Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Roadstone Belgard Quarry
Fortunestown, Tallaght, Dublin 24.

Section 261A Review of Quarries
Planning & Development Act 2000
(As Amended)

Report & Appendices

IN THE MATTER OF Section 261A of the Planning and Development Act, 2000 as inserted by section 75 of the Planning and Development (Amendment) Act 2010, and amended by Regulation 16 of the European Union (Environmental Impact Assessment and Habitats) Regulations 2011, and by Regulation 3 of the European Union (Environmental Impact Assessment and Habitats) Regulations 2012.

Section 261A Review of Quarries

Belgard Quarry

Quarry Location:	Belgard and Cheeverstown, Clondalkin, Dublin.
Owner / Operator:	Roadstone Wood Limited, Fortunestown, Tallaght, Dublin 24.
Register Reference:	SDQU05A/2

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Comhairle Contae
Átha Cliath Theas
South Dublin County Council

County Hall,
Tallaght,
Dublin 24.

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INTRODUCTION AND BACKGROUND

Section 261A Review of Quarries

Belgard Quarry

Introduction

This determination report arises from a number of special legislative provisions in relation to quarries. These are; Section 261A of the Planning and Development Acts, the Environment (Miscellaneous Provisions) Act 2011, and the EU (EIA & Habitats) Regulations 2012. These provisions were commenced on 15 November 2011, with a maximum 9 months allowed for completion.

Guidelines were issued in January 2012 by the Minister for the Environment, Community and Local Government to planning authorities and An Bord Pleanála (the Board) pursuant to section 28 of the Planning and Development Act 2000 (as amended). Further Supplementary Guidelines were issued in July 2012.

This special provision made for quarries effectively provides that, for a very limited period, certain quarries with retention/EIA/Habitats issues will be permitted (and in fact required) to apply for substitute consent without having to prove exceptional circumstances. This is a last opportunity for certain quarries with legal issues/operating beyond their consent to regularise their status.

Section 261A requires the planning authority to determine which quarries in its administrative area would, having regard to the dates of implementation of the EIA Directive and the Habitats Directive, respectively, have required an EIA, or an appropriate assessment in relation to possible effects on the integrity of a European site, but which were not subject to such assessment/determination.

The Guidelines require the Planning Authority to compile a complete list of all relevant quarry developments within the area, based on every available source of data, such as:

- The planning register, in relation to permissions granted,
- The section 261 register (showing the position as of 2004/2005),
- Planning enforcement records,
- Information from members of the public, including any submissions received in response to the public notice,
- Rateable valuation records,
- Aerial photos or maps (if available), and
- Local knowledge from planning authority staff, particularly staff dealing with specific areas within a county.

The availability of the above data sources was explored for all quarries. All available data was compiled, examined and evaluated in accordance with the Guidelines issued. A separate report has been prepared for each of the relevant quarries in the county. This report relates to the quarry located on lands at Belgard and Cheeverstown, Clondalkin, operated by Roadstone Wood Limited.

General Overview [see Appendices 1-5]

The Belgard Quarry is located to the south of the N7 Naas Dual Carriageway and extends for approximately 1,500 metres westwards along the N7 to its junction with the outer Ring Road at Kingswood. The quarry lands are otherwise bounded to the West by the recently constructed Outer Ring Road, to the East by Belgard Road and to the South by Cookstown Road. The overall lands comprise of c. 305 hectares. Lands to the northwest of the quarry are largely occupied by public open space at Corkagh Regional Park. Lands to the north east and south are primarily developed for residential purposes. Lands to the west form part of the City West Business Park, and most of the undeveloped lands lying to the east of Belgard Road are zoned for green belt purposes. The lands adjoin the Newlands Golf Course to the northeast.

[Appendix 1 Location map]

The quarry lands occupy all or most of the Townlands of Bedlesshill, Belgard and Cheeverstown, and portions of the Townlands of Buckandhounds, Kingswood and Whitehall. The lands rise southwards, from c.100mOD adjacent to the N7 to a high point of 117mOD in the southwestern corner, and rising further to c.128mOD in the southeastern portion adjacent to the Cookstown Road.

The existing quarry extraction area comprises c. 50 hectares and is located on the northern portion of the quarry lands adjacent to the N7. The existing quarry floor is stated to be at 34mOD. Stone processing, storage and ancillary facilities are located to the south of the quarry void. Access/egress to and from the site is provided from the N7 (using a dedicated underpass), Cookstown Road, and a new entrance on the recently constructed Outer Ring Road. The quarry is largely screened from views from adjacent roads by screen planting, boundary walls and berms. It is most clearly visible from the recently constructed Outer Ring Road overpass at Kingswood from where substantial parts of the quarry working are open to view. The existing linear berms extending along much of the southern boundary of the quarry lands are a prominent feature in views towards the quarry from housing areas at Fettercairn to the south. A comprehensive view of the entire quarry lands is provided in the oblique aerial photography flown in August 2005

[Appendix 2 Context Aerial Photo and oblique photo 2005]

The Recorded Monuments / Protected Structure detailed below are located on the quarry lands and are included in the buildings, structures and sites to be protected in the Development Plan 2010-2016 (Schedules 1 and 2). These sites were also listed in the South Dublin County Development Plan 1998.
Ref. No. DU021-024 *Tower House, Well Possible, Bawn Possible,* located at Cheeverstown;
Ref. No. DU021-025 *Ringfort (Rath/Cashel) Possible*, located at Belgard;
Map Ref. No. 206 *Castellated House, Stone Tower House, Out-Offices & Gazebo (RM)*, located at Belgard Castle. (Also designated a Protected Structure)

In this regard it is noted that the archaeological impact assessment submitted for compliance approval under Condition No. 34 of the S. 261 consent noted that the Tower House (DU021-02401), a recorded monument, was levelled sometime between 1978 and 1986 and the site occupied by quarry plant, and the sites of DU021-02402, DU021-02403 and DU021-025 are occupied by stored soil.

[Appendix 3 Archaeological impact assessment report]

The quarry lands are zoned "to protect and improve Rural Amenity and to provide for the development of Agriculture" (Zoning Objective 'B') in the South Dublin County Development Plan 2010-2016. These lands have functioned for many years as part of a green belt between Tallaght and Clondalkin in conjunction with the designated Green Belt lands to the east of Belgard Road. On the instigation of the quarry owners the quarry lands were re-zoned in 1993 as part of the county development plan review, from Zoning Objective 'GB' (To preserve a green belt between development areas) to Zoning Objective 'B'. The County Development Plan 2010-2016 includes an objective to facilitate the Metro West LRT scheme which is proposed to travel along Belgard Road to the east of the quarry lands.

[Appendix 4 Relevant maps Development Plan 2010-2016]

Details submitted for compliance with conditions No. 28 and No. 29 imposed following the S. 261 registration indicate that the quarry extraction area is planned to ultimately extend over an area of 102 hectares and down to +5.0mOD or deeper, and to be eventually filled with water to provide a water/amenity/reservoir in the resulting void. No details have been given as to the feasibility of such a scheme and the engineering requirements that would likely arise. The submission notes that the quarry would have an expected life of 55 years based on an annual extraction rate of 1.15 million cubic metres, and that depending on market conditions planning permission might be sought to quarry a further 90 hectares of land within the site. On that basis it appears that the quarry could potentially continue to be worked for a further c. 100 years from the present.

[Appendix 5 S. 261 compliance submission re proposed development and restoration of the quarry]

It appears from an examination of the relevant documentation that the permission granted under C.1488 did not envisage the extensive surface area and depth, and the protracted life, of the existing and proposed future quarrying operations on the lands. Condition number 4 of the planning permission under Reg. Ref. C.1488 envisages "the eventual restoration of the land to an appearance and use consistent with the appearance and use of lands in the vicinity of the site in as short a period as possible". Furthermore it is noted that decision order TP/333/63 relating to the 1963 general permission under Reg. Ref. P.C. 9459, noted that "the type of development proposed is suitable to a rural area…."

As noted above, the Belgard Quarry lands initially formed part of a 'green finger' extending westwards from the Ballymount area, the open character of which was envisaged in the Myles Wright Plan (1967) to be preserved for the purpose of providing a permanent green belt separating the Tallaght and Clondalkin development areas. Subsequent re-zoning of agricultural lands to the west for industrial development in the early 1990's has resulted in the quarry lands now being largely surrounded by the extensive Citywest industrial area to the west and residential housing estates to the north and south. The Landscape Character Assessment included in the current South Dublin County Development Plan notes that the area in which Belgard quarry is located (Landscape Character Area 8 – Tallaght) "while physically quite open does not retain any of its rural character due to high levels of development in the form of housing, roads and industry".

The quarry lands now lie within the urban area of Dublin city which presents significant challenges, both for the future operation of the quarry, and for the sustainable development of the area in the vicinity of the quarry and the wider Metropolitan area.

In relation to concrete product manufacturing activities being carried out at Belgard quarry it is noted that the S. 261 application listed the non-ancillary activities as concrete, blocks, paving, asphalt, mortar, dry mortar, pre-cast wall panel, and flag manufacturing. These activities appear to be located to the south and east of the quarry-related operations area.

It is noted that the development proposed under Reg. Ref. C. 1488 is described in Council Decision Order Number P/63/71 dated 12 January 1971 as "proposed quarrying development and ancillary buildings and processes (readymix plant and asphalt plant)". Having regard to the meaning of the term 'quarry', as defined in accordance with Section 2(1) of the Act of 2000 as amended by Section 16 of the Environment (Miscellaneous Provisions) Act 2011, the readymix and asphalt plants do not constitute ancillary quarrying operations for the purpose of this examination.

With the exception of the readymix and asphalt plants noted above, there is no record of planning permission having been granted for such product manufacturing facilities on the quarry lands. Furthermore, no planning permission has been identified relating to the existing product display and sales facility and offices located to the east of the ancillary operations area. In this regard it is noted that planning permission for a product sales and display park appears to have been refused in July 1978 (Reg. Ref. RA 745). An application in April 2001 for development of a plant for the manufacture of precast concrete products was not pursued following a request for additional information regarding the planning status of existing development on the lands and other details. (Reg. Ref. S01A/0195). Planning permissions were later granted for an asphalt plant (Reg. Ref. SD06A/0915) and a waste recovery facility, both located adjacent to the western boundary of the quarry lands (Reg. Ref. SD02A/0167).

Relevant Planning History [see Appendix 6]

Reg. Ref. P.C. 9459
A general permission was granted in 1963 to Roadstone Limited under the Town and Regional Planning Acts 1934 /1939 decision order ref. TP/333/63, for development of a limestone quarry and ancillary development of asphalt plant and storage bins for quarry produce at Belgard, subject to the submission of detailed plans for approval before any constructional work on buildings is commenced, and to the height of the proposed buildings not exceeding 50 feet.

Reg. Ref. A. 435

Outline planning permission was granted to Roadstone Limited for quarry development at Cheeverstown, Clondalkin, under Order No. P/789/68 dated 4 June 1968, subject to conditions, including that no constructional work to be put in hand until detailed drawings have been approved by the planning authority, and the height of any proposed structures or buildings shall not, unless under exceptional circumstances, exceed 50 feet.

Reg. Ref. B. 1117

Planning permission was refused on 25 May 1970 for development of a Limestone quarry at Belgard / Cheeverstown, Clondalkin, for Roadstone Limited, on grounds that the proposed development is not in accordance with the conditions of the outline permission granted under Order Ref. P/789/68 limiting the height of any structures, and failure to submit details for approval, including a programme for reinstatement and landscaping, details of a satisfactory access at the Cheeverstown Road junction with the Naas Road dual-carriageway and at the Cookstown Road junction, and design details of the proposed structures.

Reg. Ref. B. 1775
Permission refused on 8 February 1970 under decision order ref. P/270/70 for proposed T-junction at Cheeverstown Lane, Naas Road. Reason for refusal stated that the proposed development, which includes a further median break on the existing dual carriageway and crossing movements by heavy commercial vehicles to and from Cheeverstown Lane, would create a serious traffic hazard. Applicant Roadstone Limited.

Reg. Ref. C. 1488
A planning permission Reg. Ref. C. 1488 was granted by the Minister for Local Government to Roadstone Limited on appeal, under Decision Order PL. 6/5/16175 dated 28th April 1972, for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Reg. Ref. G. 614
Application for workshop and offices at Belgard Quarry dated 22 March 1974, subsequently withdrawn on 26 March 1974. Applicant Roadstone Limited.

Reg. Ref. G. 1085
Application for workshop and offices at Belgard Quarry dated 15 May 1974, subsequently withdrawn on 30 January 1985. Applicant Roadstone Limited.

Reg. Ref. G. 1350
Permission granted on 25 September 1974 for direction signs at the Naas Road and Fortunestown Lane (Cookstown Road) entrances to Belgard Quarry. Applicant Roadstone Limited.

Reg. Ref. RA. 745
Permission refused on 7 July 1978 under decision order ref. P/2608/78 for development of a products display park for Cement Roadstone Limited at Cheeverstown House Lodge, Naas Road for the following reasons:

1. The proposed commercial development would materially contravene the zoning objective "to provide for the further development of agriculture" and would militate against the preservation of the rural environment.
2. Public piped services not available to serve the proposal.
3. The proposed development would be premature by reason of existing deficiency in the provision of sewerage facilities, and the proposal to provide a private treatment plant is not acceptable.
4. The proposed development would endanger public safety by reason of traffic hazard due to the generation of additional traffic turning movements on the heavily trafficked Naas Road Dual Carriageway National Primary Route N7.

Reg. Ref. S01A/0195

Application received from Roadstone (Dublin) Limited on 4 April 2001 for development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4,831 sq.m); batching plant incorporating cement silo and aggregate storage bins. No response was received to a request for additional information. The information requested included details of existing buildings in the vicinity of the application site and the relevant planning history; details of activities/processes carried out on the site prior to and subsequent to the proposed development being carried out; and whether an Environmental Impact Statement is required in respect of the proposed development and to submit one if considered necessary.

Reg. Ref. SD02A/0167

Planning permission granted on 3 July 2002 under decision order ref. P/2401/02 for use of a 3.9 hectares site for the recovery of pre-sorted construction and demolition waste, namely concrete, bricks, tiles and ceramics, asphalt and topsoil.

Reg. Ref. SD06A/0915

Planning permission granted on 25 September 2007 for an asphalt plant and ancillary facilities on a site area c. 3 acres at Belgard Quarry. Applicant SIAC Bituminous Products Ltd.

Reg. Ref. SD07A/1047

Planning permission granted on 1 April 2008 for construction of a new site access onto the outer ring road, and related new internal roadway, office building, canteen and toilet facilities, security hut, wheelwash weighbridges, oil interceptor, septic tank and associated percolation area, car parking spaces, and signage**.**

Reg. Ref. SD08A/0731

Permission granted on 10 February 2009 for installation of an ESB 38kV overhead line switching compound on part of the Belgard Quarry lands at Cheeverstown.

Reg. Ref. SD12A /0137

Planning application received 10 July 2012 for proposed completion of landscaping to an existing partially completed screening berm at Belgard quarry in Bedlesshill townland. (no decision available at time of writing)

[Appendix 6 Planning history documents]

Planning Enforcement History:

File Ref. S0369 (complaint received 25 April 1996)
File Ref. S0685 (complaint received 30 January 1997)
Lands at : Roadstone Quarry, Belgard, Dublin 24.
Description of unauthorised development: Vibrations from Roadstone Quarry causing problems to the new house at Bushfield Avenue, possible damage may be caused to structure of dwellings.
History: Both files are very old and were opened regarding the same unauthorised development taking place. The matter was referred to the E.H.O and they recommended the file be closed.

Environmental Health Officer Comments

A total of 42 complaints (see Table 1) have been received since 2004, of which 24 relate to blasting, 17 relate to dust, and 1 relates to noise.

Table 1: Environmental Health Officer records of complaints by year

Year	Number of complaints received
2004	5
2005	5
2006	5
2007	8
2008	5
2009	6
2010	3
2011	4
2012 (to date)	1

An application to operate a new asphalt plant was received on 29/01/07. The license was granted on 17/04/07 for a period of a year. The license conditions require quarterly monitoring data to be submitted. This has been done and the monitoring data has shown compliance with the standards set. A further application for a license was received on 03/03/08. A further license was issued on 01/04/08. This license was issued in perpetuity.

Section 261 Registration of Belgard Quarry (see Appendices 7-8)

Information relating to the quarry operated by Roadstone Dublin Limited at Belgard and Cheeverstown was received on 22 April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2. By order dated 18 April 2007 a statutory notice under Section 261(6) to modify conditions and add new conditions was served by the Council on Roadstone Dublin Limited. Information relating to the section 261 registration of the quarry is summarised in Table 2.

Details of the extent of the overall site area and of the extent of the extracted portions as provided in documentation submitted in relation to the S. 261 registration of quarries are set out in Table 2. The extent of the extraction area authorised by new conditions under section 261(6) represents the maximum surface area of land which is permitted to be extracted under the section 261 consent.

Table 2: Outline details - Belgard quarry (Source: Section 261 Application)

Description	Details
Owner / Operator	Roadstone Dublin Limited
Registered Reference Number	SDQU05A/2
Aggregates Extracted	Limestone
Annual Output (tonnes)	Not stated
Planning Status	Permission granted (Reg. Ref. C.1488)
Year of Permission	1972
Site area (rev. 2007)	305 hectares
Permitted extraction area 1968	20.25 hectares.
Existing extracted area 2005	48.2 hectares

Appendix 7 Site layout plan Figure 1_F11 (Rev. A) dated Feb. 2007, and landownership details

It is noted that, while no submissions were received by the Council in response to the public notice inviting submissions regarding the section 261 registration of the quarry, concerns regarding the operation of the quarry were subsequently outlined in a letter to the Council from Newlands Golf Club, and in a report entitled *Taking the First Steps to a Healthier Fettercairn* (pages 15-17) published by the Fettercairn Community Health Project Management Committee in 2007. A report to the meeting of South Dublin County Council on 13 November 2006 is also noted in this regard.

[Appendix 8 Third party concerns relating to Belgard quarry]

Section 261A Submissions

No submissions were received relating to the quarry operated by Roadstone Dublin Limited, at Fortunestown, Tallaght, Dublin 24, in response to the S. 261A C.1488 advertised in the Irish Times on 7th December 2011.

[Appendix 9 Public Notice relating to S. 261A]

Section 261A Determinations / Decisions

In accordance with the requirements set out in Section 261A, the planning authority will, following an examination of each quarry, issue a notice of its determination or decision regarding each of the following as appropriate:

I A decision regarding whether the quarry is authorised;

II A determination as to whether development was carried out after 1 February 1990 which development would have required, having regard to the Environmental Impact Assessment Directive, an EIA or a determination as to whether an EIA was required, but that such an assessment or determination was not carried out or made;

III A determination as to whether development was carried out after 26 February 1997, which development would have required, having regard to the Habitats Directive, an appropriate assessment, but that such an assessment was not carried out;

IV A determination as to whether the development commenced after 3 July 2008;

V A decision regarding whether the registration requirements of section 261 were complied with.

Section 261A of the Planning and Development Act, 2000 and related provisions - Guidelines for Planning Authorities

Guidelines to planning authorities were issued by the Minister for the Environment, Community and Local Government in January 2012, pursuant to section 28 of the Planning and Development Act 2000, as amended. Supplementary Guidelines issued in July 2012 reflect amendments to section 261A as detailed in the European Union (Environmental Impact Assessment and Habitats) Regulations 2012, (S.I. No. 246 of 2012), effective from 9 July 2012. For ease of reference relevant extracts from the guidelines (as amended) are reproduced in related sections of this report.

Definition of 'Quarry'

In accordance with Section 2(1) of the Act of 2000 as amended by Section 16 of the Environment (Miscellaneous Provisions) Act 2011, the term 'quarry' has the meaning assigned to it in section 3(3) of the Mines and Quarries Act 1965. This provides that a 'quarry' includes "any place on the surface surrounding or adjacent to the quarry occupied together with the quarry for the storage or removal of the minerals or for the purposes of a process ancillary to the getting of minerals including the breaking, crushing, grinding, screening, washing or dressing of such minerals but subject thereto does not include a place at which any manufacturing process is carried on".

Information Sources

This assessment for the purposes of Section 261A of the Planning and Development Acts 2000-2010 is based on information available at the time of writing. The principal sources drawn upon include the available council records, particularly those relating to planning applications, and documents submitted in relation to the Section 261 registration of quarries from 2005 to the present date. Other sources / documents are used as appropriate where they provide relevant information. In the absence of suitable historic mapping information in council records, historic aerial photography in the possession of the Council has been used as a basis for assessing the likely extent of development at a particular time. The best technology available to the council has been used in the examination of aerial photography in order to ensure that the information derived from such sources is reasonably accurate for the purpose of this review. Where a relevant source document is not available this is noted in the report, and the basis of any assumptions or estimations made in the absence of such documents is presented and explained. It should be noted that extensive searches have been carried out for any missing relevant source documents.

I

DECISION REGARDING WHETHER THE QUARRY IS AUTHORISED:

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Section 261A(3)(a)(i) A decision regarding whether the quarry commenced operation prior to 1 October 1964 or whether planning permission was granted in respect of the quarry.

The Quarry Guidelines (2012) advise*:*

3.3 Section 261A(3): Decision of the planning authority under subsection (3)
Where the planning authority has made a determination under subsection (2)(a) in respect of a quarry that EIA, a determination in relation to EIA, or an appropriate assessment was required but not carried out/made, it must also decide the following in respect of the quarry:

(a) whether the quarry at some stage obtained planning permission or whether it commenced operation prior to 1 October 1964 and
(b) whether the quarry fulfilled the requirements in relation to registration under section 261 (if required to do so).

In relation to (a), the planning authority will already have examined whether the quarry obtained a permission, or commenced prior to 1 October 1964, in making the determination under subsection (2)(a).

It is important to note at this point that in order to fulfil the requirement at (a), the quarry just has to have commenced prior to 1964 – it does not have to be operating under a "pre-1964 authorisation" as outlined above: if the quarry was deemed, in respect of post-1990/post-1997 development as appropriate, to be operating under a "pre-1964 authorisation" it would not have been found to have required environmental impact assessment/screening/appropriate assessment in the first place and it would not therefore have been subject to a determination under subsection 2(a).

Similarly in relation to the permission question, the requirement is just that a planning permission was granted at some stage, the requirement is not for the permission to be current, or for the development to be in accordance with the permission.

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 - page 11)

Planning history of quarry development at Belgard (see Appendices 6, 7 and 10)

Information provided in relation to the S. 261 registration of the Belgard quarry indicates that the quarry did not commence operation prior to 1st October 1964, and is therefore not authorised in that regard.

Available information relating to the early planning history of the Belgard quarry, retrieved from the Council's microfiche records, is limited to copies of the planning register record, decision reports and orders, and some related correspondence.

A general permission was granted in 1963 under the Town and Regional Planning Acts 1934 /1939 decision order ref. TP/333/63 (Reg. Ref. P.C. 9459) to Roadstone Limited for development of a limestone quarry and ancillary development of an asphalt plant and storage bins for quarry produce at Belgard, subject to the submission of detailed plans for approval before any constructional work on buildings is commenced. From correspondence retrieved from the Council's microfiche records it

appears that Roadstone subsequently acquired further lands at Cheeverstown and applied for outline permission to quarry on lands to the southwest of the area permitted for quarrying under the outline permission previously granted (Reg. Ref. P.C. 9459). The two locations are indicated by the letters 'A' and 'B' respectively on a map submitted with the letter dated 4 April 1968.

By Order No. P/789/68 dated 4 June 1968 outline planning permission was granted by Dublin County Council for quarry development at Cheeverstown, Clondalkin under Reg. Ref. A.435, subject to conditions, including that no constructional work to be put in hand until detailed drawings have been approved by the planning authority, and the height of any proposed structures or buildings shall not, unless under exceptional circumstances, exceed 50 feet. It appears from a letter to Roadstone Limited dated 29 September 1969 in relation to the application under Reg. Ref. B.1117 that no planning approval has been granted on foot of the 1968 outline permission (Reg. Ref. A.435).

Planning permission was subsequently refused under Reg. Ref. B.1117, by order reference number P/946/70 dated 25 May 1970, for a proposed limestone quarry at Belgard / Cheeverstown. Furthermore the letter of 29 September 1969 notes that work had already commenced on the proposed development and stated "as no planning approval has been granted you are directed to cease work forthwith pending a decision on your application." It appears therefore that, notwithstanding that no valid planning permission existed for quarry development at this location prior to the permission subsequently granted under Reg. Ref. C. 1488, quarrying operations were being carried out on the lands since at least 1969.

[Appendix 10 Correspondence relating to Reg. Ref. A.435 and Reg. Ref. B.1117]

A planning permission under Reg. Ref. C. 1488 was subsequently granted by the Minister for Local Government to Roadstone Limited on appeal, under Decision Order PL. 6/5/16175 dated 28th April 1972, for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to the following conditions:

Condition No. 1	required that a proposed access from Kingswood be omitted;
Condition No. 2	required revisions to proposed road junction arrangements;
Condition No. 3	limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority;
Condition No. 4	required a detailed scheme for reinstatement and landscaping of the worked out portions of the quarry to be submitted within 12 months of the granting of permission, the scheme to provide for making the land useful for agricultural or recreational purposes and consistent in appearance with the surrounding land;
Condition No. 5	required a detailed scheme showing the location and extent of screening belts of trees and shrubs to be submitted within 6 months of the granting of permission;
Condition No. 6	required retention of existing screening vegetation unless otherwise agreed;
Condition No. 7	required that noise attenuation measures be provided to limit noise levels along the perimeter of the site to not more that 45dbA between 08.00 a.m. and 10.00 p.m., and 35dbA between 10.00 p.m. and 08.00 a.m.;

Condition No. 8 required 24 hours advance notice of each explosion be given to adjoining occupants, and limited use of explosives to the period between 08.00 a.m. and 10.00 p.m., subject to use of best practicable means to minimise degree of nuisance caused by explosions;

Condition No. 9 required that quarrying and ancillary operations be contained within the working area of the site as shown on lodged plans and prohibited the placing of machinery and debris on other parts of the site;

Condition No. 10 required security at the rate of £250 per acre to ensure satisfactory completion of reinstatement and landscaping works, subject to adjustment of the amount in line with the current rates for horticultural and general landscape work.

Conclusion

Following an examination of the available information it is considered reasonable to conclude that planning permission was granted by the Minister for Local Government to Roadstone Limited, under Decision Order PL. 6/5/16175 dated 28th April 1972, for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on lands at Belgard and Naas Road, Clondalkin, and that quarry development on the relevant lands is therefore authorised in accordance with the terms and conditions of the planning permission granted under Reg. Ref. C. 1488.

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II

DETERMINATION IN RELATION TO ENVIRONMENTAL IMPACT ASSESSMENT

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Section 261A(2)(a)(i): Determination in relation to Environmental Impact Assessment

Whether development was carried out after 1 February 1990 which development would have required, having regard to the Environmental Impact Assessment Directive, an environmental impact assessment or a determination as to whether an environmental impact assessment was required, but that such an assessment or determination was not carried out or made.

The Quarry Guidelines (2012) advise*:*

3.2.1 General

Under subsection (2)(a), as amended by Regulation 16 of the European Union (Environmental Impact Assessment and Habitats) Regulations 2011 (SI 473 of 2011), a planning authority is required to examine each quarry in its administrative area to determine whether

> development was carried out after 1 February 1990 which development would have required, having regard to the Environmental Impact Assessment Directive, an environmental impact assessment or a determination as to whether an environmental impact assessment was required, but that such an assessment or determination was not carried out or made

3.2.2 Development after 1 February 1990/26 February 1997

Making the determinations referred to above will require a planning authority to firstly make the best assessment it can of the scale of the development that has taken place after 1/2/1990 in relation to the EIA Directive and after 26/2/1997 in relation to the Habitats Directive.

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 page 6)

The extent of quarry development at Belgard and its planning status (see Appendices 11-15)

As previously noted, for the purposes of this examination the term 'quarry' includes "any place on the surface surrounding or adjacent to the quarry occupied together with the quarry for the storage or removal of the minerals or for the purposes of a process ancillary to the getting of minerals including the breaking, crushing, grinding, screening, washing or dressing of such minerals but subject thereto does not include a place at which any manufacturing process is carried on".[1] However, for the purpose of the examination under section 261A(2)(a)(i) the relevant area is the "area of extraction" as specified in Schedule 5, Part 2, Paragraphs 2(b) and 13(a) to the Planning and Development Regulations, 2001.[2]

An examination of the seven series of aerial photography flown at intervals during the period from 1971 to 2009, indicates the progressive extension of the area of extraction at Belgard quarry in that period (see Table 3 below).

[Appendix 11 Aerial photography 1971 to 2009]

[1] In accordance with Section 2(1) of the Act of 2000 as amended by Section 16 of the Environment (Miscellaneous Provisions) Act 2011

[2] S.I. No. 600 of 2001

Table 3: Estimated increase in area of extraction at Belgard quarry 1971-2009

Year of photography	**Estimated area of extraction** (hectares)	**Increase in area of extraction** (hectares)
1971	10.40	-
1978	35.51	25.11
1986	46.29	10.78
1995	56.26	9.97
2000	62.92	6.66
2005	77.56	14.64
2009	82.62	5.06

The Quarry Guidelines (2012) advise*:*

3.2.3 Whether post 1990 and/or post 1997 development is authorised?
When the planning authority has made an assessment of the amount of development that has taken place since 1 February 1990 and/or 26 February 1997 in the case of any quarry, it must decide whether EIA/appropriate assessment would have been required in respect of this development, but was not carried out.

The first point to note here is that if the development carried out after 1/2/1990 was authorised by a planning permission granted prior to 1/2/1990 EIA is not required in respect of such development under the Directive because the Directive does not apply in respect of projects authorised before the Directive became operative. Any development which obtained planning permission before the EIA Directive came into effect and is operating in accordance with the terms of its planning permission is not affected by the Directive and does not require EIA under the terms of the Directive. Similarly appropriate assessment is not required in respect of development authorised by a planning permission granted prior to 26 February 1997. Obviously therefore the planning register should be checked to find out whether any planning permission or permissions were granted in respect of the quarry, and what is the extent of the development authorised by the permission(s). Where it is established that any post-February 1990 development is authorised by a pre-February 1990 planning permission, or that any post-February1997 development is authorised by a pre-February 1997 planning permission no further action is required in respect of that quarry under section 261A.

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 pages 6-7)

It appears from the planning history outlined previously that unauthorised quarry development had commenced at Belgard quarry prior to the granting of the permission under Reg. Ref. C.1488 in 1972. Aerial photography flown in 1971 shows an extensive working area of approximately c. 20 hectares (c. 50 acres) on the lands, including a quarry extraction area and ancillary processing facilities.

No site map is available illustrating the boundaries of the area authorised for quarry development at Belgard under the planning permission Reg. Ref. C.1488. However, condition No. 3 of the permission states:

> *Quarrying shall be limited initially to a continuous and total area of not more than 50 acres in line with the intended pattern of development as shown on the lodged drawing number RS.2*

> *dated 14 August 1970. No quarrying operations shall be undertaken on any part of the site outside the said area of 50 acres without the prior agreement of the planning authority or, in the event of a dispute, without the prior agreement of the Minister for Local Government. Reason: To control the extent and location of quarrying on the site in order to permit evaluation of the effects of the operations on the environment of the area.*

Furthermore, condition No. 9 of the permission states:

> *Quarrying and other ancillary operations shall be contained within the working area of the site as shown on drawing No. 70/35/7 dated August 1970, and no machinery or debris shall be placed on other parts of the site or on any public road.*
> *Reason: In the interest of the general amenities of the area.*

It is noted that no information is available confirming that any agreement was given by the planning authority or the Minister to the undertaking of quarry extraction outside the permitted area of 50 acres. Also it appears from an examination of council records that no planning permission was subsequently granted for an extension of quarrying outside the area permitted under Reg. Ref. C. 1488.

A copy of drawing RS 2 has been retrieved from Council microfiche records. This appears to be a sketch drawing of the lands at Belgard and Cheeverstown in the ownership of Roadstone outlining landscaping proposals for the entire Roadstone landholding. An area on the drawing is annotated as '75 acres - area to be reinstated' and appears to be the location of the proposed extraction area. An adjacent rectangular area located immediately to the south of the area to be reinstated appears to be the site of ancillary operations. Other annotations on the drawing indicate general landscaping measures to be undertaken. The drawing No. 70/35/7 referred to in Condition No. 9 is not available. In the absence of that drawing or other relevant maps it is not possible to determine the precise extent of the specific areas permitted under C.1488 for quarrying operations (crushing and screening etc.) and other non-ancillary operations (i.e. manufacturing operations).

Appendix 12 Drawings and landscape details relating to C.1488

In this regard it is noted that documentation retrieved from Council microfiche records relating to Reg. Ref. C.1488, includes a document dated 15 October 1970 which appears to be a response by Roadstone to objections raised by Muintir na Tire to the proposed quarry at Belgard. Paragraphs 9, 10 12 and 13 of the document provide clear evidence indicating that the proposed quarry development was intended to comprise a relatively small portion of the overall Roadstone landholding. Furthermore it appears from the document that the balance of the lands was to be used to provide landscaping measures including substantial tree planting. This would ensure that the quarry would not be visible from any adjacent area, and that the lands would be developed in a manner consistent with the retention of the rural character of the lands as part of the amenity green belt between the planned Clondalkin and Tallaght development areas. In this regard it is noted that paragraph 10 of the document refers to landscaping proposals for the site and appears to clearly indicate the intended small scale of the quarry development proposed on the overall landholding, stating as follows:

> "Far from destroying vegetation in the area, Roadstone plan an intensive tree planting programme on the site. We enclose copies of landscaping proposals prepared by our landscape architect. These emphasise once again the uniquely small size of the development relative to the size of the site, and the large areas of grassland and tree plantations."

[Appendix 13 Roadstone response to Muintir na Tire objections dated 15 October 1970]

An examination of the 1971 aerial photography confirms the locations of the quarry extraction area and other operations as indicated on drawing No. RS.2, as they existed in 1971. It appears from information submitted as part of the S. 261 registration and from an examination of the available aerial photography that the ancillary quarrying operations (i.e. non-manufacturing operations) have occupied the same area of the site since the quarry commenced. This is located immediately to the south of the extraction area. Details of the locations of the ancillary quarry activities are illustrated on the Roadstone drawing reference 3371 Figure 2_F12 dated September 2005 submitted as part of the S. 261 registration application documents. The above details appear to confirm the general layout of the development permitted under C. 1488 in accordance with the details shown on drawing RS. 2. No details have been provided of the non-ancillary manufacturing and sales operations carried out on the Roadstone landholding at Belgard.

[Appendix 14 Drawing Figure 2_F12 dated September 2005]

On the basis of an examination of available aerial photography flown in the period 1971 to 2009 it appears that the quarry extraction area was extended to its present northern limit in the period prior to 1986, and it was subsequently extended westwards after 1986, with the major portion of the westwards extension occurring after 1995. It appears therefore that a substantial portion of the overall quarry extraction was carried out after the relevant date in 1990, and that this extended extraction area substantially exceeds the area comprising 50 acres permitted to be extracted under Reg. Ref. C. 1488.

It is considered reasonable to conclude on the basis of the information available that since the mid-1970's quarrying operations at Belgard have been substantially extended beyond the 50 acres (20.25 hectares) permitted by the planning permission granted under Reg. Ref. number C.1488, and that a substantial portion of the extension was carried out after I February 1990. This extension is considered to be an unauthorised extension of the authorised quarry.

The Quarry Guidelines (2012) advise*:*

3.2.4 Environmental impact assessment

Where a planning authority has determined that there has been post-1990 development which was not authorised by a planning permission or a pre-1964 authorisation (or which is not authorised by a permission granted under section 261(7)), the planning authority must then decide whether this post-1990 unauthorised development would have required EIA. In deciding whether EIA was required it

will be necessary to refer to the relevant thresholds in place at the time the development was carried out and to decide whether, had an application for planning been made at the time, it would have required the submission of an EIS, having regard to the law in place at that time.

The EIA Directive was transposed, insofar as quarries are concerned, by the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989) and the Local Government (Planning and Development) Regulations, 1990 (S.I. No. 25 of 1990), making EIA mandatory for new quarries in excess of 5 hectares.

The second EIA Directive in 1997, 97/11/EC, introduced a requirement for EIA of changes or extensions to projects already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment.

This was transposed into Irish law in the European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1999, (S.I No. 93 of 1999), which became operative on ***1st May 1999****, as*
"Any change or extension of development which would—
(i) result in the development being of a class listed in Part I or paragraphs 1 to 12 of Part II of this Schedule, and
(ii) result in an increase in size greater than—
25%, or an amount equal to 50% of the appropriate threshold, whichever is the greater".

This means that after that date mandatory EIA was required for the extension of a quarry which brought the total quarry to in excess of 5 hectares and represented an increase of over 25% of the existing quarry, provided that the extension in itself exceeded 2.5 hectares.
It should be noted that the term extension does not include the normal further development of a quarry within its authorisation (whether a planning permission or a "pre-1964 authorisation").

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities (Jan. 2012) page 8) *emphasis added*

On the basis that the quarry development carried out on lands in excess of the authorised quarry area constitutes an unauthorised extension of the permitted quarry development, and having regard to the Guidelines 2012, the relevant date for the purposes of deciding whether EIA was required is 1 May 1999.

In order to assess the extent of change in the area of extraction in the period after 1 May 1999 a composite illustration has been prepared based on aerial photography flown in 2000 and 2009. This shows the extent of the area of extraction as illustrated in the aerial photography flown in 2000, and the further extension of the area of extraction in the period between 2000 and 2009 as it appears in the aerial photography of the latter year. The composite illustration also illustrates an area comprising 50 acres equating to the area of extraction permitted under C.1488, and the area annotated as '75 acres - area to be reinstated' on drawing RS. 2, which appears likely to be the proposed area of extraction.

Based on measurements taken from the composite illustration it is estimated that the area illustrated as the existing area of extraction in 2000 comprises c. 62.92 hectares, and that the extension to the area of extraction in the period between 2000 and 2009 comprises c. 19.7 hectares.

This represents an extension equivalent to 31.3 % of the existing quarry extraction area as illustrated in the aerial photography of 2000. This estimate does not take account of any extension of the area of extraction in the period between 1st May 1999 and the date in mid-2000 when the aerial photography was flown.

As the existing quarry extraction area exceeds 5 hectares, and the estimated area of the unauthorised extension of the area of extraction carried out after 1 May 1999 exceeds 2.5 hectares and is greater than 25% of the existing quarry area, it is considered that mandatory EIA would be required in respect of the unauthorised extension. There is no record available to show that the extension to the authorised area of extraction carried out after the relevant date was subjected to EIA.

[Appendix 15 Composite illustration of conclusions]

Conclusion

Following an examination of the available information it is considered reasonable to conclude, having regard to the EIA Directives, that the unauthorised extension of the area of extraction at the Belgard and Cheeverstown quarry operated by Roadstone Dublin Limited, carried out after 1 May 1999, brought the total area of extraction to in excess of 5 hectares and in itself exceeded 2.5 hectares and represented an increase of over 25% of the existing area of extraction, and that mandatory EIA was therefore required in that regard, and there is no record available to show that any such assessment was carried out.

Section 261A(2)(a)(i): Whether, having regard to the EIA Directives, a sub-threshold extension to the existing authorised quarry at Belgard operated by Roadstone Dublin Limited carried out after 1 May 1999 would have required a determination as to whether that extension would or would not be likely to have significant effects on the environment, and whether such a determination was made in respect of any such extension.

Having regard to the lack of certainty as to the extent of the quarry as at 1st May 1999, it is considered prudent to examine the issue as to whether a sub-threshold quarry extension would have required a determination as to whether EIA was required.

The Quarry Guidelines (2012)[3] advise*:*

3.2.5 Sub-threshold EIA
The thresholds are not the only matter to which planning authorities should have regard when deciding whether quarry development would have required EIA. Planning authorities must also consider the matter of environmental impacts. The "criteria for determining whether a development would or would not be likely to have significant effects on the environment" – now set out in the Schedule 7 to the Planning and Development Regulations, 2001, as amended – were introduced into the planning code in European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1999, (S.I No. 93 of 1999) (to transpose the addition of Annex IV to the 1985 Directive in Directive 97/11/EC), which became operative on 1st May 1999, and should be applied in the case of development which took place after that date. These criteria can also be a guideline in respect of development before that date. The Department's Environmental Impact Assessment Guidance for Consent Authorities regarding Sub-threshold Development of 2003 will be of assistance in this regard.

3.2.6 Determination in relation to EIA
It will be noted that the requirement under section 261A(2)(a) is to determine not only whether post-1990 development would have required EIA, but whether it would have required a determination as to whether EIA was required. As has been stated above, section 34(12) of the 2000 Act has been amended to remove the possibility of retention permission not only for developments which exceed EIA thresholds but also for developments which would have required a determination as to whether EIA was required (i.e. screening). Section 261A therefore also provides that a quarry development which would have required a determination as to whether EIA was required is treated in the same way as a quarry which would have required EIA. In making this determination (that is, as to whether a quarry development would have required a determination as to whether EIA was required) it is suggested that planning authorities decide whether the need for EIA could be ruled out without any substantial screening; where the need for EIA can be ruled out in this way it is clear that the development did not require a determination as to whether EIA was required. This would not be the case however where it is necessary to carry out a substantial assessment in order to decide if EIA was required, such as might be the case in developments close to the relevant thresholds or located in sensitive sites. In this regard the recent amendments to articles 103 and 109 of the Regulations3, which deal with the matter of screening, by planning authorities and the Board respectively, of planning applications for Schedule 5 sub-threshold development are relevant. Article 103 now reads: "Where a planning application for sub-threshold development is not accompanied by an EIS, and the likelihood of significant effects on the environment cannot be excluded by the planning authority, the planning authority shall make a determination as to whether the development would be likely to have significant effects on the environment…."

[3] as amended by Supplementary Guidelines for Planning Authorities issued July 2012

In other words, where the likelihood of significant effects on the environment can be excluded on the face of it, a screening for EIA is not required.

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 page 9) as amended by Supplementary Guidelines for Planning Authorities issued July 2012 (emphasis added).

The prescribed selection criteria for determining whether a development would or would not be likely to have significant effects on the environment are set out in Schedule 7 to the Planning & Development Regulations 2001 (S.I. No. 600), as amended.

The following criteria included in the prescribed selection criteria are considered relevant to the operation of the subject quarry:-

The characteristics of proposed development,
in particular:
- the size of the proposed development,
- the cumulation with other proposed development,
- the use of natural resources,
- the production of waste,
- pollution and nuisances
- the risk of accidents, having regard to the substances or technologies used.

Location of proposed development
The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:
- the existing land use,
- the relative abundance, quality and regenerative capacity of natural resources in the area,
- the absorption capacity of the natural environment, paying particular attention to the following areas:
- mountain and forest areas,
- areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC
- landscapes of historical, cultural or archaeological significance.

Characteristics of potential impacts
The potential significant effects of proposed development in relation to criteria set out above and having regard in particular to:
- the extent of the impact (geographical area and size of the affected population);
- the magnitude and complexity of the impact;
- the probability of the impact;
- the duration, frequency and reversibility of the impact.

The policies and objectives of the South Dublin County Development Plan 1998 are relevant in considering whether the extension of the area of extraction carried out after 1 May 1999 would or would not be likely to have significant effects on the environment.

Policies and objectives of the South Dublin County Development Plans 1998 of particular relevance to an assessment of the environmental effects of an extension to the quarry during the period 1999 to 2009 are included in Appendix 16.

