliverables, which will drive the success of the plan has been allocated to the Local Authority Sector, the Department of the Environment, Climate and Communications and the Environmental Protection Agency.

Within the plan, there are a number of 'Material Stream Focus Areas'. Focus Area 8 looks at Construction and Demolition Waste and identifies prescribed policies and priority actions. These policies and actions presented include measures to mitigate consumption, improve circular systems and to promote better regulation. The stated aim of these policies set out is "*To support national decisions for C&D waste and promote EPA Best Practice Guidelines for Construction & Demolition Projects*".

Some of the policies set out in the plan of particular relevance for this application are:

- **Targeted Policy 8.1** – "Prioritise waste prevention and circularity in the construction and demolition sector to reduce the resources that need to be captured as waste".
- **Targeted Policy 8.3** – "Incorporation of the EPA Best Practice Guidelines for the preparation of Resource and Waste Management Plans for Construction and Demolition Projects and NWPS Soil and Spoil Action Plans and monitoring by Local Authorities of the application of these requirements."
- **Priority Action (Responsibility) 8.3 (EPA / LAs)** - "Develop and deliver training, with the EPA, to support national decisions on Article 27 by-products for road plannings and greenfield soil and stone; and support the implementation of a national decision on Article 28 end-of-waste for aggregates, which includes crushed concrete and prioritise the use of materials arising from national end-of-waste or by-product decisions."
- **Targeted Policy 14.3** – "Monitor Soil Recovery Facility capacity in the market to ensure adequate and appropriate authorisations are in place, in each region, to satisfy the need for soil recovery capacity."

It is considered that the proposed development supports the attainment of the goals and objectives identified in the *Waste Action Plan for a Circular Economy and the National Waste Management Plan for a Circular Economy 2024-2030* in respect of the construction and development sector specifically, by

- supporting prevention of waste by providing an outlet for excess soil and stone (and other material) which is classified as (non-waste) by-product;

- promoting better resource management and circularity whereby resources and materials are no longer discarded, but put to practical and beneficial use;
- meeting emerging market demand for increased capacity within the circular economy as described above; and
- providing an outlet and waste management solution for residual materials which cannot ultimately be recycled or recovered and must be disposed of. At the proposed development, this activity, although it is at the lowest tier of the waste hierarchy, will still achieve a beneficial end-use through the backfill and restoration of the former quarry void.

4.1.6 National By-product Criteria

In July 2024, the EPA published national by-product criteria (BP-N002/2024)[1], in respect of greenfield soil and stone from undeveloped land, destined for use at another development with granted planning permission or exemption, as an alternative more efficient system to the single case notification system.

This decision establishes a legal framework whereby excess soil and stone from greenfield development sites can be more readily managed outside of the waste management regime by being classified as (non-waste) by-product. The roll-out, adoption and application of these by-product criteria by stakeholders in the construction and development sector will:

- significantly reduce the volume of material which is generated and managed as waste across the country.
- ensure that these materials can be more readily re-used for productive purposes (as they will not be tainted or labelled as 'waste' and will be free of the regulatory burden which would otherwise arise were they managed as waste).
- promote the most favourable option or outcome in the waste hierarchy (i.e. prevention of waste); and
- promote circularity and the development of the circular economy, in line with public policy which aims to ensure that resources and materials are no longer discarded but put to best practical and beneficial use.

The Circular Economy (Waste Recovery Levy) Regulations (S.I. 441 of 2024) aims to further boost and promote the avoidance of waste and enhance circularity within the construction and development sector by applying a levy (of €10/tonne) to the recovery of soil / C&D wastes from September 2026. Over the immediate short-term, the introduction of this levy is likely to promote increased generation / classification of excess soils (and selected other C&D materials) as non-waste by-product and generate a sharp increase in demand for outlets to accept and manage these materials as by-products.

In view of these recent policy and regulatory developments, it is considered that both the proposed soil washing plant and the requirement for natural soil lining materials at the proposed inert landfill at Ballinclare Quarry will be able to address an imminent need for additional outlets and increased intake capacity for soil (non-waste) by-product generated by construction and development activities at greenfield sites.

4.1.7 End of Waste Criteria

The publication by the EPA of a set of nationally applicable End of Waste criteria[2] in respect of recycled aggregates in October 2023 provided greater end-user certainty and confidence around the status and permitted uses of aggregates recovered by the treatment and/or

[1] EPA National By-Product Criteria : Reference Number: BP-N002/2024 of the 02nd of July 2024 establishing detailed criteria on the application of the conditions of Regulation 27(1)(a) – (d) when making the decision that greenfield soil and stone can be regarded as a by-product under Regulation 27 of the European Union (Waste Directive) Regulations 2011 – 2020.

[2] EPA National End-of-Waste Decision EoW-N001/2023 of 12th September 2023 establishing criteria determining when recycled aggregate ceases to be waste under Regulation 28 of the European Union (Waste Directive) Regulations 2011 – 2020

processing of several prescribed wastes, the bulk of which are generated by construction and demolition (C&D) activities.

As with by-product criteria, the publication End of Waste criteria will promote and drive circularity and the development of the circular economy and ensure that C&D wastes are no longer discarded but re-used and upcycled for higher value uses and applications than they may have been heretofore (in the absence of any definitive regulations or regulatory framework).

The proposed development at Ballinclare Quarry, and specifically the soil washing and C&D waste recovery activities, will provide the additional capacity required to meet the expected increase in demand for such outlets and facilities which will be generated by the recent policy and regulatory change outlined above.

4.2 Planning Policy

4.2.1 National Planning Framework (NPF 2040)

As a strategic development framework, Project Ireland 2040: The National Planning Framework (NPF), demonstrates an approach that joins up ambition for improvement across the different areas of our lives, bringing the various government departments, agencies, State owned enterprises and local authorities together behind a shared set of strategic objectives for rural, regional, and urban development. The NPF is supported by a series of National Strategic Outcomes which the Framework seeks to deliver. The purpose of the National Strategic Outcomes (NSOs) is to create a single vision, through a shared set of goals for every community across the country.

The Government intends to address national environmental challenges through the following overarching aims which include:

- Resource Efficiency and Transition to a Low Carbon Economy;
- Protecting, Conserving and Enhancing our Natural Capital;
- Creating a Clean Environment for a Healthy Society;

In relation to Resource Efficiency, the following policy areas are highlighted:

- Sustainable Land Management and Resource Efficiency: adopting the principles of the circular economy to enable more sustainable planning and land use management of our natural resources and assets;
- Low Carbon Economy: Our need to accelerate action on climate change;
- Renewable Energy: Our transition to a low carbon energy future;
- Managing Waste: Adequate capacity and systems to manage waste in an environmentally safe and sustainable manner.

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 bioeconomy 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."*

The National Planning Framework (NPF) does include in the Chapter titled 'Sustainable Future' (Chapter 9), a section which addresses the sustainable management and treatment of waste and resource efficiency more generally, and identifies the following National Policy Objectives:

National Policy Objective 53 "*Support the circular and bio economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development*."

National Policy Objective 56 "*Sustainably manage waste generation, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society*".

The preamble to Objective 56 within the NPF states that:

'*In managing our waste needs, the NPF supports circular economy principles that minimise waste going to landfill and maximise waste as a resource. This means that prevention, preparation for re-use, recycling and recovery are prioritised in that order, over the disposal of waste'*.

Separately, National Strategic Outcome No.9 of the NPF which addresses sustainable management of environmental resources aims to deliver, amongst other outcomes,

'*Adequate capacity and systems to manage waste, including municipal and construction and demolition waste in an environmentally safe and sustainable manner and remediation of waste sites to mitigate appropriately the risk to environmental and human health'*.

It is considered that the proposed development at Ballinclare Quarry is in line with the National Framework Plan in that it supports the "*circular economy principles prioritising reuse, recycling and recovery to support a healthy environment, economy and society".*

More specifically, it contributes to the attainment of the national policy objectives and strategic target outcomes set out above by supporting the development of the circular economy and sustainable management of resources at a regional level by

- preventing the generation of waste (in that it provides an outlet / use for soil and stone by-product material);
- maximising the use of waste resources through recycling and recovery (principally through soil washing, C&D waste recovery and re-use of materials for engineering / lining purposes);
- preventing and minimising, insofar as possible, the disposal of waste at landfill by providing alternative outlets for it.

Ultimately however, there is a need to provide inert landfill / disposal capacity within the Eastern and Midland Region and to provide an outlet for inert soils and particulate wastes which cannot otherwise be re-used or recovered due to their physical or chemical characteristics (because they are too clayey or hold slightly elevated contaminant concentrations). Although landfilling / disposal activity is at the lowest tier of the waste hierarchy, it will still achieve a beneficial end-use at the application site through the backfill and restoration of the former quarry void.

4.2.2 Draft First Revision of the National Planning Framework

On the 10th of July 2024, the Government published the Draft First Revision of the National Planning Framework (Draft NPF), to take account of changes that have occurred since it was published in 2018 and to build on the framework that is in place. The Draft Framework sets out a vision and a shared set of goals for the Country as National Strategic Outcomes (NSOs) and was on public display up to mid-September 2024.