[Appendix 16 Relevant extracts from Development Plan 1998]

It is considered likely that an extension of the quarry at Belgard and Cheeverstown would have been considered to have potentially significant environmental effects, having regard in particular to:

- the size of the quarry, including its extensive surface area and depth;
- the location of the quarry within an urban area characterised by extensive residential and amenity areas proximate to the quarry lands, and the potential of existing undeveloped lands in the area being developed for residential purposes;
- the nature and scale of the quarrying operations involving rock blasting and crushing, and extensive visually prominent berms, and the high potential for the creation of nuisance due to noise, vibration, flyrock and dust, having regard to its urban location and the close proximity of residential and amenity areas to the quarry;
- the protracted life of the quarry having regard to the potential surface area and depth of future quarrying operations;
- the problematic nature and scale of the resulting quarry void for the purpose of achieving the satisfactory reinstatement and landscaping of the worked out portions of the quarry, and the effective integration of the lands within an urban area after the quarry development is completed;
- the direct connection of the quarry access/egress to the N7 National Primary Route, and to the nature and volume of the vehicular traffic generated by the quarry operation, and the potential impact of the traffic generated on the level of service and carrying capacity of the National Primary Road and the public investment in the road;
- the policy of the planning authority to preserve and protect the recorded archaeological features on the lands.

Conclusion

Following an examination of the available information it is considered reasonable to conclude that the unauthorised extension to the quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited, carried out after 1 May 1999, constitutes development which would have required a determination as to whether an environmental impact assessment was required, and there is no information available to indicate that any such determination was made in that regard. This conclusion is based on having regard to the EIA Directives and to the selection criteria set out in Schedule 7 to the Planning & Development Regulations 2001 (S.I. No. 600) as amended, and to the relevant provisions of the South Dublin County Development Plan 1998.

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III

DETERMINATION IN RELATION TO HABITATS ASSESSMENT

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Section 261A(2)(a)(ii) Determination in relation to Appropriate Assessment

Whether development was carried out after 26 February 1997 which development would have required an appropriate assessment, having regard to the Habitats Directive, but that such an assessment was not carried out.

The Quarry Guidelines (2012) advise*:*

Section 261A(2): Determination in relation to appropriate assessment
Under subsection (2)(a), as amended by Regulation 16 of the European Union (Environmental Impact Assessment and Habitats) Regulations 2011 (SI 473 of 2011), a planning authority is required to examine each quarry in its administrative area to determine

> Whether development was carried out after 26 February 1997 which development would have required, having regard to the Habitats Directive, an appropriate assessment, but that such an assessment was not carried out

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 page 6)

Furthermore:
…….appropriate assessment is not required in respect of development authorised by a planning permission granted prior to 26 February 1997. Obviously therefore the planning register should be checked to find out whether any planning permission or permissions were granted in respect of the quarry, and what is the extent of the development authorised by the permission(s). Where it is established that any post-February1997 development is authorised by a pre-February 1997 planning permission no further action is required in respect of that quarry under section 261A.

Where the quarry has not got a planning permission it will necessary to decide……. whether the post-1997 development was authorised by a bona fide pre-1964 use and so might be said to have a "pre-1964 authorisation".

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 page 7)

As noted previously a planning permission for quarry development at the Belgard quarry was granted in 1972 and pre-dated the commecement of the Habitats Directive on 26 February 1997. Therefore as advised in the Guidelines (2012) appropriate assessment is not required in respect of development authorised by the relevant planning permission, and no further examination is required in that regard under section 261A.

However, as concluded previously in relation to the examination of the quarry under section 261A(2)(a)(i) in relation to the EIA Directives, it is evident that the quarry at Belgard and Cheeverstown has been substantially extended in the period since 26 February 1997. There is no information available to show that quarrying operations carried out on lands outside of the permitted area were authorised by a planning permission granted prior to 26 February 1997 or by a "pre-1964 authorisation. Furthermore, the previous examination of the quarry development in relation to the EIA Directives concluded that the extension of the area of extraction carried out after 1 May 1999 would have required to be subjected to EIA or screening for EIA but that no such assessment or screening was

carried out. Having regard to Section 5.3. of the Appropriate Assessment Guidelines 2009 (see extract below) an examination of the unauthorised quarry development carried out after the relevant date is therefore required under section 261A(2)(a)(ii), with regard to whether such development should have been subject to appropriate assessment and whether such assessment was carried out.

The Quarry Guidelines (2012) advise*:*

3.2.7 Appropriate assessment
Where the planning authority has determined that development has taken place after 26 February 1997 which was not authorised either by a planning permission granted prior to this date or by a "pre-1964 authorisation" it must then determine whether such development should have been subject to an appropriate assessment as to its possible adverse effects on the integrity of a European site. Planning authorities should refer to the Department's Guidance for Planning Authorities on Appropriate Assessment of Plans and Projects in Ireland, December 2009.

It is important to note that in making a determination as to whether an appropriate assessment was required planning authorities should do so on the basis of the designations (cSAC, SPA, etc) in place at the time the development was carried out.

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 page 10)

Article 6 (3) of the 'Habitats' Directive 92/43/EEC states that;

> Any plan or project not directly connected with or necessary to the management of a Natura 2000 site i.e. a Special Area of Conservation (SAC) or a Special Protection Area for Birds (SPA) but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the sites conservation objective.

Article 6(3) therefore requires that an "appropriate assessment" be undertaken of the ecological implications of any plan or project that is likely to have an impact on a Natura 2000 site.

Statutory requirements relating to Appropriate Assessment are set out in Part XAB of the Planning and Development Act 2000[4].

Section 5.3. of the Appropriate Assessment Guidelines[5] outlines the types of projects and developments that will require consideration for AA. In summary these include (inter alia):

- All development that requires a planning permission process (either through the planning authorities or An Bord Pleanála), including those that require an EIS to be carried out (above- and sub-threshold).
- Exempted development either within a Natura 2000 site or which could potentially have

[4] as inserted into by Section 57 of the Planning & Development (Amendment) Act 2010
[5] Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities" (DEHLG 2009)

a significant effect on Natura 2000 sites, including excavation of trial holes and other site/ground investigations;

- All other local authority authorised 'projects' – waste permits, discharge licenses, recreation and amenity projects and road works.

In the screening of a Proposed Development for AA Section 5.5.1 of the guidance document advises that applications for permission where, from the nature, size and location of the development it is clear that an AA will be required, are more likely to be located within or close to, or upstream of, or in the catchment of, a Natura 2000 site, and have the clear potential to have a significant effect on a Natura 2000 site.

Section 2.1.2 of the Appropriate Assessment Guidelines advises that:

> "An application for retention could fall within the definition of project but must be treated with particular caution to ensure that an unauthorised development that has damaged or is likely to damage the integrity of a Natura 2000 site will not be approved subsequently. Article 6(3) establishes a procedure whereby a plan or project may be authorised only to the extent that it will not adversely affect the integrity of the site. In the same way as the EIA Directive, Article 6(3) seeks to prevent activities which would be likely to damage the environment from being authorised without prior consideration and assessment of their effects. This involves prior screening and AA. Retrospective assessments are not favoured by the case law of the ECJ, as they raise obvious questions regarding compliance."

There are a variety of processes, projects and activities associated with quarrying (authorised or otherwise) for which an operator may not normally require subsequent planning permission e.g. the relocation of plant and equipment associated with ancillary quarrying activities within the subject site, the replacement or upgrading of plant/ machinery, modifications to storage or disposal of waste water from washing, the extension or realignment of internal haul routes etc..

It is considered however, that some such activities, projects or changes in practices associated with quarrying could have potential to impact negatively on the Natura 2000 network depending on the location of the quarry, the nature of the changed activity and the presence of ecological corridors to protected sites. It is considered that under the broad understanding of Article 6(3) of the Habitats Directive, such activities would require a screening for Appropriate Assessment.

If such changes or modifications to work practices are indeed regarded by operators or deemed by Planning Authorities not to be subject to planning permission, the obligation to address screening for AA would still lie with the quarry landowner/ operator.

There is no record of the Planning Authority having been consulted regarding such matters in relation to this quarry, and there is no baseline information or evidence available to the Planning Authority on this issue. This issue would therefore be considered to be beyond the remit of the Planning Authority in respect of this review.

There are proposed Natural Heritage Areas located within c. 4 kilometres to southwest (Slade of Saggart) and c. 4.3 kilometres to the southeast (Glenasmole Valley) of the quarry lands, and 2.3 kilometres to the south (Lugmore Glen) and 3 kilometres to the southeast (Dodder Valley). Lands at Mountseskin and Gortlum located within c. 6.5 kilometres to the southwest of the quarry lands are feeding grounds for Greylag geese, which is a protected bird species under the designated Special Protection Area for Birds at Poulaphouca reservoir in County Wicklow.

South Dublin County has two areas designated as SACs but has no designated SPAs. Both of the County's SACs are located in the Dublin Mountains, bordering with County Wicklow – Glenasmole Valley SAC and a portion of the larger Wicklow Mountains SAC. These are located 4.3 kilometres and 6.3 kilometres respectively from the quarry.

[Appendix 17 Map illustrating sites of nature conservation interest]

The Habitats Directive requires that an assessment also be undertaken to discern if any impacts are likely to arise on Natura 2000 sites in the proximity of the County by virtue of any plan or project implemented within the County. This is also taken to include potential downstream effects. There are two SPAs in County Wicklow which are close to the borders of South Dublin County: the Wicklow Mountains SPA (Site Code 4040) and Poulaphouca Reservoir SPA (Site Code 4063).

All of the streams and rivers in South Dublin County, apart from the Brittas River (which flows southwards, exiting the County and draining into Poulaphouca Reservoir nearby in County Wicklow)., drain either northwards into the River Liffey which forms the northern boundary of the County, or they flow north and eastwards through the County into the administrative areas of Dublin City and Dun Laoghaire Rathdown before draining directly into Dublin Bay via the Ringsend Basin. The area of Dublin Bay is notable for its Natura 2000 sites [North Dublin Bay SAC (Site Code 00206), South Dublin Bay SAC (Site Code 00210), North Bull Island SPA (Site Code 4006), South Dublin Bay and River Tolka Estuary SPA (Site Code 4024].

Any potential impact on any or all of the 4 Dublin Bay Natura 2000 sites relevant to an AA screening process are deemed to arise from water input into the Bay. Poor water quality originating within South Dublin County and entering Dublin Bay is deemed to be the County's principal potential threat to the

conservation objectives of the Dublin Bay Natura 2000 sites.[6] In this regard it is noted that there are watercourses in the southwestern corner of the quarry lands which lie within the river Camac catchment and connect the quarry site to the catchment of the Dublin Bay Natura 2000 sites.

As stated previously it is considered to be reasonable to conclude on the basis of the information available that the area of extraction at Belgard has been substantially extended beyond the 20.25 hectares (50 acres) permitted by the planning permission granted in 1972 under Reg. Ref. C.1488, and that this extension is therefore unauthorised.

As noted earlier, it is considered that the extension of the area of extraction carried out after 1st May 1999 would come within the scope of the EIA directive requirements. As advised in section 5.3. of the Appropriate Assessment Guidelines[7] all development that requires a planning permission process (either through the planning authorities or An Bord Pleanála), including those that require an EIS to be carried out (above and sub-threshold), will require consideration for AA. Furthermore water discharges to watercourses in the southwestern corner of the quarry lands, including treated effluent, constitute a potential threat to the conservation objectives of the Dublin Bay Natura 2000 sites.

It is considered therefore that the unauthorised extension of the Belgard quarry carried out after 26 February 1997 would have required appropriate assessment or a determination as to whether an appropriate assessment was required. There is no information available to indicate that any such assessment or determination was carried out or made in respect of any unauthorised extension to the quarry carried out after 26 February 1997.

Conclusion

Following an examination of the available information, it is considered reasonable to conclude, having regard to the Habitats Directive, that the extension of the quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited carried out after 26 February 1997 would have required appropriate assessment or a determination as to whether an appropriate assessment was required, and that no such assessment or determination was carried out or made in that regard.

[6] South Dublin County Habitats Directive Assessment: Screening of the County Development Plan for Appropriate Assessment in accordance with the requirements of Article 6(3) of the EU Habitats Directive (October 2010)
[7] Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities" (DEHLG 2009)

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IV

DETERMINATION REGARDING WHETHER DEVELOPMENT COMMENCED AFTER 3rd JULY 2008

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Section 261A(5)(a): Determination regarding whether development was carried out after 3 July 2008 which development would have required an environmental impact assessment, a determination in relation to EIA, or an appropriate assessment, having regard to the EIA Directives and the Habitats Directive, but that such were not carried out or made.

The Quarry Guidelines (2012) advise*:*

3.5 Section 261A(5): Determination by a planning authority and issue of notice under subsection (5)

Where the planning authority makes a determination under subsection (2)(a) that EIA, a determination in relation to EIA, or an appropriate assessment was required but not carried out/made, it must also make a further determination under subsection (5)(a): under this subsection the planning authority must determine whether development took place after 3 July 2008 (i.e. the date of the ECJ ruling in case C-215/06) which would have required an EIA, a determination in relation to EIA, or an appropriate assessment but such were not carried out/made. A planning authority will only make such a determination where the development that took place after 3 July 2008 would of itself have required EIA, a determination in relation to EIA, or an appropriate assessment. In this case the quarry owner/operator will not be permitted to apply for substitute consent but instead an enforcement notice will be issued by the planning authority requiring the cessation of the unauthorised quarry development.

In determining whether EIA would have been required in respect of post 2008 development, the same methodology applies as in making the subsection (2)(a) determination as set out above, that is, ascertaining whether the post 2008 development in itself:

- brings the entire quarry to a size in excess of 5 hectares and
- represents an increase of over 25% on the pre-July 3 2008 development and
- is in itself in excess of 2.5 hectares

or

- would have significant effects on the environment.

(Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 - page 14)

Section 261A(5)(a): Whether development was carried out after 3 July 2008 at the existing quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited which development would have required an environmental impact assessment, having regard to the EIA Directives but that such was not carried out.

There is no evidence available to indicate the extent of the quarry as at 3 July 2008, as no aerial photography was flown in that year and there are no relevant maps or other documents available.

As concluded previously in relation to the examination of the quarry under section 261A(2)(a)(i), on the basis of the available information, it is considered that quarry development comprising of approximately 19.7 hectares in 2009, carried out on lands outside the area authorised by the planning

permission under Reg. Ref. C.1488, was not authorised either by any planning permission granted prior to 1 May 1999 or by a "pre-1964 authorisation" .

In the absence of precise information regarding the extent of the quarry extraction area as at 3 July 2008, and having regard to the availability of substantial rock reserves within the existing area of extraction at that date, it is considered reasonable to conclude that it is likely that no material extension of the quarry extraction area has been carried out after that date. It is considered therefore that any extension of the extraction area after that date does not constitute an extension in excess of 25% of the existing quarry area, and is not in itself in excess of 2.5 hectares, and would not have required to be subjected to EIA.

Section 261A(5)(a): Whether a sub-threshold quarry extension to the existing authorised quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited carried out after 3 July 2008 would have required a determination as to whether that extension would or would not be likely to have significant effects on the environment.

Having regard to the lack of certainty as to the extent of the quarry as at 3 July 2008, and to the liklihood that no material extension of the quarry extraction area has been carried out after 3 July 2008, it is considered reasonable to conclude that a determination as to whether EIA was required would not have been warranted in relation to any extension to the quarry extraction area carried out after 3 July 2008.

Section 261A(5)(a): Determination in relation to Appropriate Assessment

Whether development carried out after 3 July 2008, was development which would have required an appropriate assessment, having regard to the Habitats Directive, and whether such an assessment was carried out.

As it appears likely that no material extension of the existing quarry was carried after the relevant date, it is considered on the basis of an examination of the available information that no requirement arises under the Habitats Directive for appropriate assessment in relation to any extension to the quarry carried out after 3 July 2008.

Conclusion:

Following an examination of the available information, and having regard to the EIA Directives and the Habitats Directive, it is considered that any extension of the existing quarry at Belgard

and Cheeverstown operated by Roadstone Dublin Limited, carried out after 3 July 2008, would not have required an environmental impact assessment, a determination in relation to EIA, or an appropriate assessment.

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V

DECISION REGARDING WHETHER THE REGISTRATION REQUIREMENTS OF SECTION 261 WERE COMPLIED WITH.

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Section 261A(3)(a)(ii): Decision of the planning authority under subsection (3)

Whether the quarry fulfilled the requirements in relation to registration under section 261 (if required to do so).

The Quarry Guidelines (2012) advise*:*

3.3 Section 261A(3): Decision of the planning authority under subsection (3)[8]
Where the planning authority has made a determination under subsection (2)(a) in respect of a quarry that EIA, a determination in relation to EIA, or an appropriate assessment was required but not carried out/made, it must also decide the following in respect of the quarry:

(b) whether the quarry fulfilled the requirements in relation to registration under section 261 (if required to do so).

In relation to (b), it may be noted that the requirement is to have fulfilled the requirements in relation to registration as opposed to having "registered".

[Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 - page 11]

S. 261 Registration Requirements (see Appendices 18)

The registration requirements to be fulfilled by the owner or operator of a quarry to which section 261 applies are set out in sub-sections 1, 2, 3 and 11 of section 261 as detailed below.

(1) The owner or operator of a quarry to which this section applies shall, not later than one year from the coming into operation of this section, provide to the planning authority, in whose functional area the quarry is situated, information relating to the operation of the quarry at the commencement of this section, and on receipt of such information the planning authority shall, in accordance with section 7, enter it in the register.

(2) Without prejudice to the generality of subsection (1), information provided under that subsection shall specify the following—
(a) the area of the quarry, including the extracted area delineated on a map,
(b) the material being extracted and processed (if at all),
(c) the date when quarrying operations commenced on the land (where known),
(d) the hours of the day during which the quarry is in operation,
(e) the traffic generated by the operation of the quarry including the type and frequency of vehicles entering and leaving the quarry,
(f) the levels of noise and dust generated by the operations in the quarry,
(g) any material changes in the particulars referred to in paragraphs (a) to (f) during the period commencing on the commencement of this section and the date on which the information is provided,
(h) whether—
(i) planning permission under Part IV of the Act of 1963 was granted in respect of the quarry and if so, the conditions, if any, to which the permission is subject, or
(ii) the operation of the quarry commenced before 1 October 1964, and
(iii) such other matters in relation to the operations of the quarry as may be prescribed.

[8] The Supplementary Guidelines for Planning Authorities issued in July 2012 provide clarification that the phrase "having fulfilled the requirements in relation to registration" means the same as having "registered", and does not refer to compliance with conditions that may have been imposed under section 261(6). [Guidelines July 2012 page 7]

> (3) A planning authority may require a person who has submitted information in accordance with this section to submit such further information as it may specify, within such period as it may specify, relating to the operation of the quarry concerned and, on receipt thereof, the planning authority shall enter the information in the register.
>
> (11) This section shall apply to—
> (a) a quarry in respect of which planning permission under Part IV of the Act of 1963 was granted more than 5 years before the coming into operation of this section, and
> (b) any other quarry in operation on or after the coming into operation of this section, being a quarry in respect of which planning permission was not granted under that Part.

Information relating to the quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited, was received on 22 April 2005 and was duly entered in the Planning Register. Information provided included a map of the site, details of the quarry owner / operator, landownership, planning history, and quarry operation details including the type of material being extracted, the hours of operation, daily vehicle movements, and measures to control noise and dust. A revised map and other details were subsequently submitted on 28 September 2005 in response to a request for additional information.

A notice published in the Irish Times on 19 October 2005 in accordance with Section 261(4) invited submissions from members of the public on the quarry and stated that the Planning Authority was proposing to re-state, modify or add to the conditions of the existing planning permission Reg. Ref. C.1488 in accordance with Section 261(6). No submissions relating to the subject quarry were received during the specified period.

An Order dated 18 April 2007 was subsequently made under Section 261(6) to modify conditions and add new conditions in respect of the operation of the quarry at Belgard.
[Appendix 18 S. 261 Manager's Order and application documents]

Conclusion

Following an examination of the available information, it is considered reasonable to conclude that the requirements in relation to registration under Section 261 of the Planning and Development Act 2000, have been fulfilled in respect of the quarry operated by Roadstone Dublin Limited at Belgard and Cheeverstown, Clondalkin, Dublin.

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

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Section 261A Review of Quarries

Belgard Quarry

Summary

An examination of all available information relating to the development of the quarry at Belgard and Cheeverstown, Clondalkin, currently operated by Roadstone Wood Limited, has established the following:

- Roadstone Limited commenced quarrying activity on these lands in the late 1960's prior to receiving a valid planning permission for such development;
- Aerial photography flown in 1971 illustrates an extensive working area of approximately c. 20 hectares (50 acres) on the lands, including a quarry extraction area and ancillary processing facilities;
- Full planning permission for development of a quarry was first granted in April 1972, and was subject to a requirement that further consent be obtained to quarry in excess of the permitted 50 acres;
- Subsequent aerial photography flown at intervals since then illustrates the progressive extension of the quarry excavation which now comprises c. 50 hectares (c. 125 acres);
- There is no record to show that any consent or approval was given to quarry in excess of the permitted c. 20 hectares (50 acres), and the quarry excavation carried out in excess of the permitted area is considered to be unauthorised development;
- An examination of available information indicates that the quarry extraction area was extended by c. 19.7 hectares in the period since the year 2000. This equates to an increase of c. 31.3% of the existing quarry excavation area in 2000;
- As the extension of the quarry exceeds the threshold of 25% as provided under the EIA Directive which became effective on 1st May 1999 and in itself exceeded 2.5 hectares, it is subject to the requirement that EIA or screening for EIA be carried out or made in that regard before the development is commenced;
- The quarry extension carried out after 26th February 1997 also requires consideration for appropriate assessment in accordance with the requirements under the Habitats Directive;
- There is no record available to show that the extension to the authorised quarry excavation area carried out after the relevant dates was subjected to either EIA or AA in accordance with the relevant EIA and Habitats Directives;
- The Roadstone quarry at Belgard and Cheeverstown, Clondalkin, was registered in accordance with the provisions of section 261 of the Planning and Development Act 2000.

Recommended decisions / determinations

Following an examination of all available information relevant for the purpose of this review of the quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited (now Roadstone Wood Limited) it is recommended that the Planning Authority make the following decisions / determinations, as required in accordance with the relevant provisions of the Planning and Development Act 2000 as amended by the Planning and Development (Amendment) Act 2010 and the Environment (Miscellaneous Provisions) Act 2011, and having regard to the Guidelines and the Supplementary Guidelines for Planning Authorities issued to planning authorities in January 2012 and July 2012.

Section 261A(2)(a)(i): Determination in relation to Environmental Impact Assessment
Whether development was carried out after 1 February 1990 which development would have required, having regard to the Environmental Impact Assessment Directive, an environmental impact assessment or a determination as to whether an environmental impact assessment was required, but that such an assessment or determination was not carried out or made.

Recommended Determination
Following an examination of the available information it is considered reasonable to conclude that the unauthorised extension of the area of extraction at the Belgard and Cheeverstown quarry operated by Roadstone Dublin Limited, carried out after 1 May 1999, constitutes development which would have required an environmental impact assessment or a determination as to whether an environmental impact assessment was required, and there is no information available to indicate that any such assessment or determination was carried out or made in that regard. This conclusion is based on having regard to the EIA Directives and to the selection criteria set out in Schedule 7 to the Planning & Development Regulations 2001 (S.I. No. 600) as amended, and to the relevant provisions of the South Dublin County Development Plan 1998.

Section 261A(2)(a)(ii) Determination in relation to Appropriate Assessment
Whether development was carried out after 26 February 1997 which development would have required an appropriate assessment, having regard to the Habitats Directive, but that such an assessment was not carried out.

Recommended Determination
Following an examination of the available information, it is considered reasonable to conclude, having regard to the Habitats Directive, that the unauthorised extension to the quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited carried out after 26 February 1997 would have

required appropriate assessment or a determination as to whether an appropriate assessment was required, and that no such assessment or determination was carried out or made in that regard.

Section 261A(3)(a)(i) A decision regarding whether the quarry commenced operation prior to 1 October 1964 or whether planning permission was granted in respect of the quarry.

Recommended Decision

Following an examination of the available information it is considered reasonable to conclude that planning permission was granted by the Minister for Local Government to Roadstone Limited, under Decision Order PL. 6/5/16175 dated 28th April 1972, for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on lands at Belgard and Naas Road, Clondalkin, and that quarry development on the relevant lands is therefore authorised in accordance with the terms and conditions of the planning permission granted under Reg. Ref. C. 1488.

Section 261A(3)(a)(ii): Decision of the planning authority under subsection (3)

Whether the quarry fulfilled the requirements in relation to registration under section 261 (if required to do so).

Recommended Decision

Following an examination of the available information, it is considered reasonable to conclude that the requirements in relation to registration under Section 261 of the Planning and Development Act 2000, have been fulfilled in respect of the quarry operated by Roadstone Dublin Limited at Belgard and Cheeverstown, Clondalkin, Dublin.

Section 261A(5)(a): Determination regarding whether development was carried out after 3 July 2008

Determination regarding whether development was carried out after 3 July 2008 which development would have required an environmental impact assessment, a determination in relation to EIA, or an appropriate assessment, having regard to the EIA Directives and the Habitats Directive, but such were not carried out or made.

Recommended Determination

Following an examination of the available information, it is considered reasonable to conclude that any extension to the existing authorised quarry at Belgard and Cheeverstown operated by Roadstone Dublin Limited, carried out in the period after 3 July 2008, would not have required an environmental impact assessment or a determination in relation to environmental impact assessment, or an appropriate assessment, having regard to the EIA Directives and the Habitats Directive.

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Recommendation to issue notice under section 261A(3)(a)

Following a detailed examination of all information available to the Planning Authority it is considered that the quarry at Belgard and Cheeverstown, Clondalkin, Dublin, currently operated by Roadstone Wood Limited, meets the requirements under section 261A for the serving of a notice requiring the owner/operator to apply to An Board Pleanala for a substitute consent in respect of the unauthorised quarrying.

The Quarry Guidelines (2012) advise*:*

3.3 Section 261A(3): Decision of the planning authority and issue of notice under subsection (3)

Where the planning authority has made a determination under subsection (2)(a) in respect of a quarry that EIA, a determination in relation to EIA, or an appropriate assessment was required but not carried out/made, it must also decide the following in respect of the quarry:

(a) whether the quarry at some stage obtained planning permission or whether it commenced operation prior to 1 October 1964, and

(b) whether the quarry fulfilled the requirements in relation to registration under section 261 (if required to do so).

Where the planning authority decide the answer to questions (a) and (b) above is in the affirmative, it is required (subject to subsection (5)), to issue a notice to the owner or operator within 9 months from the date of commencement of section 261A, requiring him or her to apply for substitute consent in respect of the unauthorised development. It is recommended that the planning authority issue the notice to both the owner and operator of the quarry, where both are known.

It is important to note that the answer to both questions above must be in the affirmative before a notice requiring an application for substitute consent can issue – if a quarry commenced pre-October 1964 or obtained a planning permission but did not fulfil the requirements in relation to registration, it will not be permitted to apply for substitute consent. Similarly, a quarry which fulfilled the requirements in relation to registration will be permitted to apply for substitute consent only if it either obtained a permission at some stage or commenced operation before 1 October 1964.

[Section 261A of the Planning and Development Act, 2010 and related provisions - Guidelines for Planning Authorities Jan. 2012 - page 12]

In accordance with Section 261A(3) of the Planning and Development Act 2000 (as amended) it is recommended that notice in writing be issued to inform Roadstone Wood Limited, Fortunestown, Tallaght, Dublin 24, the owner and operator of the quarry at Belgard and Cheeverstown, Clondalkin, Dublin, Register Reference SDQU05A/2, of the determination under Section 261A(2)(a) of the Planning and Development Act 2000.

This notice is to the effect that an EIA, a determination in relation to EIA, or an appropriate assessment was required but not carried out/made. The Notice also conveys the decisions made under subsection Section 261A (3)(a).

The notice should:

- state that it is a notice issued under section 261A(3)(a),
- be dated,
- include the name and address of the quarry owner or operator, clearly identify the quarry which is the subject of the notice and must inform the person in question that he/she is

required to apply to the Board for substitute consent not later than 12 weeks after the date of the notice or such further period as the Board may allow (it is important that the latter words are included in the notice),

- inform the quarry owner or operator of his/her right to refer the determination and/or the decision of the planning authority to the Board for review not later than 21 days after the date of the notice, and
- inform the person in question that the referral of the notice to the Board for review within the time permitted, by the person to whom it was issued, or by any other person entitled to be given a copy of the notice, will have the effect of suspending the operation of the notice until the review is disposed of by the Board.

It is recommended that the planning authority send a copy of the notice to persons who made submissions in relation to the quarry in question within the time permitted, as is required, on the same day as it issues the notice to the quarry owner or operator, with a covering letter dated with the same date. The covering letter should state that the attached notice has been issued to the quarry owner/operator and that the quarry owner/operator and the person to whom the letter is addressed may refer either the determination of the planning authority under Section 261A (2)(a) (that EIA, a determination in relation to EIA, or an appropriate assessment was required but not carried out/made) or the decision of the planning authority under Section 261A (3)(a), to the Board for review not later than 21 days after the date of the notice. The notice should also inform the person in question that the referral of the notice to the Board for review will have the effect of suspending the operation of the notice until the review is disposed of by the Board. The planning authority must also send a copy of the notice to the Board.

It is noted that advice received from the Planning and Housing Policy section of the Department of the Environment, Community, and Local Government advises that “generic” submissions which do not mention any particular quarry are not valid submissions and persons making the submissions are not entitled to receive copies of notices issued to quarry owners, whether under subsection (3), (4) or (5).

_____ _____

Date **Robert Matthews,**
Senior Executive Planner.

_____ _____

Date **Neil O’Byrne,**
Senior Planner.

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Roadstone Belgard Quarry
Fortunestown, Tallaght, Dublin 24.

Section 261A Review of Quarries
Planning & Development Act 2000
(As Amended)

Appendices to Report

BELGARD QUARRY,
FORTUNESTOWN,
TALLAGHT,
DUBLIN 24.

SOUTH DUBLIN COUNTY COUNCIL

SECTION 261A PLANNING AND DEVELOPMENT ACT 2000
REVIEW OF QUARRIES

APPENDICES TO REVIEW OF QUARRIES

Roadstone Wood Limited.

APPENDICES TO REVIEW OF BELGARD QUARRY

Appendices

Appendix 1	Location Map
Appendix 2	Context Aerial Photo and Oblique Photo 2005
Appendix 3	Archaeological impact assessment report
Appendix 4	Relevant maps Development Plan 2010-2016
Appendix 5	S. 261 proposed development and restoration of the quarry
Appendix 6	Planning history documents
Appendix 7	Drawing Figure 1_F11 (Rev. A Feb. 2007), and landownership details
Appendix 8	Third party concerns relating to Belgard quarry
Appendix 9	Public Notice relating to S. 261A
Appendix 10	Correspondence relating to Reg. Refs. A.435 and B.1117
Appendix 11	Aerial photography 1971 to 2009
Appendix 12	Drawings and landscape details relating to Reg. Ref. C.1488
Appendix 13	Roadstone response to Muintir na Tire objections
Appendix 14	Drawing Figure 2_F12 dated September 2005
Appendix 15	Composite illustration of conclusions
Appendix 16	Relevant extracts from Development Plan 1998
Appendix 17	Map illustrating sites of nature conservation interest
Appendix 18	S. 261 Manager's Order and Application documents

APPENDIX 1

LOCATION MAP

N

Dublin City

Roadstone
Belgard

Behan
Rathcoole

De Selby

Kilsaran

Roadstone
Ballinascorney

Shillelagh Quarry

Belgard Context Location Map

Legend

Roadstone Belgard Quarry

SDCC County Boundary

Ordnance Survey of Ireland
Discovery Series Mapping.

0 1,000 2,000 4,000 6,000 8,000 Meters

APPENDIX 2

CONTEXT AERIAL PHOTO (2009) AND OBLIQUE PHOTO 2005

N

Corkagh
Demesne Park

Newlands
Golf Course

Roadstone Quarry, Belgard

Citywest
Business Park

Tallaght

2009 Aerial Photograph
Ordnance Survey of Ireland

0 125250 500 750 1,000
Meters

Legend

Roadstone Landholding Feb. 2007

Rivers & Streams

Photography by Gerry O'Leary - Printing by Repro 35 - image taken 08/08/05 Roadstone - Belgard

APPENDIX 3

ARCHAEOLOGICAL IMPACT ASSESSMENT REPORT

John Barnett & Associates

CSA House
7 Dundrum Business Park
Windy Arbour, Dublin 14, Ireland

Tel: +353-1-296 4667
Fax: +353-1-296 4676
email: tpaul@csa.ie
www.jba.ie

By Hand

17th December 2007
JBA3371/RDL/Belgard/PC03/tp

Mr. Bob Matthews – Senior Exec. Planner
Planning Department
South Dublin County Council
County Hall,
Tallaght,
Dublin 24

SDQUO5A/2/C3
Quarry compliance
14/Dec/07

Dear Mr. Matthews,

Re: Registration of a Quarry under Section 261 of the Planning & Development Act, 2000

Roadstone Dublin Ltd. – Belgard Quarry, Fortunestown, Tallaght (Quarry reg. Ref. SDQU05A/2)

Section 261 Planning Compliance - Condition No.'s 26 and 34

Further to our submissions on the 17th October and 15th November 2007 (on behalf of Roadstone Dublin Ltd.) in relation to the conditions imposed on the operation of Belgard Quarry under Section 261.

Condition No. 26: **Detail of Drainage Arrangements**

The drainage details are currently being compiled and plotted on a site layout plan. Roadstone Dublin Ltd. requests a further extension of time of 1 month, until 17th January 2008, within which to submit this information.

Condition No. 34: **Archaeological Impact Assessment**

Please find enclosed a copy of the Archaeological Impact Assessment carried out by Dr. Charles Mount – Archaeological Manager (Irish Concrete Federation).

If you have any queries in relation to the above please contact Mr. Sean Keane or Mr. Shane Geraghty at Roadstone Dublin Ltd., or ourselves.

Yours Sincerely,
For John Barnett & Associates Ltd.

Tim Paul

Enc. Copy of Archaeological Impact Assessment

Cc. + Enc. Mr. Sean Keane / Mr. Shane Geraghty (Roadstone Dublin Ltd.)

Archaeological Impact Assessment on Belgard Quarry, Co. Dublin for Roadstone Dublin Limited SDQU05A/2

Introduction

On 18 April 2007 South Dublin County Council imposed conditions on the Belgard Quarry in accordance with Section 261 of the Planning and Development Act 2000. Roadstone Dublin Ltd. requested the author, The ICF Project Archaeologist, to prepare an Archaeological Impact Assessment in relation to two recorded monuments noted in Condition 34. The condition stated:

> a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). The AIA shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/ field survey, aerial photography and if necessary geophysical survey, etc.
>
> b) The AIA shall be submitted to the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. In the event that the AIA indicates significant achaeological potential the archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government.
>
> c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government.
>
> d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator.
>
> **REASON:** To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.

Recorded Monuments

DU021-02401- Cheeverstown Tower House Site

This structure was described as a plain 3 storey stone rectangular tower measuring 7m x 6.7m with a number of windows, a doorway in the west side and a barrel vault on the ground floor level. To the west of the tower were some traces of a bawn and a well (Dix 1897). The site was inspected by Henry Wheeler of the Office of Public Works (OPW) in 1978 who found it intact and took the photographs reproduced in Fig. 2. No preservation order was put on the site at that time. The site was visited by Michael Moore of the OPW Archaeological Survey in 1986 who noted that there was no trace of the tower and its location was under a mound of wood chippings.

DU021-02402- Cheeverstown Well Possible Site

This possible well was said to be situated to the west of the Tower House.

DU021-02403- Cheeverstown Bawn Possible Site

This possible bawn was said to be situated to the west of the Tower House.

DU021-025- Belgard Ringfort Possible Site

This possible site was marked on the 1837 first edition Ordnanace Survey six inch map and was noted again by Ua Broin in 1944. When visited in 1986 by Michael Moore of the OPW Archaeological Survey he noted that the site was a slightly sunken area measuring 20 x 27m and c.30cm deep. He noted that the site had no enclosing bank or ditch and no internal mound. He suggested that the site might be a silted pond or an old quarry hollow.

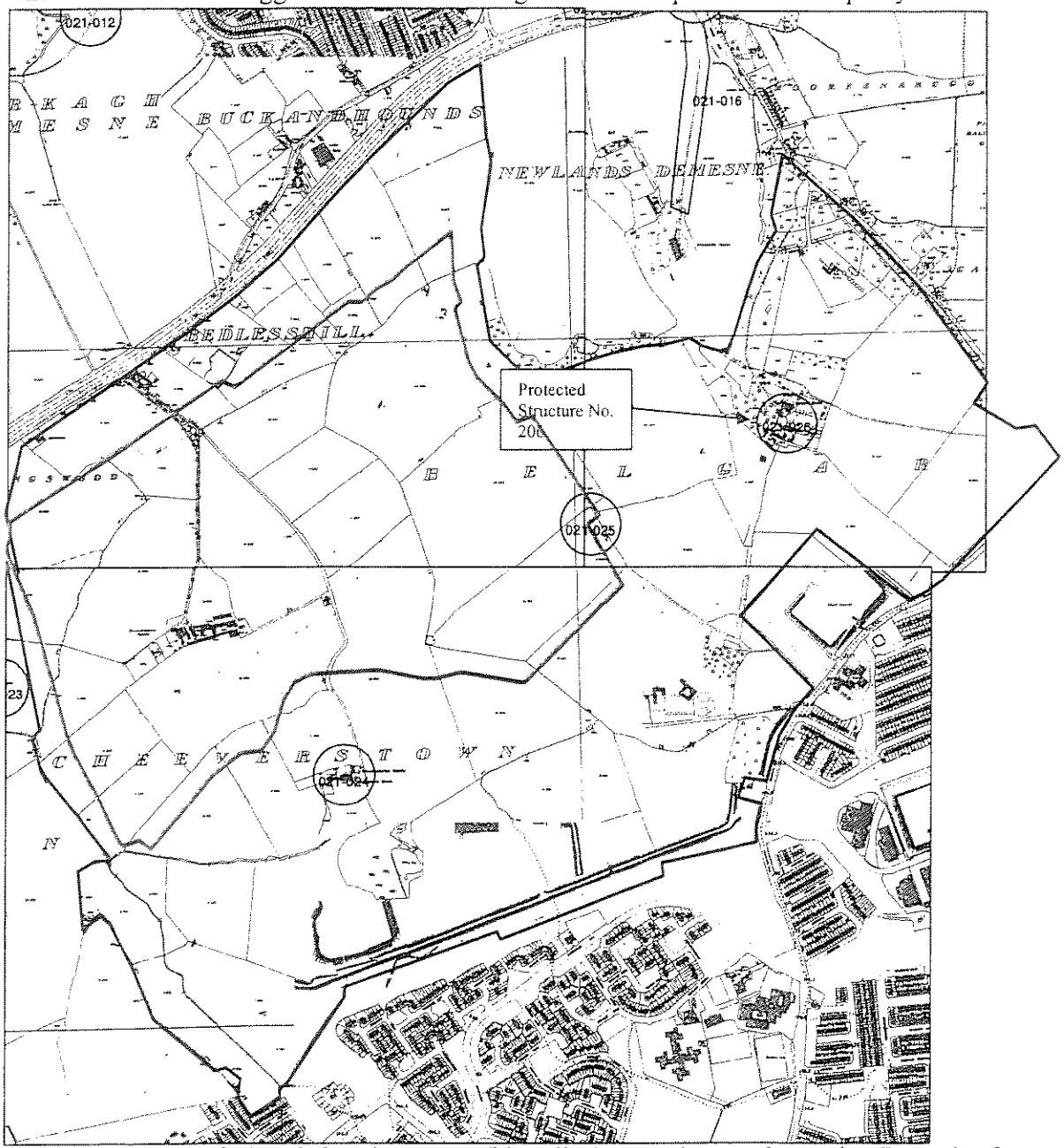


Fig 1. Outline of the Belgard quarry (blue line) superimposed on the Record of Monuments and Paces map for Co. Dublin. The area to be quarried is indicated in red.

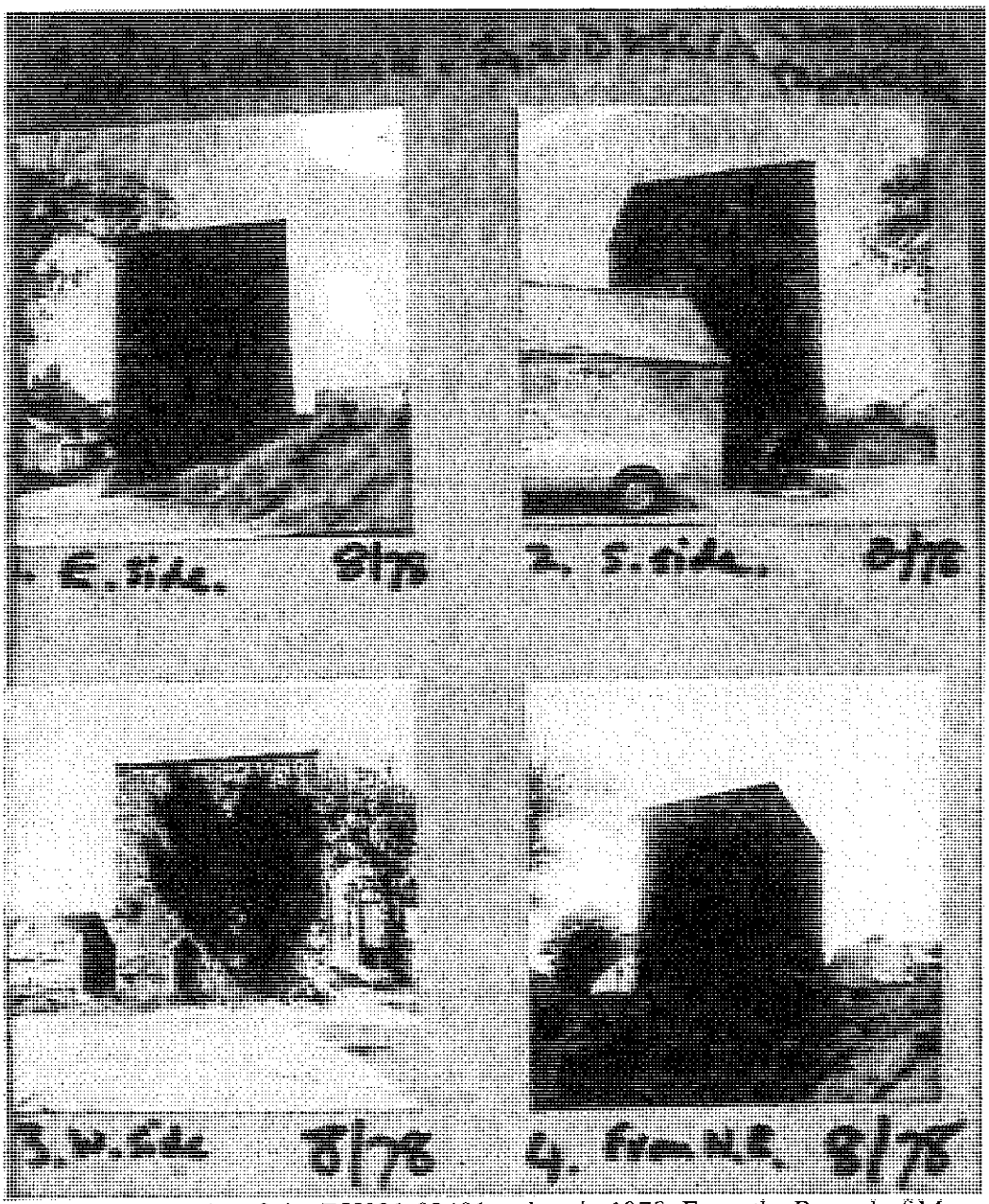


Fig. 2. Photographs of site DU021-02401- taken in 1978. From the Record of Monuments and Places (RMP) archive.

Aerial photography

Site DU021-024-
Examination of aerial photographs indicates that sites DU021-02401-3 are no longer visible.

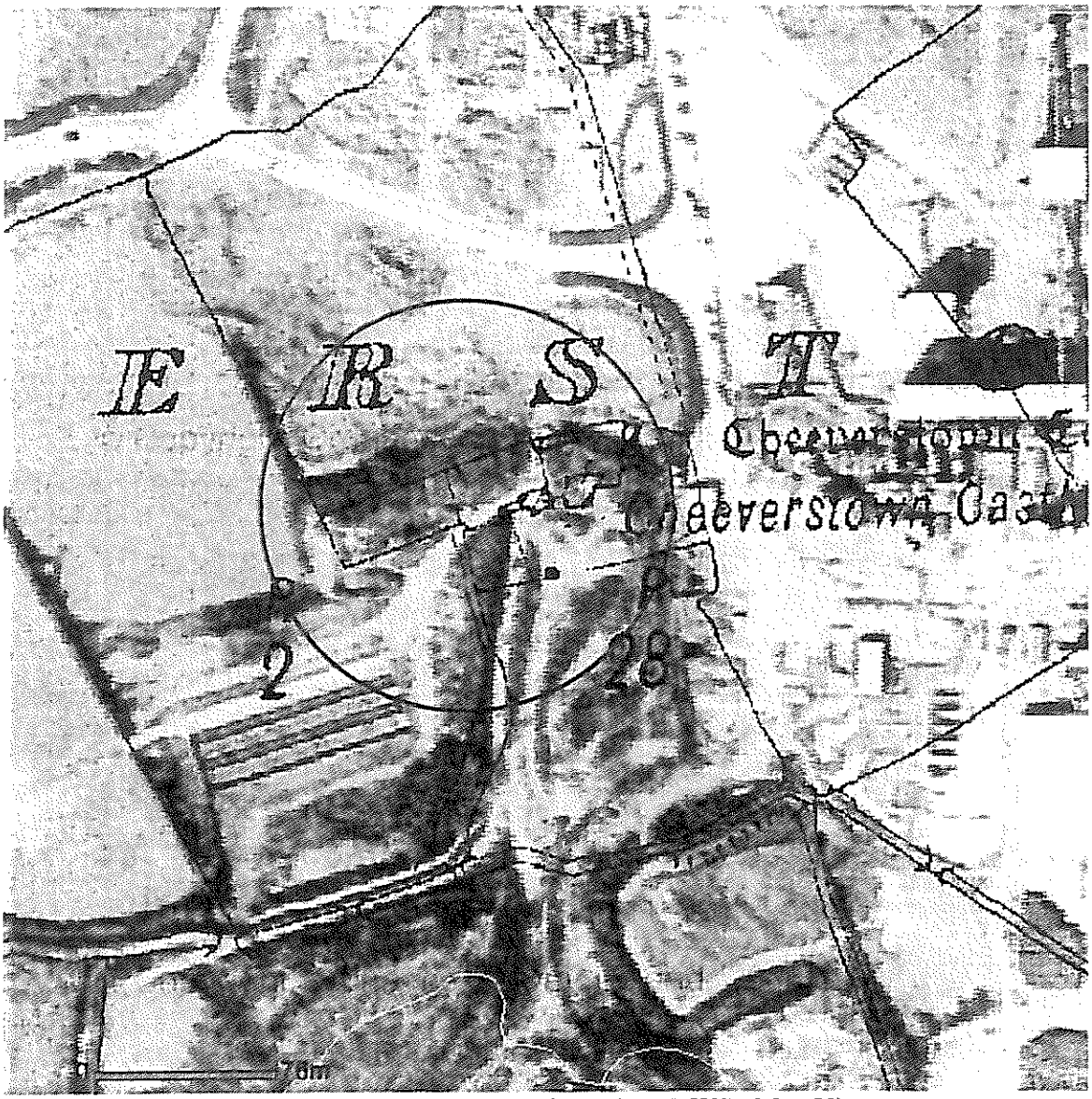


Fig. 3. Aerial view of site DU021-024-. Photo from the NPWS –Map Viewer.

Fig. 4. Aerial view of site DU021-024. Photo from the South Dublin County Council Planning Application Map Viewer.

Site DU021-025-
Examination of aerial photographs did not indicate the presence of site DU021-025-.

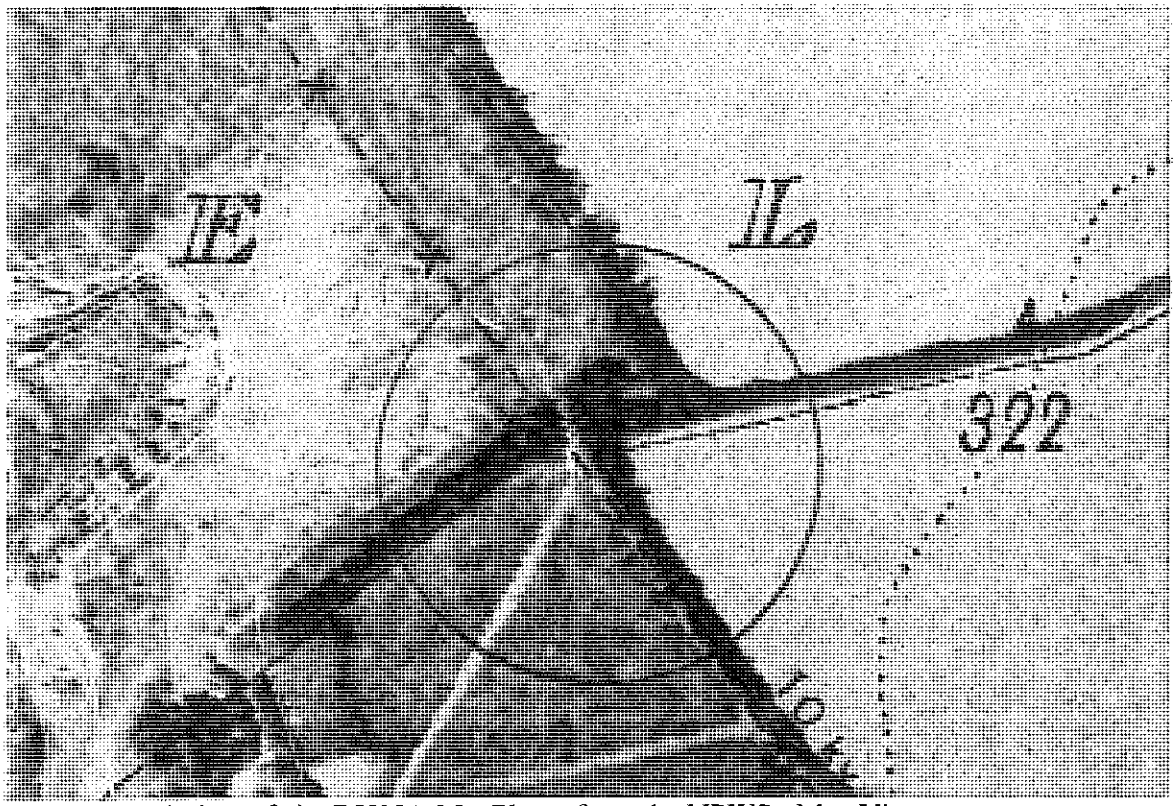


Fig. 5. Aerial view of site DU021-25-. Photo from the NPWS –Map Viewer.

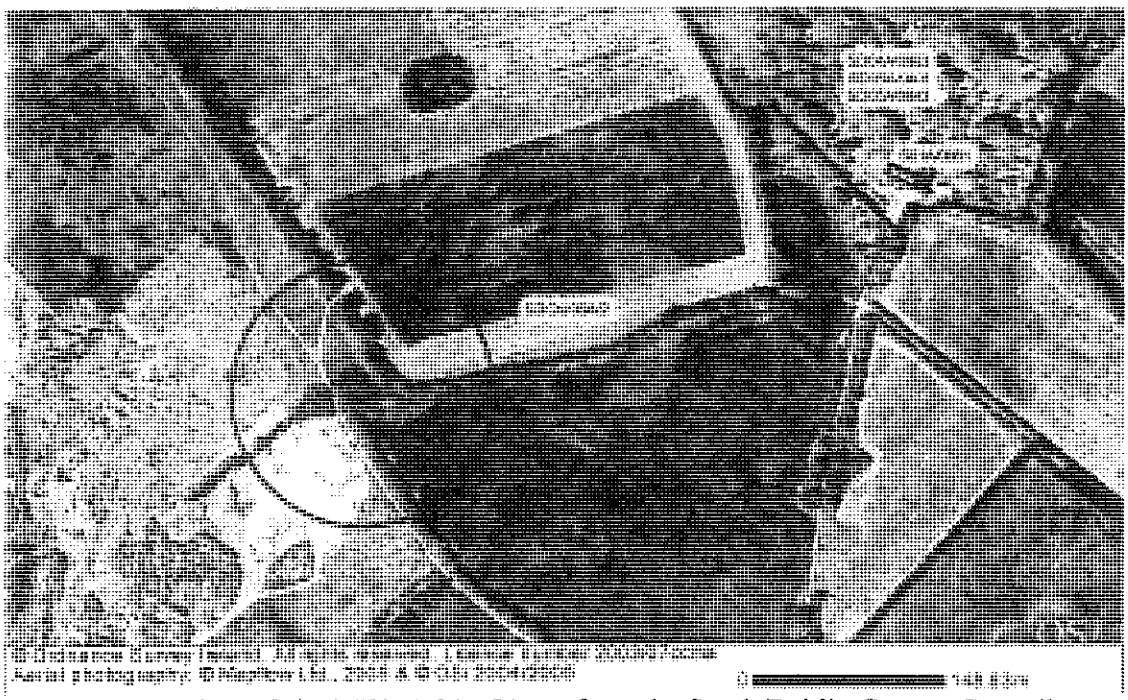


Fig. 6. Aerial view of site DU021-25-. Photo from the South Dublin County Council Planning Application Map Viewer.

Field survey
The site was visited by the author on the 1 October 2007. The site of DU021-02401- was found to be occupied by quarry plant. The site of DU021-02402-and DU021-02403- was found to be covered by a store of soil.

The site of site DU021-025- was found to be covered by a store of soil.

Impacts
1. Site DU021-02401- has been leveled and the site is occupied by quarry plant.
2. The site of sites DU021-02402- and DU021-02403- are occupied by stored soil.
3. The site of site DU021-025- is occupied by stored soil.

Mitigations
1. No works should be carried out in the vicinity of sites DU021-02402- and DU021-02403-.
2. It has been agreed with the National Monuments Service that the stored soil will be removed from the area of site DU021-025- under archaeological supervision. Following this a test excavation will be carried out to assess the current condition of the site.

References
Dix, McC. 1897. The lesser Castles of Co. Dublin. *The Irish Builder*, 170.

Ua Broin, L. 1944. Clondalkin, Co. Dublin and its Neighbourhood, *Journal of the Royal Society of Antiquaries of Ireland* 74, 191-218.

Charles Mount
Project Archaeologist ICF
11 October 2007

APPENDIX 4

EXTRACT FROM RELEVANT DEVELOPMENT PLAN MAP 2010-2016

N

Extract from 2010-2016
Zoning Objectives
SDCC Development Plan

Legend

- Roadstone Landholding Feb. 2007
- Objective A.
- Objective A1
- Objective B
- Objective CT
- Objective DC
- Objective F
- Objective G
- Objectice GB
- Objective H
- Objective I
- Objective LC
- Objective TC
- Objective EP1
- Objective EP2
- Objective EP3

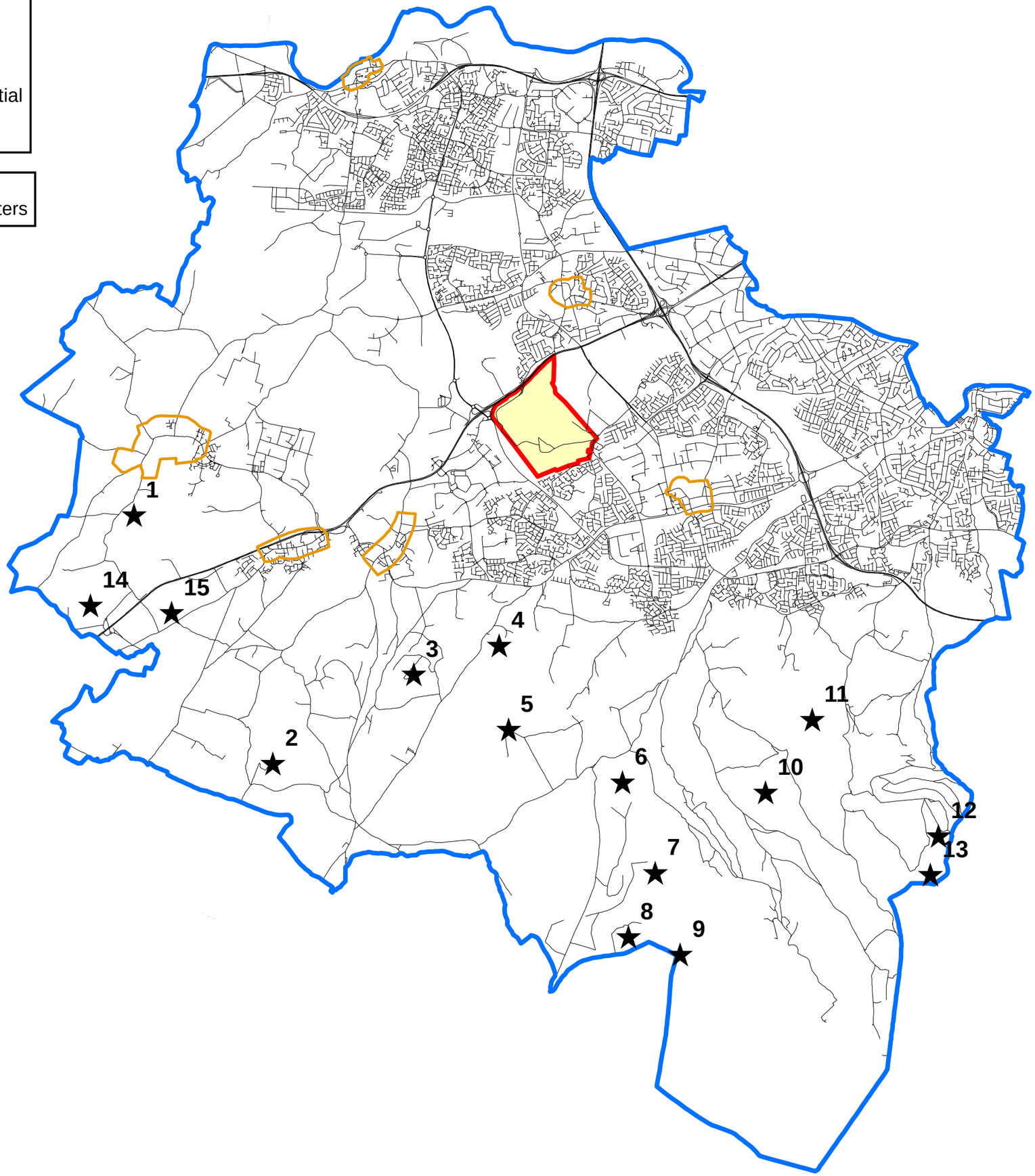
0 125 250 500 750 1,000
Meters

Legend

- ★ To Preserve Prospects
- Areas of Archaelogical Potential
- Roadstone Belgard Quarry

0 625 1,250 2,500 3,750 5,000 Meters

Prospects	ID
Athgoe Hill	1
Saggart Hill	2
Verschoyle's Hill	3
Lugmore	4
Knockannavea	5
Sliab na mBanog	6
Ballymorefinn Hill	7
Seahan	8
Corrig Mountain	9
Piperstown Hill	10
Mountpelier	11
Cruagh Mountain	12
Kilakee Mountain	13
Busty Hill	14
Windmill Hill	15



APPENDIX 5

S. 261 PROPOSED DEVELOPMENT, FUTURE RESTORATION AND COMPLIANCE SUBMISSION

JBA John Barnett & Associates

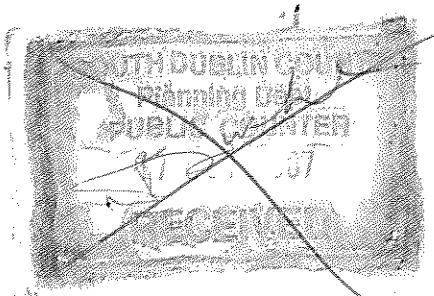
CSA House
7 Dundrum Business Park
Windy Arbour, Dublin 14, Ireland

Tel: +353-1-296 4667
Fax: +353-1-296 4676
email: tpaul@csa.ie
www.jba.ie

SDQU05A/2/C2

SCANNED

By Hand



17th October 2007
JBA3371/RDL/Belgard/PC01/tp/pmcc

Mr. Bob Matthews – Senior Exec. Planner
Planning Department
South Dublin County Council
County Hall,
Tallaght,
Dublin 24

Dear Mr. Matthews,

Re: Registration of *a* Quarry under Section 261 of the Planning & Development Act, 2000

Roadstone Dublin Ltd. – Belgard Quarry, Fortunestown, Tallaght (Quarry reg. Ref. SDQU05A/2)

Section 261 Planning Compliance Submission

Further to our recent meeting on the 9th October 2007 in relation to the conditions imposed on the operation of Belgard Quarry under Section 261, we now enclose the following planning compliance submission on behalf of Roadstone Dublin Ltd.

Condition No. 2: Digital Terrain Model

A digital terrain model of the entire lands within the site boundary has been prepared, refer to Drawing D01 enclosed. A copy of this drawing is also provided in digital AutoCAD format as agreed with the planning authority. This drawing has been prepared by Mr. Hector Nelson, a qualified land surveyor.

A photographic record of the quarry workings was submitted by Roadstone Dublin Ltd. to the planning authority on the 16th July 2007. Views of the quarry from the public roads in the vicinity of the site are provided in Appendix A, together with a plan showing the location of the view locations.

Condition No. 5: **Noise**

The proposed scope and methodology of the noise survey and assessment was submitted by Roadstone Dublin Ltd. to the planning authority on the 17th July 2007. This proposal has been reviewed by Ms. J. Troughton – Environmental Health Section, and it has been verbally agreed that five noise monitoring locations will be used in the noise monitoring programme (2 no. at noise sensitive locations and 3 no. at boundary locations within the site). Please provide written confirmation of this agreement.

Condition No. 6: **Vibration & Air Overpressure**

A blast monitoring programme was submitted by Roadstone Dublin Ltd. to the planning authority on the 17th July 2007. Ms. J. Troughton – Environmental Health Section has verbally confirmed agreement of this blast monitoring programme. Please provide written confirmation of this agreement.

Condition No. 7: **Suppression & Control of Dust**

Arrangements for the suppression and control of dust, and details of the dust monitoring programme were submitted by Roadstone Dublin Ltd. to the planning authority on the 17th July 2007. Ms. J. Troughton – Environmental Health Section has verbally confirmed agreement of these arrangements and the dust monitoring programme. Please provide written confirmation of this agreement.

Condition No. 9: **Communication & Consultation**

a) The names and contact details of Roadstone Dublin Ltd.'s Belgard Quarry Manager and Environmental Officer are as follows:

   Belgard Quarry Manager – Mr. Clive Carty : Tel. No. 01-4041200

   Environmental Officer – Mr. Colin Doyle : Tel. No. 01-4041200

b) A permanent public notice will be maintained at each entrance to the quarry. It will include the company name and contact details (with out of hours contact details), as follows:

   Roadstone Dublin Ltd.

   Belgard Quarry

   Tel. 01-4041200 (09.00 – 17.00 hrs Monday to Friday)

   01-4041290 (Outside office hours)

c) Roadstone Dublin Ltd. will issue a notice in the local newspaper giving the relevant contact details as in b) above. This newspaper notice will be issued with reference to Condition No. 9 (c) and will fulfil the requirement to notify all landowners and occupiers within 500 metres of the entire quarry complex. It should also be noted that the public notices erected at each entrance to the quarry will also provide contact details for any person who wishes to contact Roadstone Dublin Ltd. in relation to any aspect of the quarry operations.

d) The objective of the Local Consultative Group is to ensure that issues raised by the local community / adjoining landowners are considered, and where necessary addressed by the quarry operator. The condition as worded will not achieve this objective, as there will be far too many representatives to permit the Group to function effectively.

Roadstone Dublin Ltd. proposes the following Local Consultative Group to address environmental management and associated issues related to the quarry operations which are considered to impact upon the local community / adjoing landowners:

- South Dublin Co. Co. representative
- Local elected community representative.
- Local business representative
- Roadstone Dublin Ltd. representative.

Proposals, along the lines of that set out above, have been adopted by other planning authorities for Local Consultative Groups in relation to quarry developments.

Roadstone Dublin Ltd. will publish a notice in a local newspaper giving details of the formation of this Local Consultative Group. It will include contact details to which interested parties can submit issues that they wish to be considered at the meetings of the Group. A record of all issues submitted to the Group, and the minutes of all meetings of the Group will be placed on the Section 261 planning file for inspection by interested third parties. The Group will meet at least once per year, within 1 month of submission of the annual environmental audit report.

Condition No. 14: Control of External Lighting

Details of external lighting within the site have been submitted by Roadstone Dublin Ltd. to the planning authority on the 17th July 2007. As requested at our meeting on the 9th October 2007, Roadstone Dublin Ltd. will undertake further assessment of the potential impact of this external lighting on air navigation in the vicinity of Casement Aerodrome. A further submission will be made to the planning authority within 3 months in relation to this matter.

Condition No. 23: Groundwater Levels

a) It is proposed to install 5 no. groundwater monitoring wells within the site. Details of these well locations and depths are provided in Eugene Daly Associates *Preliminary Hydrogeological Assessment Report,* a copy of which is enclosed in Appendix B.

b) Eugene Daly Associates has prepared *Preliminary Hydrogeological Assessment Report* for Belgard Quarry, a copy of which is enclosed in Appendix B. Following installation of the proposed groundwater monitoring wells and a period of groundwater level monitoring, the report will be updated, finalised and submitted to the planning authority. Allowing for well installation and a three month monitoring period, the final report will be submitted in March 2008.

Condition No. 26: Details of Drainage Arrangements

The drainage details are currently being compiled. Roadstone Dublin Ltd. requests a 2 month extension of time to the 17th December 2007, within which to submit this information.

Condition No. 28: Phasing of the Development

Figures PC1 and PC2 enclosed show the existing and final proposed extent of the quarry, within the Section 261 orange extraction line. This extraction scheme provides for a final quarry floor level at +5 mOD, and will result in extraction of approximately 64 million cu. metres of limestone. Based on an annual extraction rate of 1.15 million cubic metres, this equates to a quarry life of 55 years within the Section 261 orange extraction line. The quarry may be deepened below +5 mOD, subject to further geological investigations.

It should be noted that the limestone reserves at Belgard have been proven by drilling to a depth of approximately 100 metres and extend over the full area bounded by the blue line within the site, refer to the original Section 261 quarry registration documentation and Figure PC1. Depending on future market conditions, planning permission may be sought to develop these proven limestone reserves located outside the Section 261 orange extraction line.

Subject to rock quality and market demand it is envisaged that the existing quarry footprint will develop in southerly and westerly directions to the Section 261 orange extraction boundary line over the next 5 years, refer to Figure PC3. Extraction of limestone will take place from a series of bench levels within this quarry area. The quarry phasing plan will be updated at 5 yearly intervals and submitted to the planning authority.

Condition No. 29: Rehabilitation and Landscaping

An outline restoration concept, based on the Section 261 orange extraction line, is provided in Figure PC5. This concept envisages a range of afteruse(s) within the restored site including residential, commercial / industrial and amenity, consistent with the location of the site within an urban environment.

In the light of the response under Condition No. 30 below, Roadstone Dublin Ltd. requests an extension of time of 3 months to further develop this proposed afteruse concept and to prepare a landscaping and restoration scheme for the site.

Condition No. 30: Landscaping & Boundary Treatment

Details of the proposed methodology for the tree survey have been provided to Mr. Brian Sheehan – Parks Department. A site visit is being arranged for Mr. Sheehan, and following this visit, the methodology for the tree survey, landscaping and boundary treatment will be agreed. Roadstone Dublin Ltd. requests an extension of time of 3 months to complete this work, and to make the landscape scheme submission to the planning authority.

Condition No. 33: Security for Restoration of the Site

Roadstone Dublin Ltd. submitted their proposed wording for the financial bond to the planning authority on the 28th September 2007. It is understood that this is currently being reviewed by South Dublin Co. Council. When the bond wording is agreed Roadstone Dublin Ltd. will submit the bond for the amount of €2,500,000, as soon as is reasonably practical.

Condition No. 34: Archaeological Impact Assessment

An archaeological impact assessment in relation to the two recorded monuments on the quarry lands is being prepared by Dr. Charles Mount (Archaeological Manager of the Irish Concrete Federation), and will be submitted to the planning authority within 1 month. A copy of this assessment will also be submitted to the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government in compliance with the requirements of this condition.

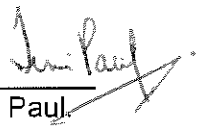
Condition No. 36: Architectural Heritage Impact Assessment

An architectural heritage impact assessment has been prepared by Dr. Charles Mount for Belgard Castle, a Protected Structure, refer to copy provided in Appendix C of this submission. A copy of this assessment has also been submitted to the Heritage and

Planning Division of the Department of the Environment, Heritage and Local Government in compliance with the requirements of this condition.

If you have any queries in relation to the above please contact Mr. Sean Keane or Mr. Shane Geraghty at Roadstone Dublin Ltd., or ourselves.

Yours Sincerely,
For John Barnett & Associates Ltd.



Tim Paul.

Enc.

Cc. + Enc. Mr. Sean Keane / Mr. Shane Geraghty (Roadstone Dublin Ltd.)

Legend

- RDL Land Interest (c. 305.8ha)
- Overall Quarry Area (c. 192.6 ha)
- Section 261 Quarry Area (c. 102 ha)
- Quarry Extraction Area 2007

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-13, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Scale 1:10,000

0m 200m 600m

Ordnance Survey Ireland Licence No. SU 0000707 (c)
Ordnance Survey Ireland & Government of Ireland

roadstone
ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
DUBLIN 24

JBA
JOHN BARNETT & ASSOCIATES
7 DUNDRUM BUSINESS PARK
WINDY ARBOUR
DUBLIN 14

Site: Roadstone Dublin Ltd.
Belgard Quarry, Tallaght, Dublin 24

Title: Section 261: Condition No. 28 - Existing Site Layout 2007

Drawn: TP/PM	Scale: 1: 10,000	**FIGURE PC1**
Job. No: 3371	Date: Oct 2007	

Legend

- RDL Land Interest (c. 305.8ha)
- Overall Quarry Area (c. 192.6 ha)
- Section 261 Quarry Area (c. 102 ha)

Notes:

1. Depending on future market demand proven limestone reserves within the overall Quarry Area (Blue Line) may be extracted, subject to planning permission
2. Quarry may be extracted below +5mOD, subject to further geological investigations.

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-16, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Scale 1:10,000

0m 200m 600m

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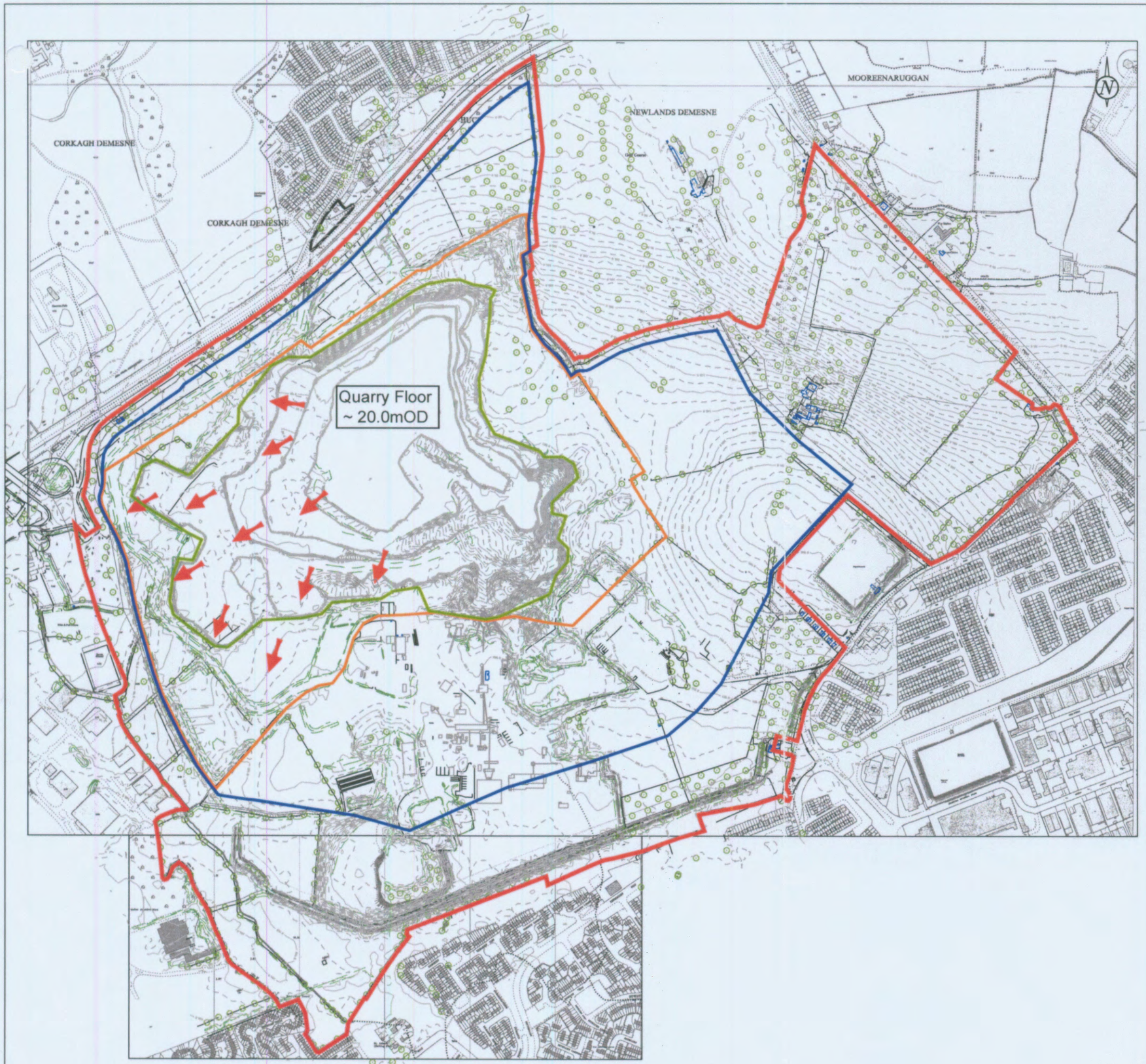
TALLAGHT
DUBLIN 24

JBA
JOHN BARNETT & ASSOCIATES
7 DUNDRUM BUSINESS PARK
WINDY ARBOUR
DUBLIN 14

Site:	Roadstone Dublin Ltd. Belgard Quarry, Tallaght, Dublin 24
Title:	Section 261: Condition No. 28 - Proposed Quarry Layout (Section 261 Orange Line)

Drawn: TP/PM	Scale: 1: 10,000	**FIGURE PC2**
Job. No: 3371	Date: Oct 2007	



Legend

- RDL Land Interest (c. 305.8ha)
- Overall Quarry Area (c. 192.6 ha)
- Section 261 Quarry Area (c. 102 ha)
- Quarry Extraction Area 2007
- Proposed Working Direction

Notes:

1. Detailed extraction phasing dependent on material quality and market demand
2. Quarry phasing plan to be reviewed and updated at 5 year intervals

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-15, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Scale 1:10,000

0m 200m 600m

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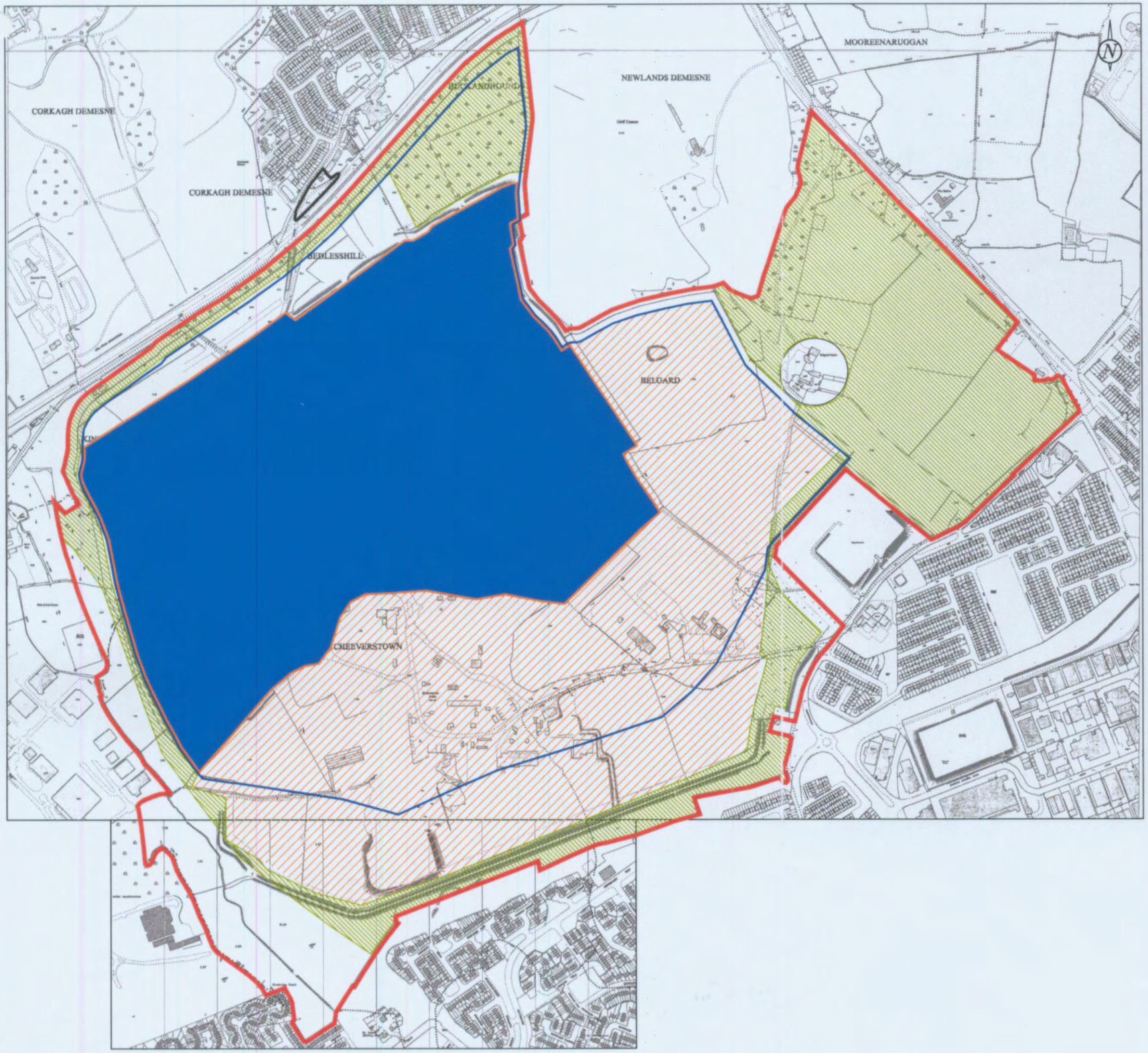
TALLAGHT
DUBLIN 24

JBA
JOHN BARNETT & ASSOCIATES
7 DUNDRUM BUSINESS PARK
WINDY ARBOUR
DUBLIN 14

Site:	Roadstone Dublin Ltd. Belgard Quarry, Tallaght, Dublin 24
Title:	Section 261: Condition No. 28 - Quarry Phasing Plan 2008-2013
Drawn: TP/PM	Scale: 1: 10,000
Job. No: 3371	Date: Oct 2007

FIGURE PC3



Legend

- RDL Land Interest (c. 305.8ha)
- Overall Quarry Area (c. 192.6 ha)
- Section 261 Quarry Area (c. 102 ha)
- Quarry Extraction Area 2007
- Green Belt
- Water/Amenity/Reservoir
- Mixed Commercial / Residential

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-13, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Scale 1:10,000

0m 200m 600m

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DUBLIN 24

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JOHN BARNETT & ASSOCIATES
7 DUNDRUM BUSINESS PARK
WINDY ARBOUR
DUBLIN 14

Site: Roadstone Dublin Ltd. Belgard Quarry, Tallaght, Dublin 24		
Title: Section 261: Condition No. 29 - Outline Restoration Concept		
Drawn: TP/PM	Scale: 1: 10,000	**FIGURE PC4**
Job. No: 3371	Date: Oct 2007	

APPENDIX 6

PLANNING HISTORY DOCUMENTS

REGISTER REFERENCE: P.C. 9459 ***(YEAR 1964)***
PROPOSED DEVELOPMENT: LIMESTONE QUARRY AND ANCILLARY DEVELOPMENT OF ASPHALT PLANT AND STORAGE BINS FOR QUARRY PRODUCE
PERMISSION GRANTED

REGISTER REFERENCE: A.435
PROPOSED DEVELOPMENT: QUARRY DEVELOPMENT
OUTLINE PLANNING PERMISSION GRANTED

REGISTER REFERENCE: B.1117
PROPOSED DEVELOPMENT: LIMESTONE QUARRY
PERMISSION REFUSED

REGISTER REFERENCE: B.1775
PROPOSED DEVELOPMENT: T-JUNCTION
PERMISSION REFUSED

REGISTER REFERENCE: C.1488
PROPOSED DEVELOPMENT: ERECTION OF BUILDINGS AND THE UTILISATION OF LAND FOR QUARRYING AND ANCILLARY PURPOSES
PERMISSION GRANTED ON APPEAL TO THE MINISTER

REGISTER REFERENCE: G.614
PROPOSED DEVELOPMENT: WORKSHOP AND OFFICES
APPLICATION WITHDRAWN

REGISTER REFERENCE: G.1085
PROPOSED DEVELOPMENT: WORKSHOP AND OFFICES
APPLICATION WITHDRAWN

REGISTER REFERENCE: G.1350
PROPOSED DEVELOPMENT: DIRECTION SIGNS
PERMISSION GRANTED

REGISTER REFERENCE: RA.745
PROPOSED DEVELOPMENT: DEVELOPMENT OF A PRODUCTS DISPLAY PARK
PERMISSION REFUSED

REGISTER REFERENCE: S01A/0195
PROPOSED DEVELOPMENT: PLANT FOR THE MANUFACTURE OF PRECAST CONCRETE PRODUCTS WITH ASSOCIATED OFFICES
NO RESPONSE RECEIVED TO ADDITIONAL INFORMATION

REGISTER REFERENCE: SD02A/0167
PROPOSED DEVELOPMENT: RECOVERY OF PRE-SORTED CONSTRUCTION AND DEMOLITION WASTE
PERMISSION GRANTED

REGISTER REFERENCE: SD06A/0915
PROPOSED DEVELOPMENT: ASPHALT PLANT AND ANCILLARY FACILITIES
PERMISSION GRANTED

REGISTER REFERENCE: SD07A/1047
PROPOSED DEVELOPMENT: NEW SITE ACCESS ONTO THE OUTER RING ROAD, AND RELATED NEW INTERNAL ROADWAY, OFFICE BUILDING ETC
PERMISSION GRANTED

REGISTER REFERENCE: SD08A/0731
PROPOSED DEVELOPMENT: INSTALLATION OF AN ESB 38KV OVERHEAD LINE, PERMISSION GRANTED

REGISTER REFERENCE SD12A/0137
PROPOSED DEVELOPMENT: COMPLETE LANDSCAPING TO AN EXISTING PARTIALLY COMPLETED SCREENING BERM
NEW APPLICATION

REGISTER REFERENCE: P.C. 9459 ***(YEAR 1964)***
PROPOSED DEVELOPMENT: LIMESTONE QUARRY AND ANCILLARY DEVELOPMENT OF ASPHALT PLANT AND STORAGE BINS FOR QUARRY PRODUCE
PERMISSION GRANTED

No. TP/333/63

DUBLIN COUNTY COUNCIL

County Management Act, 1940

Record of Executive Business and Manager's Orders

P.C. 9459 - Proposed development of site for limestone quarrying and ancillary development of asphalt plant and storage bins for quarry produce at Belgard for Roadstone Ltd. Drawings lodged: 11.4.63.

Report of Dublin Planning Officer dated 14th May, 1963.

This is a proposal to establish a new quarrying plant with ancillary development of asphalt plant and storage bins for the produce of the quarry.

The site is on the lands of Belgard Castle which covers a very extensive acreage. The Proposers, ~~Messrs.~~ Roadstone Ltd., have acquired the property on account of its availability of limestone suitable for quarrying. The type of development proposed is suitable to a rural area and the Proposers have indicated on the plan in green the new planting which is already under way and which should form a very effective screen from the existing road which bounds the site and which connects Tallaght with Newlands Cross.

Having regard to the nature of the proposal, I recommend that general permission be granted to the development of the site for the purpose of limestone quarrying, the storage of quarry produce in bins and asphalt plant, subject to following conditions:-

(1). That detailed plans be submitted and approved by the Council before any work of a constructional nature on the buildings is commenced.

(2). That the height of the proposed new buildings shall not, unless under exceptional circumstances, exceed 50-ft. (MOB)

P. Mc Mahon for.
Dublin Planning Officer.

Endorsed: J. Mc Donnell.
County Secretary.

ORDER: General Permission is hereby granted under the provisions of the Town & Regional Planning Acts, 1934/1939, for above proposal, subject to the conditions set out in above report.

Manager
Dublin [illegible]

REGISTER REFERENCE: A.435
PROPOSED DEVELOPMENT: QUARRY DEVELOPMENT
OUTLINE PLANNING PERMISSION GRANTED

[redacted]

DUBLIN COUNTY COUNCIL

Tel. No. 75011 Ext. 20.

Form 1.

Please Note New Address

Planning Department,
Exchange Buildings,
Lord Edward Street,
Dublin 2.

NOTIFICATION OF A DECISION ON AN APPLICATION FOR AN OUTLINE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963.

To: Rockstone Ltd.,
Naas Road,
Dublin, 12.

Reference No. in Planning Register of Dublin County Council A.433

Planning Control No. 2492

Application received 9th April 1968

APPLICANT Rockstone Ltd.