Since publication of the last NPF, there have been significant responses to address the climate crisis in the form of EU Directives, national legislation, and policy approaches. The NPF will support the response to climate change by encouraging the reduction of greenhouse gases. The measures contained within the Draft NPF include:

- the achievement of compact growth objectives and the consequential reduction of overall land take;
- the interaction between land use planning and transport infrastructure, associated potential for carbon emissions reductions resulting from reduced commuting patterns associated with future growth;
- promoting re-use of existing buildings to reduce emissions associated with new construction;
- the continued reduction in dependency on imported fossil fuels and decarbonisation of the energy system as a whole and in particular the electricity sector through the identification of targets for renewable electricity and the accelerated roll out of onshore wind energy and solar development;
- encouraging climate resilient planning policies;
- limiting inappropriate developments in areas where climate impacts are likely to be most severe;
- Providing guidance to local authorities on climate resilient planning practises including nature-based solutions.

The following policy is of relevance to this application in that the proposed development facilitates continued use of previously developed land (consistent with the principles of sustainability) and supports a circular economy.

Sustainable Management of Water, Waste, and other Environmental Resources: "*Ireland has abundant natural and environmental resources such as our water sources that are critical to our environmental and economic well- being into the future. Conserving and enhancing the quality of these resources will also become more important in a crowded and competitive world as well as our capacity to create beneficial uses from products previously considered as waste, creating circular economic benefits".*

Sustainable Land Management and Resource Efficiency: "*Adopting the principles of the circular economy to enable more sustainable planning and land use management of our natural resources and assets".*

In managing our waste needs, the NPF supports circular economy principles that minimise waste going to landfill and maximise waste as a resource. This means that prevention, preparation for reuse, recycling and recovery are prioritised in that order, over the disposal of waste.

National Policy Objective 68 (NPO 53 in current NPF): "*Support the circular and bio economy including in particular through greater efficiency in land and materials management, promoting the sustainable re-use of existing buildings and structures while conserving cultural and natural heritage, the greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development"*.

National Policy Objective 77 (NPO 56 in current NPF) "*Sustainably manage waste generation including construction and demolition waste, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling, and recovery, to support a healthy environment, economy, and society*".

For the reasons outlined previously, it is considered that the proposed development at Ballinclare Quarry the existing site is in line with the Draft Revision of the National Framework Plan.

4.2.3 The Climate Action Plan 2024

The Climate Action Plan 2024 (CAP24) is the third annual update to Ireland's Climate Action Plan 2019 and the second to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021, which commits Ireland to a legally binding target of net-zero GHG emissions no later than 2050, and a reduction of 51% by 2030. It builds on the introduction of carbon budgets and sectoral emissions ceilings in Climate Action Plan 2023 and sets a course for Ireland's targets to halve emissions by 2030 and reach net-zero no later than 2050. These national targets align with Ireland's obligations under EU and international treaties, most notably the Paris Agreement (2015) and the European Green Deal (2020).

By placing climate solutions at the heart of Ireland's social and economic development, CAP2024 outlines how the country can expedite the necessary actions to address the climate crisis.

CAP24 outlines that; "*The pace of individual, technological, scientific, societal, and economic change will not be precisely in line with our assumptions today. To accommodate this, CAP24 will be updated every 12 months, in line with the Climate Action and Low Carbon Development (Amendment) Act 2021 and following consultation with key stakeholders. These updates will be informed by the latest analyses and by Ireland's performance against targets; and will include any new or corrective actions that may be needed to stay on track towards the overall 2030 targets and the ultimate objective of achieving a transition to a climate resilient, biodiversity rich and carbon neutral economy no later than 2050*."

Reflecting on the 2023 Climate Action Plan, CAP24 noted the following specific actions were delivered with respect to end-of-waste and by-products:

- The Environmental Protection Agency (EPA) advanced to publication end-of-waste and by-product national decisions for specific construction and demolition waste streams;
- A new regulatory system for end-of-waste and by-product decision applications was developed;
- A new National Waste Management Plan was advanced to publication by the local government sector;
- Levies to drive waste prevention, reuse and recycling were expanded to include a new charge on waste recovered at landfills, used for energy generation, or exported, with monies raised being ringfenced for environmental projects in the Circular Economy Fund.

Table 20.6 of CAP24 outlines a number of key actions for 2024, which are of relevance to the proposed development in supporting a circular economy and Government Policy on climate change, these are:

CE/24/4 - Develop a Circular Economy Roadmap for the Construction Sector

CE/24/6 - Publish a second Whole-of-Government Circular Economy Strategy

As outlined in Section 4.1 above, the proposed development, fully accords with the specific actions with respect to end-of-waste and by-products, stated in CAP24, in providing a beneficial, circular use for excess material resources generated by construction and development activities.

4.2.4 Regional Spatial and Economic Strategy 2019-2031

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.

This Strategy provides a framework for investment to better manage spatial planning and economic development throughout the Eastern and Midlands Area. The RSES is required under the Planning and Development Act 2000 to address, employment, retail, housing, transport, water services, energy and communications, waste management, education, health, sports and community facilities, environment and heritage, landscape, sustainable development, and climate change.

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.

Regional Policy Objective 10.25 states that,

"*Development plans shall identify how waste will be reduced, in line with the principles of the circular economy, facilitating the use of materials at their highest value for as long as possible and how remaining quantum's of waste will be managed and shall promote the inclusion in developments of adequate and easily accessible storage space that supports the separate collection of dry recyclables and food and shall take account of the requirements of the Eastern and Midlands Region Waste Management Plan*".

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,

Regional Policy Objective 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 bioeconomy 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*."

It is considered that the proposed development at Ballinclare Quarry aligns with and will help achieve, the outcomes set by the RSES objectives identified above.

4.2.5 Wicklow County Council Development Plan 2022-2028

The current Wicklow County Development Plan (CDP) relates to the period 2022–2028 and came into effect on the 23rd of October 2022. The aim of the plan is to guide and facilitate the sustainable growth of the County in a manner which supports a deep respect for its unique natural heritage, supports the creation of self-sustaining settlements and rural areas that are attractive places to live in, work in and visit, embraces climate action and enables transition to a low carbon, climate resilient and environmentally sustainable economy.

The County Development Plan addresses the following in relation to the proposed development:

Energy and Waste – "*Promote and support the circular economy and the 'just transition' to clean energy."*

Sustainable Construction – "*Construction materials and technologies that have regard to the circular economy and the environmental impacts of their production, transportation, use and disposal."*

Waste Management – *"support the move to a more circular economy as this will save resources, increase resource efficiency, and help to reduce carbon emissions".*

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

- **CPO 15.3** To facilitate the development of existing and new waste prevention and recovery facilities and in particular, to facilitate the development of 'green waste' recovery sites.
- **CPO 15.6** 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 objectives in respect of waste management.

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 on cessation of extractive activities include the following provisions:

CPO 9.55 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 in respect of the reclamation and restoration of quarries on completion of extractive activities.

"*The working, landscaping, restoration and after care of the site will be carried out to the highest standards in accordance with the approved scheme*".

"*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;
- The suitability of the road network in the area to accommodate the traffic flows of heavy vehicles that may be generated."

Also, in Appendix 1, 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:

- It shall be for the disposal of inert clean material only;
- There shall be a proven need for the proposed development;
- 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 landform and topography in any area, without detailed justification;
- Such facilities shall not give rise to significant adverse impacts on a designated European 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;
- A development shall not be permitted if it has a detrimental impact on the flora and fauna, ecology, ground and surface water, air quality, and geological/ archaeological heritage of the area;
- The development does not result in the creation of a significant traffic hazard and the road network is suitable and has the capacity for anticipated traffic levels".

"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 landform 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".

It is considered that the proposed development at Ballinclare Quarry supports the transition to a more circular economy and the policies and objectives of the Wicklow CDP outlined above, specifically CPO15.3.

The EIAR which accompanies this planning application addresses each of the concerns and potential impacts set out in the Development Management Guidelines in respect of restoration and/or establishment and operation of waste recovery / disposal activities at former extractive sites.

It is considered that the proposed development will deliver a minor long-term beneficial outcome through the substantial reinstatement of the application site to its original (pre-development) landform, the implementation of biodiversity enhancement measures from the outset and the long-term establishment of a native woodland habitat. In this way, it is deemed to fully align with the Wicklow County Development Plan and the Development Management Guidelines set out in Appendix 1.

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 the proposed development of a materials recovery / recycling facility and inert landfill which will provide for the intake and management of inert wastes generated by construction and development activity, both in the local area and across the wider Greater Dublin Area.

The application site is considered to be particularly suited for such development given its proximity to the M11 Motorway and R772 Regional Road (the former N11 National Primary Road) and in view of former / permitted traffic levels across the local road network (generated by extraction / materials production activities at the quarry). It is further considered that the pre-existing land-use, development history and existing on-site infrastructure also create a strong precedent in favour of the proposed development.

The opportunity to re-use / recover / recycle both inert soil and stone and inert C&D waste and to achieve beneficial outcomes by

- producing construction grade aggregates from new sources and
- substantially backfilling and restoring a former quarry to its former landform at the application site

arises as a result of a significant increase in the volume of such materials being generated by increased levels of construction and development activity in recent years across the Greater Dublin Area. The increased volume of activity has generated increased demand for waste outlets which can accept inert soil and stone waste both for recovery / recycling and for disposal purposes.