In pursuance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/789/68 dated 4th June 1968 make a decision pursuant to Section 26 (1) of the Act to grant an outline permission for:

Quarry development at Cheverstown, Clondalkin

subject to the following conditions:-

Conditions:	Reasons for Conditions:
(1) That no constructional work be put in hands until detailed drawings have been submitted to and approved by the County Council under the Local Government (Planning and Development) Act, 1963.	(1) In order to comply with the provisions of the Local Government (Planning and Development) Act, 1963.
(2) That details of the proposed improvement to Cheverstown Lane and its junction with the main Naas Road be submitted to and approved by the County Council before any constructional work takes place; this also applies to the proposed new access to Fortunestown Lane at Cookstown.	(2) In the interests of public safety and avoidance of traffic hazard.
(3) That the height of any proposed new structures or buildings shall not, unless under exceptional circumstances, exceed 50 ft.	(3) In the interests of amenity.
(4) That a progressive programme of reinstatement and landscaping be submitted to and approved by the County Council before any constructional work takes place.	(4) For the purpose of preserving and improving the amenities of the area.
(5) That cognisance be taken of the position of the Dublin Corporation Waterworks Department's dims.	(5) For the purpose of protecting the said [illegible]

If there is no appeal to the Minister for Local Government against this decision, outline permission will be granted by the Council on the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Act has been withdrawn, the Council will grant the outline permission as soon as may be after the withdrawal. P.T.O.

Signed on behalf of the Dublin County Council:

for County Secretary

Date:

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and the nature of the appellant's interest in the property affected and should be addressed to the Secretary, Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn, the Minister for Local Government will determine the application for outline permission as if it has been made to him in the first instance.

Reg. No. A.1.31.

Ref. 2/231 Proposed nursery development at Cherrywood, Clonskeagh for Rockstone Ltd. Application received: 9th April, 1965.

Condition	Reason for condition
(6) That the water supply and drainage arrangements be in accordance with the requirements of the County Council.	In order to comply with Sanitary Services Acts, 1878-1964.
(7) That Building Byelaws approval shall be obtained and any conditions of such approval shall be observed in the development.	In order to comply with Sanitary Services Acts, 1878-1964. (MM)

NOTE: The applicants are advised to consult with Dublin County Council and Dublin Corporation Waterworks Department with regard to conditions Nos. (2), (4) and (5) above.

for Dublin Planning Officer.

Endorsed: W. Lacy
for County Secretary.

DECISION: A decision pursuant to Section 26 (1) of the Local Government (Planning and Development) Act, 1963, to grant outline permission for the above proposal subject to the conditions set out in above report, is hereby made.

T. Kelly
[illegible], County Manager

Dated 24th June, 1965.
On whom the appropriate power has been delegated by order of the Dublin County Manager No. C.M. 301 dated 1st day of March, 1965.

REGISTER REFERENCE: B.1117
PROPOSED DEVELOPMENT: LIMESTONE QUARRY
PERMISSION REFUSED

DUBLIN COUNTY COUNCIL

TELEPHONE: 42951 (EXT. 131)

Planning Department,
46-49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE:
~~OUTLINE PERMISSION~~: PERMISSION ~~APPROVAL~~:
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

To: Roadstone Ltd.,
Development Division, Belgard Castle,
Clondalkin, Co. Dublin.

Register Reference No: B. 1117
Planning Control No: 9459
Application received 1st Aug. 1969
Additional Information: 26th March, '70

APPLICANT: Roadstone Ltd.

In pursurance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/946/70 dated 25th May, 1970 decide to refuse:
~~OUTLINE PERMISSION~~; PERMISSION; ~~APPROVAL~~,

for Proposed Limestone Quarry at Belgard/Chooverstown.

for the following reasons:

1. The proposed development is not in accordance with the previous conditions set out in the general Permission order TP/333/63 and the decision to Grant Outline Permission by Order No. P/789/68 whereby the height of any structure was to be not greater than 50 ft. except under exceptional circumstances.

2. Details of the specific programme of re-enstatement and landscaping so as to preserve and improve the amenities of the area have not been submitted by the applicants as required in the Outline Permission.

3. Details of the proposed access providing for adequate traffic visibility and avoidance of hazardous vehicle movements at the Chooverstown junction with the Naas Road dual-carriageway and site access road junction with Cookestown Road have not been submitted by the applicants as required in the Outline Permission.

4. Elevations, sections and colour treatment for the proposed structures on these lands have not been submitted.

Note:- The applicants should consult with the Planning Department and Roads section in regard to the matters at issue before making a further submission.

Signed on behalf of the Dublin County Council: W Mc.
Mc.
Date: 25th May, 1970

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him

P/1648/69.

RD/MMcG.

Reg. B. 1117.

29 Mean Fomhair, 1969.

P.C. 9459.

S

Roadstone Limited,
Development Division,
Belgard Castle,
Clondalkin,
County Dublin.

re: Proposed (as attached Order)

I attach notice requesting additional information in regard to your application received on 1st ultimo.

In the course of examination of your application it was noted that work had already commenced on the site of the proposed development. As no planning approval has been granted you are hereby directed to cease work forthwith pending a decision on your application of the 1st ultimo.

for Principal Officer.

Reg. B. 1117.

P.C. 9459.

29 Mean Fomhair, 1969.

Roadstone Limited,
Development Division,
Belgard Castle,
Clondalkin,
County Dublin.

re: Proposed development of Quarry (Limestone) to provide road materials and aggregates for the construction industry, at Belgard/Cheeverstown, Co. Dublin for Roadstone Limited. Application received: 1st August, '69

A Chairde,

With reference to your letter dated 28th July, 1969, regarding planning permission in connection with the above, I am to inform you that before the application can be considered under the Local Government (Planning and Development) Act, 1963, the following information must be submitted in triplicate:-

(1) That the detailed information (including necessary plans etc.) required to be submitted for approval of the planning Authority under conditions (1), (2), (3), (4), (6) and (7) of outline permission (Order No. P/789/68, dated 4th June, 1968, for quarry development at Cheeverstown, Clondalkin, be submitted.

(2) That details of existing developments, which have been carried out by Messrs. Roadstone on the site, including that at Belgard Castle, shall be submitted to the Planning Authority.

NOTE: The applicants are advised to confer with officials of the Dublin Planning Office in order to clarify

P.T.O.

Continued:-
REG. B. 1117.

P.C. 9459.

29 Mean Fomhair, 1969.

planning requirements in this matter.

Mise, le meas,

a.s. Priomh Oifigeach.

REGISTER REFERENCE: B.1775
PROPOSED DEVELOPMENT: T-JUNCTION
PERMISSION REFUSED

DUBLIN COUNTY COUNCIL

TELEPHONE: 42951 (EXT. 131)

Planning Department,
46-49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE: ~~XXXXXXXXXXXXXXXXXX~~ PERMISSION: ~~XXXXXX~~ APPROVAL :

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

Register Reference No: B. 1775.

Planning Control No: 9459.

Application received: I9/I2/'69.

To: Ove Arup & Partners,
Consulting Engineers,
I0, Wellington Road,
Dublin, 4.

APPLICANT: Rosdstone Ltd.

In pursurance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/270/70. dated 18th February, 1970 decide to refuse: ~~XXXXXXXXXXXXXXXXXX~~ OUTLINE PERMISSION; PERMISSION; ~~XXXXXXXXX~~ APPROVAL;

Proposed T. Junction at Cheeverstown Lane, Bedlesshill, Naas Road.

for

for the following reasons:

(I) The proposed development which includes a further median break on the existing dual carriageway and crossing movements by heavy commercial vehicles to and from Cheeverstown Lane, would create a serious traffic hazard by reason of these additional heavy commercial movements across the existing dual-carriageway.

Signed on behalf of the Dublin County Council:

Date: 18th February, 1970.

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him in the first instance.

Form 5.

REGISTER REFERENCE: C.1488

PROPOSED DEVELOPMENT: ERECTION OF BUILDINGS AND THE UTILISATION OF LAND FOR QUARRYING AND ANCILLARY PURPOSES

PERMISSION GRANTED ON APPEAL TO THE MINISTER

No. P/2328/70.

DUBLIN COUNTY COUNCIL

County Management Acts, 1940 to 1955.

...d of Executive Business and Manager's Orders

...459: Proposed quarrying development and ancillary ...nge (ready mix plant and asphalt plant) at Belgard ...dleshill, Naas Rd., for Roadstone Ltd.

...ndall, Hogan & Hurley, Reg.No.C.148P.
...acts, Application received: 7/9/70.
...pit Rd.,

...ort of Dublin Planning Officer, dated 5th November, 1970:-

...refer to the attached revised application for permission for ...velopment of the lands at Belgard and Bedleshill, for quarrying ...cillary purposes by Roadstone Ltd. These lands, consist of ...imately 875 acres, with frontage to the Naas Road, Belgard Rd., ...rtunestown Lane. Previous submissions by the applicant's ...is development have been the subject of additional information ...ts at different times but it will be necessary to request ... clarification of the developer's proposals so as to ensure ... provision for the avoidance of traffic hazard, atmospheric ...er pollution and to ensure also the protection of amenity ... area.

...consider that additional information should be requested ...the applicants with regard to the following:-

(1) Details of the specific proposals for control of air pollution from emission of fumes and dust, together with noise reduction measures so as to prevent danger to health and injury to amenity, are required.
(2) Revised details of effluent disposal from the proposed oxidation ditch system so as to prevent contamination or pollution to adjoining stream courses and other lands, are required.
(3) Details of the phasing of construction and completion anticipated for the proposed underpass and ancillary roads and their relationship to the phasing of the main site works for the quarry plant and constructional materials plant are also required. The applicants must agree the proposed programme with the County Council so as to minimise any disruption to through traffic movements on the Naas Road Dual-carriageway.
(4) Clear details of the anticipated volume and size of generated traffic to and from the various access points proposed per day, are also required. (GRH).
(5) Details of the proposed surface water disposal are required.

...the applicant should be informed of the above requirements before ...pplication can be considered under the Local Government (Planning ...evelopment) Act, 1963.

P. Keaney
for Dublin Planning Officer

...ved: D Murray.
for County Secretary

...: I direct that additional information be required from the applicant for planning permission as set out in the above report and that notice thereof be served on the applicant.

...: 5th November, 1970 ASSISTANT CITY AND COUNTY MANAGER

...om the appropriate powers have been delegated by order of the ... City and County Manager, dated the 1st day of October, 1970.

PL. 6/5/16175

ROINN RIALTAIS ÁITIÚIL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

Contae Mhaile Átha Cliath

Planning Register Reference Number: C.1488

APPEAL by William K. Nowlan of "Vetchcroft", Kingswood, Clondalkin against the decision made on the 12th day of January, 1971, by the Council of the County of Dublin deciding to grant subject to conditions a permission to Roadstone Limited for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard, and Naas Road, Clondalkin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to subsections (5) and (9) of section 26 of the Local Government (Planning and Development) Act, 1963, it is hereby decided to grant permission for the said development in accordance with the said plans and particulars subject to the conditions specified in column 1 of the Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Schedule and the said permission is hereby granted subject to the said conditions.

SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
1. The proposed road from the quarry to Kingswood shall be omitted from the development.	1. To protect the safety and free flow of traffic on the Dublin/Naas dual carriageway by preventing the generation of additional heavy traffic at the uncontrolled road junction at Kingswood and to prevent injury to residential amenities of the Kingswood area by the movement of heavy vehicles through the area.
2. The proposed road junction at point 'A' on the lodged drawing number 81/8, dated 24th August, 1970, shall consist of a splayed junction with acceleration and deceleration lanes on each side of the junction for a length of 250 feet, the lane width at the actual junction to be 15 feet, decreasing to zero at the termination of each lane.	2. To permit the safe entry and exit of vehicles to and from the adjoining narrow public road.
3. Quarrying shall be limited initially to a continuous and total area of not more than 50 acres in line with the intended pattern of development as shown on the lodged drawing number RS.2 dated 14th August, 1970. No quarrying operations shall be undertaken on any part of the site outside the said area of 50 acres without the prior agreement	3. To control the extent and location of quarrying on the site in order to permit evaluation of the effects of the operations on the environment of the area.

SCHEDULE(Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
3. of the planning authority or, in the event of dispute, without the prior agreement of the Minister for Local Government.	
4. Within twelve months from the date of this order, a detailed scheme for the reinstatement and landscaping of the worked-out portions of the quarry, together with details of proposals for the reinstatement of areas at ground level, and areas no longer required for surface plant or buildings, shall be submitted to the planning authority by the developers and shall be agreed between the developers and that authority, or in default of agreement shall be as determined by the Minister for Local Government.	4. To secure the eventual restoration of the land to an appearance and use consistent with the appearance and use of lands in the vicinity of the site in as short a period as possible.
The scheme shall provide for the carrying out of such works as may be necessary to make the land useful for agricultural or recreational purposes and consistent in appearance with surrounding land including works for the disposal of waste materials and for the moulding of surface levels, the provision of natural surface and subsoil drainage, vegetation planting and re-seeding and the securing of stable and self-regulating terrain. The scheme shall also provide for the carrying out of the reinstatement and landscaping operations within a definite period or periods related to the anticipated pace of quarrying operations on the site. Reinstatement and landscaping shall be carried out in accordance with the scheme approved as aforesaid.	
5. Within six months from the date of this order, a detailed scheme illustrated by a map to a scale of 1:2500, shall be submitted to the planning authority by the developers and shall be agreed between the developers and that authority or in default of agreement shall be as determined by the said Minister. This scheme shall show the proposed location and extent of belts of trees and shrubs to be planted in order to provide effective screening of the development particularly from the south and east, when viewed from the public roads on the	5.and 6. In the interests of the visual amenities of the area.

Continued

SCHEDULE (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
5. perimeter of the site and shall indicate the time-scale proposed for the carrying out of the planting. Planting shall be carried out in accordance with the scheme approved as aforesaid.	
6. Existing or proposed trees or shrubs on the site which provide or will provide screening of the development, shall not be destroyed or removed without the prior agreement of the planning authority. In the event of natural failure of any such screening, steps shall be taken to replace it.	
7. Acoustic cladding or other noise-reducing material or devices shall be provided where necessary so that the noise level caused by quarrying and other ancillary operations shall not exceed 45 dbA between 8.00 a.m. and 10.00 p.m. or 35 dbA between 10.00 p.m. and 8.00 a.m. when measured from any open location along the perimeter of the site.	7. and 8. To minimise nuisance and injury to the amenities of the area resulting from noise.
8. Not less than 24 hours advance notice of each explosion to be carried out shall be given to occupants of lands adjoining the site. Explosions shall be limited to the hours between 8.00 a.m. and 10.00 p.m. and the best practicable means shall be used to minimise the degree of nuisance caused by explosions, such means to include the proper management of the operations, regard being had to the timing and frequency and the use of the most careful blasting techniques.	
9. Quarrying and other ancillary operations shall be contained within the working area of the site as shown on the lodged drawing number 70/35/7, dated August 1970, and no machinery or debris shall be placed on other parts of the site or on any public road.	9. In the interests of the general amenities of the area.

Continued

SCHEDULE (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
10. For each acre of land to be disturbed by quarrying and other ancillary operations, security by way of bond, guarantee or cash deposit at the rate of £250 per acre shall be given to the planning authority before operations in relation to that acre shall be commenced, to ensure the satisfactory completion of reinstatement and landscaping works. The amount of security per acre shall be adjusted as necessary to allow for cost variations taking the rates, current as at the date of this order, for horticultural and general landscape work as a base. The conditions under which such security is to be given and held (including provision for the investment of any moneys deposited with the planning authority, payment of interest thereon, and repayment by the planning authority of any moneys held by them on the satisfactory completion by the developers of the reinstatement and landscaping work to which the particular deposit relates) shall be agreed between the developers and the planning authority or, in the event of disagreement, shall be determined by the said Minister.	10. To ensure the eventual restoration of the land to an appearance and use consistent with other lands in the vicinity.

Liam Cunningham

Parliamentary Secretary to the Minister for Local Government to whom the relevant powers and duties of the said Minister under the Local Government (Planning and Development) Act, 1963, are delegated by An tOrdú Rialtas Áitiúil (Feidhmeanna Aire a Tharmligean), 1970.

Dated 28th day of April 1972.

DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT,
4649 DAME STREET,
DUBLIN 2

Tel. 42951 (Ext. 131)

Notification of Decision to Grant Permission/~~Refusal~~
Local Government (Planning and Development) Act, 1963

To: Decision Order Number and Date: 9/63/71, 12th January, 1971

Register Reference No. [illegible]

Tyndall Hagan and Hurley,

Planning Control No. 9459

27 Lincoln Road,

Application Received on 27/8/70

Dublin 4

Additional Information: 13/11/70

Applicant - Readymix Ltd.

In pursuance of its functions under the above-mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to grant Permission ~~Refusal~~ for

Proposed quarrying development and ancillary buildings and processes (Readymix Plant and asphalt plant) at Belgard and Beddicshill, Naas Road.

SUBJECT TO THE FOLLOWING CONDITIONS:

Conditions	Reasons for Conditions
1. That the development be carried out and maintained strictly in accordance with the plans and specification lodged with the application, save as is in the conditions hereunder otherwise required.	1. To ensure that the development shall be in accordance with the permission and effective control maintained.
2. That the use of the premises for quarrying and ancillary building is not to commence until the Chief Fire Officer's requirements, if any, are met.	2. To protect the safety of persons occupying or employed in the structure or any adjoining structure.
3. That the water supply and drainage arrangements including the disposal of surface water be in accordance with the requirements of the County Council where applicable.	3. In order to comply with the Sanitary Services Acts, 1878-1964
4. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on the adjoining roads during the course of the works.	4. To protect the amenities of the area.
5. That the landscaping and additional tree planting arrangements set out on drawing No. 28. 2 dated 14th August, 1970, be carried out in conjunction with site works.	5. In the interest of amenity.
6. That the proposed underpass and ancillary road works be constructed in accordance with the agreed programming and requirements of the County Council's Roads Department and that all necessary precautions be taken to minimise any traffic disruption and possible traffic hazard to the travelling public on the Naas Road dual-carriageway during the period of construction.	6. In the interest of the proper planning and development of the area.

Contd.

Signed on behalf of the Dublin County Council: ..... County Secretary.

Date: 12th January, 1971

IMPORTANT: Turn overleaf for further information.

Form 3.

Contd/ Conditions	Reasons for Conditions
7. That the proposed plant be designed, constructed and controlled in operation so as to comply with all relevent control of atmospheric pollution regulations and that adequate measures be taken to prevent the emission of fumes and dust together with the provision of all possible noise reduction measures for the purpose of preventing damage to health or injury to amenities.	7. In the interest of amenity and the avoidance of health hazard.
8. That Building Bye-laws approval shall be obtained, and any conditions of such approval shall be observed in the develo ent.	8. In order to comply with the Sanitary Services Acts, 1878-1964.

Note :

there is no appeal to the Minister for Local Government against this decision PERMISSION/APPROVAL will be gra e Council as soon as may be after the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Act has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to the Minister for Local Government. The Applicant may appeal within one month from the date of receipt by him of this notification. ANY OTHER PERSON may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal.

It should be addressed to :-

The Secretary, Department of Local Government, Custom House, Dublin 1.

An appeal by the applicant for Outline Permission should be accompanied by this form.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with the carrying out of the work before any development which may be permitted is commenced.

REGISTER REFERENCE: G.614
PROPOSED DEVELOPMENT: WORKSHOP AND OFFICES
APPLICATION WITHDRAWN

COMHAIRLE CHONTAE ATHA CLIATH

File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963	REGISTER REFERENCE
P.C.9459	**PLANNING REGISTER** S	G.614

1. LOCATION	Belgard Quarry, Clondalkin.			
2. PROPOSAL	+Workshop and offices.			
3. TYPE & DATE OF APPLICATION	TYPE: P.	Date Received: 22nd March, 1974	Date Further Particulars (a) Requested: 1. ..... 2.	(b) Received: 1. ..... 2. .....
4. SUBMITTED BY	Name: Kiaran O'Malley Address: 33 Fitzwilliam Place, Dublin 2.			
5. APPLICANT	Name: Roadstone Ltd. Address: Belgard Castle, Clondalkin, Co. Dublin.			
6. DECISION	O.C.M. No. APPLICATION WITHDRAWN BY LETTER DATED: 26th March, 1974. Date	Notified Effect		
7. GRANT	O.C.M. No. Date	Notified Effect		
8. APPEAL	Notified Type	Decision Effect		
9. APPLICATION SECTION 26 (3)	Date of application	Decision Effect		
10. COMPENSATION	Ref. in Compensation Register			
11. ENFORCEMENT	Ref. in Enforcement Register			
12. PURCHASE NOTICE				
13. REVOCATION or AMENDMENT				
14.				
15.				
16.				

Prepared by .....

Checked by .....

Grid Ref.	O.S. Sheet

Copy issued by .....Registrar.

Date .....

Co. Accts. Receipt No.....

REGISTER REFERENCE: G.1085
PROPOSED DEVELOPMENT: WORKSHOP AND OFFICES
APPLICATION WITHDRAWN

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963	REGISTER REFERENCE
P.C. 9459	**PLANNING REGISTER** S	G.1085

1. LOCATION	Belgard Quarry, Clondalkin.			
2. PROPOSAL	Workshop and offices.			
3. TYPE & DATE OF APPLICATION	TYPE: P.	Date Received: 15th May, 1974.	Date Further Particulars (a) Requested: 1. ..... 2.	(b) Received: 1. ..... 2. .....
4. SUBMITTED BY	Name: Kiaran O'Malley, Esq., Architect,	Address: 33, Fitzwilliam Place, Dublin, 2.		
5. APPLICANT	Name: Roadstone Limited,	Address: Belgard Castle, Clondalkin, Co. Dublin.		
6. DECISION	O.C.M. No. / Date: APPLICATION WITHDRAWN	Notified / Effect		
7. GRANT	O.C.M. No. / Date	Notified / Effect		
8. APPEAL	Notified / Type	Decision / Effect		
9. APPLICATION SECTION 26 (3)	Date of application	Decision / Effect		
10. COMPENSATION	Ref. in Compensation Register			
11. ENFORCEMENT	Ref. in Enforcement Register			
12. PURCHASE NOTICE				
13. REVOCATION or AMENDMENT				
14.				
15.				
16.	Housing Act, 1969			

Prepared by .....

Checked by .....

Grid Ref.	O.S. Sheet

Copy issued by .....Registrar.

Date .....

Co. Accts. Receipt No.....

O'Malley,& Bergin,
33 Fitzwilliam Place,
Dublin 2.

G 1085

1st February, 1985.

Re: Proposed workshop and offices at Belgard Quarry, Clondalkin for Roadstone Ltd.

Dear Sirs,

I refer to your letter of 30th January, 1985, and note that you have withdrawn the above application, which was lodged in this Department on the 15th May, 1974, (Affected by the Housing Act, 1969).

Yours faithfully,

for Principal Officer

REGISTER REFERENCE: G.1350
PROPOSED DEVELOPMENT: DIRECTION SIGNS
PERMISSION GRANTED

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963	REGISTER REFERENCE
P.C. 9459	**PLANNING REGISTER**	G.1350

1. LOCATION	Belgard Quarry, Clondalkin.			
2. PROPOSAL	Entrance signs.			
3. TYPE & DATE OF APPLICATION	TYPE: P.	Date Received: 14th June, 1974.	Date Further Particulars (a) Requested: 1. ..... 2.	(b) Received: 1. ..... 2. .....
4. SUBMITTED BY	Name: Engineering Department of Roadstone Limited,	Address: Roadstone Limited, Saggart, Co. Dublin.		
5. APPLICANT	Name: Roadstone Limited,	Address: Saggart, Co. Dublin.		
6. DECISION	O.C.M. No. P/2606/74	Date 13/8/74	Notified 13/8/74	Effect To Grant Permission
7. GRANT	O.C.M. No. P/3127/74	Date 25/9/74	Notified 25/9/74	Effect Permission Granted
8. APPEAL	Notified	Type	Decision	Effect
9. APPLICATION SECTION 26 (3)	Date of application		Decision	Effect
10. COMPENSATION	Ref. in Compensation Register			
11. ENFORCEMENT	Ref. in Enforcement Register			
12. PURCHASE NOTICE				
13. REVOCATION or AMENDMENT				
14.				
15.				
16.				

Prepared by .....

Checked by .....

Grid Ref.	O.S. Sheet

Copy issued by .....Registrar.

Date .....

Co. Accts. Receipt No.....

DUBLIN COUNTY COUNCIL

P/1350/74
25/9/74

42951 (Ext. 131)

PLANNING DEPARTMENT,
46-49 DAME STREET,
DUBLIN 2

Notification of Grant of Permission/Approval
Local Government (Planning and Development) Act, 1963

To :

E. Burke, Engineering Dept.,
Roadstone Ltd.,
Baggart, Co. Dublin.

Applicant : Roadstone Ltd.,

Decision Order Number and Date P/1350/74; 13/8/74
Register Reference No. G. 1350
Planning Control No. 8459
Application Received on 14/6/74

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions.

Proposed 2-direction signs at Naas Road, and Fortunestown Lane, (Cooketown Road).

Conditions	Reasons for Conditions
(1) That the development be carried out and completed strictly in accordance with the plans and specification lodged with the application save as is in the conditions hereunder otherwise required.	(1) To ensure that the development shall be in accordance with the permission and effective control be maintained.
(2) That the structure shall be removed on or before the 31st August, 1977, unless before that date permission for its retention has been granted by the Planning Authority or the Minister for Local Government on appeal.	(2) In the interest of the proper planning and development of the area.
(3) That the proposed signs be not illuminated.	(3) In the interest of the proper planning and development of the area.

on behalf of the Dublin County Council : Helena Carthy
for Senior Administrative Officer.

Form 4

Date : 25th September, 1974

Approval of the Council under Building Bye - Laws must be obtained before the development is commenced and the terms of approval must be complied with in the carrying out of the work.

REGISTER REFERENCE: RA.745
PROPOSED DEVELOPMENT: DEVELOPMENT OF A PRODUCTS DISPLAY PARK
PERMISSION REFUSED

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976	REGISTER REFERENCE
P.C. 8453	**PLANNING REGISTER**	R. A. 745 S

1. LOCATION	Cheeverstown House Lodge, Naas Road			
2. PROPOSAL	Products Display Park			
3. TYPE & DATE OF APPLICATION	TYPE: P.	Date Received: 8th May, 1978	Date Further Particulars (a) Requested: 1. ..... 2.	(b) Received: 1. ..... 2. .....
4. SUBMITTED BY	Name: McGloughlin Shields O'Regan,	Address: Iveagh Court, Harcourt Road, Dublin 2.		
5. APPLICANT	Name: Cement Roadstone Limited,	Address: Naas Road, Co. Dublin		
6. DECISION	O.C.M. No. P/2608/78	Date 6/7/78	Notified 7th July, 1978	Effect Permission Refused
7. GRANT	O.C.M. No.	Date	Notified	Effect
8. APPEAL	Notified 10th August, 1978	Type 1st Party	Decision	Effect
9. APPLICATION SECTION 26 (3)	Date of application		Decision	Effect
10. COMPENSATION	Ref. in Compensation Register			
11. ENFORCEMENT	Ref. in Enforcement Register			
12. PURCHASE NOTICE				
13. REVOCATION or AMENDMENT				
14.				
15.				
16.				

Prepared by .....

Checked by .....

Copy issued by ..... Registrar.

Date .....

Planning Department,
46-49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION REFUSING: ~~OUTLINE PERMISSION~~ PERMISSION: ~~APPROVAL~~:

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

To:
McGloughlin Shields O'Regan,
Iveagh Court,
Harcourt Road, Dublin, 2.

Register Reference No: R.A. 745.

Planning Control No: 0643

Application received 8/5/78

APPLICANT: Cement Roadstone Ltd.

In pursurance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/2608/78 dated 6th July, 1978. ~~OUTLINE PERMISSION~~ PERMISSION; ~~APPROVAL~~.

for Proposed products Display Park at Chesvestown House Lodge, Naas Road.

for the following reasons:

1. The site is located in an area zoned to provide for the further development of agriculture in the Development Plan. The commercial development proposed would contravene materially this objective, would militate against the preservation of the rural environment and would not be in accordance with the proper planning and development of the area.
2. Public piped services are not available to serve the proposal.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of sewerage facilities and the period within which such deficiency may reasonably be expected to be made good. The proposal to provide a private treatment plant is not acceptable to the County Council.
4. The proposed development would endanger public safety by reason of traffic hazard due to the generation of additional traffic turning movements on the heavily trafficked Naas Road Dual Carriageway National Primary Route N. 7., where the maximum speed limit applies.

Signed on behalf of the Dublin County Council: .....
for Senior Administrative Officer

Date: 7th July, 1978.

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him in the first instance.

Form 5.

REGISTER REFERENCE: S01A/0195
PROPOSED DEVELOPMENT: PLANT FOR THE MANUFACTURE OF PRECAST CONCRETE PRODUCTS WITH ASSOCIATED OFFICES
NO RESPONSE RECEIVED TO ADDITIONAL INFORMATION

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Halla an Chontae,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104

PLANNING DEPARTMENT
County Hall,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999
AND PLANNING AND DEVELOPMENT ACT 2000

Decision Order Number 2075	Date of Decision 31/05/2001
Register Reference S01A/0195	Date: 04/04/01

Applicant: Roadstone (Dublin) Ltd

Development: The development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4831sq.m); batching plant incorporating cement silo and aggregate storage bins; 30 car parking spaces and associated site and landscaping works. The highest point of the development will be 17m above ground level. Access to the site will be provided from existing entrances off the Naas Road and Cookstown Road at

Location: Fortunestown, Dublin 24.

App. Type: Permission

Dear Sir/Madam,
With reference to your planning application, received on 04/04/01 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1999 and the Planning and Development Act 2000, the following **ADDITIONAL INFORMATION** must be submitted in quadruplicate:

1 The applicant is requested to submit a Site Layout Plan at a suitable scale detailing existing buildings in the vicinity of the application site and showing their relationship to the current proposed development. In relation to existing structures the applicant is requested to detail the relevant planning history. The applicant is requested to indicate existing and proposed means of access from the public road system.

2 The applicant is requested to submit full details of the activities and processes which are to be carried out on the site and in the buildings proposed. The applicant is

Brady Shipman Martin Consultants
Planners, Architects, Landscape Architects.
40 Upper Grand Canal Street,
Dublin 4.

SOUTH DUBLIN COUNTY COUNCIL
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REG REF. S01A/0195

requested to submit the following.

(a) Details of activities/processess carried out on the site prior to and subsequent to the proposed development being carried out.

(b) Details of the proposed number of staff.

(c) Details of the hours of operation.

(d) Details of the number of trucks entering and leaving the site on a daily basis both prior to the proposed development and subsequent to the proposed development being carried out.

The applicant is requested to comment on whether an Environmental Impact Statement is required in respect of the proposed development and to submit one if considered necessary.

3 The applicant is requested to submit a detailed tree and hedgerow survey, indicating the location, species, age, condition, crown spread and height of the trees on site. Information should be given on proposals for the removal/ retention of trees and hedgerows and measures proposed to protect them during the course of the development. The applicant is requested to submit details of the protective measures to be undertaken to protect the existing stream on the southern boundary of the site for the duration of construction works.

4 The applicant is requested to provide precise details of the proposed screen planting and any proposed earthworks along the southern boundary of the site. In this regard, the developer should agree with the Parks and Landscape Services Department and submit to the Planning Department a detailed landscape plan with full works specification for the entire site.

5 The applicant is requested to ascertain and submit evidence of compliance with the requirements of the Environmental Services Section of the County Council.

6 The applicant is requested to ascertain and submit evidence of compliance with the requirements of the principal Environmental Health Officer.

SOUTH DUBLIN COUNTY COUNCIL
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REG. REF. S01A/0195

7 The applicant is requested to ascertain and submit evidence of compliance with the requirements of the Department of Defence.

Signed on behalf of South Dublin County Council

..... 01/06/01

for Senior Administrative Officer

f/20510

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Orders

Register Reference:	S01A/0195 App. Date: 04/04/01.
Submission:	Dated:
Correspondence Name and Address	Brady Shipman Martin Consultants Planners, Architects, Landscape Architects. 40 Upper Grand Canal Street, Dublin 4.
Development	The development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4831sq.m); batching plant incorporating cement silo and aggregate storage bins; 30 car parking spaces and associated site and landscaping works. The highest point of the development will be 17m above ground level. Access to the site will be provided from existing entrances off the Naas Road and Cookstown Road at
Location	Fortunestown, Dublin 24.
Applicant	Roadstone (Dublin) Ltd
App. Type	Permission
Zoning	

Report of County Planning Officer dated 31/05/01

(AH/DB)

ZONING
The site is zoned 'B' "To protect and improve rural amenity and provide for

the development of agriculture. The site is within the Inner Zone round Casement Aerodrome.

THE SITE: The site is located within the lands owned and operated by Roadstone in Fortunestown, Dublin 24. The lands are bounded by the Belgard Road to the east, the Cookestown Roads to the south and the Naas Dual Carriageway to the north. The site is bounded immediately to the southwest by a proposed new roadway. There is extensive quarrying being carried out on the overall site in the ownership of Roadstone. Extensive development has been carried out on the site.

REPORTS
Environmental Health Officer: No report to date.
Roads: No report to date.
Parks: Noted.

ENVIRONMENTAL SERVICES: No report to date.
Department of Defence: No report to date.

PLANNING HISTORY:
There is a significant amount of development on the site. However, no recent applications pertain to the current proposal.

ASSESSMENT:
(1) The details as lodged with the application are very unclear. It is impossible to tell how the development relates to existing development within the Roadstone Site.
(2) In order to facilitate the assessment of the development the applicant should be requested to submit a site survey of the entire roadstone site showing all existing buildings on the site and detailing the Planning History associated with same.
(3) The applicant should be requested to submit a tree and landscape survey together with a landscape plan. Details also of the protective measures to be undertaken to protect the existing stream on the southern boundary of the site.

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:

1 The applicant is requested to submit a Site Layout Plan at a suitable scale detailing ~~all~~ existing buildings in the vicinity of the application ~~overall site owned by Roadstone~~ and showing their relationship to the current proposed development. In relation to existing structures the applicant is requested to detail the relevant planning history. The applicant is

requested to indicate existing and proposed means of access from the public road system.

2 The applicant is requested to submit full details of the activities and processes which are to be carried out on the site and in the buildings proposed. The applicant is requested to submit the following.
(a) Details of activities/processess carried out on the site prior to and subsequent to the proposed development being carried out.
(b) Details of the proposed number of staff.
(c) Details of the hours of operation.
(d) Details of the number of trucks entering and leaving the site on a daily basis both prior to the proposed development and subsequent to the proposed development being carried out.
The applicant is requested to comment on whether an Environmental Impact Statement is required in respect of the proposed development and to submit one if considered necessary.

3 The applicant is requested to submit a detailed tree and hedgerow survey, indicating the location, species, age, condition, crown spread and height of the trees on site. Information should be given on proposals for the removal/ retention of trees and hedgerows and measures proposed to protect them during the course of the development. The applicant is requested to submit details of the protective measures to be undertaken to protect the existing stream on the southern boundary of the site for the duration of construction works.

4 The applicant is requested to provide precise details of the proposed screen planting and any proposed earthworks along the southern boundary of the site. In this regard, the developer should agree with the Parks and Landscape Services Department and submit to the Planning Department a detailed landscape plan with full works specification for the entire site.

5 The applicant is requested to ascertain and submit evidence of compliance with the requirements of the Environmental Services Section of the County Council.

6 The applicant is requested to ascertain and submit evidence of compliance with the requirements of the principal Environmental Health Officer.

7 The applicant is requested to ascertain and submit evidence of compliance with the requirements of the Department of Defence.

Comhairle Chontae Átha Cliath Theas

Record of Executive Business and Manager's Orders

REG. REF.S01A/0195

LOCATION Fortunestown, Dublin 24.

D.B. Jeris 31/05/01

for County Planning Officer

Endorsed: .....

Senior Administrative Officer

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant for Permission as set out in the above report and that notice thereof be served on the applicant.

Dated: 31/5/01

Deputy County Manager

REGISTER REFERENCE: SD02A/0167
PROPOSED DEVELOPMENT: RECOVERY OF PRE-SORTED CONSTRUCTION AND DEMOLITION WASTE
PERMISSION GRANTED

John Barrett & Associates Ltd.,
Unit 7,
Dundrum Business Park,
Windy Arbour,
Dublin 14.

NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Final Grant Order No.:	**2401**	Date of Final Grant:	**03-Jul-2002**
Decision Order No.:	**1000**	Date of Decision:	**14-May-2002**
Register Reference:	**SD02A/0167**	Date:	**21-Mar-2002**

Applicant: Roadstone Dublin Ltd.,
Development: Recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles and ceramics, asphalt and topsoil) on a 3.9 hectare site within its existing landholding. Construction of an internal access road within Belgard Quarry, hardstanding area for stockpiling and waste recovery and waste inspection area (200m2). Provision is also made for portakabin office (39m2). Operations to be carried out include crushing and stockpiling of material using mobile plant.
Location: Belgard Quarry, Cheeverstown, Co. Dublin.

Time extension(s) up to and including
Additional Information Requested/Received / 12-Apr-2002

A Permission has been granted for the development described above, subject to the following (10) conditions.

Conditions and Reasons:

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto. REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. The site shall be used for the recovery of pre-sorted construction and demolition waste materials, (namely concrete, bricks, asphalt, tiles, ceramics and topsoil) only, and in accordance with the waste permit / licence. REASON: In the interest of the proper planning and development of the area.
3. The operating hours of the Waste Recovery use shall be restricted to between 0.800 hours to 17.00 hours on working days (Monday to Friday) and 0.800 hours to 13.00 hours Saturday. No operating shall be carried out on Sundays or public holidays. REASON: In the interest of the proper planning and development of the area.

4. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. i) Applicant to ensure full and complete separation of foul and surface water systems. ii) All surface water runoff from vehicle parking / marshalling areas shall be routed via a petrol/oil/diesel interceptor before being disposed of. iii) The applicant shall comply with the requirements of any Waste License / Permit in relation to disposal of surface water run-off from hardstanding area and buildings. iv) All liquid and fuel storage areas be contained within a watertight bund structure, capable, of containing at least 110% of the volume of the largest drum / tank within the bund. v) Any water supply to the development shall be commercially metered and full 24hour water storage shall be provided. vi) The connection to and tapping of public watermains shall be carried out by South Dublin County Council personnel at the applicant's prior expense. REASON: In order to comply with the Sanitary Services Acts, 1878 - 1964.

5. Prior to commencement of development the applicant shall submit, for the written agreement of the Planning Authority. i) a fully detailed tree / shrub / hedgerow survey accurately indicating the location, species, age, condition, crown spread and height of existing trees, shrubs and hedgerow plants. Full details should be given on the proposals for removal / retention of these trees and measures proposed to protect them during the course of the development. The applicant should include a full assessment of the impact of the proposed development on the existing trees and shrubs on site. ii) a satisfactory scheme of landscaping, including the proposed programme for such works. REASON: In the interest of the proper planning and development of the area.

6. That prior to commencement of development the requirements of the Principal Environmental Health Officer with respect to the proposal generally, and with respect to noise impacts in particular, be ascertained and strictly adhered to in the development. REASON: In the interest of health.

7. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works. REASON: To protect the amenities of the area.

8. Prior to the commencement of development, the applicant shall ascertain and comply with the requirements of the Eastern Regional Fisheries Board. REASON: In the interest of the protection of fisheries.

9. That a financial contribution in the sum of EUR 1,082 (one thousand and eighty two euro) be paid by the proposer to South Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site. REASON: The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

10. That a financial contribution in the sum of EUR 2,818 (two thousand eight hundred and eighteen euro) shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitates this development; this contribution to be paid before the commencement of development on the site. REASON: It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the

proposed development.

(1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
(2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
(3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
(4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

..... 28-Jun-2012
for Senior Planner

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Reg. Reference:	SD02A/0167	**Application Date:**	21-Mar-2002
Submission Type:		**Registration Date:**	21-Mar-2002

Correspondence Name and Address:	John Barrett & Associates Ltd., Unit 7,, Dundrum Business Park,, Windy Arbour,, Dublin 14.
Proposed Development:	Recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles and ceramics, asphalt and topsoil) on a 3.9 hectare site within its existing landholding. Construction of an internal access road within Belgard Quarry, hardstanding area for stockpiling and waste recovery and waste inspection area (200m2). Provision is also made for portakabin office (39m2). Operations to be carried out include crushing and stockpiling of material using mobile plant.
Location:	Belgard Quarry, Cheeverstown, Co. Dublin.
Applicant Name:	Roadstone Dublin Ltd.,
Application Type:	Permission

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2010 - 2016 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto. REASON: To ensure that the development shall be in

accordance with the permission and that effective control be maintained.

2. The site shall be used for the recovery of pre-sorted construction and demolition waste materials, (namely concrete, bricks, asphalt, tiles, ceramics and topsoil) only, and in accordance with the waste permit / licence. REASON: In the interest of the proper planning and development of the area.

3. The operating hours of the Waste Recovery use shall be restricted to between 0.800 hours to 17.00 hours on working days (Monday to Friday) and 0.800 hours to 13.00 hours Saturday. No operating shall be carried out on Sundays or public holidays. REASON: In the interest of the proper planning and development of the area.

4. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. i) Applicant to ensure full and complete separation of foul and surface water systems. ii) All surface water runoff from vehicle parking / marshalling areas shall be routed via a petrol/oil/diesel interceptor before being disposed of. iii) The applicant shall comply with the requirements of any Waste License / Permit in relation to disposal of surface water run-off from hardstanding area and buildings. iv) All liquid and fuel storage areas be contained within a watertight bund structure, capable, of containing at least 110% of the volume of the largest drum / tank within the bund. v) Any water supply to the development shall be commercially metered and full 24hour water storage shall be provided. vi) The connection to and tapping of public watermains shall be carried out by South Dublin County Council personnel at the applicant's prior expense. REASON: In order to comply with the Sanitary Services Acts, 1878 - 1964.

5. Prior to commencement of development the applicant shall submit, for the written agreement of the Planning Authority. i) a fully detailed tree / shrub / hedgerow survey accurately indicating the location, species, age, condition, crown spread and height of existing trees, shrubs and hedgerow plants. Full details should be given on the proposals for removal / retention of these trees and measures proposed to protect them during the course of the development. The applicant should include a full assessment of the impact of the proposed development on the existing trees and shrubs on site. ii) a satisfactory scheme of landscaping, including the proposed programme for such works. REASON: In the interest of the proper planning and development of the area.

6. That prior to commencement of development the requirements of the Principal Environmental Health Officer with respect to the proposal generally, and with respect to noise impacts in particular, be ascertained and strictly adhered to in the development. REASON: In the interest of health.

7. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works. REASON: To protect the amenities of the area.

8. Prior to the commencement of development, the applicant shall ascertain and comply with

the requirements of the Eastern Regional Fisheries Board. REASON: In the interest of the protection of fisheries.

9. That a financial contribution in the sum of EUR 1,082 (one thousand and eighty two euro) be paid by the proposer to South Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site. REASON: The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

10. That a financial contribution in the sum of EUR 2,818 (two thousand eight hundred and eighteen euro) shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitates this development; this contribution to be paid before the commencement of development on the site. REASON: It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

REG. REF. SD02A/0167
LOCATION: Belgard Quarry, Cheeverstown, Co. Dublin.

Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Dated: _____

Senior Executive Officer

REGISTER REFERENCE: SD06A/0915
PROPOSED DEVELOPMENT: ASPHALT PLANT AND ANCILLARY FACILITIES
PERMISSION GRANTED

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Email: cccounter@sdublincoco.ie
On-line: www.southdublin.ie

Mark Geddes,
Declan Brassil & Co. Ltd.,
Lincoln House
Phoenix Street
Smithfield
Dublin 7

NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Final Grant Order No.:	**2178**	Date of Final Grant:	**25-Sep-2007**
Decision Order No.:	**0441**	Date of Decision:	**01-Mar-2007**
Register Reference:	**SD06A/0915**	Date:	**02-Feb-2007**

Applicant: SIAC Bituminus Products Ltd.,

Development: The establishment of an asphalt plant and ancillary site facilities at the site stated above. The proposed asphalt plant has a maximum of height of 20 metres, includes a number of different components and has a total area of ca. 311.5sq.m. The proposed ancillary facilities include 4 no. portacabin site offices; a wheelwash facility, a weighbridge facility; a staff car-parking area; a hard-stand area: an ESB station, an internal road and an effluent treatment and disposal system. It is proposed to operate the asphalt plant 24 hours a day, seven days a week. Application is made operate the plant for a 30 year period

Location: Belgard Quarry, Cheeverstown, Tallaght, Dublin 24.

Time extension(s) up to and including
Additional Information Requested/Received 13-Dec-2006 / 02-Feb-2007

A Permission has been granted for the development described above, subject to the following (10) conditions.

Conditions and Reasons:

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Fax 01-414 0102
Email: *cccounter@sdublincoco.ie*
On-line: www.southdublin.ie

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 02/02/.07, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. The period of duration of this permission shall be for 10 years from the date of this Final Grant. The use of the Asphalt Plant and ancillary activities shall cease unless, prior to that date, planning permission has been granted for retention for a further period.
REASON: To enable the impact of the development to be re-assessed, having regard to impacts of the proposal, orderly devlopment and proper planning and sustainable development of the area.

3. Construction Phase
During the construction phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. There must be compliance with British Standard B.S. 5228 Noise Control on Construction and Open sites.
No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc..) shall be operated on or adjacent to the construction site before 8.00 Hours on weekdays and 9.00 Hours on Saturdays nor after 18.00 Hours on weekdays and 13.00 Hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.
Operational Phase
The applicant shall apply for, and receive a licence from South Dublin County Council, under the Air Pollution Act 1987 (Licensing of Industrial Plant)Regulations 1988, before the plant is operated.
A potable water supply shall be provided.
The Applicant enters into a maintenance contract with Puraflo for the lifetime of the system.
The Wastewater Treatment System shall be located as per site layout plan and installed in accordance with: -
a. Irish Agrément Certificate 99/0060.
b. The Environmental Protection Agency's Wastewater Treatment Manual on Treatment Systems for Single Houses.
Noise due to the normal operation of the proposed development, expressed as Laeq over 1 hour at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).
Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes in a noise sensitive location, shall not exceed the background level for night time.

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Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.
REASON: In the interest of public health and safety and the proper planning and sustianble developmen tof the area.

4. The site shall be landscaped in accordance with the scheme of landscaping recieved by the Planning Authority on the 02/02/07. This should be carried out wthin the first planting season from the date of grant of permission.
REASON: In the interest of minimising the visual impacts of the proposal and in the interest of visual amenity.

5. Only aggregates from the site shall be used in the production of asphalt on site. No other aggregates, materials shall be imported to the site, unless the prior written agreement of the Planning Authority is received in each case.
REASON: In the interests of the proper planning and sustainable development of the area.

Remove condition number 5 by order of An Bord Pleanala decision Ref:PL06S.222650 dated 13th Septermber 2007 and reads as follows:

Having regard to the location of the proposed development and the nature of the aggregate materials being produced for the construction industry, it is considered that the imposition of conditioin number 5 would unduly interfere with the operation of the business and is, therefore, unwarranted.

6. The wheels and undersides of all vehicles transporting aggregates from the site onto the public road shall, prior to the exit of such vehicles onto the public road, be washed in a wheel washing facility .
REASON: In the interest of amenity and of traffic safety.

7. a) The height of the proposed structures shall be restricted to a maximium of 130metres Ordance Datumn or less.
b) During the operation of the plant on a 24 hour basis lighting used shall be of a type that deflects all lighting downwards from the horizontal.
REASON: In the interest of public and aviation safety, as the site is located within the approach to runway 29 at Baldonnel.

8. The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.
REASON: In the interests of public health and in order to ensure adequate drainage provision.

9. Within 3 months of the date of this decision a scheme of external lighting for the entire site

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shall be submitted for the approval of the Planning Authority. The scheme shall be designed, installed and operated, so as to prevent nuisance to adjoining occupiers and road users and to avoid over lighting and lighting units shall be of a type that deflects light downwards from the horizontal.
REASON: In the interests of amenity, traffic safety and the proper planning and sustainable development of the area.

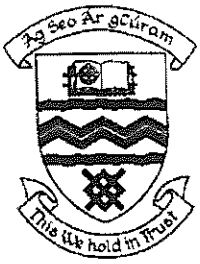
10. The developer shall pay the sum of €25,944.58 (twenty five thousand nine hundred and forty four euro and fifty eight cent) (updated to the appropriate rate at the commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.
REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

Note 1: The developer is advised that under the provision of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Note 2: The developer is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

(1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
(2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
(3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
(4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message to 086 1731707



Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: cccounter@sdublincoco.ie
On-line: www.southdublin.ie

Signed on behalf of South Dublin County Council.

Marian Dolan 26-Sep-2007

for SENIOR EXECUTIVE OFFICER.

Contact South Dublin County Council 24 hours a day at www.southdubiin.ie
Email at cccounter@sdublincoco.ie
SMS-text "cccounter" and your query to 086 1731707

PR\0441\07

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Reg. Reference: SD06A/0915
Submission Type: Additional Information

Application Date: 24-Oct-2006
Registration Date: 02-Feb-2007

Correspondence Name and Address: Mark Geddes, C/O Declan Brassil & Co. Ltd., Lincoln House, Phoenix Street, Smithfield, Dublin 7

Proposed Development: The establishment of an asphalt plant and ancillary site facilities at the site stated above. The proposed asphalt plant has a maximum of height of 20 metres, includes a number of different components and has a total area of ca. 311.5sq.m. The proposed ancillary facilities include 4 no. portacabin site offices; a wheelwash facility, a weighbridge facility; a staff car-parking area; a hard-stand area: an ESB station, an internal road and an effluent treatment and disposal system. It is proposed to operate the asphalt plant 24 hours a day, seven days a week. Application is made operate the plant for a 30 year period

Location: Belgard Quarry, Cheeverstown, Tallaght, Dublin 24.

Applicant Name: SIAC Bituminus Products Ltd.,

Application Type: Permission

	€
Financial Contribution	25,944.58
SECURITY	
Bond/CIF	
Cash	
TREE BOND	

(KMcC)

Description of Site and Surroundings

Site Area:

The stated site area is ca. 3 acres (1.214 hectares) and has a roughly rectangular shape, with an access to the north.

Site Description:

The site is located at Belgard Quarry, Cheeverstown, Tallaght, Dublin 24. Belgard Quarry is located adjoining and to the south of the N7 Naas Road. The site itself is located in the south western corner of the Belgard Quarry site. It is understood that Belgard Quarry is the biggest

limestone quarry in Ireland and one of the biggest in Europe. The quarry occupies an area of 305.8 hectares (755.645 acres) and includes a number of infrastructural facilities, including asphalt plants, concrete batching plants, prefabrication plants, side roads and offices, amongst a number of other facilities. The site while associated with Belgard Quarry, has not been extracted and is Greenfield in nature and the only existing development on site consists of a perimeter fence and an ESB power line that dissects the site on a north-south alignment. Substantial man made mounding exists immediately to the east of the site and provides screening having a height of up to 15 metres. Planting also exists on this mounding in the form of Alder trees, which are semi-mature (ca. 5 years old, and 1.65m high) will grow to reach a mature height of 10 metres within the next five years. The lands to the north and east of the site are in use as a quarry. The lands to the west of the site are City West Business Park. To the south and south east of the site are lands in residential use. The nearest dwellings are located 400 metres to the south west on Kilmartin Drive.

Site Visit:

A site visit was carried out on the 04/12/06.

Proposal:
The current application is for an asphalt plant and ancillary site facilities at Belgard Quarry. The proposed asphalt plant has a maximum height of 20 metres, includes a number of different components and has a total area of ca. 311.5sq.m. The proposed ancillary facilities include 4 no. portacabin site offices; a wheelwash facility, a weighbridge facility; a staff car-parking area; a hard-stand area: an ESB station, an internal road and an effluent treatment and disposal system. It is proposed to operate the asphalt plant 24 hours a day, seven days a week. Application is made to operate the plant for a 30 year period.

Zoning:
The site is under zoning objective B to protect and improve Rural Amenity and to provide for the development of Agricultural.

Consultations:

Roads Department –No objections. The applicant indicates that at a latter stage it is intended to apply for planning permission to connect into the new outer ring road proposed from the N7 to the N81.

E.H.O: No objections subject to conditions (applicant must apply for, and received a licence from South Dublin County Council under the Air Pollution Act 1987).

Environmental Health Agency- Asphalt plants are not a scheduled activity for the purposes of Integrated Pollution Prevention Control Licences.

R.P.A.- RPA is currently undertaking a route identification process for the Metro West, with the objective of reaching a preferred alignment. If option 2 is chosen it would run along the future proposed Dublin Outer Ring Road. A reservation may be required by the RPA for a corridor of land alongside this road to facilitate Metro West.

Environmental Services Department –No report received

Parks Department – Additional Information request

Department of Defence-: No objections subject to conditions.

Irish Aviation Authority: No objections.

Electricity Supply Board: No report.

An Taisce: No report received.

Submissions/Observations /Representations:

A submission has been received from a meeting of the Tallaght Area Committee 2, held on Monday 27th of November 2006 recommending that permission be refused.

Relevant Planning History:

SDQU5A/2
Registration of Belgard Quarry under Section 261 of the Planning and Development Act 2000 as amended). This application is subject to an additional information request.

SD02A/0167
Permission granted for recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles and ceramics, asphalt and topsoil) on 3.9 hectares located to the north of the existing landholding.

Relevant Enforcement History:

None traced.

Pre-Planning Consultation:

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

PP 226/06 Acceptable in principle.

Relevant Policy in South Dublin County Council Development Plan (2004-2010):

12.3.17 Policy EP17: Extractive Industry

It is the policy of the Council to facilitate the operation of the extractive industry in suitable locations subject to the protection of amenity and maintenance of environmental quality.

12.3.4.iii
The Council will have regard to the Quarries and Ancillary Activities Guidelines for Planning Authorities, April 2004 published by the Department of the be amended from time to time.

Assessment:

The Main Issues to be examined are: acceptability of uses, design/scale/layout, internal layout, impact on amenities, parking/roads, landscaping, and services.

The site is under zoning objective B to protect and improve Rural Amenity and to provide for the development of Agricultural. The proposed use is acceptable on principle within the within this zoning objective.

It is proposed to establish a new asphalt plant and ancillary facilities at the site. Although it is proposed to install a new asphalt plant, the application essentially consists of the re-location of the applicants existing asphalt plant from its existing site at Clondalkin to Belgard Quarry.

The rationale for the proposal is that the applicants Clondalkin property is not ideally situated to accommodate an asphalt plant, as it is located some distance away from Belgard Quarry where the plant sources its raw material, is suited on residential zoned land thus;

1. By location of the plant at Belgard close to the location of its source material would reduce unnecessary traffic movements
1. non compatibility on residentially zoned lands.

- **Uses**

The primary use for the site is for the production of Asphalt which is a paving product used predominately for road and footpath surfacing. The product consists of different sized aggregate mixed together with bitumen, which is a by product of crude oil. The plant is composed of two sections. The primary section deals with the drying and heating of aggregates and sands. The secondary section deals with the screening, blending and mixing with bitumen.

- **Design, Scale and Layout**

The development is located deep within the site as far north and east away from the south and south western boundaries. The ancillary facilities are located close to the entrance to the site at the north. These include site offices, wheel wash facility, weigh bridge facility, staff car parking area, hard stand, internal road and ESB station. The site offices consist of 4 portacabins and are 3 metres high with a combined floor area of 135m2, these also accommodate a canteen, storage room and showers/toilets facilities all located close to the sites northern boundary. There is a 15 metre high mound on the eastern boundary of the site.
To the south is the Asphalt Plant, which includes 12 aggregate cold feed bins (approximately 15 metres high), a dust collection system, a filler system, a drying and heating system, a granulate addition, a mixing tower, a hot mix storage system a control cabin and bitumen tanks and pumps. The floor area of these parts is ca. 554m2. The asphalt plant has a maximum height of 20 metres (proposed stack) and therefore will have a maximum height above sea level of 124 metres (AOD). The Dept. of Defence has no objections to the proposal subject to conditions. The plant will have a recessive grey colour that will blend in well with the background. These elevations are indicated on Drawing No.03. The cold bins are located at the uttermost of the plant and have an overall height of 15.3 metres which provides a screen for the other structures. The chimney stack is set back and is approximately 20 metres tall.

There are concerns with the visual impact of the plant looking from the south/south west and the proposed internal ramped road construction which is proposed at 6 metres high. A 6 metre high mound is proposed with planting to the southern boundary and this is to be carried out as part of a contract agreed with Clonmel Enterprises and Roads Design of SDCC to construct the outer ring road.
It is considered that additional mounding at an increased height of up to 8 metres along the southern boundary is required to ensure adequate screening to the south.

The Government Guidelines relevant to this application are the Ancillary Activities-Guidelines for Planning Authorities 2004. Specifically a number of pertinent issues have been extrapolated from this document and impacts are discussed hereunder.

- **Impact on amenity**

The nearest residential area is located 400 metres to the south/south west of the site. The applicant is proposing a mound with planting to mitigate any adverse visual impacts. A visual impact assessment prepared by Mullin Design Associate has been submitted with the application. The proposal is located within the field of vision of the existing plant, when viewed from the south to the south west. This reduces the potential spread of built structures over a larger area and consequently lessens the visual envelope. The type of Asphalt Mixing Plant chosen for this site is significantly smaller than the existing one located within Belgard Quarry, approx. 5 metres less in height. Given the number and scale of existing plant currently operating within the 500m of the proposed development, its addition, being smaller in scale and within the same field of vision would result in the perceived magnitude of change being low. The visibility assessment

concentrated on publicly accessible areas such as roads, access lanes and public rights of way, along with residential and outdoor recreational areas, such as designated picnic parking and sites of cultural/historic sites. The applicant has submitted photos taken from the aforementioned and are included in the Visual Impact Assessment. It is considered given the local nature of the majority of visual receptors and the existing presence of similar plant located on higher ground to the north and north east of the application site, the landscape sensitivity is low. The magnitude of change of the landscape is considered moderate to low following the introduction of mitigation measures as outlined in Section 1.3.3 such as proposed planting and to retain the re-aligned berm on the southern boundary. This is proposed to be carried out with the appointed contractors to install the berm as part of the road construction works. This is to ensure that adequate amounts of topsoil are in place to support the vegetation to maturity. Native plant species have been selected to compliment the existing vegetation indicated With regard to the visual impacts it is considered that the 6 metre berm to the south with planting over would suffice, were it not for the proposed new 6 metre road above ground level which is connected to the conveyor belt feeder. Additional, planting would be required to ensure screening of lorries at this level. With the outer ring road proposed the berm to the south would be extended to the north west providing screening for the proposal at this aspect. The Parks Dept. have requested additional information in this regard.

- **Operational noise**

The applicant must apply for, and received a licence from South Dublin County Council under the Air Pollution Act 1987. The Environmental Health Officer has attached conditions for maximum noise levels during operational hours of the proposal at noise sensitive locations.

- **Parking/roads.**

The site will be accessed via Belgards Quarry existing main entrance off Cookstown Road. When leaving the site Heavy Goods Vehicles (HGV's) will turn up the Cookstown Road proceeding to the Belgard Road before turning onto the N7.The proposed Dublin Outer Ring Road (N7-N81) is designated to run past the sites south-western boundary. It is understood that once the proposed Dublin Outer Link Road has been constructed, that Belgard Quarry will be constructing a new access way that will link to this road at the proposed roundabout located to the west of the site. Vehicles using the site will be able to avail of this access way once it has been constructed.

- **Internal layout**

A new internal road will be formed to the site, giving the site access to Belgards Quary's existing internal road network. The access road would be located to the north of the site.

- **Parks and Landscaping Services Department requirements**

The Parks and Landscaping Services Department have a number of concerns with the proposal and an additional information request is issued in this regard.

- In relation to the proposed boundary treatment to the south of the applicant site, the Landscape Master Plans submitted (Dwg 06.135) indicates proposed mounding at a height of 6m again outside the applicants development site on lands within the ownership of Roadstone. The applicant has indicated on *DWG fig 1.10 Re-aligned berm* , an internal ramped road within the development site. This road appears to be level with the top of the proposed re-aligned mound located to the south. This is not acceptable. As it is not possible to ascertain at this point in time whether the proposed berm can be raised, the applicant should be requested to redesign the internal road in order to make provision for an increase in height of the proposed berm within the boundary of the applicants' site. This section of the berm shall be densely planted with a proposed woodland mix with provision being made for additional semi-mature planting.

- The applicant should provide for tree planting along the western boundary of the site.

- Revised landscape proposals should indicate planting distances, type and size of plants/trees proposed.

In addition, the existing berms, located to the east of the site but outside the applicant's site, are currently planted. These berms were provided by Roadstone as landscape mitigation and screening purposes for their own developments. The applicants have referred to these berms in section 1.3.3 Landscape Mitigation Proposals and have stated reliance on the existing screening effect of these berms for their proposed development.

While this is acceptable in principle, the berms were not originally provided to screen development in such close proximity and would not in their present state provide adequate screening of the proposed development without enhancement by means of increased type and density of planting. It is considered reasonable therefore that the applicants be required to make arrangements, by agreement with Roadstone, for the enhancement of these berms, in terms of additional planting in the case of the eastern berm and physical height and planting in the case of the southern berm.

- **Services**

Water Supply & Groundwater
It is proposed to service the site with a water supply via Belgard Quarry's existing water supply.

Stormwater Disposal

Surface water will be collected from the proposed internal road, hard stand area, offices and car park resulting in a total surface area of 349m2. After collection water will be drained into a settlement pond to ensure that a grit and stone from the drainage area can settle prior to

discharging. Water will then pass through the petrol interceptor before being discharged in the water course that exists to the north of the site.

Effluent disposal
Effluent will be generated from the proposed site office toilet and canteen. Following an assessment of the site it is proposed to install a an advanced agreement certified waste water treatment system. The Environmental Health Officer has attached conditions.

- **Operational Hours**

It is proposed to operate 24 hours a day seven days a week. The reason for this is that asphalt will need to be produced early morning so that it can be delivered on site by 8am and also throughout the day so it can be ready for night time road construction. The planning report submitted with the application indicates that the applicants primary clients are City and County Councils. In addition, it is indicated that it is envisaged that the plant will be operational for 30 years.
In this regard, it is considered wise for the Planning Authority to be able to review the development after 10 years in order to be able to assess its impact at that stage having regard to the prevailing conditions at that time.

Overshadowing/Overlooking
The asphalt plant is set back 400 metres from the nearest dwellings. And the asphalt plant is not manned above first floor level. Therefore it is considered that there would be no impacts of overshadowing/overlooking of nearby residential properties.

Conclusion:
The principle of the proposal for an Asphalt plant and ancillary activities within an existing Quarry site is acceptable. The applicants intend to re-locate an existing Asphalt plant at Clondalkin (operating 24 hours seven days a week) on lands zoned residential to Belgard Quarry where most of the raw material is sourced. This option is considered more sustainable. The nearest residential area is located 400 metres to the south/south west of the site. There is an existing plant currently operating within the 500m of the proposed development, the current proposal is smaller in scale and within the same field of vision and is considered would result in the perceived magnitude of change being low. Nonetheless, there are concerns with the visual impact of the internal ramped road at 6 metres high. It is considered that additional mounding along the southern boundary and probably inside the proposed berm for the outer ring road, as these lands are not within the control of the applicant to supplant the proposed berm to be constructed by Clonmel Enerprises. Additional Information should be sought in this regard.

The Dept. of Def. and the Environmental Health Officer have no objections, subject to suggested conditions being attached.

Record of Executive Business and Manager's Order

A further information request was issued on the 13th of December 2006 and a response was received by the Planning Authority on the 2nd of February 2007.
The applicant to submit revised layout of the internal link road making provision for additional mounding along the southern boundary of the development site.

Response: An additional 8m high berm with planting to the southern boundary is proposed inside the exiting 6m berm. A retaining wall is proposed inside the new mound (northern aspect).
Appraisal: This is satisfactory.

The applicant to submit a revised detailed landscape plan indicating the provision of additional mounding at the increased height of up to 8m along the southern boundary of the site. This revised plan shall include tree planting along the western boundary of the site and additional planting on the existing 15m high mound to the west of the development site. This plan shall also indicate the location, type and size of all planting throughout the development site.
Response: The applicant proposes as requested the additional 8m mound with planting to provide visual mitigation of the proposal. Additional tree planting will be provided along the bund that adjoins the eastern boundary of the site.
Appraisal: This is acceptable.

The applicant to submit written evidence of agreement with Roadstone Limited to allow works to the eastern berm and also the southern berm located to the west of the applicant's site.

Please contact the Parks Department prior to re-submission.

Response: A letter of consent from Jim Farrell, Managing Director, Roadstone Ltd., pertaining to the retention of the mound/bund and landscape plantings for the duration of the proposed activity (30 years) of the asphalt plant is given, unless otherwise by written agreement with South Dublin County Council Planning Department.

Appraisal: This is acceptable.

Consultations:

Roads Department –No objections. The applicant indicates that at a latter stage it is intended to apply for planning permission to connect into the new outer ring road proposed from the N7 to the N81.

E.H.O: No objections subject to conditions (applicant must apply for, and received a licence from South Dublin County Council under the Air Pollution Act 1987).

Environmental Health Agency- Asphalt plants are not a scheduled activity for the purposes of Integrated Pollution Prevention Control Licences.

R.P.A.- RPA is currently undertaking a route identification process for the Metro West, with the objective of reaching a preferred alignment. If option 2 is chosen it would run along the future proposed Dublin Outer Ring Road. A reservation may be required by the RPA for a corridor of land alongside this road to facilitate Metro West. I have spoken with Brian Whyte, Executive Engineer and it is considered that to date no definite option has been chosen for the metro, the lands are outside the applicants ownership and no access for the site is taken off the proposed outer ring road.

Environmental Services Department –No report received

Parks Department – No objections, subject to the landscaping being carried out in accordance with the landscaping plan submitted for the additional information request.

Department of Defence-: No objections subject to conditions.

Irish Aviation Authority: No objections.

Electricity Supply Board: No report received.

An Taisce: No report received.

Submissions/Observations /Representations:

No further submissions.

Conclusion

The proposal is for an asphalt plant and associated works for a 30 year planning permission at the existing Belgard Quarry, Cheeverstown, Tallaght, Dublin 24.
The applicants SIAC are re-locating the existing plant at Clondalkin and the rationale for the this is that the current location is not ideally situated to accommodate an asphalt plant, as it is sited on residential zoned land and is located some distance away from Belgard Quarry where the plant sources its raw material.

The proposal at Belgard is located within the site as far north and east away from the southern and western boundaries. Additional mounding and planting are proposed to these aspects of the site to mitigate visual impacts. It is considered that a 10 year planning permission would allow the Planning Authority to re-assess the proposal in conjunction with proper planning considerations prevailing at that time and accordingly to determine the future of the proposal.

Record of Executive Business and Manager's Order

The applicant proposes to operate 24 hours a day, this is considered acceptable having regard to demand for road construction, which could be carried on at night time to minimise additional impacts on traffic flows.

I recommend that a decision be made pursuant to the Planning & Development Acts 2000-2004, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the (10) condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2004-2010 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 02/02/.07, save as may be required by the other conditions attached hereto.
   REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. The period of duration of this permission shall be for 10 years from the date of this Final Grant. The use of the Asphalt Plant and ancillary activities shall cease unless, prior to that date, planning permission has been granted for retention for a further period.
   REASON: To enable the impact of the development to be re-assessed, having regard to impacts of the proposal, orderly devlopment and proper planning and sustainable development of the area.
3. Construction Phase
   During the construction phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. There must be compliance with British Standard B.S. 5228 Noise Control on Construction

and Open sites.
No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc..) shall be operated on or adjacent to the construction site before 8.00 Hours on weekdays and 9.00 Hours on Saturdays nor after 18.00 Hours on weekdays and 13.00 Hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.
Operational Phase
The applicant shall apply for, and receive a licence from South Dublin County Council, under the Air Pollution Act 1987 (Licensing of Industrial Plant)Regulations 1988, before the plant is operated.
A potable water supply shall be provided.
The Applicant enters into a maintenance contract with Puraflo for the lifetime of the system.
The Wastewater Treatment System shall be located as per site layout plan and installed in accordance with: -
a. Irish Agrément Certificate 99/0060.
b. The Environmental Protection Agency's Wastewater Treatment Manual on Treatment Systems for Single Houses.
Noise due to the normal operation of the proposed development, expressed as Laeq over 1 hour at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).
Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes in a noise sensitive location, shall not exceed the background level for night time.
Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.
REASON: In the interest of public health and safety and the proper planning and sustianble developmen tof the area.

4. The site shall be landscaped in accordance with the scheme of landscaping recieved by the Planning Authority on the 02/02/07. This should be carried out wthin the first planting season from the date of grant of permission.
REASON: In the interest of minimising the visual impacts of the proposal and in the interest of visual amenity.

5. Only aggregates from the site shall be used in the production of asphalt on site. No other aggregates, materials shall be imported to the site, unless the prior written agreement of the Planning Authority is received in each case.
REASON: In the interests of the proper planning and sustainable development of the area.

6. The wheels and undersides of all vehicles transporting aggregates from the site onto the public road shall, prior to the exit of such vehicles onto the public road, be washed in a wheel washing facility .

REASON: In the interest of amenity and of traffic safety.

7. a) The height of the proposed structures shall be restricted to a maximium of 130metres Ordance Datumn or less.
b) During the operation of the plant on a 24 hour basis lighting used shall be of a type that deflects all lighting downwards from the horizontal.
REASON: In the interest of public and aviation safety, as the site is located within the approach to runway 29 at Baldonnel.

8. The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.
REASON: In the interests of public health and in order to ensure adequate drainage provision.

9. Within 3 months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the Planning Authority. The scheme shall be designed, installed and operated, so as to prevent nuisance to adjoining occupiers and road users and to avoid over lighting and lighting units shall be of a type that deflects light downwards from the horizontal.
REASON: In the interests of amenity, traffic safety and the proper planning and sustainable development of the area.

10. The developer shall pay the sum of €25,944.58 (twenty five thousand nine hundred and forty four euro and fifty eight cent) (updated to the appropriate rate at the commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.
REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

Note 1: The developer is advised that under the provision of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Note 2: The developer is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

REG. REF. SD06A/0915
LOCATION: Belgard Quarry, Cheeverstown, Tallaght, Dublin 24.

L McGauran

Louise McGauran
Senior Executive Planner

Martin Judge
Senior Executive Officer

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Dated: 1/3/07

Tom Doherty, Director of Planning

REGISTER REFERENCE: SD07A/1047
PROPOSED DEVELOPMENT: NEW SITE ACCESS ONTO THE OUTER RING ROAD, AND RELATED NEW INTERNAL ROADWAY, OFFICE BUILDING ETC
PERMISSION GRANTED

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 9104
For SMS queries text "counter" &
your message to 086 1731707

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 9104
Email: *cccounter@sdublincoco.ie*
On-line: www.southdublin.ie

Tim Paul,
John Barnett & Associates Ltd
CSA House
7, Dundrum Business Park
Windy Arbour
Dublin 14

NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Final Grant Order No.:	**0617**	Date of Final Grant:	**01-Apr-2008**
Decision Order No.:	**0382**	Date of Decision:	**22-Feb-2008**
Register Reference:	**SD07A/1047**	Date:	**21-Dec-2007**

Applicant: Roadstone Dublin Ltd
Development: (a) new site access onto outer ring road; (b) 850m of new internal roadway; (c) provision of office, canteen and toilet facilies (270m2); (d) provision of security hut with associated toilet facility (20m2); (e) provision of 1 no. wheelwash; (f) provision of 3 no. weighbridges; (g) provision of 1 no oil interceptor; (h) provision of septic tank and associated percolation area; (i) provision of 20 no. car parking spaces; (j) public information signage; (k) canopy over docket exit area; (l) site landscaping.
Location: Belgard Quarry, Cheeverstown Townland, Tallaght, Dublin 24

Time extension(s) up to and including
Additional Information Requested/Received 22-Jan-2008 / 29-Jan-2008

A Permission has been granted for the development described above, subject to the following (17) conditions.

Conditions and Reasons:

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions

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Baile Átha Cliath 24.
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SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
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attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. a) The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.
b) There shall be complete separation of the foul and surface water drainage systems.
c) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from http://environment.southdublin.ie (click-publications then specifications).
d) Prior to the commencement of any development on site, the developer of these lands shall submit surface water drainage plans for the proposed development showing location of all surface water pipes, manholes, road gullies, Ajs etc located within site boundary up to and including a point of connection to the public surface water sewer. The information shall include pipe sizes, gradients, invert and cover levels of pipes.
e) All surface water runoff from premises, including truck parking , wheel wash area and refuelling areas shall be routed via silt trap and oil/petrol/diesel interceptor to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the surface water drainage system. Prior to the commencement of any development on site, the developer of these lands shall submit a revised site layout plan showing exact location and capacity of petrol/ oil interceptors within the site.
f) The developer of these lands shall submit a watermain layout for the proposed development. This shall clearly show pipe sizes, pipe route, location of all valves and hydrants as well as the point of the proposed connection to the existing public watermains. The development shall have its own individual connection to the public watermain and 24 hour storage.
REASON: In the interests of public health and in order to ensure adequate drainage provision.

3. a) The developer of these lands shall submit a detailed Landscape Plan with full works specification. This plan to include detailed specifications relating to paths, drainage, boundary treatment, planting, hard surfaces and street trees planting where necessary in compliance with the technical standards of the Planning Authority.This plan shall be implemented in the first growing season after the date of the final grant of permission.
REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.

4. Within 3 months of the date of the final grant of permission a scheme of external lighting for the entire site shall be submitted for the approval of the Planning Authority. The scheme shall be designed, installed and operated, so as to prevent nuisance to adjoining occupiers and road users and to avoid over lighting and lighting units shall be of a type that deflects light downwards from the horizontal.

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REASON: In the interests of amenity, traffic safety and the proper planning and sustainable development of the area.

5. Outdoor storage area and yard shall be adequately screened.
   REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.
6. Finished floor levels shall be at least 500mm above highest known flood levels.
   REASON: In the interests of public health and in order to ensure adequate drainage provision.
7. a) No advertising sign(s) or structure(s) shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanala on appeal.
   b) Any proposed signage shall not be internally illuminated.
   REASON: In the interest of visual amenity and the proper planning and development of the area.
8. Prior to the commencement of development the applicant shall submit details of boundary treatment.
   REASON: In the interest of visual amenity.
9. All public services to the proposed development, including electrical, telephone cables and equipment shall be located underground throughout the entire site.
   REASON: In the interest of amenity.
10. The applicant/developer shall employ a qualified archaeologist licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeolgical monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.
    REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.
11. Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.
    REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.
12. a) All necessary measures shall be taken by the developer of these lands to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

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b) All footpaths and roads affected by the development works shall be maintained in a safe and tidy condition.
REASON: In the interest of the amenity, safety and maintenance of adjoining roads and footpaths.

13. During the construction/demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.
REASON: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinty.

14. (a) Noise due to the normal operation of the proposed development, expressed as Laeq over 1 hour at the facade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A)
(b) Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.
(c) All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as Laeq over 15 minutes at 1 metre from the facade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time.
REASON: In the interests of public health and the proper planning and sustainable development of the area.

15. The developer of these lands shall comply with British Standard B.S 5228 Noise Control on Construction and Open sites.
REASON: In the interest of public health.

16. The developer shall pay the sum of € 25,998.50 (twenty five thousand nine hundred and ninety eight euro and fifty cent) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.

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

Note 1: The applicant/developer is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

(1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
(2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
(3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
(4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

..... Marian Dolan 02-Apr-2008

for SENIOR EXECUTIVE OFFICER.

PR/0382/08

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Reg. Reference: SD07A/1047 **Application Date:** 21-Dec-2007

Submission Type: New Application **Registration Date:** 21-Dec-2007

Correspondence Name and Address: Tim Paul, John Barnett & Associates Ltd CSA House, 7, Dundrum Business Park, Windy Arbour, Dublin 14

Proposed Development: (a) new site access onto outer ring road; (b) 850m of new internal roadway; (c) provision of office, canteen and toilet facilies (270m2); (d) provision of security hut with associated toilet facility (20m2); (e) provision of 1 no. wheelwash; (f) provision of 3 no. weighbridges; (g) provision of 1 no oil interceptor; (h) provision of septic tank and associated percolation area; (i) provision of 20 no. car parking spaces; (j) public information signage; (k) canopy over docket exit area; (l) site landscaping.

Location: Belgard Quarry, Cheeverstown Townland, Tallaght, Dublin 24

Applicant Name: Roadstone Dublin Ltd

Application Type: Permission

	€
Financial Contribution	25,998.50
SECURITY	
Bond/CIF	
Cash	
TREE BOND	

Loc 22/2/8

Description of Site and Surroundings

Site Area:

The stated site area is 4.0 hectares.

Site Description:

The site is located at Belgard Quarry, Cheeverstown, Tallaght, Dublin 24. Belgard Quarry is located adjoining and to the south of the N7 Naas Road. The site itself is irregular in shape and is located towards the western boundary of the Belgard Quarry site. It is understood that Belgard Quarry is the biggest limestone quarry in Ireland and one of the biggest in Europe. The quarry occupies an area of 305.8 hectares (755.645 acres) and includes a number of infrastructural facilities, including asphalt plants, concrete batching plants, prefabrication plants, side roads and

offices, amongst a number of other facilities. The lands to the north and east of the site are in use as a quarry. The lands to the west of the site comprise City West Business Park. To the south are the lands of the previously approved SIAC asphalt plant. Ground levels over the area slope north-eastwards from approximately 101 metres to approximately 106 metres. The subject site comprises a temporary internal access road that facilitates construction traffic onto the Outer Ring Road and to serve the existing quarry. Large mounds of gravel and stone are located along the southern boundary of the site. The nearest residential dwellings to the application site are located approximately 670 metres south of the site.

Site Visit:

A site visit was carried out on Friday 15th February 2008.

Proposal:

The applicant proposes the following:

- Construction of a new site access onto the outer ring road;
- 850 metres of new internal roadway
- Construction of office building, canteen and toilet facilities;
- Security hut with associated toilet facility
- 1 no. wheelwash;
- 3 no. weighbridges;
- 1 no. oil interceptor;
- Provision of septic tank and associated percolation area;
- 20 no. car parking spaces;
- Public information signage;
- Canopy over docket exit area; and
- Site landscaping

Zoning:
The site is under zoning objective B to protect and improve Rural Amenity and to provide for the development of Agricultural.

Consultations:

Roads Department – No objections

Environmental Health Officer – No report received to date.

Health and Safety Authority – No report received to date.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Environmental Services Department – Foul Drainage – Refer to EHO; Surface Water – Further Information requested; Water – Further Information requested.

Parks and Landscape Services Department – Further Information requested.

Waste Management – Environmental Services – No report received to date.

Pollution Control – Environmental Services – No report received to date.

Submissions/Observations /Representations:

None on record

Relevant Planning History:

SDQU5A/2: Registration of Belgard Quarry under Section 261 of the Planning and Development Act 2000 as amended).

SD06A/0915: Permission granted for the establishment of an asphalt plant and ancillary site facilities, on lands to the south of the subject site. The proposed asphalt plant has a maximum of height of 20 metres, includes a number of different components and has a total area of ca. 311.5sq.m.

SD02A/0167: Permission granted for recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles and ceramics, asphalt and topsoil) on 3.9 hectares located to the north of the subject site

Relevant Enforcement History:

None on record

Pre-Planning Consultation:

None on record

Relevant Policy in South Dublin County Council Development Plan (2004-2010):

2.3.17 Policy EE17: Extractive Industry
2.3.17.i
It is the policy of the Council to facilitate the operation of the extractive industry in suitable locations subject to the protection of amenity and maintenance of environmental quality.

12.3.4.iii
The Council will have regard to the Quarries and Ancillary Activities Guidelines for Planning Authorities, April 2004 published by the Department of the be amended from time to time.

Assessment:

The main issues to be considered are: acceptability of uses, design/scale/layout, internal layout, impact on amenities, parking/roads, landscaping, and services.

The site is under zoning objective B to protect and improve Rural Amenity and to provide for the development of Agriculture. The proposed development is acceptable in principle within this zoning objective.

Uses
The uses proposed, primarily office and ancillary weight bridges and wheel washing facilities are to facilitate the provision of a new access and internal roadway into the quarry, which will connect to the existing internal road network within the quarry. The proposed uses are considered acceptable in principle and are in compliance with the zoning objective for the site, and conform to the existing, established uses on site.

Design, Scale and Layout
The development is located deep within the site adjacent to the western boundary, with neighbouring commercial units within Citywest Business Park visible from the subject site. The proposed ancillary facilities are located approximately 150 metres from the proposed access onto the Outer Ring Road. These include site offices, wheel wash facility, weight bridges facility, staff car parking area, oil interceptor, internal road and security hut. The offices consist of a split level building varying in height from approximately 4.0 metres to approximately 5.5 metres. This building would also comprise a canopy overhanging the aligned weight bridge points. The design, scale and layout of the proposed development is considered acceptable and would not conflict with existing quarry operations to the north, nor the operations of the recently approved SIAC asphalt plant , located on a site to the south of the subject site. A spur accessing same is shown on the layout plans submitted. This is acceptable.

Impact on amenity
The nearest residential area is located 670 metres to the south of the site. The subject site is located to the north of the previously approved SIAC application for a asphalt plant, Planning Register Reference SD06A/0915, of which landscaping conditions were attached to minimise impact upon the visual amenities of the surrounding area. Given the location of the site, and the context of aforementioned application and separations distance from neighbouring dwellings, it is considered that the proposed development would not result in obtrusion of the landscape and would not detract from the amenities of the surrounding area.

The proposed office building and ancillary uses would be screened to the east and west by landscaped areas. This is acceptable.

Operational noise
The proposed development would not result in excessive noise that would be harmful to the amenities of the area. The majority of noise would be from that of lorries and HGV's accessing the site. In the interest of clarity standard noise related conditions should be attached in the event of a grant of planning permission.

Parking/roads.
The roundabout that would facilitate access to the site from the Outer Ring Road has been constructed on site. The detailed design of the proposed access and internal road (as prepared by WSP Group) are acceptable to the Roads Department, who outline no objections to the proposed development.

The amount of proposed on site parking associated with the office element is considered acceptable.

Parks and Landscaping Services Department requirements
The Parks and Landscaping Services Department have a number of concerns with the proposed landscaping / tree survey details and request further information with regard to same. It is considered that in the event of a grant of planning permission these matters can be addressed by way of condition. The applicant should be requested to consult with the Parks and Landscape Services Department prior to submission.

Services
The Environmental Services Department request further information with regard to surface water drainage and water supply. It is considered that in the event of a grant of planning permission these matters can be addressed by way of condition.

No report from the Environmental Health Officer was available at time of writing. In the event of a grant of planning permission a condition should be attached requesting the applicant to consult with the Environmental Health Officer.

Signage
The applicant has advertised signage as part of the proposed development, yet no details have been submitted with regard to same. In the event of a grant of planning permission a condition should be attached stating that only signage that is exempt development shall be erected, unless subject to a grant of planning permission by the Planning Authority or by An Bord Pleanala on appeal.

Recorded Monuments
The following record monument (as indicated in the Development Plan) is located to the east of the subject site:

- DU021-024: Tower House, Well Possible, Bawn Possible.

It is stated that an archaeological assessment was carried out on the subject site, and there are no impacts on known archaeological sites or monuments within the application area. In the interests of clarity a condition should be attached in respect of archaeological monitoring of all sub-surface works.

Conclusion:

The proposed development is considered acceptable and would comply with the established uses on site. The proposed development is in compliance with the Development Plan and the proper planning and sustainable development of the area. Outstanding matters pertaining to landscaping, signage, archaeological monitoring and services can be addressed by way of condition.

I recommend that a decision be made pursuant to the Planning & Development Acts 2000-2004, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the (16) condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2004-2010 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. a) The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.
b) There shall be complete separation of the foul and surface water drainage systems.
c) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from http://environment.southdublin.ie (click-publications then specifications).
d) Prior to the commencement of any development on site, the developer of these lands shall submit surface water drainage plans for the proposed development showing location of all surface water pipes, manholes, road gullies, Ajs etc located within site boundary up to and including a point of connection to the public surface water sewer. The information shall include pipe sizes, gradients, invert and cover levels of pipes.
e) All surface water runoff from premises, including truck parking , wheel wash area and refuelling areas shall be routed via silt trap and oil/petrol/diesel interceptor to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the surface water drainage system. Prior to the commencement of any development on site, the developer of these lands shall submit a revised site layout plan showing exact location and capacity of petrol/ oil interceptors within the site.
f) The developer of these lands shall submit a watermain layout for the proposed development. This shall clearly show pipe sizes, pipe route, location of all valves and hydrants as well as the point of the proposed connection to the existing public watermains. The development shall have its own individual connection to the public watermain and 24 hour storage.
REASON: In the interests of public health and in order to ensure adequate drainage provision.

3. a) The developer of these lands shall submit a detailed Landscape Plan with full works specification. This plan to include detailed specifications relating to paths, drainage, boundary treatment, planting, hard surfaces and street trees planting where necessary in compliance with the technical standards of the Planning Authority.This plan shall be implemented in the first growing season after the date of the final grant of permission.
REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.

4. Within 3 months of the date of the final grant of permission a scheme of external lighting for the entire site shall be submitted for the approval of the Planning Authority. The scheme shall be designed, installed and operated, so as to prevent nuisance to adjoining occupiers and road users and to avoid over lighting and lighting units shall be of a type that deflects light downwards from the horizontal.
REASON: In the interests of amenity, traffic safety and the proper planning and sustainable development of the area.

5. Outdoor storage area and yard shall be adequately screened.
REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.

6. Finished floor levels shall be at least 500mm above highest known flood levels.
REASON: In the interests of public health and in order to ensure adequate drainage provision.

7. a) No advertising sign(s) or structure(s) shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanala on appeal.
b) Any proposed signage shall not be internally illuminated.
REASON: In the interest of visual amenity and the proper planning and development of the area.

8. Prior to the commencement of development the applicant shall submit details of boundary treatment.
REASON: In the interest of visual amenity.

9. All public services to the proposed development, including electrical, telephone cables and equipment shall be located underground throughout the entire site.
REASON: In the interest of amenity.

10. The applicant/developer shall employ a qualified archaeologist licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeolgical monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.
REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

11. Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.
REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

12. a) All necessary measures shall be taken by the developer of these lands to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
b) All footpaths and roads affected by the development works shall be maintained in a safe and tidy condition.
REASON: In the interest of the amenity, safety and maintenance of adjoining roads and footpaths.

13. During the construction/demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.
REASON: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinty.

14. (a) Noise due to the normal operation of the proposed development, expressed as Laeq over 1 hour at the facade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A)
(b) Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.
(c) All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as Laeq over 15 minutes at 1 metre from the facade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time.
REASON: In the interests of public health and the proper planning and sustainable development of the area.

15. The developer of these lands shall comply with British Standard B.S 5228 Noise Control on Construction and Open sites.
REASON: In the interest of public health.

16. The developer shall pay the sum of € 25,998.50 (twenty five thousand nine hundred and ninety eight euro and fifty cent) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.

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

Note 1: The applicant/developer is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of

a permission to carry out any development.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

REG. REF. SD07A/1047
LOCATION: Belgard Quarry, Cheeverstown Townland, Tallaght, Dublin 24

Patricia Devlin
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Dated: 22/2/08

Colin Ryan, Senior Planner

REGISTER REFERENCE: SD08A/0731
PROPOSED DEVELOPMENT: INSTALLATION OF AN ESB 38KV OVERHEAD LINE
PERMISSION GRANTED

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Connecting You to

Planning Department, County Hall, Tallaght, Dublin 24

Telephone: 01 4149000 Fax: 01 4149104
Email: planning.dept@sdublincoco.ie

ESB, Network Projects
ESB
Jamestown Road
Inchicore
Dublin 8

NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Final Grant Order No.:	**0161**	Date of Final Grant:	**10-Feb-2009**
Decision Order No.:	**2282**	Date of Decision:	**15-Dec-2008**
Register Reference:	**SD08A/0731**	Date:	**21-Oct-2008**

Applicant: ESB, Network Projects

Development: Installation of an ESB 38kV Overhead Line Switching Compound at Roadstone Belgard Quarry Lands, in the part of the Quarry Lands which are located in the Townland of Cheeverstown, Barony of Upper Cross, Dublin 24. The location of the proposed Compound will be east of the recently commissioned New Outer Ring Road R136, Cheeverstown N7 to N81 and the east of the existing Screening Bund, which follows the route of the Outer Ring Road, in Belgard Quarry Lands Cheeverstown Townland, and will be adjacent to, and will be accessed from, the new Belgard Quarry entrance Road, off the above mentioned Outer Ring Road. The Compound will contain three no. 38kV 12 Metre Line Termination Masts and two no. Double Wood Portals. LBFM Switchgear will be installed at the top of the Double Wood Portals. The proposed Compund will measure 80 metres X 30 metres and will require the installation of a 2.4 metre High Palisade Fence, with gates for ESB access. The 38kV Overhead Line Switching Compound will be required to facilitate undergrounding of a section of the Grange Castle-Saggart/Tee Cheeverstown 38kV Line, while still maintaining a 38kV switching Facility for ESB Control of the circuit.

Location: East Of R136 Outer Ring Road, Cheeverstown N7 To N81

Time extension(s) up to and including
Additional Information Requested/Received 06-Nov-2008 /

A Pennission has been granted for the development described above, subject to the following (5) conditions.

Conditions and Reasons:

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
   REASON: To ensure that the development shall be in accordance with the permission and that

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effective control be maintained.

2. a) The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.
b) The proposed development shall be no closer than 5m to any stream or river.
c) There shall be complete separation of the foul and surface water drainage systems.
d) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from http://environment.southdublin.ie (click-publications then specifications).
REASON: In the interests of public health and in order to ensure adequate drainage provision.

3. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
REASON: To protect the amenities of the area.

4. The developer shall pay the sum of € 71,720.00 (seventy one thousand seven hundred and twenty euro) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.
REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

5. Before the development is commenced, the developer shall lodge with the South Dublin County Council a cash deposit of € 21,400 (twenty one thousand four hundred euro) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index), or a bond of an Insurance Company of € 35,666 (thirty five thousand six hundred and sixty six euro) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index), or other security to secure the provision and satisfactory completion and maintenance to taking-in-charge standard of roads, footpaths, sewers, watermains, drains, public lighting, open spaces and other services required in connection with the development.
REASON: To ensure the satisfactory completion of the development.

Note 1: The developer of these lands is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Connecting You to

Planning Department, County Hall, Tallaght, Dublin 24

Telephone: 01 4149000 Fax: 01 4149104
Email: planning.dept@sdublincoco.ie

(1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.

(2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.

(3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.

(4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

Marian Dolan 12-Feb-2009

for SENIOR EXECUTIVE OFFICER.

PR/ 2282/08

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Reg. Reference: SD08A/0731 **Application Date:** 21-Oct-2008

Submission Type: New Application **Registration Date:** 21-Oct-2008

Correspondence Name and Address: ESB, Network Projects ESB, Jamestown Road, Inchicore, Dublin 8

Proposed Development: Installation of an ESB 38kV Overhead Line Switching Compound at Roadstone Belgard Quarry Lands, in the part of the Quarry Lands which are located in the Townland of Cheeverstown, Barony of Upper Cross, Dublin 24. The location of the proposed Compound will be east of the recently commissioned New Outer Ring Road R136, Cheeverstown N7 to N81 and the east of the existing Screening Bund, which follows the route of the Outer Ring Road, in Belgard Quarry Lands Cheeverstown Townland, and will be adjacent to, and will be accessed from, the new Belgard Quarry entrance Road, off the above mentioned Outer Ring Road. The Compound will contain three no. 38kV 12 Metre Line Termination Masts and two no. Double Wood Portals. LBFM Switchgear will be installed at the top of the Double Wood Portals. The proposed Compund will measure 80 metres X 30 metres and will require the installation of a 2.4 metre High Palisade Fence, with gates for ESB access. The 38kV Overhead Line Switching Compound will be required to facilitate undergrounding of a section of the Grange Castle-Saggart/Tee Cheeverstown 38kV Line, while still maintaining a 38kV switching Facility for ESB Control of the circuit.

Location: East Of R136 Outer Ring Road, Cheeverstown N7 To N81

Applicant Name: ESB, Network Projects

Application Type: Permission

	€
Financial Contribution	71,720.00
SECURITY	
Bond - LIF	35,666.00
Cash	21,400.00
TREE BOND	0.00

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Description of Site and Surroundings:

Site Area:
The stated area of the site is 0.24 hectares.

Site Description:
The site is located on the eastern side of the New Outer Ring Road R136 (N7 to N81 Cheeverstown Townland, adjacent to the New Belgard quarry entrance road, off the Outer Ring Road located in Roadstone Belgard quarry lands. The site is located east of an existing screening Bund which is located in Roadstone Belgard Quarry lands that follows the Outer Ring Road R136. Lands to the west of the site and the Outer Ring Road R136 comprise of City West Business Park. Access to the site is via a new site access from the Outer Ring Road granted permission under SD07A/1047. The application site is currently stripped with its topsoil exposed. The ground level of the application site is c. 104 metres above O.S. datum. The height of the adjacent berm to the west rises to c. 110 metres above O.S. datum at its highest point.

Site Visited:
The site was inspected on the 11th December, 2008.

Proposal:
The applicant is seeking permission for the following;

- Installation of an ESB 38kV Overhead Line Switching Compound
- The Compound will contain three no. 38kV 12 Metre Line Termination Masts and two no. Double Wood Portals.
- LBFM Switchgear will be installed at the top of the Double Wood Portals.
- The proposed Compound will measure 80 metres X 30 metres and will require the installation of a 2.4 metre High Palisade Fence, with gates for ESB access.
- The 38kV Overhead Line Switching Compound will be required to facilitate under-grounding of a section of the Grange Castle-Saggart/Tee Cheeverstown 38kV Line, while still maintaining a 38kV switching Facility for ESB Control of the circuit.

Zoning:
The site is zoned objective 'B' which seeks 'To protect and improve Rural Amenity and to provide for the development of Agriculture'.

Consultations:

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Environmental Services Department
Foul Drainage Report –No objection.
Surface Water Report - No objection subject to condition.
Water Report - No objection.

Roads Department:
No objections

Parks and Landscaping Department:
No report to date.

Health and Safety Authority
No report to date.

Submissions/Observations /Representations:
None recorded.

Relevant Planning History:

SD07A/1047 Permission granted for (a) new site access onto outer ring road; (b) 850m of new internal roadway; (c) provision of office, canteen and toilet facilities (270m2); (d) provision of security hut with associated toilet facility (20m2); (e) provision of 1 no. wheelwash; (f) provision of 3 no. weighbridges; (g) provision of 1 no oil interceptor; (h) provision of septic tank and associated percolation area; (i) provision of 20 no. car parking spaces; (j) public information signage; (k) canopy over docket exit area; (l) site landscaping.

SD06A/0915: Permission granted for the establishment of an asphalt plant and ancillary site facilities, on lands to the south of the subject site. The proposed asphalt plant has a maximum of height of 20 metres, includes a number of different components and has a total area of ca. 311.5sq.m.

SDQU5A/2: Registration of Belgard Quarry under Section 261 of the Planning and Development Act 2000 as amended).

SD02A/0167: Permission granted for recovery of pre-sorted construction and demolition waste (namely concrete, bricks, tiles and ceramics, asphalt and topsoil) on 3.9 hectares located to the north of the subject site

Record of Executive Business and Manager's Order

Relevant Enforcement History:
None recorded.

Pre-Planning Consultation:
None recorded.

Relevant Policy in South Dublin County Council Development Plan (2004-2010)

There is no particular policy in the Development Plan 2004-2010 which relates to public services.

2.3.17 Policy EE17: Extractive Industry
2.3.17.i
It is the policy of the Council to facilitate the operation of the extractive industry in suitable locations subject to the protection of amenity and maintenance of environmental quality.

12.3.4.iii
The Council will have regard to the Quarries and Ancillary Activities Guidelines for Planning Authorities, April 2004 published by the Department of the be amended from time to time.

Assessment

The main issues for consideration in assessing this application are compliance with zoning/landuse, design/visual impact, , traffic/ parking and drainage issues.

Zoning/ Land Use
The site is zoned objective 'B' which seeks 'To protect and improve Rural Amenity and to provide for the development of Agriculture'. The use class 'Public services' is 'permitted in principle' under this zoning objective as detailed in Table 10.4 of the Development Plan.

The proposal would provide for the installation of an ESB 38kV Overhead Line Switching Compound. The proposal would provide for the removal of a section of the Grange Castle-Saggart/Tee Cheeverstown 38kV overhead line at Roadstone lands and the replacement witb 38kV underground cables between the proposed new 38kVoverhead Line switching compound to the Cheeverstown 38kV station located to the north east of the application sitc.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

The proposed ESB Overhead Line Switching Compound is considered to be a public service use. The proposed development is considered in compliance with the zoning objective pertaining to the application site.

Design/ Visual Impact

The measured total floor area of the proposed compound is c. 2400 sq.m. The proposed compound would be located a distance of c. 80.8 metres from the nearest edge of the R136Outer Ring Road.

The compound would contain 3 no. 38kV Line Termination Masts and two no. Double Wood Portals. The drawings submitted indicate that the masts would be 18 metres in height and the double wood portals would be 11 metres in height. A 2.4 metres palisade fence would surround the proposed compound. It is considered that existing screening Bund which follows the Outer Ring Road R136 to the south west of the application site which rises c. 5.36 metres above ground level would mitigate against the visual impact of the proposed 18 metre high Termination Masts and the 11 metre high double wood portals.

Traffic/parking
The Roads Department report outlines no objections to the proposed development.

Drainage
A verbal report given by the Environmental Services Department outlines no objections to the proposed development subject to standard conditions.

Conclusion:
The proposed development subject to conditions is considered acceptable, in compliance with the South Dublin County Council Development Plan 2004 - 2010 and the proper planning and sustainable development of the area.

Recommendation:

I recommend that a decision be made pursuant to the Planning & Development Acts 2000-2004, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the (3) condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2004-2010 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
   REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. a) The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.
   b) The proposed development shall he no closer than 5m to any stream or river.
   c) There shall be complete separation of the foul and surface water drainage systems.
   d) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from http://environment.southdublin.ie (click-publications then specifications).
   REASON: In the interests of public health and in order to ensure adequate drainage provision.

3. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
   REASON: To protect the amenities of the area.

   Note 1: The developer of these lands is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

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Conclusion:
The proposed development subject to conditions is considered acceptable, in compliance with the Soutb Dublin County Council Development Plan 2004 - 2010 and the proper planning and sustainable development of the area.

Recommendation:

I recommend that a decision be made pursuant to the Planning & Development Acts 2000-2004, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the (5) condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2004-2010 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
   REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

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3. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
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4. The developer shall pay the sum of € 71,720.00 (seventy one thousand seven hundred and twenty euro) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.
   REASON: The provision of such facilities will facilitate the proposed development. It is

considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

5. Before the development is commenced, the developer shall lodge with the South Dublin County Council a cash deposit of € 21,400 (twenty one thousand four hundred euro) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index), or a bond of an Insurance Company of € 35,666 (thirty five thousand six hundred and sixty six euro) (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index), or other security to secure the provision and satisfactory completion and maintenance to taking-in-charge standard of roads, footpaths, sewers, watermains, drains, public lighting, open spaces and other services required in connection with the development.
REASON: To ensure the satisfactory completion of the development.

Note 1: The developer of these lands is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

REG. REF. SD08A/0731
LOCATION: East Of R136 Outer Ring Road, Cheeverstown N7 To N81

pp Brendan Wyse

Jim Johnston
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Dated: 15/12/08 NOByrne

Neil O' Byrne, Senior Planner

REGISTER REFERENCE SD12A/0137
PROPOSED DEVELOPMENT: COMPLETE LANDSCAPING TO AN EXISTING PARTIALLY COMPLETED SCREENING BERM IN BEDLESSHILL TOWNLAND
NEW APPLICATION: RECEIVED: 10-07-2012

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Connecting You to

Land Use, Economic and Transport Planning Department.
County Hall, Tallaght, Dublin 24.
Telephone: 01 414 9000 : *Fax: 01 414 9104* *Email:* **planning.dept@sdublincoco.ie**

SLR Consulting Ireland
7, Dundrum Business Park
Windy Arbour
Dublin 14

Date: 19-Jul-2012

PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Register Reference: SD12A/0137

Development: Importation and re-use of excess, naturally occurring earthworks material generated by construction projects to complete construction and landscaping of an existing, partially completed screening berm.

Location: Bedlesshill Td., Fortunestown, Tallaght, Dublin 24

Applicant: Roadstone Wood Ltd.

App. Type: Permission

Dear Sir/Madam,

With reference to the above, I acknowledge receipt of your application received on 10-Jul-2012.

This acknowledgement is issued pursuant to the Planning & Development Regulations 2001-2006, and is subject to the site notice and the appropriate fee complying with the said Regulations and other information being accurate and complete.

If, in the event of an inspection of the site of the proposed development, it is determined that information submitted in the application is incorrect, that substantial information has been omitted or if it is determined that the site notice is found not to comply or that the appropriate fee has not been submitted, the application will be declared invalid and returned to the applicant.

Please note that ALL documentation submitted with a planning application forms part of the application and will be included in both the hard copy of the file and the copy which is available on the Council's website www.sdcc.ie Caution should therefore be exercised in submitting documentation with a planning application which you/your client may not wish to have publicly available.

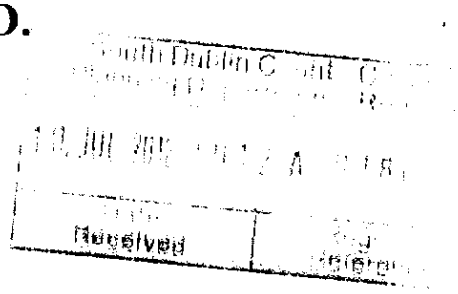
Yours faithfully,

for **Senior Planner**

SOUTH DUBLIN COUNTY COUNCIL

SITE NOTICE

We, ROADSTONE WOOD LTD.



intend to apply for (tick as appropriate)

■ **Permission**

for development at this site comprising

an inert soil and stone waste recovery facility

The development will consist of

importation and re-use of excess naturally occurring earthworks materials generated by construction projects to complete construction and landscaping of an existing, partially completed perimeter screening berm in Bedlesshill townland, Fortunestown, Tallaght, Dublin 24.

The planning application may be inspected or purchased at the offices of South Dublin County Council, County Hall, Town Centre, Tallaght, Dublin 24 during its public opening hours of Monday to Friday from 9:00am to 4:00pm., and may also be viewed on the Council's website – www.sdcc.ie.

A submission or observation in relation to the application may be made in writing to South Dublin County Council on payment of a fee of €20 within 5 weeks of receipt of the application by South Dublin County Council and such submissions or observations will be considered by the Planning Authority in making a decision on the application. The Planning Authority may grant permission subject to or without conditions or may refuse to grant permission.

Signed: _____

(Agent)

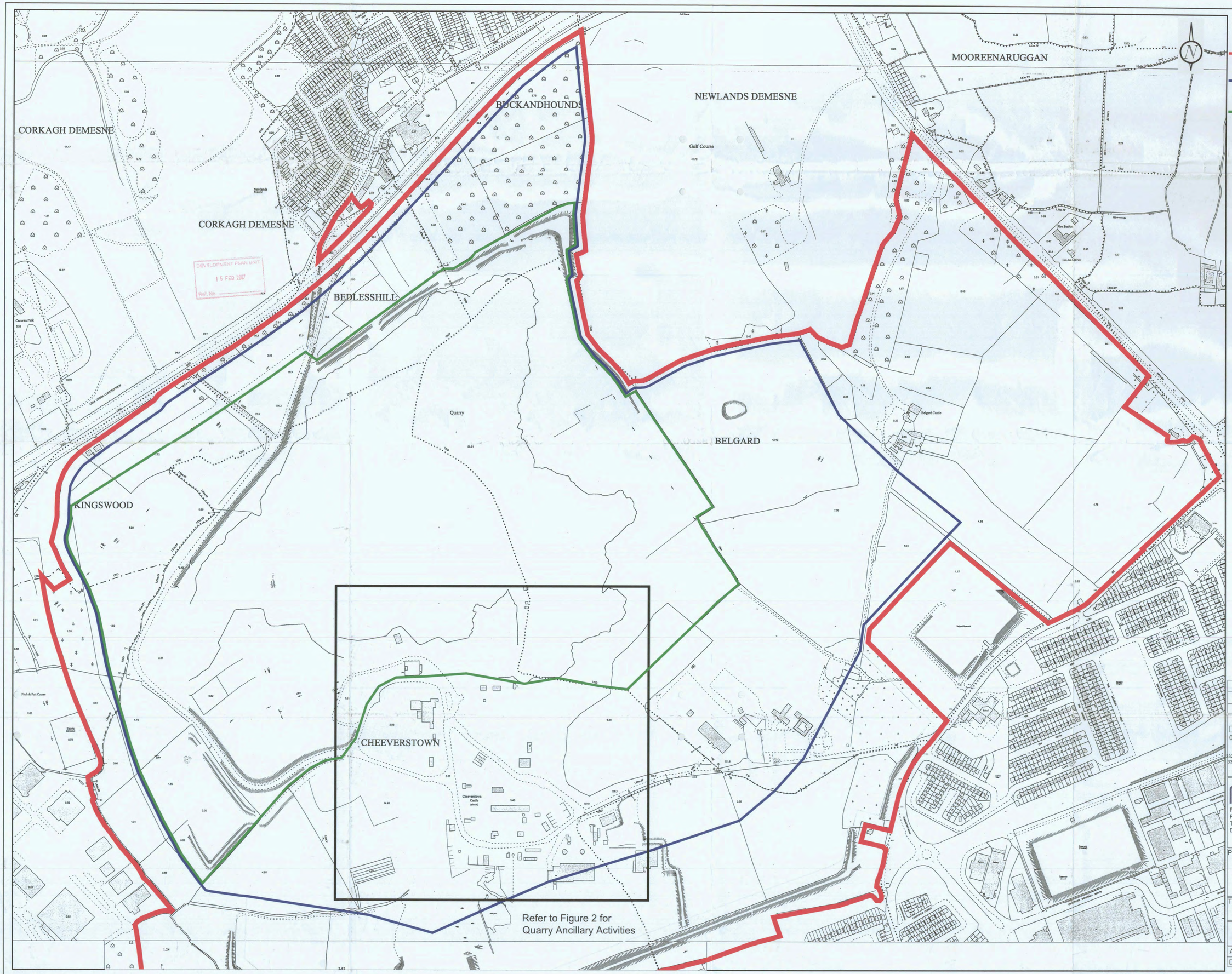
(If Agent give address)

SLR CONSULTING IRELAND
7 DUNDRUM BUSINESS PARK
WINDY ARBOUR
DUBLIN 14

Date of Erection of Site Notice: 10 June 2012

APPENDIX 7

1) DRAWING FIGURE 1_F11 (REV. A FEB. 2007)
2) LANDOWNERSHIP FOLIO REFERENCES AND MAP OF LANDOWNERSHIP PREPARED BY SOUTH DUBLIN COUNTY COUNCIL



LEGEND

- Site Boundary (c. 298.2 ha)
- Extractable Area (c. 192.6 ha)
- Quarry Area (c. 101.8 ha)

Scale 1:2500

0m 100m 300m

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-16, 3389-10, 3326-15, 3326-C, 3326-D 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Ordnance Survey Ireland Licence No. SU 0000705 (c) Government of Ireland

roadstone

ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
DUBLIN 24

DEVELOPMENT PLAN UNIT
15 FEB 2007
Ref. No.

Project:

Roadstone Dublin Ltd.

Belgard Quarry, Tallaght, Dublin 24

Section 261 Site Plan

Title:

Site Layout Plan

Figure 1_FI1 (Rev A)

Author: pmc/tp

Date: Feb 2007

Ref: 3371

APPENDIX B

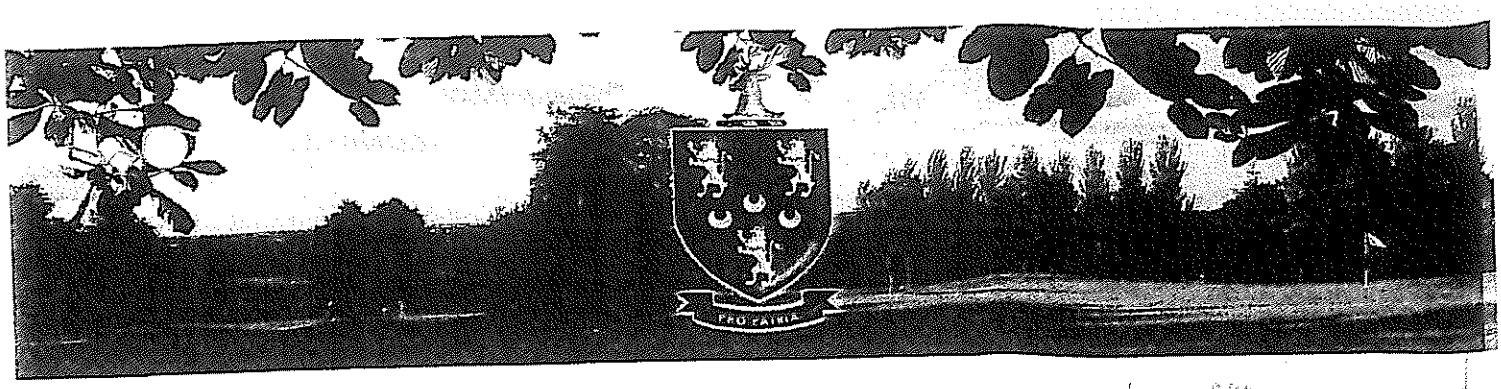
Folio No(s). of lands on which Quarry is located

When were the lands in each Folio acquired for Quarrying purposes

Folio	Date of purchase
Unregistered conveyance dated 28th March 1963	1963
391	1963
4181	1963
5369	1963
125	1968
126	1968
501	1968
925	1968
953	1968
1456	1968
2521	1968
4153F	1968
17917	1968
500	1969
952	1969
1090	1969
18325	1969
Lease dated 8th February 1805 for 999 years from 29th September 1804	1969
908	1969
17961	1969
Unregistered conveyance dated 4th August 1970	1970
1156F	1971
318F	1972
Unregistered conveyance dated 1977	1977
16693F	1979
7400	1990

N
1:8,500
1963
1 - 391
2 - 4181
3 - 5369
1968
4 - 125
5 - 126
6 - 501
7 - 925
8 - 953
9 - 1456
10 - 2521
11 - 4153F
12 - 17917
1969
13 - 500
14 - 952
15 - 1090
16 - 18325
23 - UNREG
08/02//1805
17 - 908
18 - 17961
1970 - 1972
19 - 1156F
20 - 318F
1979
21 - 16693F
1990
22 - 7400
INDICATIVE MAP PREPARED BY SDCC.
0
0.25
0.5
1 Kilometers

APPENDIX 8
THIRD PARTY CONCERNS RELATING TO BELGARD QUARRY



NEWLANDS GOLF CLUB

Established 1926

PUBLIC CONSULTATION
21 JUL 2006

South Dublin County Council,
Planning Dept.,
Town Centre,
Tallaght,
Dublin 24.

20th July 2006.

F.A.O. Bob Matthews

RE:- Roadstone Quarry – Registration Application
File Ref. SDQ User 05A/2

Dear Mr. Matthews,

I refer to previous correspondence and in particular to my letter of the 29th of June 2006. I am now writing to you in my capacity as Honorary Secretary of Newlands Golf Club in relation to the Application by Roadstone Quarry under the current legislation for an increase in the area to be extracted.

We confirm that following careful consideration by the Committee of Newlands Golf Club and serious concerns expressed by our members, the application by Roadstone for greatly extended extraction registration has caused serious apprehension. The future prospects for our Club in light of the nature and extent of this application has alarmed many of our members.

As no doubt you are aware the history of this quarry is that Roadstone obtained permission to quarry fifty acres under Planning Permission Ref. C1488;PL6/5/16175 but despite this Permission they have quarried by their own admission in excess of forty nine hectares or approximately 125 acres. It would appear that as a result of this breach of their original Permission Roadstone are now quarrying within one hundred metres approximately of the boundary of the Golf Club.

We do not wish to unduly hinder or frustrate the operations of the Roadstone Quarry and indeed some of our members are employees of Roadstone. We have an obligation to our members to ensure that the working of the Quarry is such that it is beyond reproach and within any Permission granted by the Local Authority and that it does not adversely impinge on the integrity and amenity of the Golf Club. We have for this reason decided to write to you with our committee's observations in relation to Roadstone's Application for certification under the following headings:-

AMENITY:

(i) NOISE

The erratic nature of the blasting operations means that the noise levels can vary from moderate to severe which has an obvious detrimental effect on users of the course and in particular on elderly members. We are aware that a warning hooter sounds prior to any blast operation but this is not always heard by users of the course or understood as a prelude to blasting. The whole idea of a Golf Course is to provide a relaxed and tranquil amenity for users of the course and this is obviously shattered both by the warning hooter and to a greater extent by the subsequent blast.

(ii) VIBRATION

It is no exaggeration to state that the effects of a significant blast are manifest to all in the Clubhouse, to the extent that glasses and bottles, fixtures and fittings rattle and shake to the distress and obvious apprehension of members and guests.

(iii) DUST EMANATIONS

There are times when dust clearly emanating from the Roadstone Quarry blankets the course and the Committee have received numerous complaints from members of the Club and formal complaints from visiting Societies who have paid for the use of the course on an individual day. Our course staff regularly report this phenomenon to us.

HEALTH AND SAFETY :

(i) DUST

As we have already pointed out there has been continuous problems experienced by users of the course from dust emanations. This has obvious health implications in particular for young or elderly users of the course.

(ii) BLASTING

We have had previous experiences at least one of which has been the subject of correspondence between the Club and Roadstone of a "near miss" of rock projected on to the course from the Roadstone Quarry as a result of blasting and the alarming consequence of this new Application by Roadstone would be to increase significantly the possibility of such incidents due to their proposal that they be allowed extract right up to the boundaries of the Club.

ENVIRONMENTAL IMPACT :

(i) TOPOGRAPHY

We have experienced a significant and definite change in the topography of the course over the last fifteen years. There is clear and visible evidence of significant ground contour changes on a number of holes on the course where the levels and contours of the ground have changed over the years. Given the extensive scope of the current Application we are greatly concerned that the rate of change of the topography will be accelerated.

(ii) REINSTATEMENT OF QUARRY

We have serious concerns regarding the restoration of the Roadstone site to its original condition both over the nature of material used in such a restoration by way of landfill or otherwise and the impact that this may have on the course itself. Our concerns at present relate to the area already extracted by Roadstone. Our concerns would be greatly exacerbated if Roadstone were granted permission to extend their blasting areas towards the course as is envisaged in their application.

STRUCTURAL INTEGRITY OF CLUBHOUSE:

As we have indicated when a heavy blast occurs we have a significant problem with vibration. We are very concerned with the effect this is having on the structural integrity of our Clubhouse, ancillary buildings and car park in the long term. We are proposing at present to build an extension to the Clubhouse involving an expenditure of at least 3.5 million euro. We have had to specifically brief the professionals involved in this project including the Architect and Engineer to ensure that the highest standards of resistance to damage caused by blasting is incorporated in their design. We have not been able to quantify the additional cost of this as yet but expect to be able to do so within the next few weeks. We are of course also concerned that no matter what design is proposed by the professionals further escalation of the Quarry's activity could result in significant structural damage.

It is clear from our concerns as outlined, that we are obliged to resist the granting of an application for such a vast increase in the extraction area for Roadstone, as proposed in their Licensed Application.

In the event of any Licence being granted to Roadstone whether for an increased area or otherwise we would insist that the following conditions be imposed for the reasons outlined above:-

1. "A Buffer Zone" of 200 metres be maintained between all boundaries of the course and the blasting zone. Currently there exists such a buffer zone which has been planted by Roadstone on part of the boundary of the course. This buffer zone was introduced voluntarily by Roadstone to protect its boundary with the Naas Road/Newlands Golf Club. We feel that this buffer zone should be extended around the entire boundary of the course and planted with suitably mature trees.

2. Blast, dust and water monitoring stations should be installed on our property at points to be located by agreement between experts to be appointment by Newlands Golf Club and Roadstone, the cost of monitoring and installing including the cost of our experts to be borne by Roadstone.

3. Roadstone should comply with all requirements of Newlands Golf Club or their experts to ensure the preservation of the existing topography of the course and to prevent any further deterioration.

4. The Council should ensure that the quality of any landfill material is closely monitored to ensure that no hazardous material of any kind is included so that it does not have a detrimental effect of any nature or description on the course or its water sources. The course relies heavily on natural water to service both its sprinkler requirements and the water features on the course and we are concerned that there is no degradation of the quality of that source either as a result of blasting or as a result of the reinstatement of the Quarry.

5. The Council should impose an ongoing obligation on Roadstone to protect the integrity of the course where it is threatened or affected as a result of the operation of their Site. This should include a provision of a Bond to the Council by Roadstone.

INTRINSIC INTEGRITY OF THE PROPERTY:

Finally, there is one other aspect to this application that we would like you to consider. An expression of interest from an interested party indicates to us that that the golf club property has a significant commercial value. This is not an option that we would propose to exercise at this time, however, the injurious consequences of the granting of this application in the form in which it is being sought could make our position as a golf club untenable.

We submit that the wide ranging and extensive nature of the application will have the effect of seriously diminishing the potential commercial value of our property.

We would have thought that in the case of an application of this size that a public enquiry should be held to ensure complete transparency. We would be grateful if you could get back to us with details of our entitlements in this regard.

We would be grateful if you would revert to us with your observations on our submissions at your earliest convenience. We suggest that a meeting between Council Officials concerned and representatives of the Golf Club would be helpful and would clarify any queries the Council may have. We are happy to make the course available for inspection by Council Officials at any time.

COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL

MEETING OF TALLAGHT AREA COMMITTEE 2

Monday, October 23, 2006

MOTION NO. 8

Cathaoirleach's Business: Councillor K. Warren

"That this Committee calls on the Manager to present a report concerning the current status of a Planning Registration Application, SDQU05A, in the name of Roadstone Quarry and that the views and concerns of local residents and Newlands Golf Club be considered in full before a decision on this application is taken, that the matter come before the next meeting of South Dublin County Council as a headed item and that the matter be discussed."

REPORT:

Section 261 of the Planning and Development Act 2000 requires the owner or operator of a quarry in operation on or after 28th April 2004 to provide to the planning authority information relating to the operation of the quarry, and on receipt the planning authority shall enter the information in the Planning Register.

Information relating to the operation of the Belgard Quarry operated by Roadstone Dublin Limited, was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2. Additional information was subsequently requested and in response a revised map and other details were submitted.

Information provided includes a map showing the boundaries of the overall site, the extracted area (i.e. the area already worked) and

Monitoring results for the Belgard Quarry have been checked on a number of occasions and to date no non compliant results have been found. If the Golf Club wish to make a specific complaint it will be investigated.

It is envisaged that the revised conditions to be applied to the Belgard Quarry will include a requirement that all monitoring results shall be submitted at regular intervals. Appropriate action will be taken in the event of any breaches of the conditioned standards.

COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL

MEETING OF COUNTY COUNCIL

Monday, November 13, 2006

HEADED ITEM (13)

QUARRY REGISTRATION SDQU05A, ROADSTONE , BELGARD.

The following report was discussed at the Tallaght Area Committee meeting held on October 23rd, 2006 and it was agreed that the report would be brought to the next meeting of the Council.

REPORT:

Section 261 of the Planning and Development Act 2000 requires the owner or operator of a quarry in operation on or after 28th April 2004 to provide to the planning authority information relating to the operation of the quarry, and on receipt the planning authority shall enter the information in the Planning Register.

Information relating to the operation of the Belgard Quarry operated by Roadstone Dublin Limited, was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2. Additional information was subsequently requested and in response a revised map and other details were submitted.

Information provided includes a map showing the boundaries of the overall site, the extracted area (i.e. the area already worked) and the extractable area (i.e. the remaining site area from which it is intended to extract material), and details of an existing planning permission granted in 1972. Details of the type of material being extracted, the hours of operation, number of daily vehicle movements, and measures to control noise and dust are also included.

Taking the First Steps to a Healthier Fettercairn

Fettercairn Community Health Project
Participatory Rapid Appraisal Report

Fettercairn Community Health Project

September 2007

"Taking the First Steps to a Healthier Fettercairn"

Fettercairn Community Health Project
Participatory Rapid Appraisal Report

September 2007

Views:
The views expressed in the Fettercairn Community Health Project Participatory (FCHP) Rapid Appraisal report are not necessarily the views of the FCHP Management Committee.

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For further information about the Fettercairn Community Health Project,
contact Special Project on LTU, Brookfield Enterprise Centre, Tallaght, Dublin 24.
Tel: 01 46 23 222. E-mail: spltu@iolfree.ie

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Acknowledgements

The Fettercairn Community Health Project Management Committee would like to congratulate and thank the nine PRA researchers from Fettercairn for their hard work and dedication in producing this report on the health needs of Fettercairn.

We would also like to thank the people of Fettercairn who participated in the research process. It is their views and knowledge that inform this report.

We thank Christine Murray of Community Action Network (CAN) for her help and enthusiasm during the research process.

In the initial stages of setting up the project, we would like to acknowledge the support and commitment of Berni Cullinane, Tracey Reddy, Patricia Quinn, Julie Thorne, Miriam Ryan and Julie-Ann Tighe.

Also in our pre-development stage we would like to thank the Quarryvale Health Project for their invaluable advice and help.

We also greatly appreciate the help we received from Draiocht our support agency.

Many others supported this project in different ways and we thank all of them.

Finally we thank our funders, Kathryn Howard Foundation, Combat Poverty, RAPID and the HSE.

We look forward to working together in the future on the next steps to a healthier Fettercairn.

Introduction

This report is the result of a research study which was carried out by Fettercairn Community Health Project (FCHP) with support and training from Community Action Network (CAN). Its aim was to find out the health needs of Fettercairn.

Fettercairn is a housing area in west Tallaght with a population of approximately 6,500 people. The majority of houses are local authority houses. It has few local facilities and services. Fettercairn has a history of high unemployment, early school leaving and poor housing but surprisingly has no health centre or doctor for such a large population.

Family Health Days during the Fettercairn Summer Festival in 2003 and 2004 were attended by large numbers of local people who expressed an interest in their own health and the health of their community. More significantly, people wanted to do something about it. From these days, the idea of a community health project in Fettercairn was born. A Management Committee made up of representatives of local residents, community groups and statutory agencies was set up to move this idea forward.

The Management Committee examined other community health projects and successfully gained funding to put together a plan for the Fettercairn Community Health Project (FCHP). The core aim of FCHP is "to create an affordable, accessible, inclusive community led health project for the people of Fettercairn which is friendly, warm and safe".

The Management Committee believe that local people should be involved and have the power to influence the work of FCHP. This research aimed to hear what the Fettercairn community had to say on their health needs and on the factors that impacted on their overall health and well being. The research model of Participatory Rapid Appraisal (PRA) was adopted at the outset of the planning period as the most appropriate method that enhances community development principles in its approach. The application of this approach played a significant role in identifying the local health issues. It drew from residents own knowledge and experience by involving local people in the planning and carrying out of the research.

From the start, FCHP has been aware that health is affected by all sorts of things such as family situation, financial status and the environment in which people live. The research showed that local people want a healthy and safe place to live. This means that Fettercairn would be a community with clean streets, well maintained houses and gardens, with landscaping, trees and flowers. A need to have less crime and anti-social behaviour and people living in harmony with each other was strongly expressed.

The report of the research will be given to local people and to groups, organisations and agencies within Fettercairn and the wider South County Dublin area. It will also be used to inform agencies that shape health services about the health needs of the area.

Profile of Fettercairn

Fettercairn is a housing area in West Tallaght, which was built in the early 1980s by Dublin Corporation. South Dublin County Council took over the management of the estate from Dublin Corporation in the early 1990s.

It is part of the District Electoral Division (DED) of the Gamma Analysis for Brookfield/Fettercairn area. The estimated population of the estate is 6,488 persons (3,087 males and 3,401 females) living in 840 households (SAPS Census of 2002). Housing consists mainly of local authority housing. At present, there is a new development of social and affordable housing being built in the Kilcarrig area; when completed this will increase overall housing units to 1,000.

The Estate layout is divided by the main Fettercairn Road into three housing areas of Drumcairn, Kilmartin and Kilcarrig. This design and layout of the estate has in a physical sense contributed to a fragmented community.

The neighbourhood consists of a Community Centre built in 1982, a small resource centre, some green areas, two local shops, a church, a primary school and a community college nearby. Fettercairn currently has no Health Centre and no General Practitioner service. People have to travel to other areas to access medical and health services. This area is serviced by the Adelaide and Meath Hospital incorporating the National Children's Hospital commonly known as Tallaght Hospital

Fettercairn is an area of low-income families with a significant population of young people, lone parents, members of the Travelling Community and minority ethnic groups. The number of early school leavers who finished fulltime education under 15 years of age is 1,511 males and 1,858 females (SAPS Census of 2002). This young population profile presents significant challenges in the specific areas of childcare, education, employment and development of young people. Almost one-fifth of all families in Fettercairn are headed by a lone parent.

The high levels of women in the area with no formal education or primary education only are a matter of concern both in terms of the opportunities that may be available to the women but also in terms of the impact on the educational attainment of their children. (Revitalising Areas by Planning Investment and Development **(RAPID)** Report January 2002)

Fettercairn is named as one of the disadvantaged areas in the West Tallaght **RAPID** Programme. From the RAPID consultations in their area plan of 2002, it was clear that a priority for Fettercairn community was the provision of local health services. The report noted the increase in houses, growing population and absence of a health centre, GP, dentist and pharmacy in the area. It also highlighted the need to address the gap in Primary Health Care provision as a matter of urgency. **(RAPID Plan 2002)**

A Health Needs Assessment was carried out in the Tallaght area by Trinity College in 2002 highlighting how inequalities in health affect disadvantaged communities. It revealed high levels of stress, smoking and chronic illnesses of people living in

Tallaght. There is also a low level of preventative dental care uptake.

Although the study was carried out on the broader Tallaght population, it highlights the type of health statistics and health needs of disadvantaged areas in Tallaght like Fettercairn.

Fig 1. Summary from report "People living in the Tallaght and their health" Trinity College 2002

Factor	Tallaght Area
Experience of Stress	35% consulted GP about stress. 19% had been prescribed medication
Worried about teenagers socialising	60%
14/15 year olds with drug/alcohol problems	2%
Households with chronic illness	22%
Smoking	40% of household members
Smoking during pregnancy	41%
Unplanned pregnancies	54%
Family Planning for women of childbearing age	56% of women using method of family planning
Those who visited dentist in the 12 months prior to the survey	15%
Household members with a disability	3%

Current service provision in Fettercairn

Currently, there are a number of services and agencies in the area working with the community to improve the social and environmental conditions of residents. These include initiatives such as the Fettercairn Youth Horse Project, Fettercairn Drugs Rehabilitation Programme, Fettercairn Little Ones (childcare), youth clubs, estate management and SWAN Family Support.

At present, there is no Community Development Programme based in Fettercairn as the Lone Parents CDP closed down in 2005. This meant the loss of a first point of contact drop-in facility/meeting space and outreach community development workers. The impact of this has left a void in the community as described by a local person, "We are lost in the community without the Lone Parent Project: it gave us a sense of identity, somewhere to drop into and share our troubles with".
Community outreach is at present provided by a number of agencies including Tallaght Youth Service, West Tallaght Resource Centre, the Health Service Executive, Tallaght Partnership as well as ongoing support from the RAPID Programme. The last survey carried out with the residents of Fettercairn was the consultations on the RAPID Plan of 2002.

Many of the issues highlighted in the RAPID consultation in 2002 have not been addressed and have been raised again by residents in this PRA process.

The Wednesday morning market outside the Fettercairn Community Centre

The Fettercairn Community Health Project

History of the health project

The idea of a Community Health Project in Fettercairn developed in response to the evident interest and enthusiasm of local residents to a Family Health Day held in 2003 and 2004 as part of the Fettercairn Summer Festival.

The Health Day offered on a 'once off' basis, access to health checks, information and experience of therapies including massage and acupuncture. It was such a success that a Management Committee was formed to explore the possibility of developing a community health project.

This Management Committee initially involved the Tallaght Lone Parents Centre, Health Service Executive, Tallaght Youth Service, Special Project on LTU Community Development Project, RAPID and local residents. Staff from the Health Promotion Unit of the HSE, Tallaght Partnership and the West Tallaght Resource Centre joined at a later stage.

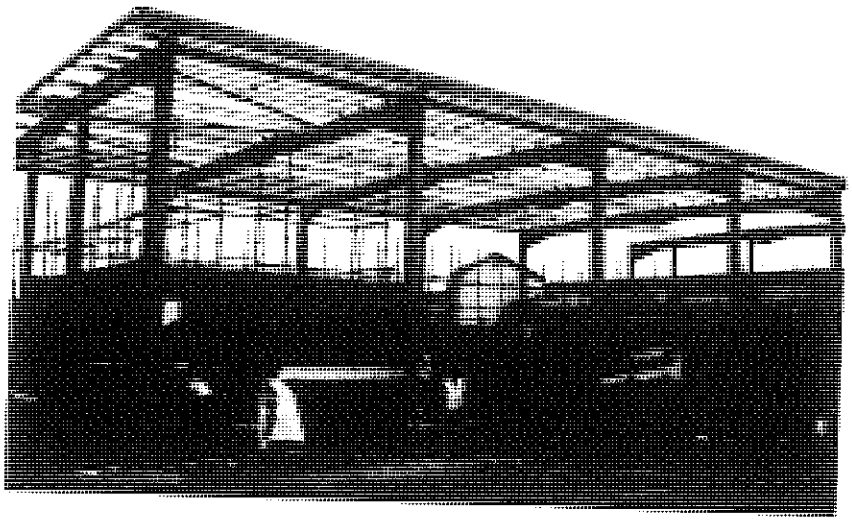
Initial stages

In the early stages of the project, members of the Management Committee met with the Quarryvale Health Community Project to learn about the development of their project and to visit the Health Room in Quarryvale Community Centre. Blue Drum, a regional support agency specialising in the arts, facilitated a session with the Management Committee and some residents from the local community in order to creatively explore a vision for the Health Project. Following this, a further facilitated session was organised to develop a mission statement, aims and objectives for the Health Project. Another Health Day was organised as part of the Fettercairn Summer Festival in 2005 to launch the Health Project and raise its profile within the community.