5.1.1 Regulatory Change – Brownfield Soil and Stone

In January 2020, the EPA published new guidance[3] on acceptance criteria for soil and stone intake at authorised soil waste recovery facilities which do not have a basal or side liner to provide protection to surrounding groundwater aquifers. When implemented, the practical effect of the new EPA guidelines will be to impose tighter limits on the concentrations of potential contaminants in soil and stone which may be accepted for intake and recovery at existing authorised soil waste recovery facilities.

The EPA guidance has a particular impact on soil and stone waste generated by development and excavation activities at non-greenfield (or 'brownfield') development sites as they are 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).

Prior to the introduction of the EPA Guidelines, 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/EC[4]. 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 had, until then, been deemed in practice to be acceptable for recovery at unlined soil recovery facilities.

With the implementation and roll-out of the new EPA acceptance criteria at soil recovery facilities in recent years, significant volumes of soil and stone waste which have been slightly impacted by prior land use and/or historical activity can no longer be accepted for intake at

[3] Guidance on Waste Acceptance Criteria at Authorised Soil Recovery Facilities, EPA, January 2020, Wexford

[4] 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.

unlined soil recovery facilities and need to be diverted instead to alternative recovery options (where available) or 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.

With the expected increase in the re-development of brownfield sites in coming years as a result of urban regeneration and the drive to increase residential densities in urban areas, Kilsaran expects that an increased proportion of soil and stone waste generated by construction activities at non-greenfield sites across the Greater Dublin Area will in future need to be diverted to alternative recovery options or for disposal at inert lined landfill facilities and has prepared this proposal in anticipation of an increased demand for such capacity emerging over the next few years.

Although a 2020 report on soil waste recovery / disposal capacity across the Eastern Midland Waste Region[5] indicated that there was sufficient soil waste recovery capacity available in the Eastern Midlands Waste Management Region at that time, it did not undertake any detailed assessment as to the likely volume of soil and stone which would need to be diverted to alternative recovery options or for disposal inert landfill facilities as a consequence of the EPA guidance on waste acceptance criteria at soil recovery facilities which had only just been published around that time.

The 2020 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. 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 high proportion of this waste stream is generated at non-greenfield development sites across the region and that a significant proportion of it needs to be diverted to alternative recovery options or for disposal at inert landfill facilities in view of the more onerous waste intake restrictions which are now applied at unlined soil waste recovery facilities.

This view is supported by the conclusions set out at the end of the 2020 report which noted 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 inert 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. As well as meeting expected future demand arising from diversion of soil and stone from brownfield site development away from soil recovery facilities (due to more onerous intake criteria), it is envisaged that the inert landfill at Ballinclare Quarry will also accommodate expected future growth in demand for disposal capacity rising from increased construction and development activity across southside Dublin and southern parts of the Greater Dublin / Mid-Eastern region.

In view of the limited availability of soil waste recovery capacity to the south of Dublin, Kilsaran also envisages that the proposed development will likely also accept soil and stone waste generated within its catchment area which would otherwise be acceptable at soil recovery facilities. Much of this intake is likely to be processed at the soil washing plant to

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

win construction grade aggregates, though a portion of this intake is likely to be too clayey and may therefore be placed at the inert landfill facility and/or used for general backfilling of the former quarry void instead.

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, this application for Strategic Infrastructure Development 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, the proposed development seeks to establish a large-scale recovery and recycling facility which will help achieve national and regional policy objectives to enhance circularity and drive the development of circular economy in the construction and development sector, and specifically in the production of recycled aggregates from C&D waste and washing of excess soils using state of the art technologies.

Although the proposed development also includes provision for an inert waste landfill specifically for soil and stone which is classified as a disposal facility / disposal activity, it is considered that there is ultimately a need for such development as a result of recent regulatory change It is also required to dispose of the residual filter cake material generated by the washing of soils and winning of aggregates at the on-site soil wash plant.

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 native woodland habitat.

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 Management Plan for a Circular Economy 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:

- be consistent with the stated aims of national waste policy in respect of management and beneficial re-use of C&D waste streams;

- provide it with an opportunity to establish itself in the emerging market for recycled construction products and recycled aggregates in particular.
- 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.
- conserve natural resources and in so doing enhance the sustainability of its activities within the construction materials sector; and
- 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 Wicklow County Development Plan is integrated into the planning policy and waste policy hierarchy and reflects 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; and
- 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 a materials recovery / recycling facility and inert landfill at Ballinclare Quarry is in accordance with these principles (and those of national and regional waste policy) and can be justified on the following basis:

- the recognition in the *National Waste Management Plan for a Circular Economy*, in Appendix 9, addressing siting of Waste Management Facilities, that preferred locations for C&D waste facilities (requiring mechanical processing of mixed streams of bulky wastes) include active / closed / inactive quarries, pits and mines which offer advantages in terms of screening, existing infrastructure and distance from neighbours;
- the 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, in relatively close proximity to the R772 Regional Road (the former N11 National Primary Road) and the M11 Motorway; and
- 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 Appendix 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:

Impact on the Landscape

According to the current Wicklow County Development Plan 2022-2028, the application site is located within a landscape sensitivity area identified as Corridor Area East”. This area is described as “The N11 corridor”.

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, nor are there any recorded monuments located within on adjacent to Ballinclare Quarry.

The proposed development and operation of waste management facility and the long-term restoration of the landform will have no direct impacts on known items of cultural heritage. There are no scenic routes within the immediate area. In conclusion therefore, it is considered that the potential development impact on the surrounding landscape and its existing character is minor to negligible. Further details of the relevant impact assessments can be found in Chapters 12 and 13 of the EIAR accompanying this application.

Potential Loss of Diversity

Ecology Ireland Ltd. conducted an Ecological Impact Assessment to inform the wider Environmental Impact Assessment process and production of the Biodiversity Chapter of the Environmental Impact Assessment Report accompanying the application.

It is assessed that with the implementation of a wide range of biodiversity enhancement measures across the application site from the outset, and the implementation of appropriate mitigation measures during the operational phase, the proposed material recovery / recycling and landfilling activities 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 of the relevant impact assessment can be found in Chapter 5 of the EIAR accompanying this application.

Natural Ground and Surface Water impacts on Adjoining Lands

In terms of surface water, Ballinclare Quarry lies within the catchment of Potters 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 Potters 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 Potters 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 (Pl) 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*'.

Chapter 7 of the EIAR provides a detailed description of the surface water (hydrology) and groundwater (hydrogeology) conditions at and around the application area and assesses the potential impacts that the proposed development will have on surface water and groundwater. Where potential adverse impacts on the receiving environment (sensitive receptors) have been identified, appropriate mitigation measures will be implemented at the construction, operational and post operation stage of the proposed development, as appropriate. With the identified mitigation measures in place, it is considered that any potentially significant effects, most notably on the Potters River will be reduced to 'not significant'.

Sustainability

As part of the proposed development, measures will be implemented to assess and/or monitor greenhouse gas emissions and to reduce these wherever practically possible. Initial measures incorporated into the current development proposals include

(i) the planned fitting of roof-mounted solar panels at the C&D waste recovery shed as a source of renewable energy for the facility and

(ii) implementation of system of HGV backloading to maximise the number of HGVs trips which are laden on both legs of return journeys to and from the application site thereby reducing emissions (by avoiding return trips which are unladed on one leg).

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, cessation of C&D recovery activities and final restoration of the application site, 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 for 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 600,000 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

The application site does not lie within any EU Natura 2000 site or nationally designated site. The closest of the European designated sites is Deputy's Pass Nature Reserve Special Area of Conservation (SAC) (000716), located c.1.6km from the application site. On examination of potential links between the application site and designated sites, potential connectivity was only identified for one European site at Buckroney-Brittas Dunes and Fen SAC (000729). The Qualifying Interests (QIs) of this SAC are a range of dune, saltmarsh and alkaline fen habitats.

An Appropriate Assessment Screening Report and Natura Impact Statement accompanying this application presents assessments regarding the potential effects of the proposed recycling / recovery facility and inert landfill (either alone or in combination with other projects or plans) on the integrity of the Buckroney-Brittas 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 Buckroney-Brittas Dunes and Fen SAC is the discharge of water from the quarry void in the course of any ongoing site activities and the resulting potential for the discharge of impacted surface water to the Potters 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 Buckroney-Brittas Dunes and Fen SAC. The integrity of Buckroney-Brittas 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 available to it to allow 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 Buckroney-Brittas Dunes and Fen SAC. Further details can be found in the Natura Impact Statement which accompanies this application.

6.0 CLOSURE

The proposed development under review provides for the establishment and operation of a licensed material recovery / recycling facility and inert landfill at Ballinclare Quarry, near Kilbride, Co. Wicklow,

In essence, it will provide for the importation, re-use, recovery and/or disposal of by-product materials and inert wastes generated by construction and development projects in Counties Wicklow, Dublin, and Wexford as well as the backfilling and long-term restoration of the former quarry to native woodland habitat. This report outlines how the development will contribute to the development of the circular economy within Ireland's construction and development sector and demonstrates how it accords with the proper planning and sustainable development of the local area.

In addition, the proposed development at Ballinclare Quarry 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 provide long-term native woodland 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 take the lead within the construction sector in the development of a circular economy and in the beneficial re-use / recovery / recycling of C&D waste streams.

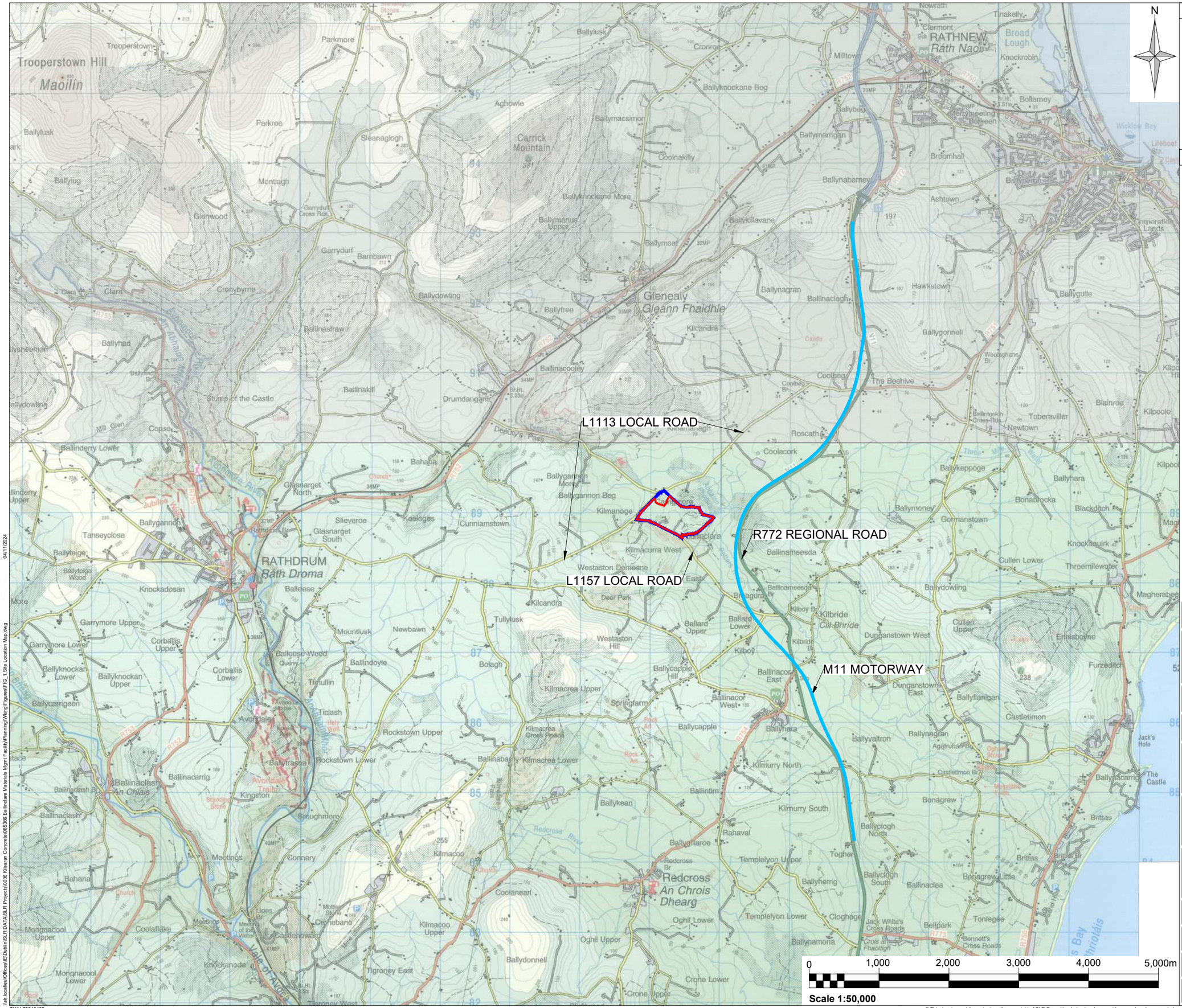
The aim of using excess and /or waste materials (principally soil and stone) to achieve beneficial outcomes, in this instance to develop additional sources of (recycled) aggregate and to backfill / restore the former quarry to original ground level is well established and is recognised in principle through national, regional, and local planning and waste policy. There are also multiple planning precedents established across the State in the use of inert soil and stone waste to backfill and restore former quarry sites.

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.

In assessing the previous application for permission, ABP considered the proposed development would support the principles of a circular economy and would be in accordance with national and regional policy on waste management. The principle of development was considered to be acceptable at this location and in accordance with the proper planning and development of the area.

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.

FIGURES



Notes:

1. EXTRACT FROM 1:50,000 O.S DISCOVERY SERIES MAP **NO. 50.**

Legend:

LAND INTEREST BOUNDARY (c. 36.0 HA)

PLANNING APPLICATION AREA (c. 32.6 HA)

Rev	Amendments	Date	By	Chk	Auth

SLR

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Drawing Status & Suitability Code
FINAL

Client
KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow

Project
PLANNING REPORT
Materials Recovery / Recycling Facility
and Inert Landfill

Drawing Title
SITE LOCATION MAP

Scale	SLR Project No.
1:50,000 @ A3	065366.00001

Designed	Drawn	Checked	Authorised
EW	EW	DL	DL
Date 10/24	Date 10/24	Date 10/24	Date 10/24

Drawing Number
FIGURE 1

Rev.
1

04/11/2024

\\dir.local\ev\Offices\IE\Dublin\SLR DATA\SLR Projects\065366 Kilsaran Concrete\065366 Ballinclare Materials Mgmt Facility\Planning\Wking\Figures\FIG_1 Site Location Map.dwg

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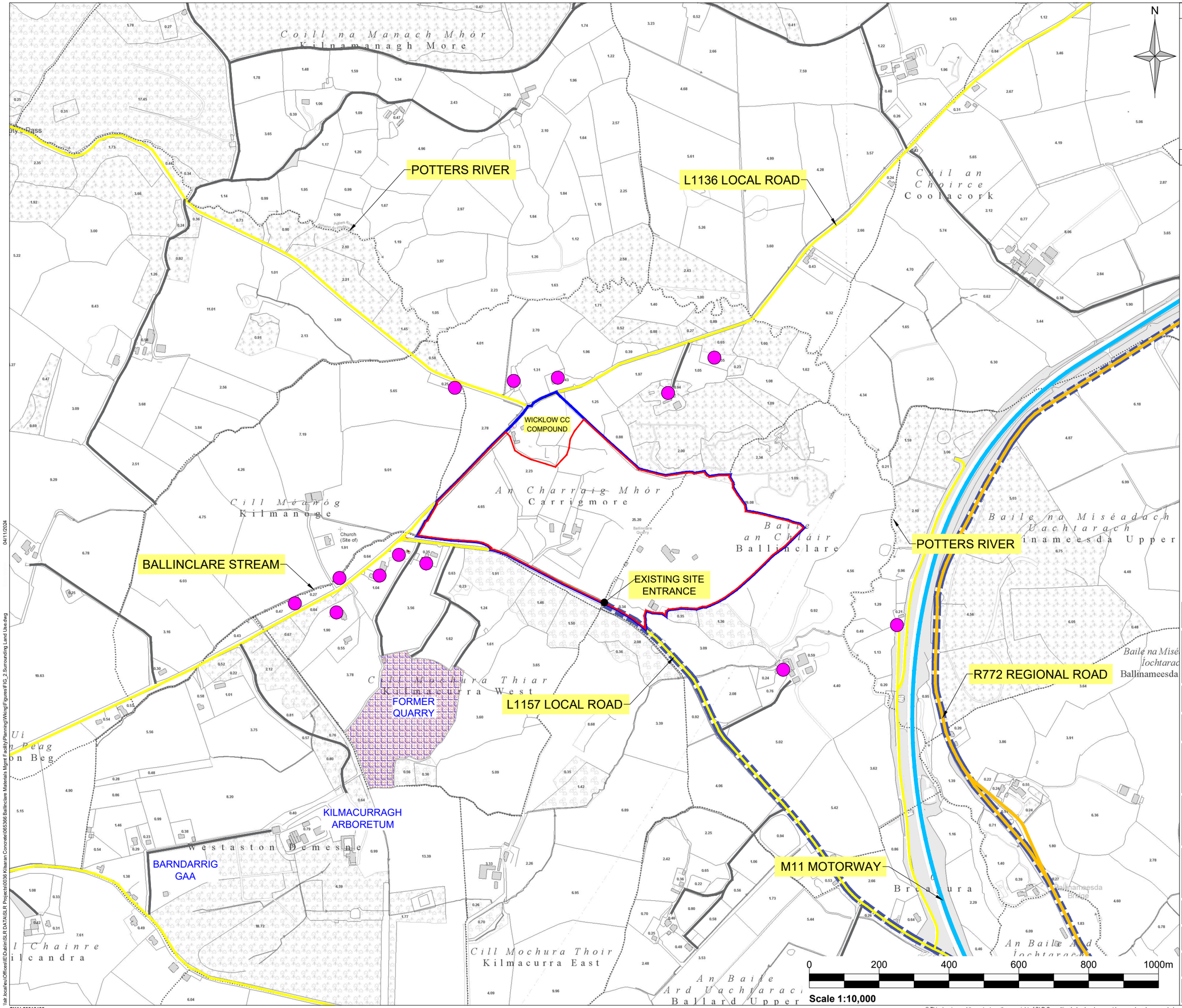

Notes:

1. EXTRACT FROM 1:5000 OSI MAPPING.

Legend:

- LAND INTEREST BOUNDARY (c. 36.0 HA)
- PLANNING APPLICATION AREA (c. 32.6 HA)
- RESIDENTIAL RECEPTORS
- R772 REGIONAL ROAD
- LOCAL ROAD NETWORK
- ACCESS ROADS

Rev	Amendments	Date	By	Chk	Auth

SLR

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Drawing Status & Suitability Code: **FINAL**

Client: KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow

Project: PLANNING REPORT
Materials Recovery / Recycling Facility and Inert Landfill

Drawing Title: SURROUNDING LAND USE

Scale		SLR Project No.
1:10,000	@ A3	065366.00001

Designed	Drawn	Checked	Authorised
EW	EW	DL	DL
Date 10/24	Date 10/24	Date 10/24	Date 10/24

Drawing Number: **FIGURE 2** Rev. **1**

Scale 1:10,000

04/11/2024

\\slr.local\ie\Offices\IE\Dublin\SLR DATA\SLR Project\00036 Kilsaran Concrete\065366 Ballinclare Materials Mgmt Facility\Planning\Wking\Figures\FIG_2 Surrounding Land Use.dwg

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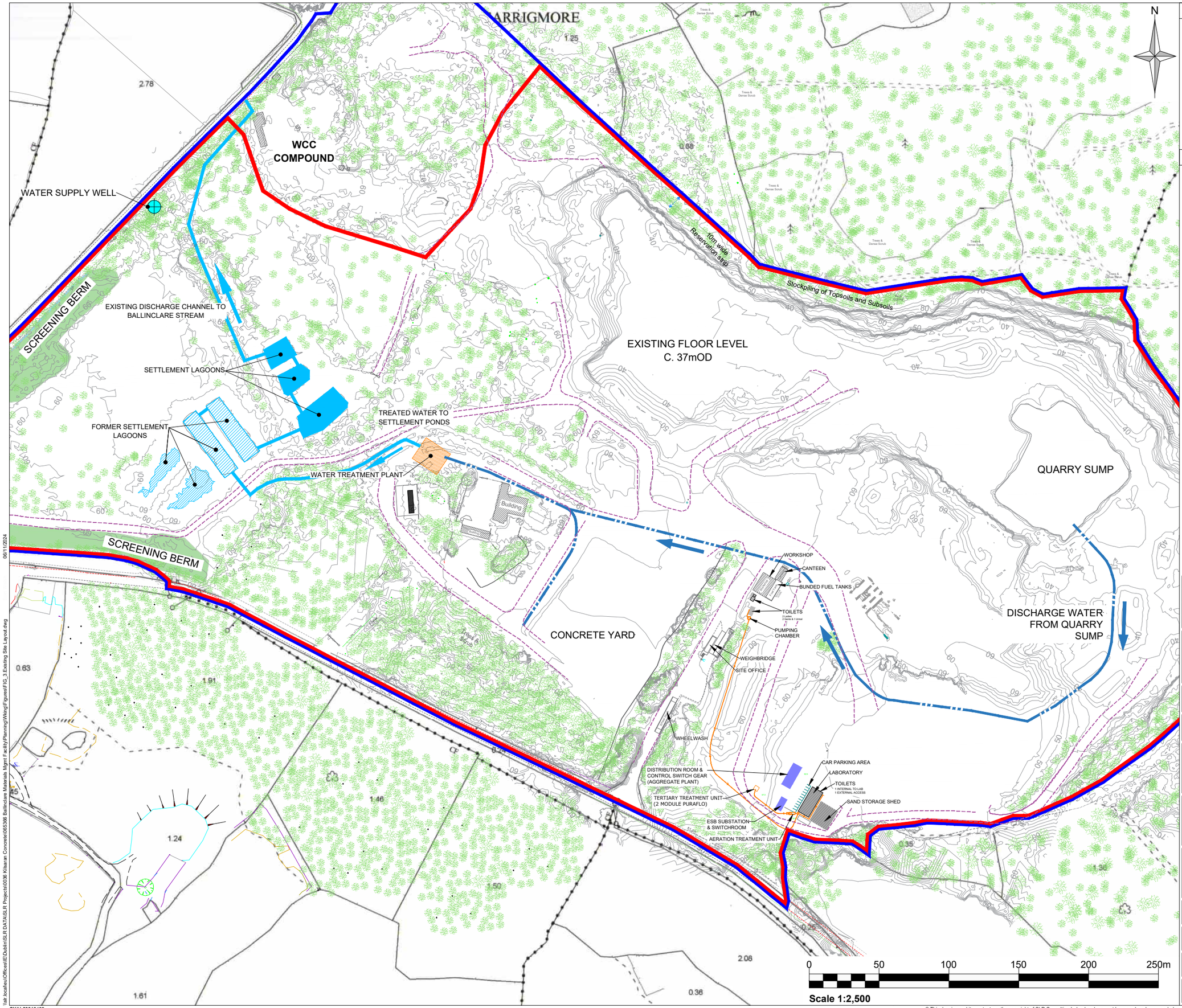

Notes:

1. EXTRACT FROM ORDNANCE SURVEY 1:2,500 / 1:5,000 MAP SERIES: 4137-B & 4137-D.

2. EXISTING SITE SURVEY (MAY 2016) PROVIDED BY KILSARAN CONCRETE.

Legend:

- LAND INTEREST BOUNDARY (c. 36.0 HA)
- PLANNING APPLICATION AREA (c. 32.6 HA)
- EXISTING CONTOURS
- INTERNAL ACCESS ROADS
- PUMPED WASTEWATER FROM SURFACE RUNOFF

Rev	Amendments	Date	By	Chk	Auth
2	Title block	06.24	AB	DL	DL
1	Title block	05.24	AB	DL	DL
0		01.24	EW	DL	DL

SLR

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Drawing Status & Suitability Code: **FINAL**

Client: KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow

Project: PLANNING REPORT
Materials Recovery / Recycling Facility and Inert Landfill

Drawing Title: EXISTING SITE LAYOUT

Scale		SLR Project No.
1:2,500	@ A3	065366.00001

Designed	Drawn	Checked	Authorised
EW	EW	DL	DL
Date 10/24	Date 10/24	Date 10/24	Date 10/24

Drawing Number: **FIGURE 3** Rev. **2**

06/11/2024

\\slr.local\ie\Offices\IE\Dublin\SLR DATA\SLR Projects\00036 Kilsaran Concrete\065366 Ballinclare Materials Mgmt Facility\Planning\Wking\Figures\FIG_3 Existing Site Layout.dwg

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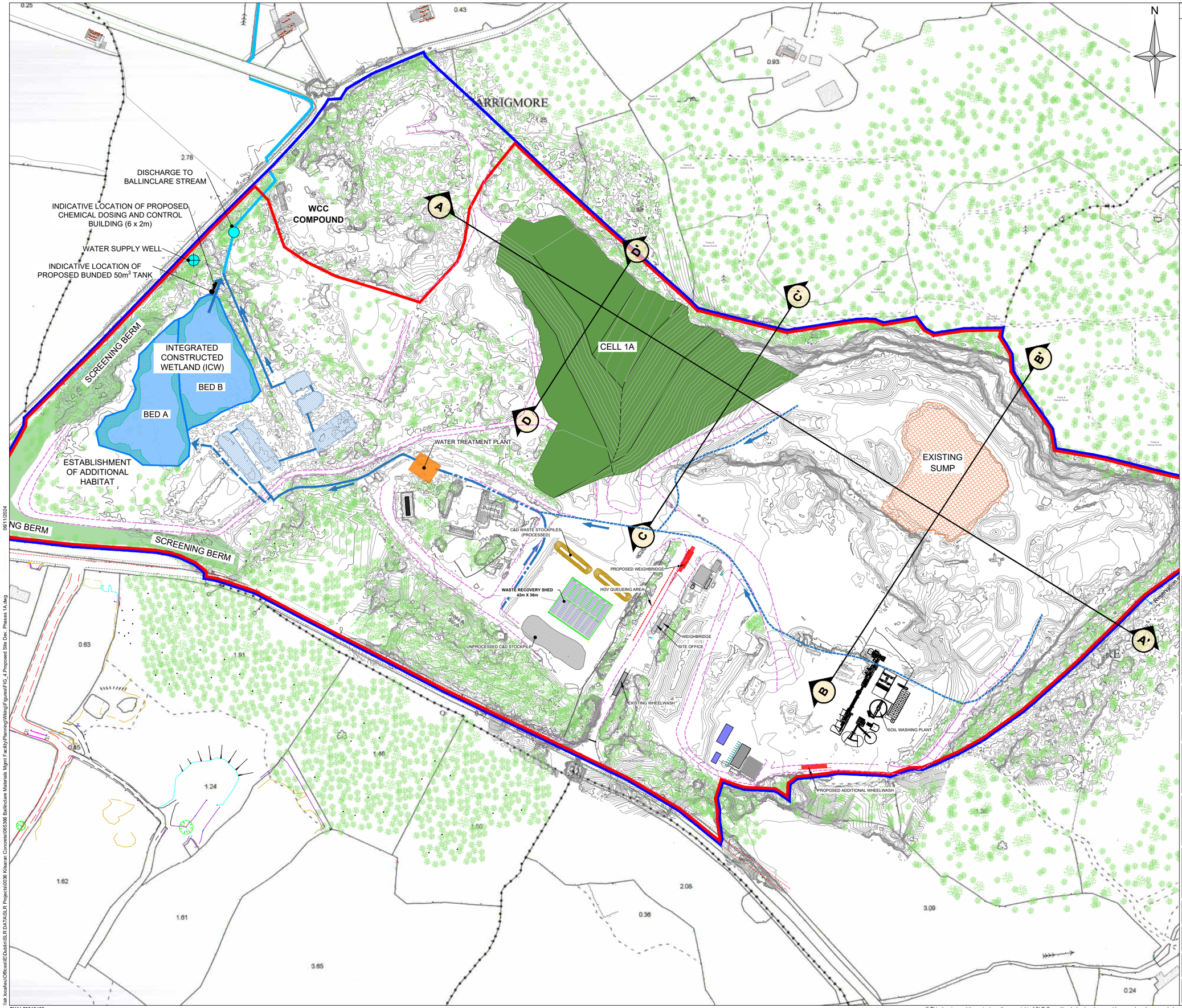