A number of funding applications were submitted on behalf of the project. To date, the project has received a grant from the Kathryn Howard Foundation to train local people to do a health needs analysis using PRA (Participatory Rapid Appraisal) methods and techniques. Additional funding was secured from the Combat Poverty Agency under the 'Building Healthy Communities' programme to facilitate the development of the Management Committee and programme development.

The project has also received a capital grant from RAPID to develop a health space and they are engaged in partnership with other service providers in building the health space in Fettercairn Community Centre. Building is in progress and it is expected that the health space will be open by December 2007.

In June 2006, the Health Project organised and ran a successful Health Day with increased participation of local families in all the holistic events and activities and hopes to continue to involve more of the community in similar events on a regular basis.



The Fettercairn Health space under construction (June 2007)

Aim of the FCHP project

The fundamental aim of the Fettercairn Health Project "is to create an affordable, accessible, inclusive community led Health Project for the people of Fettercairn which is friendly, warm and safe".
The two main components are:

- the access and availability to local health services
- the promotion of health in a holistic way by promoting the idea of 'well being' in the community.

The following principles will guide the operation of the project: confidentiality, participation, informed by local needs, non-discriminatory, non-judgmental, influencing the whole community, promoting the well-being of the whole person, building a sense of community and accountability to the local community.

The main areas of work are:

- Expanding and consolidating the Management Committee
- Commencing and overseeing the building of the Health Space
- Consulting with and providing accredited training of local people in Participatory Rapid Appraisal (PRA)
- Piloting programmes/taster courses
- Influencing policy service delivery through the Health Consortium
- Acting on the recommendations of the PRA Research.

From the outset, this health project has taken into account the 'social determinants of health' recognising the fact that health is affected by a whole range of social, economic, cultural, political and environmental factors that lead to health inequalities.

Research and Methodology

Aim of research

The overall aim of the research was:

- to hear what the Fettercairn community had to say on their health needs and on the factors that impacted on their overall health and well being:
- to encourage the local community, groups and organisations active in the area, to plan and work together in an integrated manner on a vision for a healthy community in Fettercairn:
- to build the capacity of local residents in developing action research skills: and
- to identify strategic steps to progress the future work of the Fettercairn Community Health Project.

It was decided by the Fettercairn Health Project Management Committee that an integral part of the research process was the involvement of local people in all aspects of the research.
The research model of Participatory Rapid Appraisal (PRA) was seen as the most appropriate method of engaging the local residents in discussions on their health needs.

Participatory Rapid Appraisal Model

Participatory Rapid Appraisal (PRA) is a community development approach to research and central to its application is the community taking real ownership of the research process itself. This is based on building the confidence and skills of local researchers through experiential learning and application of the techniques through community meetings. The model of PRA research uses the technique of gathering information creatively on the issues that affect a local community.

Training of local residents

The training was delivered by Community Action Network (CAN), a voluntary organisation that works for change through community development. CAN sees training as a tool for building active, empowered and vibrant communities. For this research process, CAN designed and piloted an accredited module on Participatory Rapid Appraisal at FETAC level 5.

Ten local residents volunteered to participate in the training and nine participants completed the training. There were eight female participants and one male, ranging in age from early twenties to late fifties. The majority had a proven track record in community involvement. Four of the participants went on to receive accreditation.

The training consisted of 42 hours direct training contact time, with 14 sessions of three hours duration. The research contact time with the community was 12 hours duration. The research process took place in May to June 2006.

Participatory Rapid Appraisal Process

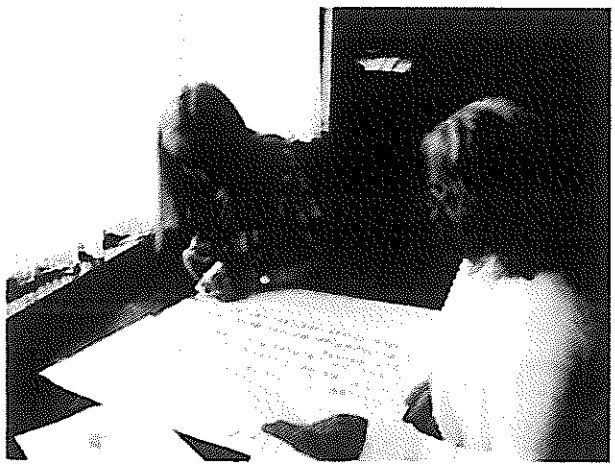
The research process went through a number of different stages.

1. 'Health Gathering'-Community Health Planning Meeting

The first stage was the organising and hosting of two community health gatherings with local residents in June 2006, facilitated by the PRA researchers. These gatherings were well publicised through posters disseminated in public places, memo distribution to all primary school children, word of mouth and notice of the event read out at all the weekend church services.

These open workshops with the community were informal and participative. The process involved the community working closely with the PRA facilitators in a creative and fun way, using mapping, diagrams and drawings to illustrate information sharing, views and opinions on the personal, social, economic and environmental issues that affect their health.

The purpose of the first gathering was to hear the views of the residents on their overall health needs. The issues raised were then collated, analysed and categorised into themes. The second gathering was to give the residents the feedback on the themes that emerged and identify priority areas for future planning and action.

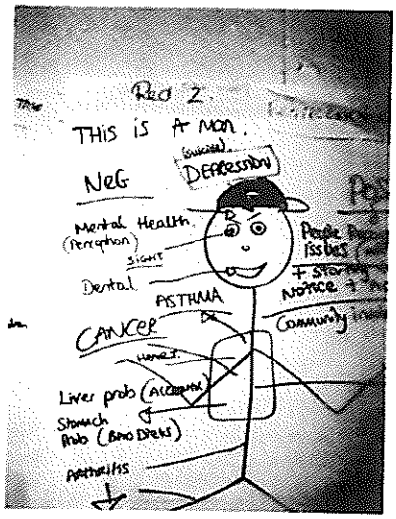


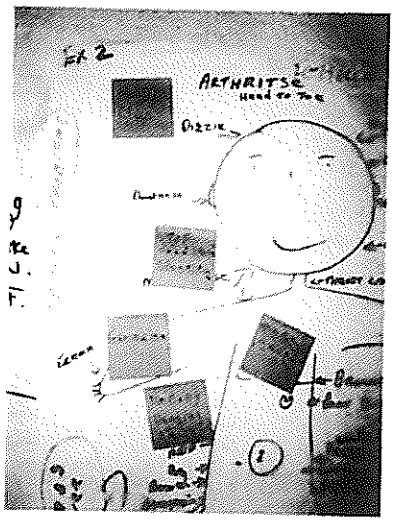
PRA Participants at work (June 2006)

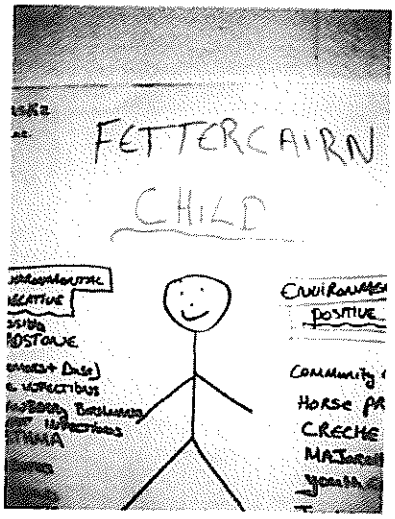
2. Focus Groups

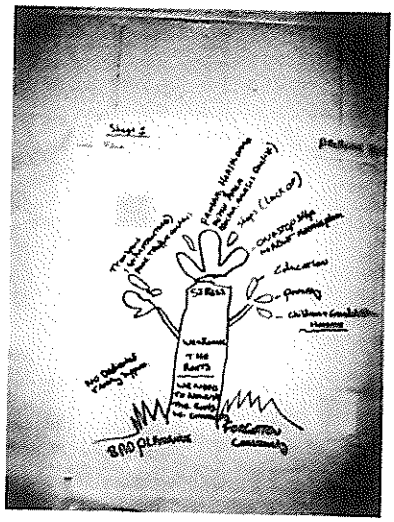
The second stage consisted of conducting two focus groups as it was noted by the research team during their analysis that there was an absence of youth and older people at the gatherings. The research team responded by facilitating additional workshops for both these groups.

These charts were used to illustrate the health issues for the people of Fettercairn. (Health Gatherings June 2006)









3. Workshop for Service providers

The third stage involved the service providers working in the area. They were invited to a separate workshop:

- to hear the themes that emerged from the residents.
- to input their own views.
- to prioritise strategic actions that related to their own work.

PRA Researchers at work (June 2006)

4. Holistic Health Day 2006

The fourth stage of the process was organised by FCHP in hosting a very successful holistic health day for the community at the end of June 2006. This provided an ideal opportunity to gather more views from a number of local residents who were participating in the health day.

An Information Stand on Holistic Health Day 2006

- People stated that if they had an efficient local GP service it would lessen the number of residents attending the hospital for minor medical complaints as concern was also expressed about waiting lists for treatment in the hospital.

- There is no dentist or pharmacy in the area and people are forced to travel a distance to get prescriptions filled.

- The cost of medical care for people on low incomes acts as a barrier to health care.

- Specific health issues for men in Fettercairn include mental health issues related to isolation, depression and suicide. Physical health issues for men include bad eyesight, stomach and liver problems, asthma, arthritis and cancers.

- Physical health issues for local women include cancers, bowel and bladder problems, dental health, heart problems, menopause and hysterectomy, back pain, migraines, eyesight related, arthritis, eczema, ulcers while mental health issues for women include stress and depression.

- Health issues for older people in the area include kidney problems, osteoporosis, arthritis, asthma, bowel problems, paralysis of hip, tunnel vision, blood pressure, heart and lung disease, treble by pass surgery. They also described feelings of depression and isolation.

- Health issues for teenagers include asthma, flu, eczema, drug abuse, pregnancy, cancer and AIDS.

Vision of access to medical services

The vision is for Fettercairn to have a medical centre of its own with all the facilities and services that the community needs. The centre should have a holistic approach to the health and wellbeing of the community and be involved with the prevention and treatment of ill health while being proactive in health promotion and health education. It would have a number of GP's surgeries that would also accommodate evening surgeries and callouts. Other services suggested are mental health services, a dentist, a physiotherapist and an occupational therapist.

"As residents we feel this is a right and not just a need to have the following in Fettercairn – an accessible centre- a space like a one-stop-shop to house all the services we need and at the times we need them – to also include GPs, a community nurse, a family planning service, a crisis help line and complimentary therapies", one resident said.

Theme 2. Health and well being

- Residents of all ages in Fettercairn described experiencing stress from issues such as low incomes, dirty and dusty environment, boarded up houses, fragmented and isolated community and lack of basic health services. On occasion, people can turn to drug and substance abuse to relieve this stress.

- Young people were concerned about peer pressure around drug and alcohol abuse in the community. "I am involved in substance misuse that includes cigarettes, alcohol and drugs from a young age" said one young teenager, while another explained that "I left school at a young age and have no job and need to be educated about how to stay healthy".

- The older people's focus was on loneliness, isolation and accessibility as contributing factors to depression and mental health issues. One older person commented that, "I am left to my own devices stuck in a wheelchair all day every day, we need better access to shops with affordable fresh food as I cannot make it to the Square".

Vision for a healthy community

The residents' vision is for everyone to feel healthy, active and full of energy. People expressed a wish that the area could be transformed into a nice place to live, free of violence and substance abuse. Residents want a clean and safe environment with lots of recreational and health related activities at affordable prices. People want to feel important and to know that their voices and views are listened to. They envision a cooperative community that works together towards a better quality of life for all residents, their children and future generations. They would like a place where everyone can read and write and have every opportunity for a good education. The need for good employment prospects was expressed and the wish that nobody would be poor and everyone could afford a good standard of living.

Theme 3: Personal, social, economic and community development

- Fettercairn lies within a RAPID area and is limited by a lack of community services and suitable premises to cater for the size of its population. Residents feel that while there are limited activities and space in the community centre for children and the youth, there is very little activity and social recreation for the adults. They feel that there is a lack of an integrated and coordinated approach to developing the community as a whole especially now with the loss of the Lone Parents CDP.

- Residents taking part identified themselves as the forgotten community in West Tallaght. One resident pointed out, "I feel we are a forgotten community with no parish priest of our own, older women having to mind their grandchildren because of the cost of childcare, nothing to do for adults and not enough activities for the kids".

- Many brought up the notion of stigma and poor image of the area in the media and from being compared with other communities in Tallaght. This then becomes internalised by local people on a personal level as having low self-esteem and lack of confidence in themselves. The teenagers and children are very concerned about how the negative image of Fettercairn affects their future employment prospects.

- There is a limited counselling service in the resource centre and some local people feel that they do not like attending sessions on their own door-step.

- Some individuals feel excluded from existing community activities and events. There is a deficit of information sharing on what is happening in the community unless you are part of a group.

- There is a need for an active campaign to recruit younger people in the area to become more involved in developing the community. Residents feel the volunteer base is exhausted among the long staying residents and many of them are suffering from burn out.

- Community development workers for Fettercairn alone are an urgent priority.

- "There is a lot of isolation and loneliness, apathy and lack of community spirit. I have a negative attitude towards the community and I feel permanently anxious and stressed", said one Fettercairn resident.

- Since the development of the Square Shopping Centre, local people have gained employment but many of the jobs are part-time and low paid thus affecting what standard of living people can afford. Residents talked about the hardship of paying bills and putting nourishing food on the table. They also feel that sporting and recreational activities are expensive and they then do without.

- It was affirmed by parents that there is a hub of activity in relation to the Youth Clubs run by local people with the support from TYS. Parents felt that there are more children wanting to be involved than there are places. However, these activities require a coordinated approach to maximise the use and potential of each building to its full capacity.

Vision of a vibrant community

Residents want to have an active and vibrant community, with people feeling a sense of belonging, community spirit and pride in the area. A focal point where all the community feel they are welcome which has the capacity to facilitate all ages is needed. There would be stronger connections and collaboration between each of the areas and within each individual area. Regular street parties, barbeques and regular clean ups could be organised. Effective community development workers are necessary to develop new initiatives with the community on the needs identified during the research. One resident's words are apt in summing this up "A future motto for Fettercairn is to be known as a healthy, friendly and vibrant community".

Theme 4: Environment, housing and transport

Anti-social behaviour

- Residents talk about anti-social behaviour and its effect on the community and the environment of the estate.

- The behaviour experienced is joyriding and speeding around the estate, burnt out cars, structural damage to property and substance abuse visible in many open spaces.

- The visual environment of the estate can be seen as vandalised and shuttered up vacant houses, with litter being dumped in open spaces and general landscaping being destroyed.

- The effect of this on the health of the residents is named as stress, depression, low self esteem, shame and a lack of pride in their area.

- Residents stated that they are very reluctant to call out the Gardai as in many instances there is no appropriate response to their call or a long period of time elapses between reporting and response from the Garda station.

- More Garda presence is needed in the area and specifically mentioned was the establishment of regular and committed Community Gardai on the beat in order to build up stronger connections and relationships with the community and establish a feeling of safety, security and well being.

- In addition, many residents feel powerlessness in trying to address this issue and there is a genuine fear of intimidation and retaliation if they dare report issues to the Gardai.

Roadstone Quarry

- Another major cause for concern is the dust from the quarry at Roadstone which backs onto the Fettercairn Estate. According to residents, the dust can be seen on certain days as a blanket over the fields, covering the roads and leaving a film of dust over the cars.

- Residents and children feel that this dust may be a main contributor to repetitive chest and breathing problems. This has a ripple effect as it then involves many trips to the doctor's surgery for consultations. This, in turn causes economic hardship in paying doctors bills and prescriptions as well as the imposition of having to travel outside Fettercairn for medical care.

- The blasting from Roadstone Quarry on certain specific days in the week causes residents to leave their home at the appointed times of the blasting in order to avoid the noise and vibrations from the sirens and blasting.

- It was also stated that the numerous blastings are causing long-term structural damage to their homes and evidence of this needs to be investigated and researched further.

Housing and Estate Management

- Many existing houses are in poor condition and in need of maintenance and repairs, although there has been some refurbishment to houses carried out by SDCC and by residents themselves.

- There are vacant boarded up houses on many of the roads in the area, which contribute to ongoing vandalism and visual deprivation. This is surprising in the current climate of long local authority waiting lists for accommodation.

- The residents welcome the development of new houses but feel dismayed that there is no open consultation with the community on the housing plan for the area.

- Residents feel that any new development should incorporate social and affordable houses in the next planning stage which should be ear-marked for local residents with extended families living with them.

- Residents feel that there is a lack of information on their housing rights and policies in relation to maintenance, evictions and anti-social behaviour.

Transport and Traffic

- Currently there is no bus service through Fettercairn Estate and other bus routes are inconvenient and infrequent.

- Residents observed that cars from outside the area are using the Fettercairn Road as a short cut to their destinations particularly in the mornings and evenings. It is viewed as a safety hazard to the community especially for young children coming and going from school.

- It was strongly articulated that the existing traffic calming measures are not sufficiently working especially as it has not decreased joy riding and speeding within the three areas in Fettercairn.

Direct Quotes from residents:

"Anti-social behaviour is getting worse – e.g. drinking and fires lit in open spaces, burnt out cars, I lock myself in – I am like a prisoner in my own home. I am afraid to report it as my house could be burned down".

"I have given up calling the Gardai as they don't come".

"Having to live in a dirty estate is not good for my health, there is lots of broken glass, bottles and syringes lying around that can cause real harm and injury".

"Dust from Roadstone quarry is causing the family respiratory problems, in particular asthma and wheezing, with many trips to the doctor that I cannot afford".

"Blasting from Roadstone quarry is damaging house structures and the noise and vibrations are unbearable every week – I have a huge structural crack in my main outside wall. My house rocks at 2.40pm each day from blasting".

"Poor maintenance given to long established older houses, it is lax and inefficient, my problem is I don't know how and who to contact".

"Bad planning in the past by South Dublin County Council but they are still building houses with no extra amenities in the area. We need more retail shops and a pharmacy".

"Gardens and open spaces are neglected by residents, grass verges neglected also this is frustrating and makes me angry".

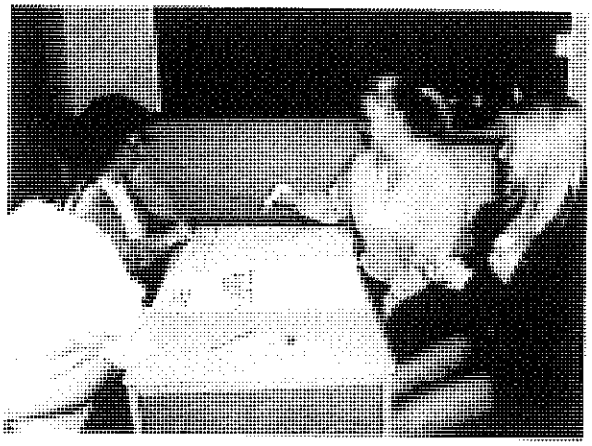
"Housing needs not being met – lack of affordable houses for our children and grandchildren".

"No bus route around Fettercairn estate and other bus routes are seldom and less frequent. Too much traffic and speeding cars going through the estate".

"Ambulances and emergency services have access difficulties getting into the estate".

Residents vision for a safe and healthier environment

A vision for a healthy and safe environment was articulated strongly by residents at the health gatherings. They envisage a community with clean streets, well maintained houses and gardens, with landscaping, trees and flowers. Residents want to see an absence of crime and anti-social behaviour and people living in harmony with each other.



PRA Group at work (June 2006)

Members of the PRA Research Team

***Fig 3.** This chart was made by residents showing what they feel lengthens and shortens people's lives in Fettercairn*

That lengthen	That shorten
Family and Friends	No Doctor in area
Looking after yourself	No health centre
Good Food	No Women's Club or Group
Work we enjoy	No Entertainment
Support of a Partner	Roadstone dust and noise
Walking	Too Much Traffic
Keeping Fit	Too Many Pylons
Gardening	No Sport Facilities
Relaxation	Dirt in the Area
Mountains	Anti Social Behaviour
Open Spaces	Worry and Stress
Having fun	Too much alcohol
Feeling important	Too much smoking
Activities for everyone	

(Fettercairn Community Health Gathering June 2006)

Fig.4 Summary of Residents' Issues

Groups involved in health gatherings and focus groups	Themes Identified	Residents views
Residents Older people Youth Children Service providers	Medical and Health Services	▪ No multi purpose Medical Centre ▪ Difficulties accessing Health Services ▪ No out of hours health services ▪ No GP, Dentist or Pharmacy ▪ Mental health problems ▪ High incidents of respiratory and chest problems ▪ Dental problems ▪ Ineffective Primary Care Service
	Health and Well being	▪ Health promotion and information ▪ Nutrition and diet ▪ Drugs and alcohol ▪ Stress and Depression ▪ Weight problems ▪ Lack of affordable fresh food ▪ Sexual health and teenage pregnancies ▪ Regular access to complimentary therapies
	Personal, social economic and community development	▪ Low self-esteem ▪ Low community participation ▪ Low income and ill health ▪ Low paid jobs ▪ Early school leaving ▪ High level of young people and lone parents ▪ Unemployment ▪ No community development programme ▪ Lack of affordable sport activities ▪ Lack of development workers ▪ Lack of adult education and activities for adults ▪ Burn out of volunteers ▪ Not maximising community facilities ▪ Lack of integrated approach to services and service delivery ▪ Lack of information and consultation

Groups involved in health gatherings and focus groups	Themes Identified	Residents views
Residents Older people Youth Children Service providers	Environment. Housing and Transport	▪ Vandalism ▪ Joyriding ▪ Burnt out cars ▪ Drugs ▪ Drinking in open spaces ▪ Dumping rubbish ▪ Crime ▪ Intimidation of residents ▪ No Safety on the streets ▪ Domestic violence ▪ Parents not taking responsibility for children ▪ Dirty Environment ▪ Constant dust. noise and vibration tremors from Roadstone Quarry ▪ Structural damage to houses from constant blasting ▪ Too many pylons ▪ Lack of Garda presence and quick responses ▪ Lax and unclear policies on housing ▪ Vacant and vandalised houses ▪ No housing provision for extended families ▪ Insufficient public transport system ▪ No buses through Fettercairn ▪ Road safety and speeding

Recommendations

The recommendations contained in this section of the report have been extracted from the themes that emerged from the Health Gatherings and Focus groups sessions.

1. Medical and health services

- To lobby for an effective Primary Health Care team in the area using the results of a heath impact assessment to support this proposal.

- To seek capital funding for the building of a medical health centre for the Fettercairn area. This centre should provide a range of healthcare services and facilities in response to the physical, emotional and psychological needs of the community. It should have an integrated holistic approach to health and adopt the social as well as the medical model of health in order to begin to tackle the health inequalities in the area.

- To work with the HSE and General Medical Council to lobby for a GP surgery located in Fettercairn that will also provide out-of-hours services.

2. Health and wellbeing

In addition to a medical centre, the residents suggested the building of a multi purpose facility to cater for the health and well-being of the community. This centre could also be achieved by extending the existing community centre. This centre to provide the following services and qualified personnel in

- complimentary health care
- counselling
- regular fitness classes
- dietician
- health promotion and education
- adult and basic education

3. Personal, social, economic and community development

- To establish access to regular information, consultation and feedback processes within the community. A starting point would be to re-establish the Fettercairn Community Network with a focus on a coordinated approach to the issues facing Fettercairn.

- To build up an active volunteer base in the community

- To establish a local group of volunteers and community organisations to apply for resources to re-establish a community development project for Fettercairn, to work on the identified needs of the community and to include health as a priority.

APPENDIX 9

PUBLIC NOTICE RELATING TO S. 261A

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Review of Quarries

Section 261A of the Planning and Development Act 2000 (as amended) (Further matters in relation to control of quarries)

1. South Dublin County Council intends to examine every quarry in its administrative area to determine, in relation to that quarry, whether having regard to the Environmental Impact Assessment Directive and the Habitats Directive, one or more than one of the following was required but was not carried out —

(i) an environmental impact assessment;

(ii) a determination as to whether an environmental impact assessment is required;

(iii) an appropriate assessment.

2. Where South Dublin County Council determines in relation to a quarry that an environmental impact assessment, a determination as to whether environmental impact assessment was required, or an appropriate assessment, was required but was not carried out and the Council also decides that —

(i) the quarry commenced operation prior to 1 October 1964, or planning permission was granted in respect of the quarry, and

(ii) if applicable, the requirements in relation to registration under section 261 of the Planning and Development Act 2000 (as amended) were fulfilled,

the Council will issue a notice to the owner or operator of the quarry requiring him/her to submit an application to An Bord Pleanála for substitute consent, such application to be accompanied by a remedial environmental impact statement or a remedial Natura impact statement or both of those statements, as appropriate.

3. Where South Dublin County Council determines in relation to a quarry that an environmental impact assessment, a determination as to whether environmental impact assessment was required, or an appropriate assessment was required, but was not carried out and the Council also decides that —

(i) the quarry commenced operation on or after 1 October 1964 and no planning permission was granted in respect of the quarry, or

(ii) if applicable, the requirements in relation to registration under section 261 of the Planning and Development Act 2000(as amended) were not fulfilled,

the Council will issue a notice to the owner or operator of the quarry informing him/her that it intends to issue an enforcement notice under section 154 of the Planning and Development Act 2000 (as amended) requiring the cessation of the operation of the quarry and the taking of such steps as the Council considers appropriate.

4. Where South Dublin County Council determines in relation to a quarry that an environmental impact assessment, a determination as to whether an environmental impact assessment was required, or an appropriate assessment, was required but was not carried out and the Council also determines that the development in question was carried out after 3 July 2008, the Council will issue a notice to the owner or operator of the quarry informing him/her that it intends to issue an enforcement notice under section 154 requiring the cessation of the operation of the quarry and the taking of such steps as the Council considers appropriate.

5. Any person may make submissions or observations in writing, without payment of a fee, to South Dublin County Council in relation to any quarry in its administrative area not later than 6 weeks after the date of this notice.

6. As the 6 week period referred to above will include Christmas 2011, the period for receipt of submissions or observations will be extended by 9 days by South Dublin County Council. Accordingly the last day for submissions is **January 27th 2012 at 4.30pm.**

Submissions may be made in writing or by email as follows, to; **Tony Shanahan, Administrative Officer, South Dublin County Council, Planning Dept., Town Centre, Tallaght, D24 or by email to devplan@sdublincoco.ie**

7. Submissions received within the period permitted will be considered by the Council. Submissions received may be made available for inspection by the Council or copies may be made available to persons on request.

8. A copy of any notice issued to the owner or operator of a quarry by South Dublin County Council directing him/her to apply to An Bord Pleanála for substitute consent, or informing him/her that the Council intends to issue an enforcement notice under section 154 in respect of the quarry, will be given to a person who made submissions or observations within the period permitted.

9. An owner or operator of a quarry to whom a notice is issued by South Dublin County Council, and any person to whom a copy of such a notice is given by South Dublin County Council, may apply to An Bord Pleanála, without payment of a fee, for a review of a determination or a decision, or both, referred to in the notice.

Frank Nevin
Director
Land Use, Economic & Transport Planning Dept

Web: www.sdcc.ie

Former NIB director has exclusion quashed

Disqualification order not valid, rules Supreme Court

MARY CAROLAN

AN ORDER disqualifying a former executive director of National Irish Bank (NIB) from involvement in managing any company for nine years over "lack of a proper standard of conduct" of affairs at the bank during his period of employment has been overturned by the Supreme Court.

The unanimous ruling [illegible] in favour of Mr Seymour's appeal against a decision of the High Court in 2009 to uphold the disqualification order against him under Section 160 of the Companies Act.

The Director of Corporate Enforcement (DCE) had failed to show actions or omissions of Mr Seymour amounted to conduct or incompetence of the kind [illegible]

A "grave failure" by Mr Seymour to ensure Dirs payments were properly returned to the Revenue, or justify a loss transaction with it, [illegible] was certain Mr Seymour was the wrong man in the wrong place at the wrong time for the post he took over in 2004, Ms Justice Fidelma Macken said.

Mr Seymour came to regret his career decision, allowing [illegible] to be responsible for four out of five [illegible] and other organisations.

The DCE sought the disqualification order following the 2010 findings of inquiry into certain transactions at the bank. The inquiry [illegible] found the bank's directors and senior management [illegible] were responsible for "multiple breaches" of the Companies (Amendment) Act 1990.

The inspectors criticised both NIB and NBFC management for a number of transactions, allowing the [illegible] and monitoring of [illegible] inspectors in their report.

It appeared from the report and [illegible] Mr Seymour's evidence to [illegible] knowledge of the existence of "illegal non-cashless payments" in NIB were [illegible] or such statements, he said. Numerous others with access to the same information and far more qualified in the area of tax [illegible] and Paul Haslam, including NIB's audit committee [illegible] external auditors KPMG, had failed to appreciate or point out any problems, she said.

It seemed obvious, if Mr Seymour was alerted to the problem, he would have tackled it immediately, she added. She found the High Court failed to make necessary findings against Mr Seymour in line with the legal test for a declaration of unfitness [to be involved in managing companies] leading to a disqualification order.

The reasoning for a finding of unfitness must be clear, based on an identifiable legal test or tests and on findings made under those tests within the ambit of the DCE's claim. That was not the position in this case, the judge found.

The appeal by Mr Seymour, in his late 70s, from Ardmullen Road, Rathgar, Dublin, against a section 160 order was successful despite the fact that [illegible] between 1994 and 1998 did not [illegible] appropriate.

Finance One posts after-tax profit of over €92,000 to end of March

CAL HEXTALL
Public affairs correspondent

FINANCE ONE, the finance intermediary that includes the National Asset Management Agency among its clients, made a profit after tax and dividends of €92,232 in the year to the end of March.

The company's abridged financial statements, filed recently, show it made a corresponding profit of €23,572 the year before. Finance One, which is owned by Conor Sheeran and Harry Slowey, had shareholders' funds at year's end of €1.33 million, up from €1.24 million the previous year. No dividend figure was given.

Finance One is on a panel for the provision of advisory services to Nama for the review and evaluation of borrowers' business plans.

Earlier this year developers Ray and Danny Graham opposed Nama's effort to have Mr Slowey appointed as a non-executive chairman of the brothers' company, Glenkerrin. The accounts show Mr Slowey and Mr Sheeran had loans to the company totalling €814,964 at year's end, up from €354,320 at the outset of the year. During the year the company increased its investment in an unidentified project by buying Mr Slowey's interest for €128,000. The accounts show the company's debt to Mr Slowey increased by this amount.

Mr Sheeran is a former director of Aon Consulting who held the position of branch manager with Irish Permanent for 12 years. Mr Slowey was a director of Bank of Scotland (Ireland) for 13 years, has held senior positions with GPA Group and KPMG.

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Frank Nevin
Director
Land Use, Economic & Transport Planning Dept

Web: www.sdcc.ie

Greencore records rise in revenue of 8.7%

SUZANNE LYNCH

GREENCORE [illegible] rise in revenue and profits in the first half of the year, helped by the acquisition of Uniq, which [illegible] a hike for the basis. Earnings per share were 13.9 pence compared to 11.3 pence in 2010.

Revenue for the 26 weeks ended December 30th, 2010, were up 8.7 per cent to £1.1 billion. Operating profit, before exceptional items, was £107 million, up 10 per cent. Exceptional items, which [illegible] were £12 million.

Greencore, which [illegible] Uniq, which [illegible] Greencore's food to [illegible] meals and grocery [illegible] Greencore's [illegible] Uniq business, now in its ninth week, was progressing [illegible] said at the announcement of the deal that we expected annual synergies of £16 million, [illegible] which would be achieved [illegible] We're on track to do this.

A number of [illegible] Greencore [illegible] Greencore's [illegible] Greencore's [illegible] Greencore's

THE IRISH TIMES

This page shows the article as it originally appeared in the newspaper. The article itself can be read on the following page.

BusinessToday

Former NIB director has exclusion quashed

Finance One posts after-tax profit of over €2,000 to end of March

Greencore records rise in revenue of 8.7%

Year of relentless activity underpins excellent health of Irish food company

Living standards on the slide but executive pay seems out of sync

This is the article's web address for reference.

http://www.irishtimes.com/newspaper/archive/2011/1207/Pg017.html#Ar01709

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APPENDIX 10

CORRESPONDENCE RELATING TO REG. REFS. A.435 AND B.1117

DUBLIN COUNTY COUNCIL

TELEPHONE: 42951 (EXT. 131)

Planning Department,
46-49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE: ~~OUTLINE PERMISSION~~ : PERMISSION ~~APPROVAL~~ :

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

To: Roadstone Ltd.,
Development Division, Belgard Castle,
Clondalkin, Co. Dublin.

Register Reference No: B. 1117
Planning Control No: 9459
Application received 1st Aug. 1969
Additional Information: 26th March, '70

APPLICANT: Roadstone Ltd.

In pursuance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/946/70 dated 25th May, 1970 decide to refuse: ~~OUTLINE PERMISSION~~; PERMISSION; ~~APPROVAL~~,

for Proposed Limestone Quarry at Belgard/Chooverstown.

for the following reasons:

1. The proposed development is not in accordance with the previous conditions set out in the general Permission order TP/333/63 and the decision to Grant Outline Permission by Order No. P/789/68 whereby the height of any structure was to be not greater than 50 ft. except under exceptional circumstances.

2. Details of the specific programme of re-instatement and landscaping so as to preserve and improve the amenities of the area have not been submitted by the applicants as required in the Outline Permission.

3. Details of the proposed access providing for adequate traffic visibility and avoidance of hazardous vehicle movements at the Chooverstown junction with the Naas Road dual-carriageway and site access road junction with Cookestown Road have not been submitted by the applicants as required in the Outline Permission.

4. Elevations, sections and colour treatment for the proposed structures on these lands have not been submitted.

Note:- The applicants should consult with the Planning Department and Roads section in regard to the matters at issue before making a further submission.

Signed on behalf of the Dublin County Council: WMcL.
AMcC.

Date: 25th May, 1970

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him

Reg. B. 1117.

P.C. 9459.

29 Mean Fomhair, 1969.

Roadstone Limited,
Development Division,
Belgard Castle,
Clondalkin,
County Dublin.

re: Proposed development of Quarry (Limestone) to provide road materials and aggregates for the construction industry, at Belgard/Cheeverstown, Co. Dublin for Roadstone Limited. Application received: 1st August, '69

A Chairde,

With reference to your letter dated 28th July, 1969, regarding planning permission in connection with the above, I am to inform you that before the application can be considered under the Local Government (Planning and Development) Act, 1963, the following information must be submitted in triplicate:-

(1) That the detailed information (including necessary plans etc.) required to be submitted for approval of the planning Authority under conditions (1), (2), (3), (4), (6) and (7) of outline permission (Order No. P/789/68, dated 4th June, 1968, for quarry development at Cheeverstown, Clondalkin, be submitted.

(2) That details of existing developments, which have been carried out by Messrs. Roadstone on the site, including that at Belgard Castle, shall be submitted to the Planning Authority.

NOTE: The applicants are advised to confer with officials of the Dublin Planning Office in order to clarify

P.T.O.

Continued:-
REG. B. 1117.

P.C. 9459.

29 Mean Fomhair, 1969.

planning requirements in this matter.

Mise, le meas,

a.s. Priomh Oifigeach.

P/1648/69.

BD/MMcG.

[redacted]

29 Mean Fomhair, [redacted]

P.C. 9459.

Roadstone Limited,
Development Division,
Belgard Castle,
Clondalkin,
County Dublin.

re: Proposed (as attached Order)

I attach notice requesting additional information in regard to your application received on 1st ultimo.

In the course of examination of your application it was noted that work had already commenced on the site of the proposed development. As no planning approval has been granted you are hereby directed to cease work forthwith pending a decision on your application of the 1st ultimo.

for Principal Officer.

Roadstone LTD.

Naas Road Dublin 12

Telephone Dublin 503444
Telegrams "Roadstone" Dublin

Ref.: PC/MD

4th April, 1968

Dublin County Council,
Planning Dept.,
Exchange Buildings,
Lord Edward St.,
Dublin 2.

5 APR 1968
RECEIVED

Re/ Planning Control No. 9459
Order No. TP. 333/63
Dated - 16. 5. 63

[redacted]

Dear Sirs,

A general permission ref. above was granted us for a quarry plant at Belgard, located at 'A' on the enclosed map.

Current negotiations with the existing landowners to the west and south of our property will extend our boundary to that outlined in red on this map and in view of this we feel that a quarry and plant located at "B" would be preferable to our original proposal.

We wish to apply for outline permission for a quarry and plant on this alternative site.

The plant will consist of crushing, screening and mixing equipment producing building and roadmaking aggregates and will include an asphalt plant. All equipment will have an adequate dust control system.

Adjacent to the main plant will be the usual services consisting of maintenance workshop, stores, offices, canteen and toilets, together with an E.S.B. sub-station and plant switch house.

It is proposed to widen the existing road leading

/....

DIRECTORS: C. M. O'KELLY, T. C. ROCHE, D. O'CONNOR, R. A. KIDNEY, J. A. WOOD, C. DUNCAN, A. H. L. ARCHER, J. N. KIDNEY, D. ROCHE

off the dual carriageway to form an entrance to the site and to make a new road to the east of the plant to give an exit on to Fortunestown Lane.

We enclose a copy of the notice inserted in the Irish Times 3/4/'68 and three copies of the O.S. map Dublin 21, showing the extent of our property and the proposed location of the quarry, plant and access roads.

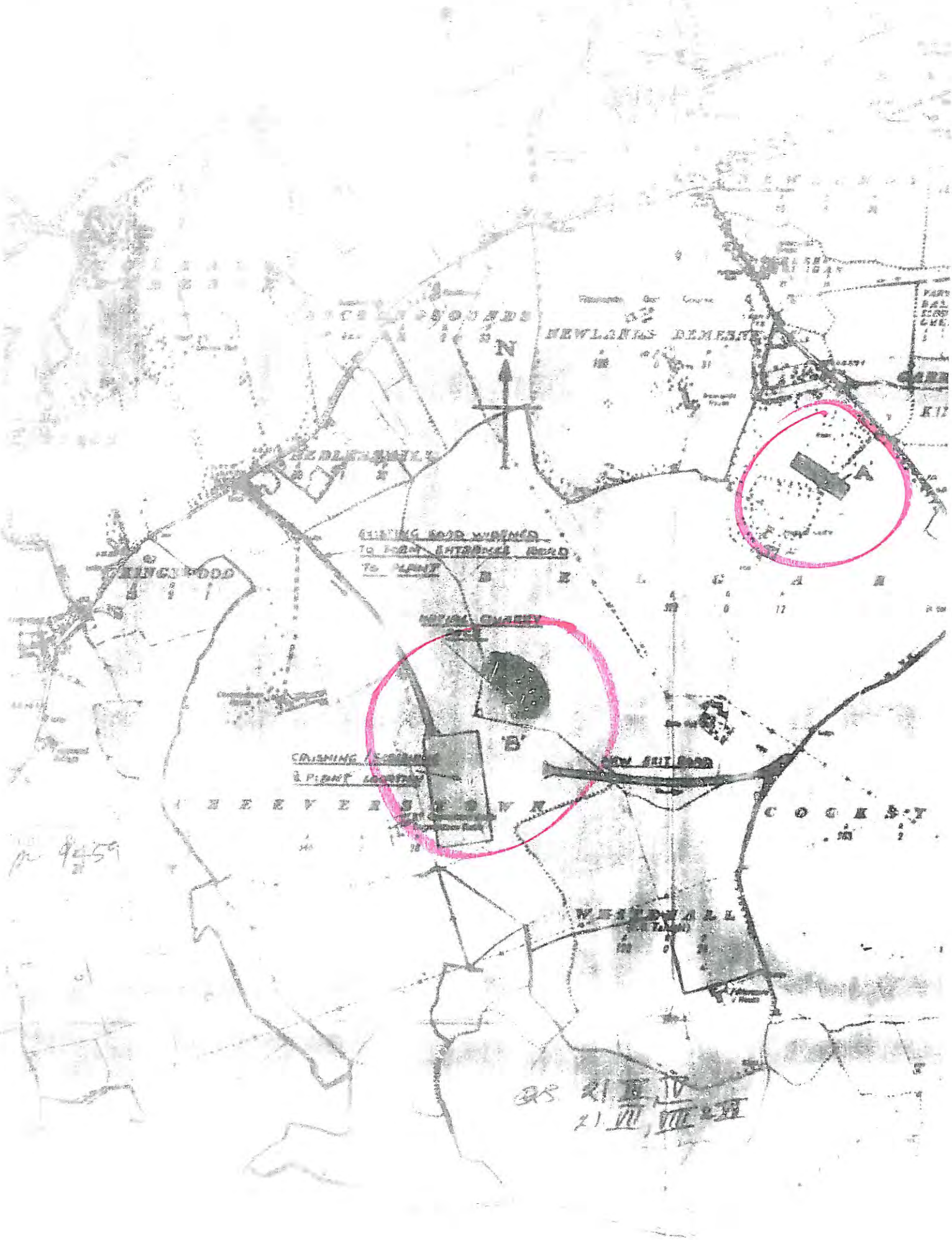
Yours faithfully,
for ROADSTONE LIMITED.