Notes:

1. EXTRACT FROM ORDNANCE SURVEY 1:2,500 / 1:5,000 MAP SERIES: 4137-B & 4137-D.

2. EXISTING SITE SURVEY (MAY 2016) PROVIDED BY KILSARAN CONCRETE.

Legend:

- LAND INTEREST BOUNDARY (c. 36.0 HA)
- PLANNING APPLICATION AREA (c. 32.6 HA)
- EXISTING CONTOURS
- INTEGRATED CONSTRUCTED WETLAND (ICW)
- PUMPED SURFACE WATER RUN-OFF FROM QUARRY FLOOR / INERT LANDFILL CELLS
- DISCHARGE FLOW DIRECTION

Rev	Amendments	Date	By	Chk	Auth
2	Title block and layout	06.24	AB	DL	DL
1	Layout	05.24	AB	DL	DL
0		01.24	EW	DL	DL

SLR

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Drawing Status & Suitability Code
FINAL

Client
KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow

Project
PLANNING REPORT
Materials Recovery / Recycling Facility and Inert Landfill

Drawing Title
PROPOSED SITE DEVELOPMENT LAYOUT
PHASE 1A LANDFILLING

Scale	SLR Project No.
1:3,000 @ A3	065366.00001

Designed	Drawn	Checked	Authorised
EW	EW	DL	DL
Date	Date	Date	Date
10/24	10/24	10/24	10/24

Drawing Number
FIGURE 4

Rev.
2

09/11/2024
\\slr.local\ie\Offices\IE\Dublin\SLR DATA\SLR Projects\0038 Kilsaran Concrete\065366 Ballinclare Materials Mgmt Facility\Planning\Working\Figures\FIG_4 Proposed Site Dev. Phases 1A.dwg

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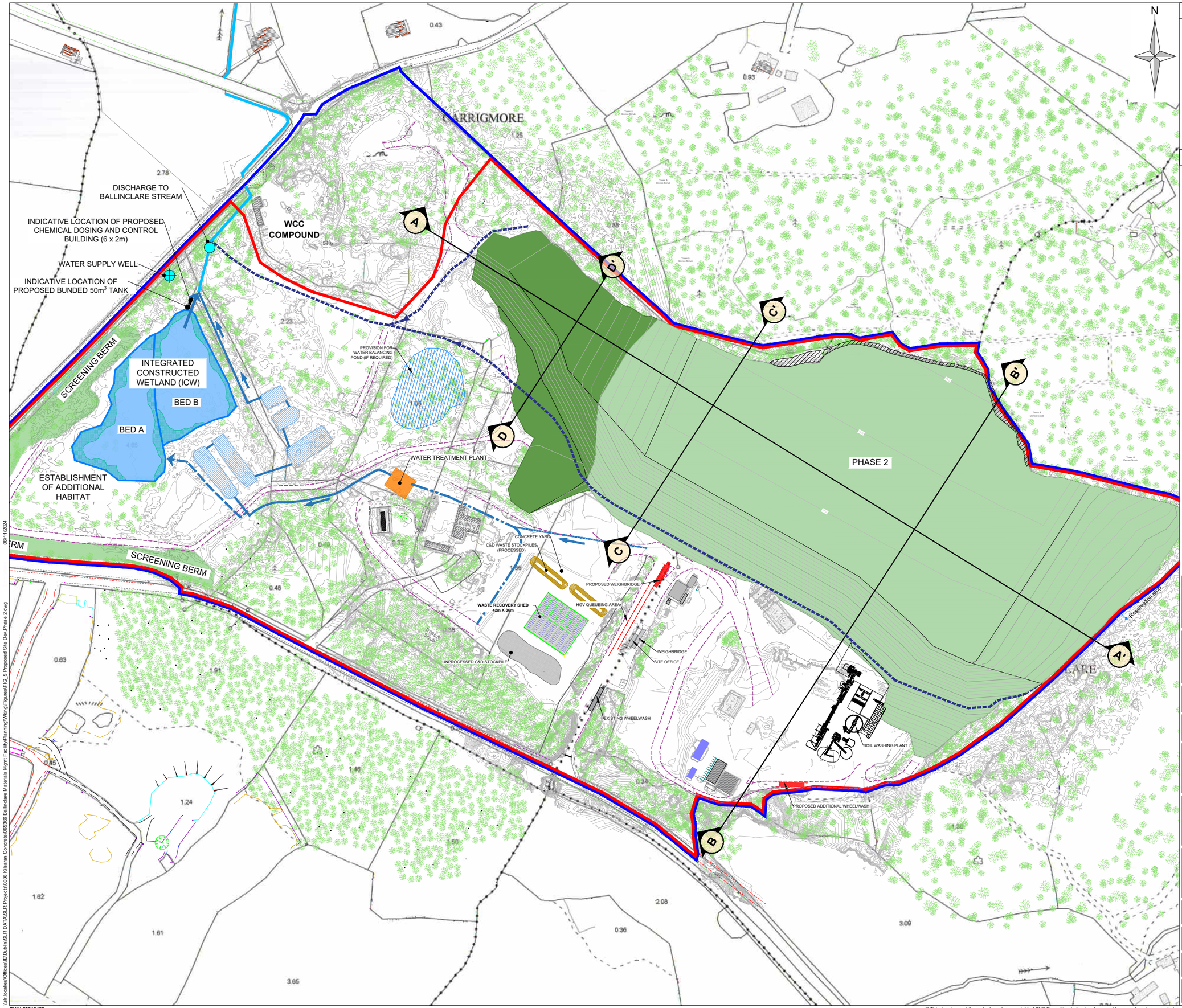

Notes:

1. EXTRACT FROM ORDNANCE SURVEY 1:2,500 / 1:5,000 MAP SERIES: 4137-B & 4137-D.

2. EXISTING SITE SURVEY (MAY 2016) PROVIDED BY KILSARAN CONCRETE.

3. CONTOURS SHOWN ARE INDICATIVE ONLY.

Legend:

- LAND INTEREST BOUNDARY (c. 36.0 HA)
- PLANNING APPLICATION AREA (c. 32.6 HA)
- EXISTING CONTOURS
- INTEGRATED CONSTRUCTED WETLAND (ICW)
- PUMPED SURFACE WATER RUN-OFF FROM QUARRY FLOOR / INERT LANDFILL CELLS
- DISCHARGE FLOW DIRECTION
- PROVISION FOR TEMPORARY STORMWATER DRAINAGE CHANNEL (IF REQUIRED)
- AREA OF QUARRY FACE RETAINED FOR PEREGRINE FALCON

Rev	Amendments	Date	By	Chk	Auth
2	Title block and layout	06.24	AB	DL	DL
1	Layout	05.24	AB	DL	DL
0		01.24	EW	DL	DL

SLR

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Drawing Status & Suitability Code: **FINAL**

Client: KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow

Project: PLANNING REPORT
Materials Recovery / Recycling Facility and Inert Landfill

Drawing Title: PROPOSED SITE DEVELOPMENT
PHASE 2 - COMPLETED LANDFORM

Scale	SLR Project No.
1:3,000 @ A3	065366.00001

Designed	Drawn	Checked	Authorised
EW	EW	DL	DL
Date: 10/24	Date: 10/24	Date: 10/24	Date: 10/24

Drawing Number: **FIGURE 5**
Rev.: **2**

06/11/2024
\\dir.local\ei\Offices\IE\Dublin\SLR DATA\SLR Projects\00336 Kilsaran Concrete\065366 Ballinclare Materials Mgmt Facility\Planning\Wking\Figures\FIG_5 Proposed Site Dev Phase 2.dwg

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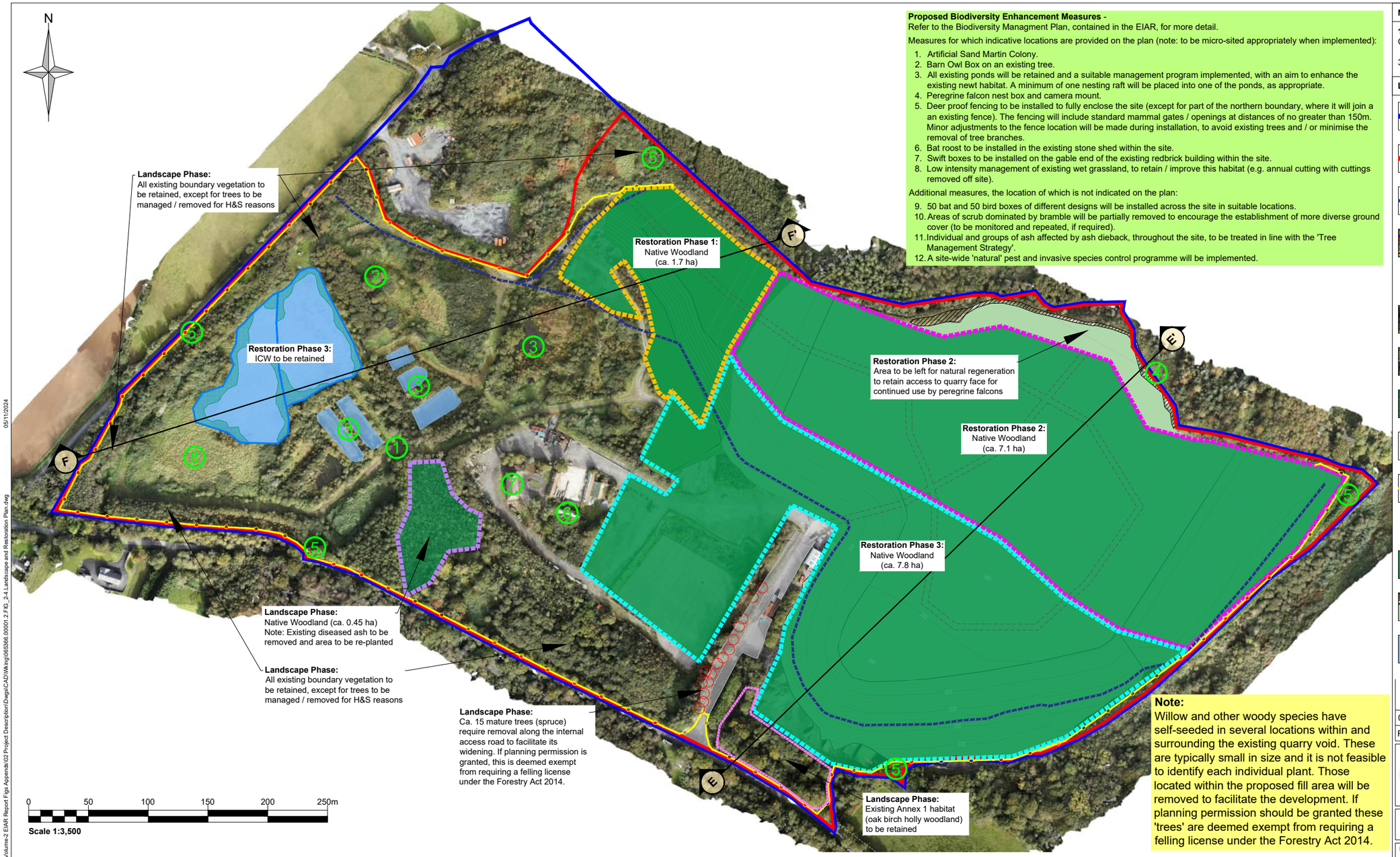

Proposed Biodiversity Enhancement Measures -
Refer to the Biodiversity Managment Plan, contained in the EIAR, for more detail.

Measures for which indicative locations are provided on the plan (note: to be micro-sited appropriately when implemented):

1. Artificial Sand Martin Colony.
2. Barn Owl Box on an existing tree.
3. All existing ponds will be retained and a suitable management program implemented, with an aim to enhance the existing newt habitat. A minimum of one nesting raft will be placed into one of the ponds, as appropriate.
4. Peregrine falcon nest box and camera mount.
5. Deer proof fencing to be installed to fully enclose the site (except for part of the northern boundary, where it will join a an existing fence). The fencing will include standard mammal gates / openings at distances of no greater than 150m. Minor adjustments to the fence location will be made during installation, to avoid existing trees and / or minimise the removal of tree branches.
6. Bat roost to be installed in the existing stone shed within the site.
7. Swift boxes to be installed on the gable end of the existing redbrick building within the site.
8. Low intensity management of existing wet grassland, to retain / improve this habitat (e.g. annual cutting with cuttings removed off site).

Additional measures, the location of which is not indicated on the plan:

9. 50 bat and 50 bird boxes of different designs will be installed across the site in suitable locations.
10. Areas of scrub dominated by bramble will be partially removed to encourage the establishment of more diverse ground cover (to be monitored and repeated, if required).
11. Individual and groups of ash affected by ash dieback, throughout the site, to be treated in line with the 'Tree Management Strategy'.
12. A site-wide 'natural' pest and invasive species control programme will be implemented.

Notes:

1. AERIAL PHOTOGRAPH (OCTOBER 2023) PROVIDED BY KILSARAN CONCRETE.

3. CONTOURS SHOWN ARE INDICATIVE ONLY.

Legend:

- Land Interest Boundary (c. 36.0 ha)
- Planning Application Area (c. 32.6 ha)
- Proposed stormwater drainage channel
- Restoration Section Lines - refer to Figures 2-20 and 2-21 of the EIAR

Landscape Phase
(to be carried out on commencement of the proposed development)

- All existing boundary vegetation to be retained - refer to 'Tree Management Strategy' for general management proposals
- Existing Annex 1 Habitat (oak birch holly woodland), east of the site entrance, to be protected and retained
- Native Woodland Planting (note: existing stand of ash affected by ash dieback to be removed - refer to 'Tree Management Strategy' for more detail)
- Approximate locations of proposed Biodiversity Enhancement Measures - refer to legend to the left for the individual numbered elements.
- Proposed Deer Fence

Restoration Phases
(to be carried out in line with restoration programme outlined below left)

- Restoration Phase 1-3: Native Woodland Planting
- Restoration Phase 2: Area to be left for natural regeneration to retain access to quarry face for continued nesting by peregrine falcons
- Restoration Phase 3: ICW to be retained as wetland habitat

Note:
Willow and other woody species have self-seeded in several locations within and surrounding the existing quarry void. These are typically small in size and it is not feasible to identify each individual plant. Those located within the proposed fill area will be removed to facilitate the development. If planning permission should be granted these 'trees' are deemed exempt from requiring a felling license under the Forestry Act 2014.

Landscape and Restoration Scheme

The proposed landscape and restoration scheme for the inert landfill area at Ballinclare, Co. Wicklow aims at the retention and improvement of existing wildlife habitats, as well as the restoration of the landfill area to a natural habitat, i.e. a native woodland area. This is one of the beneficial afteruses recommended in the EPA Guidelines 'Environmental Management in the Extractive Industry' (2006).
The landscape and restoration works will take place on a phased basis, in conjunction with the phased filling activities.

Landscape / Restoration Programme

Landscape Phase: to be carried out on commencement of the development.
Restoration Phase 1: to be carried out on completion of filling Phase 1A
Restoration Phase 2: to be carried out on completion of filling Phase 2
Restoration Phase 3: to be carried out on completion of filling Phase 3

Landscape / Restoration Elements:

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. Please refer to the Tree Management Strategy provided as part of the EIAR for further information on the management proposals.
Management of ash dieback: There are a number of individual ash trees / groups of ash affected by as dieback. Any diseased / dead trees will be removed in line with the Tree Management Strategy and the natural re-growth of native trees encouraged.
Biodiversity Enhancement: Biodiversity enhancment actions will be carried out in a number of locations, as indicated on the plan above, in line with the Biodiversity Plan provided as part of the EIAR.
Planting Preparations: The infill landform will be covered with ca. 350mm of subsoil and 200-300mm of topsoil on completion of each phase of the landfilling/ re-grading works. The spoil material will be sourced from the material imported into the site, which will be stored in temporary stockpiles.
Native Woodland Planting: Once the earthworks are complete, the area will be planted, using a Native woodland planting mix.

General Notes:

Earthworks: All soil handling to be carried out, as per current best practice guidance. Topsoil and subsoil to be handled separately.
Planting General: All proposed species are native and are to be sourced from Irish provenance, where possible.
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.
Plant establishment: 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.
Long-term management: The woodland planting establishment will be followed by long-term woodland maintenance, in line with the chosen forestry grant.

Native woodland planting mix:

The proposed mix and planting details are based on the Native Forest Grants currently available in Ireland provided, as by DAFM (i.e. Forest Type (FT) 1 - Native Forests; Scenario 5: Pioneer Birch Forest).
The species mix may be updated to reflect the eligible grants available at the time the planting will be carried out, depending on the ground / soil conditions of the completed fill areas.
To be planted at 2 m centres (i.e. 1 plant/4 m^2 or 2,500 plants / ha; approx. 17 ha in total = 42,500 plants; spread over 4 phases, including the Landscape Phase). Transplants to be planted randomly with no more than 15-20 plants of the same species in one group. The whole site will be enclosed with deer proof fencing. However, the transplants will be individually protected from rabbit/hare grazing by spiral guards.

No.	*Plant Name*	*Common Name*	*Height (cm)*	*Age*	*%*
Transplants/Container Grown Shrubs					
19,125	Betula pubescens	Downy birch	60-90	1+1	45
2,125	Corylus avellana	Hazel	60-90	1+0	05
2,125	Ilex aquifolium	Holly	60-80	2Lt	05
8,500	Pinus sylvestris	Scots pine	60-80	2Lt	20
6,375	Quercus petraea	Sessile oak	60-90	1+1	15
4,250	Sorbus aucuparia	Rowan	60-90	1+1	10

Rev	Amendments	Date	By	Chk	Auth
0					

SLR CONSULTING IRELAND
7 DUNDRUM BUSINESS PARK,
WINDY ARBOUR,
DUBLIN,
IRELAND,
D14 N2Y7

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Drawing Status & Suitability Code: **FINAL**

Client: KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow.

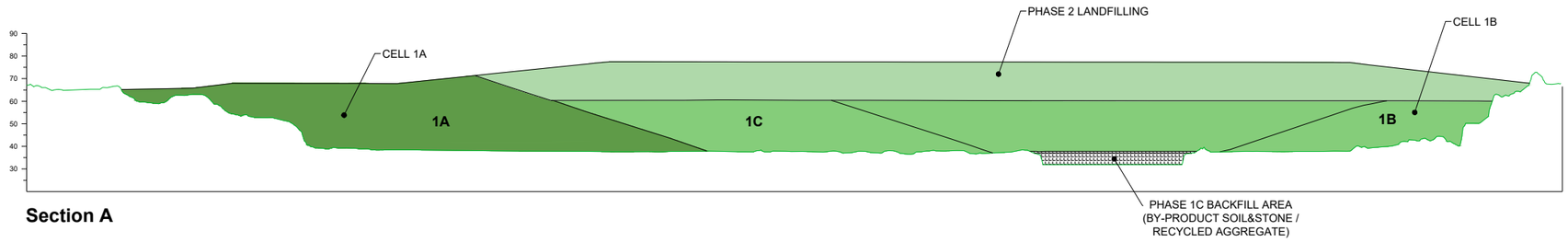
Project: PLANNING REPORT
Materials Recovery / Recycling Facility and Inert Landfill

Drawing Title: Proposed Landscape and Restoration Plan

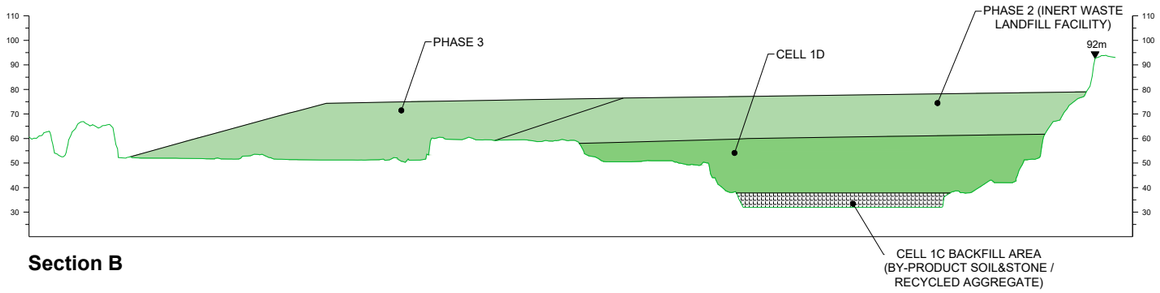
Scale	SLR Project No.
1:3,000 @ A3	065366.00001

Designed	Drawn	Checked	Authorised
AM	AM	DL	DL
Date: 10/24	Date: 10/24	Date: 10/24	Date: 10/24

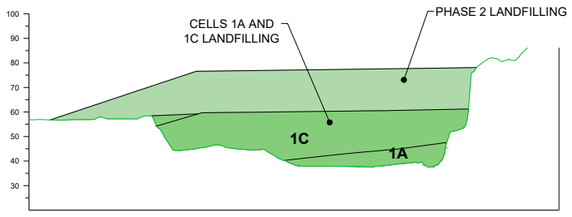
Drawing Number: **FIGURE 6** Rev.: **0**



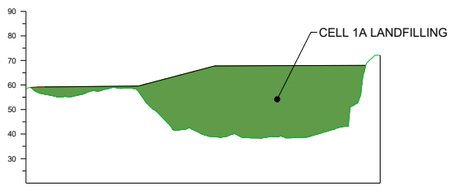
Section A



Section B



Section C



Section D

Notes:

1. REFER TO FIGURE 5 & FIGURE 6 FOR LOCATION OF CROSS SECTIONS.

Legend:

- EXISTING PROFILE
- PHASE 1A LANDFILL
- PHASE 1B-1D BACKFILL
- PHASE 2-3 BACKFILL OVER 60mOD

Rev	Amendments	Date	By	Chk	Auth
2	Title block and Sections	06.24	AB	DL	DL
1	Sections	05.24	AB	DL	DL
0		01.24	EW	DL	DL

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Drawing Status & Suitability Code: **FINAL**

Client: KILSARAN CONCRETE
Ballinclare Quarry, Kilbride, Co. Wicklow

Project: PLANNING REPORT
Materials Recovery / Recycling Facility
and Inert Landfill

Drawing Title: PROPOSED SITE DEVELOPMENT SECTIONS

Scale	SLR Project No.
1:2,500 @ A3	065366.00001

Designed	Drawn	Checked	Authorised
EW	EW	DL	DL
Date 10/24	Date 10/24	Date 10/24	Date 10/24

Drawing Number: **FIGURE 7** Rev. **2**

0 50 100 150 200 250m

Scale 1:2,500

04/11/2024

\\slr.local\eu\Offices\IE\Dublin\SLR DATA\SLR Projects\0036 Kilsaran Concrete\065366 Ballinclare Materials Mgmt Facility\Planning\Wking\Figures\FIG_7 Site Dev. Sections.dwg

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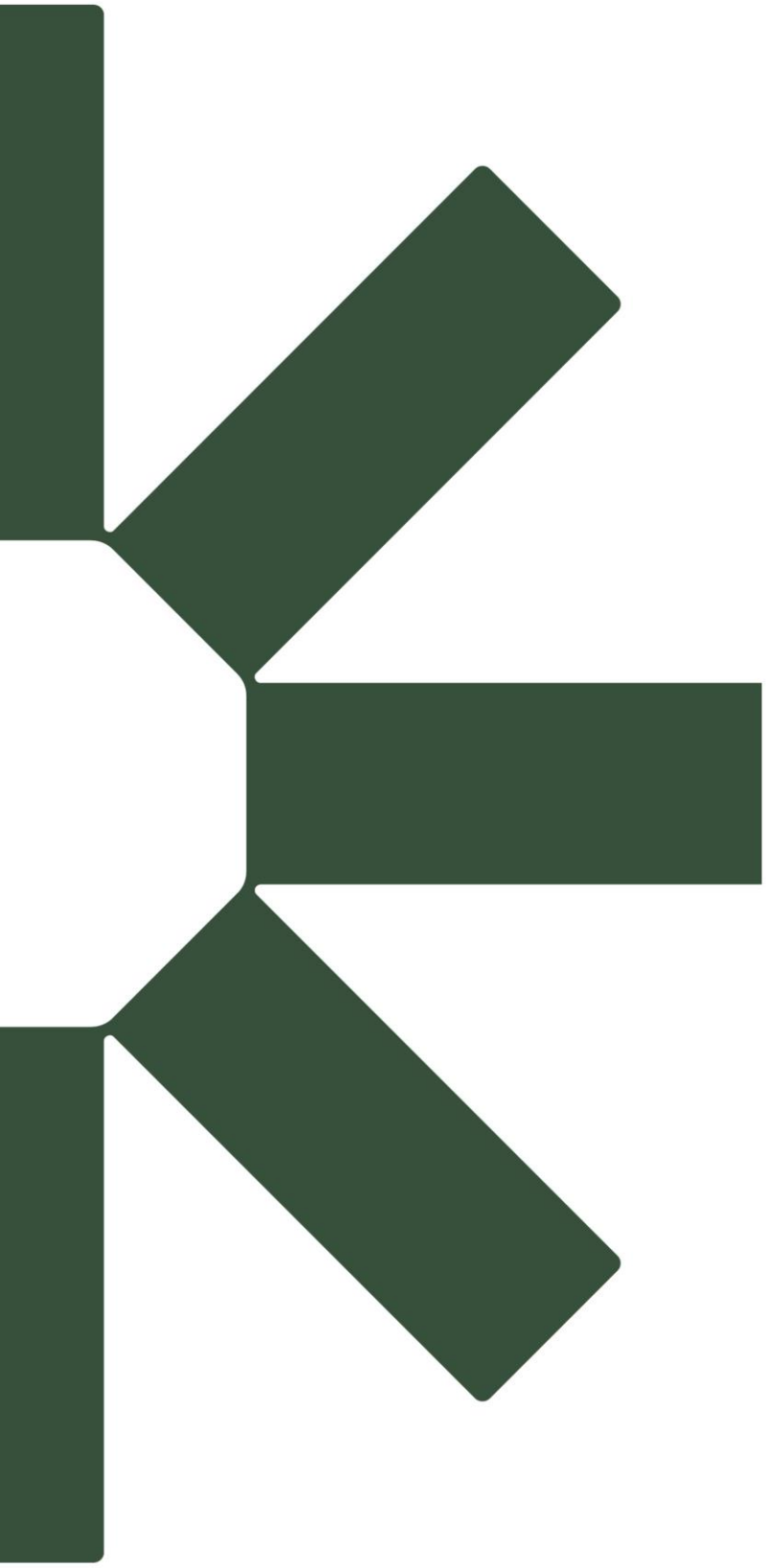

Making Sustainability Happen