P. Connolly.

P. Connolly.

R459
- 5 APR 1968

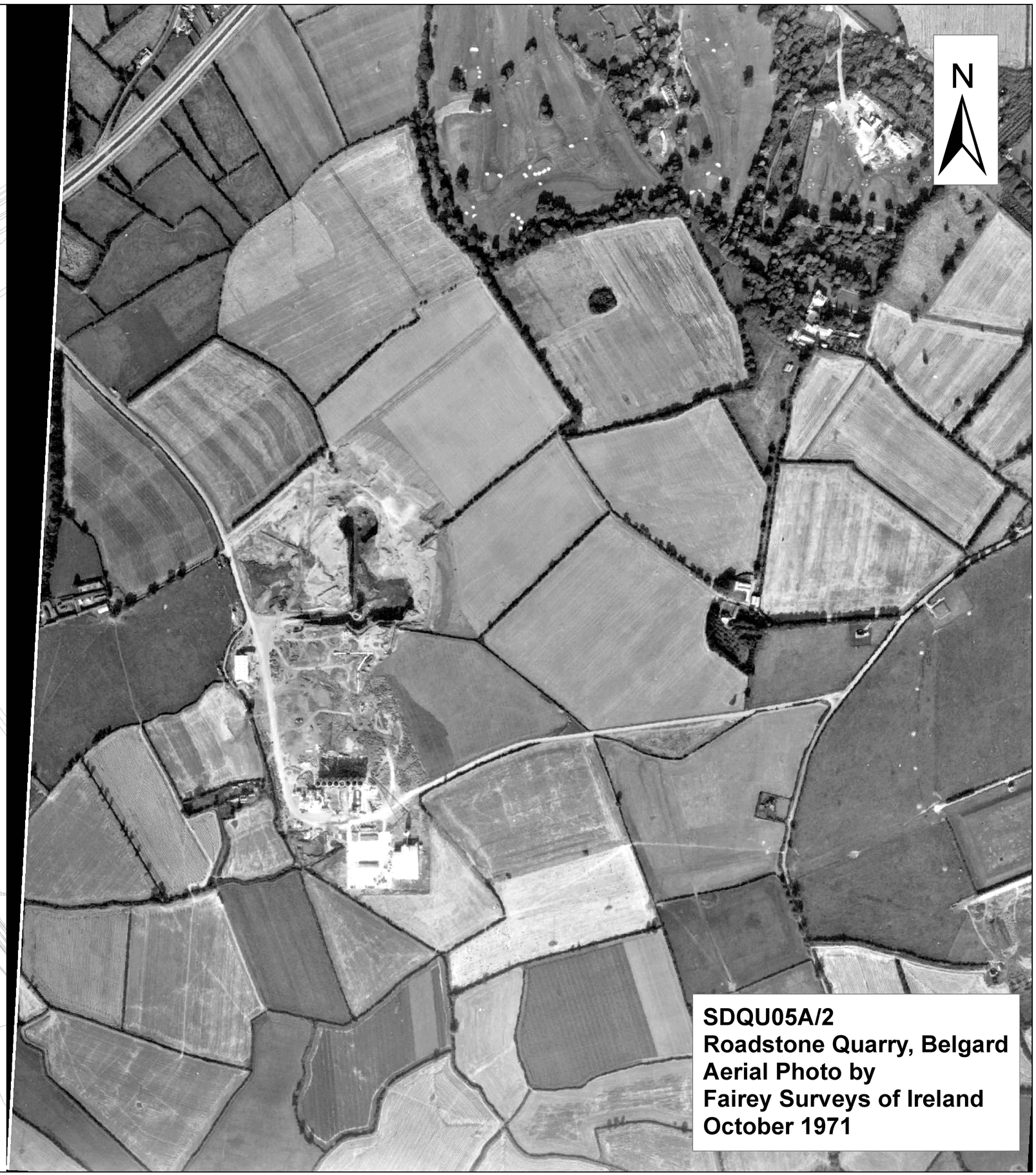
Encls.


NEWLANDS DEMESNE
N
A
A'
B
B'
KILLINGWOOD
COCKSEY

APPENDIX 11

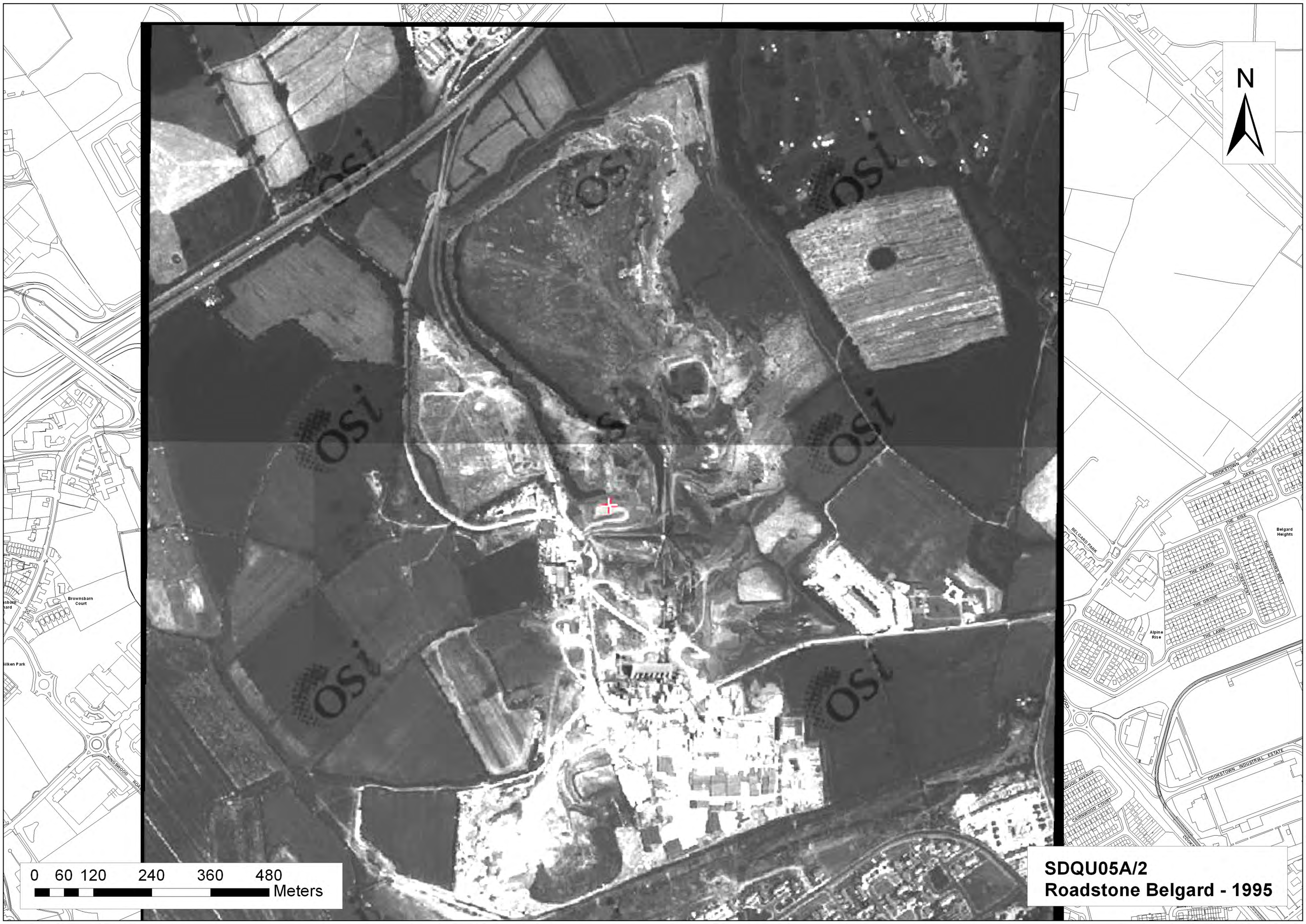
AERIAL PHOTOGRAPHY
1971
1978
1995
2000
2005
2009

Brownsbarn Wood
Brownsbarn Orchard
Brownsbarn Court
Silken Park
NAAS ROAD
KINGSWOOD ROAD
KINGSWOOD DRIVE
KINGSWOOD AVENUE
LAKE DRIVE
0 62.5125 250 375 500
Meters


N
SDQU05A/2
Roadstone Quarry, Belgard
Aerial Photo by
Fairey Surveys of Ireland
October 1971

SDQU05A/2
Roadstone Belgard - 1978

SDQU05A/2
Roadstone Belgard - 1986


N
Brownsbarn Court
Silken Park
KINGSWOOD ROAD
COOKSTOWN ROAD
THE OAKS
THE RISE
Belgard Heights
BELGARD PARK
THE GARTH
THE MEADOWS WEST
THE GROVE
THE LAWN
Alpine Rise
COOKSTOWN INDUSTRIAL ESTATE
CAIRNWOOD AVENUE
CAIRNWOOD COURT
0 60 120 240 360 480
Meters
SDQU05A/2
Roadstone Belgard - 1995

N
0 62.5125 250 375 500
Meters
SDQU05A/2
Roadstone Belgard - 2000

N
0 62.5125 250 375 500
Meters
SDQU05A/2
Roadstone Belgard - 2005

N

0 62.5125 250 375 500
Meters

SDQU05A/2
Roadstone Belgard - 2009

N

SDQU05A/2
Roadstone Belgard - 2009

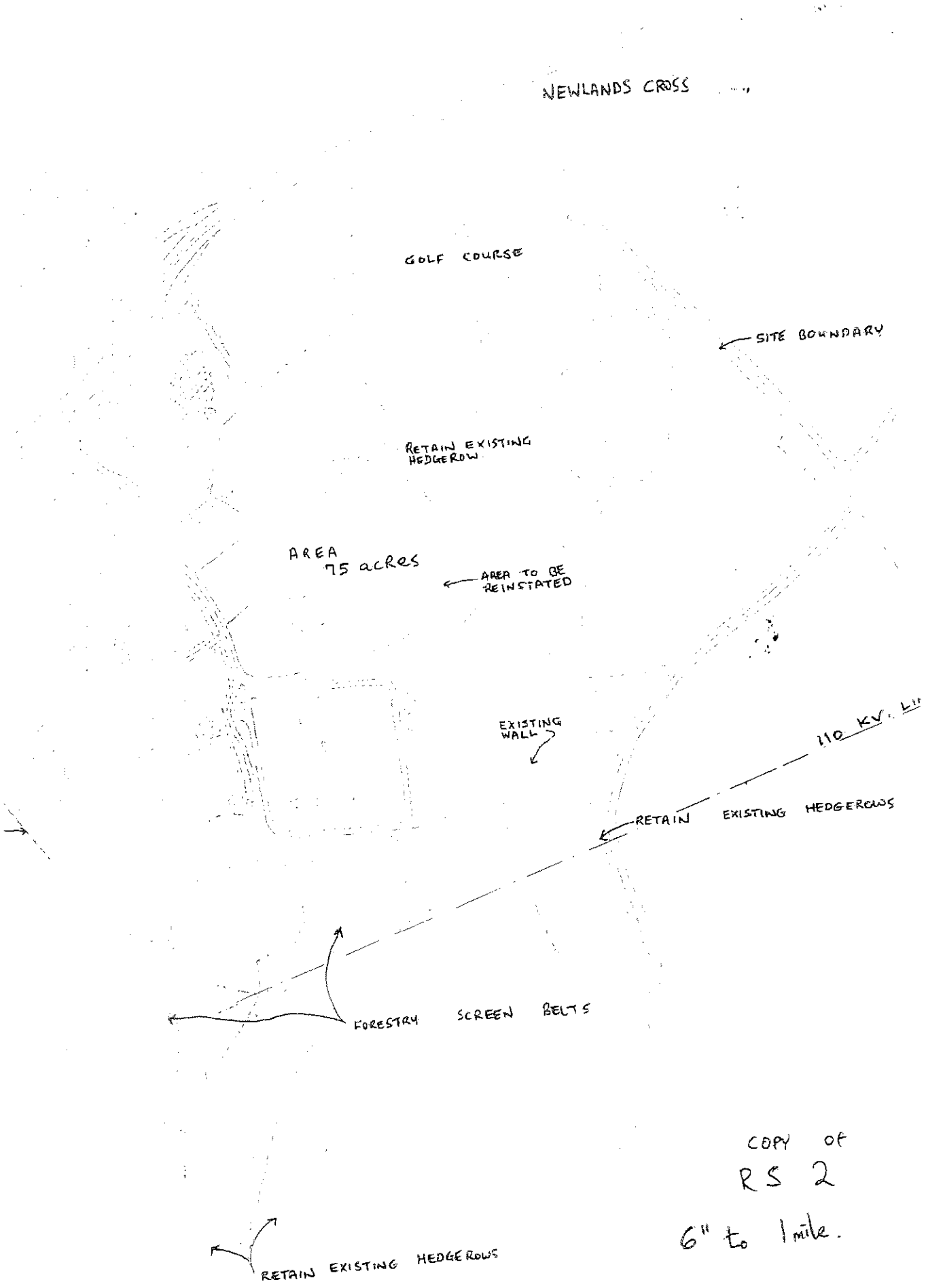
Legend

- 2009 Extent of Excavation
- 2005 Extent of Excavation
- 2000 Extent of Excavation
- 1995 Extent of Excavation
- 1986 Extent of Excavation
- 1978 Extent of Excavation
- 1971 Extent of Excavation

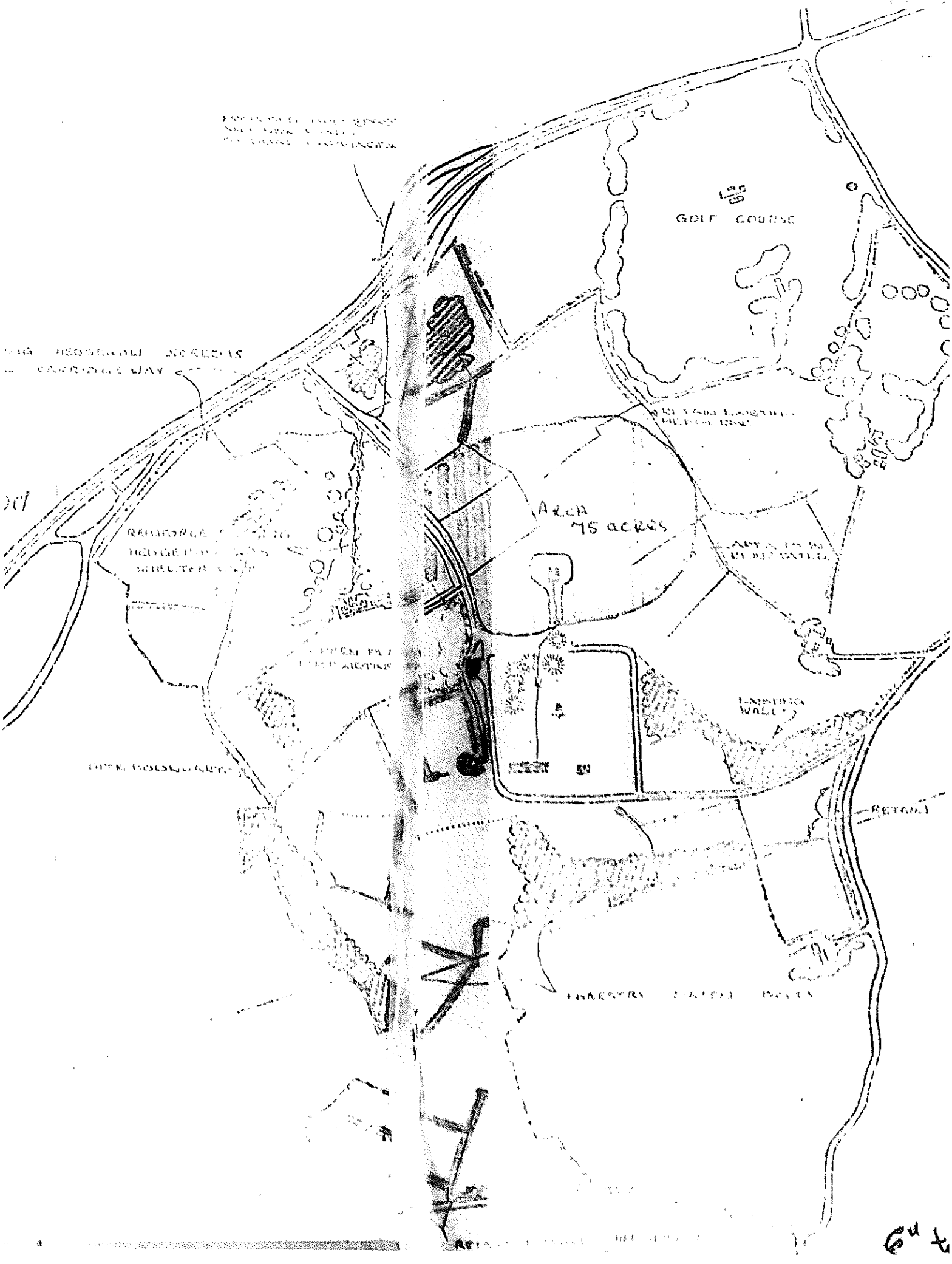
0 62.5125 250 375 500
Meters

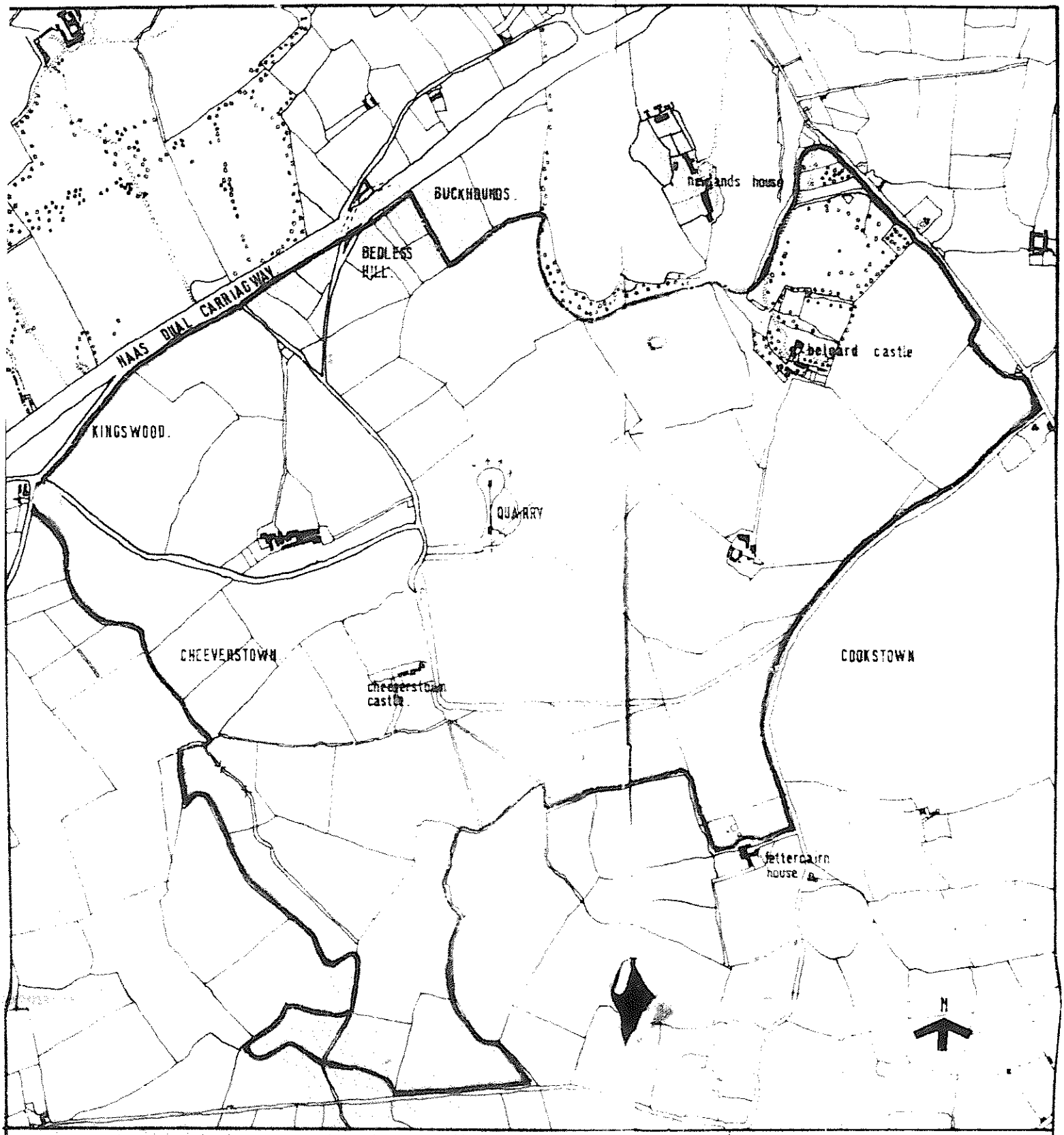
APPENDIX 12
(Register Reference C.1488)

1) Sketch Drawing No. RS2
2) Site Location and Section Drawing
3) Landscape and Reinstatement Proposal

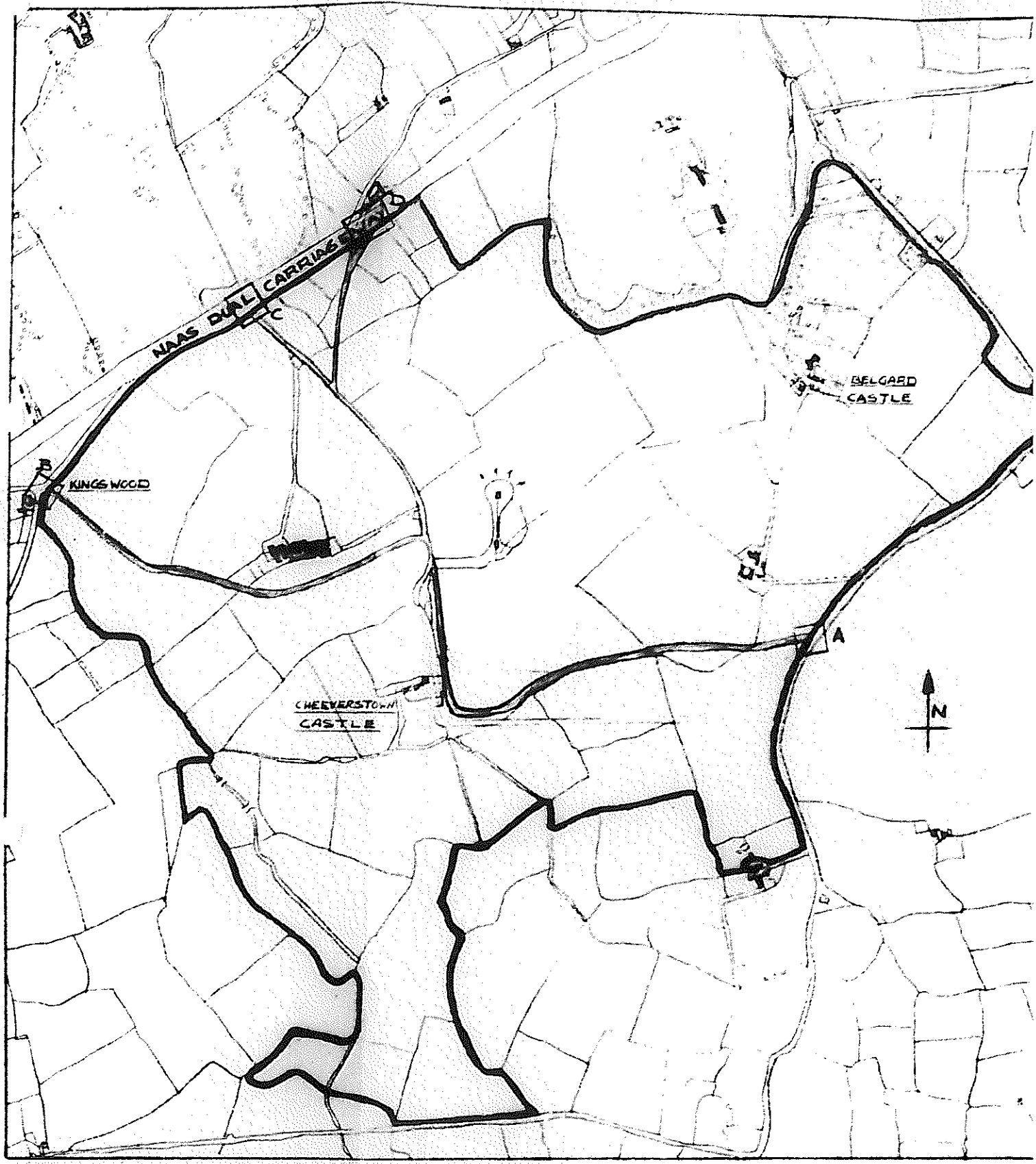


COPY OF
RS 2
6" to 1 mile.


GOLF COURSE
AREA
75 acres



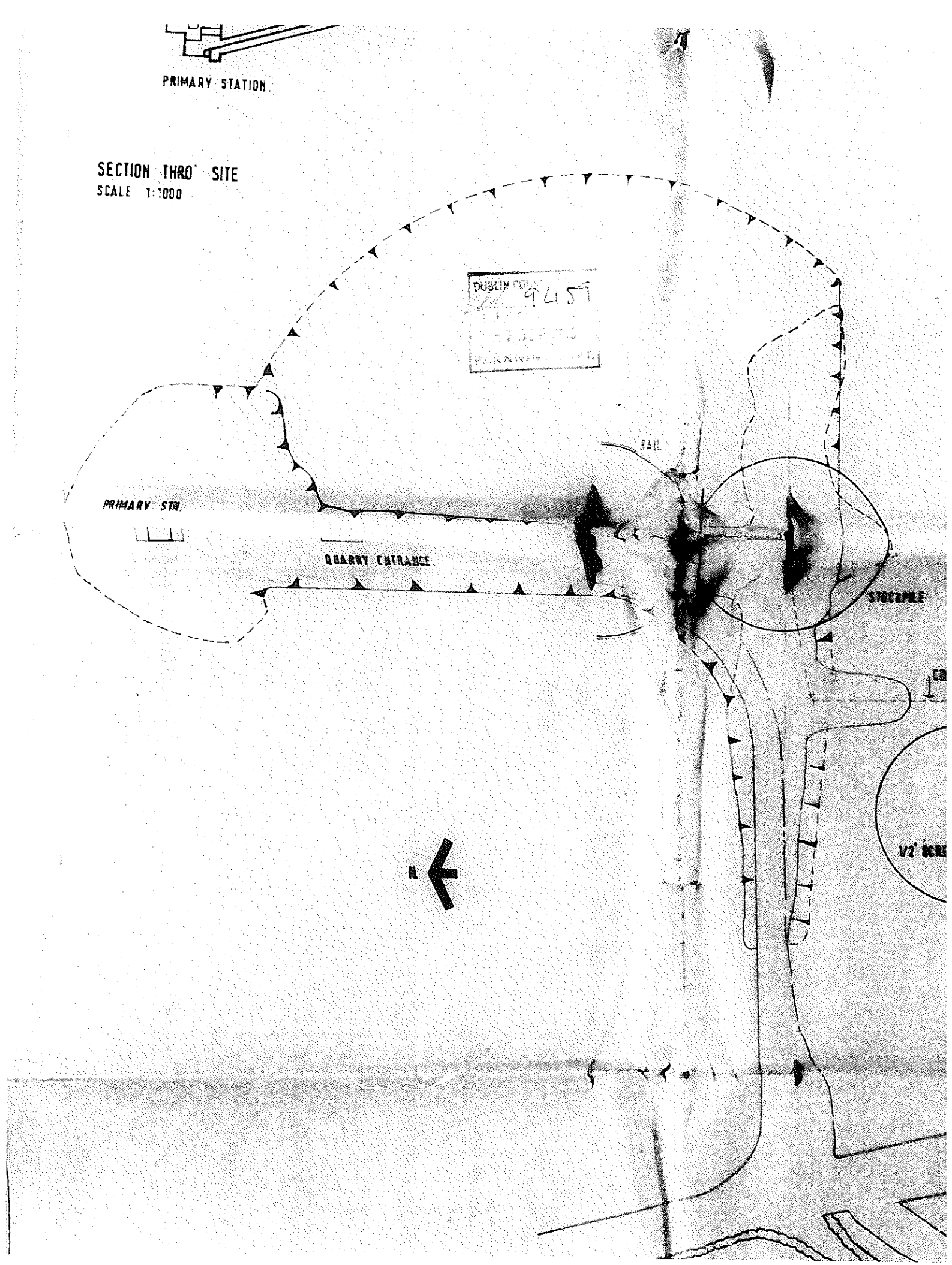
SITE LOCATION MAP SHOWING MESSRS. ROADSTONES PROPERTY.
ORDINANCE SURVEY REFERENCE DUBLIN SHEET 21
scale - 1:10,560 OR SIX INCHES TO ONE MILE.



EXISTING ROADS:- YELLOW ☐.
PROPOSED " :- GREEN ☐.

LOCATION PLAN

SCALE 6": 1 MILE


PRIMARY STATION.
SECTION THRO' SITE
SCALE 1:1000
RAIL
PRIMARY STN.
QUARRY ENTRANCE
STOCKPILE
N

BRADY-SHIPMAN-MARTIN

URBAN AND REGIONAL PLANNING CONSULTANTS
SITE PLANNERS AND LANDSCAPE ARCHITECTS

QUARRY PLANT AT BELGARD

for -

ROADSTONE LIMITED

OUTLINE SPECIFICATION FOR LANDSCAPE AND REINSTATEMENT PROPOSALS

GL15 7

HUGH BRADY B Arch MRIAI ARIBA MURP
PHILIP SHIPMAN Dip Arch. M.L.A. AILA
ARTHUR MARTIN. B Arch. MCP MRIAI

20 TEMPLE ROAD, DARTRY, DUBLIN 6 Tel. 977160

INTRODUCTION

At the request of the applicant, Philip Shipman of Brady, Shipman & Martin visited the proposed quarry plant site at Belgard with a view to evaluating the site and preparing outline proposals and specification for landscape and reinstatement work which will effect a satisfactory visual integration of the plant within its overall landscape setting. The proposals presented in this report are the result of this evaluation.

1. LANDSCAPE SURVEY

The primary function of this survey was to assess the degree to which the proposed quarry workings and building plant would be effectively screened by the existing landscape features, and to suggest those areas where additional screening should ideally be provided in order to protect the visual amenity of the surrounding property and public roads.

Drawing no. B. S. 1. outlines the major features of the property and the surrounding landscape. At the present time the major portion of the site and the surrounding land is under farm cultivation and its predominant character is that of a slightly undulating field and hedgerow pattern, punctuated by occasional trees and farm shelter planting. To the east the property also includes the original Belgard Estate, and together with the adjoining golf course covers a continuous ridge of land containing further mature clump and boundary tree planting. To the south the land slopes gently away to the broad valley floor of farmland which is dominated by 110kV power transmission line and pylons traversing the site in an E.N.E.-W.S.W. direction. Further to the south the foothills of the Wicklow Mountains provide a dominant but distant skyline.

a) Views into the site

The natural ridge line to the east, on the Belgard Estate, and to the north adjoining the Naas dual carriageway road, prevents the quarry plant area being seen from these two important locations. Elsewhere detailed survey from the public roads in the vicinity of the site revealed that unobstructed views of the area in question were few and ranging in distance for 3/4 to 1½ miles. (These are also indicated on Drg. No. B.S.1.) Generally the public roads are bordered by dense field hedgerows and it is usually only where these have been removed that the significant views occour, and even then are partially obstructed by the clumps of hedgerow and farm shelter trees which are a major feature of this landscape.

2. SCREENING AND REINSTATEMENT

The proposals for planting and reinstatement are indicated upon Drg. No. R. S. 2. They have been formulated with due consideration to the findings of the survey, and to meet the following objectives:-

i. to screen the quarry workings and plant to public view from the surrounding public roads and land.

ii. to reinforce the existing screening located within the property and, at the same time, provide additional separation from the farm dwellings situated close to the workings.

iii. to reinstate the area of completed quarry extraction into a visually and functionally acceptable new land use.

a) Preservation of existing screening

The existing field hedgerows and shelter trees will be adequately protected and measures taken to ensure long term regeneration or replacement of plants.

b) New screen planting

The areas for new screen planting shown on the Drg. No. R. S. 2. have been selected so that adequate screening depth is provided, while still utilizing the existing field pattern and boundaries.

All new screen planting will be established according to accepted tree shelter belt and forestry practice and remain in character with its agricultural setting. A mixture of both deciduous and coniferous tree species will be planted at 6' - 9' centres, with sufficient edging shrubs so that a considerable degree of visual screening is achieved at all seasons.

b) Views within the site

Within the site, at the proposed quarry plant area views to the west, north and east were restricted to the screening afforded by the field hedgerows and [illegible] tree planting associated with the farm [illegible]. To the south the distant views of the Wicklow foothills provide a pleasant scenic background, but are [illegible] dominated by the power transmission pylons which traverse the property.

In summary, the survey establishes the following points:

i. Views of the plant and its workings are well obscured from public view by the existing hedgerow forms to the north and east.

ii. To the north-west and west the existing hedgerow and farm shelterbelt plantings form effective screens, but these will naturally be removed [illegible], but their value in "filtering" views of the visual extension of the project will still be considerable.

iii. The most vulnerable views of the proposed workings and building plant would occur from the road and flat land adjoining the property to the south, and this reveals a need for suitable screening. The most vulnerable area within which the screening should occur was noted during the survey and is indicated on Dwg. No. 1. as "potential screening zone".

The following trees form a basic list from which a final selection shall be made pending more detailed site and soil investigations.

Acer campestre	-	Field Maple
Acer pseudoplatanus	-	Sycamore
Aesculus nippocastanum	-	Horse Chestnut
Almus glutinosa	-	Commonalder
Alnus incana	-	Grey Alder
Carpinus betulus	-	Hornbeam
Populus canescens	-	Grey Poplar
Ulmus carpinifolia	-	Smooth Leaved Elm
Chamaecypans lawsoniana	-	Lawson Cypress
Thuja plicata	-	Western Red Cedar
Larix decidua	-	European Larch

REINSTATEMENT

It will be the firm intention to undertake a programme of land reinstatement, consistant with the nature and phasing of the extraction process. This must inevitably cover a span of several years, but the long term objective will be to reduce the resultant, high quarry rock faces into a series of contoured terraces, by a process of cutting and filling, with surface reinstatement, made possible by the re-use of fertile, saved topsoil and overburden.

Depending upon future, detailed geological studies, the possibilities of creating bodies of water in conjunction with the contouring may be consistant with a future recreational use for the reinstated area.

PHILIP SHIPMAN, A.I.L.A.

AUGUST 1970.

APPENDIX 13
ROADSTONE RESPONSE TO MUINTIR NA TIRE OBJECTIONS

J. Thompson.

Muintir na Tire

Clondalkin Guild

Your Ref. JT/MC.

OBJECTION

Rej

35, St. Brigids Road,
Clondalkin.,
Co. Dublin.

17th September, 1970.

Re: Quarry Developement and Ancillary Buildings at Belgard, Clondalkin for Roadstone Ltd.

C1488

DUBLIN COUNTY COUNCIL
21 SEP 1970
P.A.
REFERRED TO

A Chara,

It is noted from your letter of the 14th instant that an application for planning permission has been received in connection with the aobve. On behalf of the Guild, I am instructed to object to the proposed developement on the grounds of atmospheric pollution.

C1489

Mise, le meas,

M. J. Kavanagh

ACTING HON. SECRETARY.

Principal Officer,
Dublin County Council,
Planning Department,
46/49 Dame Street,
Dublin, 2.

GCH 7/9/70

/

Muintir na Tire

Clondalkin Guild

Your Ref. C. 1438

P.C. 9459.

Rckd. 28/10.

Ack.

35 St. Brigids Road,
Clondalkin,
Co. Dublin.

Re: Address: Belgard, Clondalkin

Proposal: Quarry Developement and Ancillary Buildings.

Applicant: Roadstone Ltd.

OBJECTION

A Chara,

Further to my letter of the 17th September last regarding the Guild's objection to the above mentioned proposal, I am directed to state that, having inspected the documents relating thereto, my Committee considers that sufficient detailed information has not been elicited. I am requested to refer to the following matters which would need clarification:-

1. The liklihood of M/s Roadstone or any associated Company engaging in the manufacture of Cement on the site;

2. the danger of pollution of the air through the emission of dust etc. from the proposed asphalt Plant, and other plants on the site;

3. the objectionable smell which might emanate from the Asphalt Plant;

4. due consideration must be made for the prevailing wind which would waft the matter referred to in (1) and (2) over a thickly populated area;

5. the ~~noise~~ noise created by machinery operating the plants;

6. the anticipated increase in the flow of traffic into and out of the complex;

7. the present and future use of Belgard Road and other narrow ~~numerous~~ roadways in the area for the transport of materials;

8. the question of 24 hour operation of the plants;

9. the depreciation of residential property in the area;

/10

Muintir na Tire

Clondalkin Guild

10. the damage to vegetation in the area;

11. the damage to houses due to vibration caused by heavily laden vehicles passing to and from the site;

12. the preservation of a Green Belt;

13. any likely conflict with overall planning for Clondalkin and environs.

One of the Guild's functions is to preserve the amenities of the area, and if possible to effect improvement. Representations have been made by responsible residents of Clondalkin, all of whom are members of this Branch of Muintir na Tire, and in the circumstances it is hoped that the points raised merit consideration, before permitting the development to proceed.

Mise, le meas,

M. F. Kavanagh

ACTING HON. SECRETARY.

Principal Officer,
Dublin County Council,
Planning Department,
46/49 Dame St.,
Dublin, 2.

35, St. Brigid's Road,
Clonskeagh,
Co. Dublin.
[illegible] October, 1970.

Re: Quarry Development [illegible]
Buildings at [illegible].

A Chára,

In connection with the planning application for the above, I enclose, for your information, a copy of a letter which has been sent to the Dublin County Council. The Guild has taken up this matter in the interests of the residents of the area, and the points raised are intended as a constructive contribution in order to maintain the present amenities of the area.

Perhaps, in the meantime would you kindly inform me if it is proposed now, or at any future date that your company or any of its associates will engage in the manufacture of cement on the above mentioned site.

[illegible], le meas,

[illegible] NG HON. SECRETARY.

[illegible] Ltd.,
[illegible] Road,
Dublin, 12.

Roadstone Limited . Development Division, Belgard Castle, Clondalkin, Co. Dublin Phone 593521

Mr. M. J. Kavanagh,
Acting Hon. Secretary,
Muintir na Tire,
Clondalkin Guild,
35 St. Brigids Road,
Clondalkin.
Co. Dublin.

15th October 1970.

Dear Sirs,

Quarry Development and Ancilliary Buildings at Belgard, Clondalkin

Thank you for your letter of 8th October explaining your concern at the proposed developments at Belgard. We appreciate the constructive manner in which these points have been put forward and we would like to assure you that we are taking the same prudent and constructive approach to this development in order to avoid any disturbance to amenities.

We would welcome the opportunity of talking to representatives of your Committee and showing them our detailed plans, models, and landscaping proposals for this development. We feel that this would reassure them.

Replying to the specific points raised in your letter.

1. "Manufacture of Cement"....
In view of the merger with Cement Limited, Roadstone have cancelled all plans for a cement factory at Belgard. You will realise, in any case, that the quarry planning application never included a cement factory. Any cement proposals would have to be lodged as a separate planning application and could of course be rejected.

2. "Air Pollution".....
We are very concious of the need for higher standards in dust and fume control. We are spending over £100,000 on dust control equipment for this development to ensure that the plant is in line with the latest European practice. We would also point out that the processing plant itself is located in the centre of a 875 acre property, is almost half a mile from the nearest public road, and will be screened by trees.

Continued .....

... R. A. Kidney Chairman · T. C. Roche Managing · A. H. Archer · C. Barnes · C. Duncan · J. N. Kidney · P. A. Lynch · W. Murray · C. M. O'Kelly · F. D. Thomson · J. A. Wood · D. Roche Secr...

3. "Asphalt Plant"....
The Asphalt plant will use modern recirculation systems with fibreglass high efficiency dust and fume removal equipment, ensuring no nuisance problems. I enclose a photograph of a similar plant in operation in Ghent. This is of the latest Danish design and achieves a very remarkable standard of cleanliness. The old temporary plant at Belgard Road will be removed early in 1971.

4. "Prevailing Wind and Dust".....
The direction of the prevailing wind is not in fact towards Clondalkin. The place to control dust is at the source of generation, and we are investing substantial sums of money to ensure effective dust control at these points. The extensive site and the tree plantations provide additional safeguards.

5. "Noise".....
We are designing this plant for low noise level. The main quarry working machinery will be below ground level, and coupled with the size of the site will minimise noise. Members of the Planning Department have witnessed trial blasts and quarrying on the site and are fully aware of the care that is being taken with regard to noise and blasting. As part of pre development exploratory testing for the quarry, very substantial tonnages of material have been excavated at rates approaching the level of full production. This has been carried out without any interference to residents.

6. "Traffic Flow".....
The Belgard quarry development is largely a replacement for glacial sand and gravel deposits in the Dublin area that will expire in the near future. Materials from these deposits have been transported through Tallaght and Clondalkin for the past 10 years. The Belgard development will substantially reduce this traffic. Our planning application showed that most traffic will enter the site from the dual carriageway. Under a separate planning application we have put forward proposals for an underpass to take the bulk of the exit traffic directly onto the dual carriageway, thus decreasing the present level of traffic on Belgard Road.

Continued .....

7. "Belgard Road Traffic".....
This point is partially covered in (6) above. Traffic along Belgard Road towards Clondalkin will be reduced because of the reduction in the amount of materials hauled in from areas such as Blessington. The small amount of traffic from the site down Fortunestown Lane to Belgard Road will turn right towards Tallaght.

8. "Night Operation"....
Most of the plant will operate approximately 7 hours per day; small sections may operate a double shift in the future.

9. "Depreciation of Property".....
We feel that the Belgard developments will add to the value of residential property in the area. No other type of development will provide the same amenity values in terms of large areas of sterilised land, extensive tree plantations, no visible buildings, proposed sports facilities etc. Alternative developments such as intensive speculative house building or large industrial estates would have a depressing effect on property values.

10. "Damage to Vegetation".....
Far from destroying vegetation in the area, Roadstone plan an intensive tree planting programme on the site. We enclose copies of landscaping proposals by our landscape architect. These emphasise once again the uniquely small size of the development relative to the size of the site, and the large areas of grassland and tree plantations.

11. "Damage Due to Vibration".....
We have covered the subject of nuisance from heavy traffic under points (6) and (7); the main entrance and exits to the dual carriageway will minimise any interference from this source.

12. "Preservation of Green Belt".....
As mentioned in (9) and (10) above, we feel that this unique development is probably the only sure way of preserving a green belt between Tallaght and Clondalkin, and as you can see from our landscaping proposals we are planning extensive tree plantations on the site.

Continued .....

ROADSTONE LIMITED

Mr. M. J. Kavanagh,
Muintir na Tire,
Clondalkin.

15th October 1970
Continuation Sheet 3

---

13. "Overall Clondalkin Environment".....
We gather from our discussions with the Planning Department that this large green area is welcomed as an aid to the overall planning of a pleasant environment for Clondalkin and Tallaght.

We hope that we have covered in sufficient depth the main points raised in your letter, and we would welcome an opportunity to discuss these in more detail with your Committee.

Yours sincerely,

T. Roche

P.C.9459
RD/EK Reg.C.1488

J. Kavanagh Esq.,
Hon. Secretary
Muintir na Tire,
Clondalkin Guild,
37 St.Brigid's Road,
Clondalkin

2nd November 1970

Re: Quarry development at Belgard, Clondalkin by M/s. Roadstone Ltd.

Dear Mr. Kavanagh,

I wish to acknowledge receipt of your letter of the 26th ult. enclosing copies of correspondence between your guild and M/s. Roadstone Ltd. in connection with the above.

Yours sincerely,

for Principal Officer.

Muintir na Tire

Clondalkin Guild

Yours Ref. C. 1483

33 St. Brigid's Rd
Clondalkin
26/10/70

Re Canary Development at Jay Kennedy at Ballyfermot

A Chara

Cis arranged at a meeting of the Dublin County Council on the 15th inst. I am forwarding herewith copies of correspondence between the Council and Mr Kennedy in connection with the above.

Yours

Brian Jones S.

Mr J. Kennedy
Hon Secretary

The Redmond
Principal Officer
Planning Dept
Dublin Co. Co

Roadstone Limited
Group Head Office
Belgard Castle
Clondalkin
Co. Dublin

Telephone 593521
Telex Dublin 5171
Telegrams
Roadstone Dublin

16th October 1970

The Chief Planning Officer,
Dublin County Council,
Planning Department,
46/49 Dame Street,
Dublin 2.

Dear Sir,

Re: Proposed Development at Belgard/Cheeverstown, Clondalkin, Co. Dublin.

The Hon. Secretary of Muintir na Tire, Clondalkin sent us a copy of their letter to the Planning Department registering concern at certain specific aspects of the Belgard Development. We enclose for your files a copy of our reply to the Hon. Secretary, Mr. Kavanagh. Some of the points raised may be of interest to you in considering the current application lodged on our behalf by Messrs. Tyndall, Hogan, Hurley.

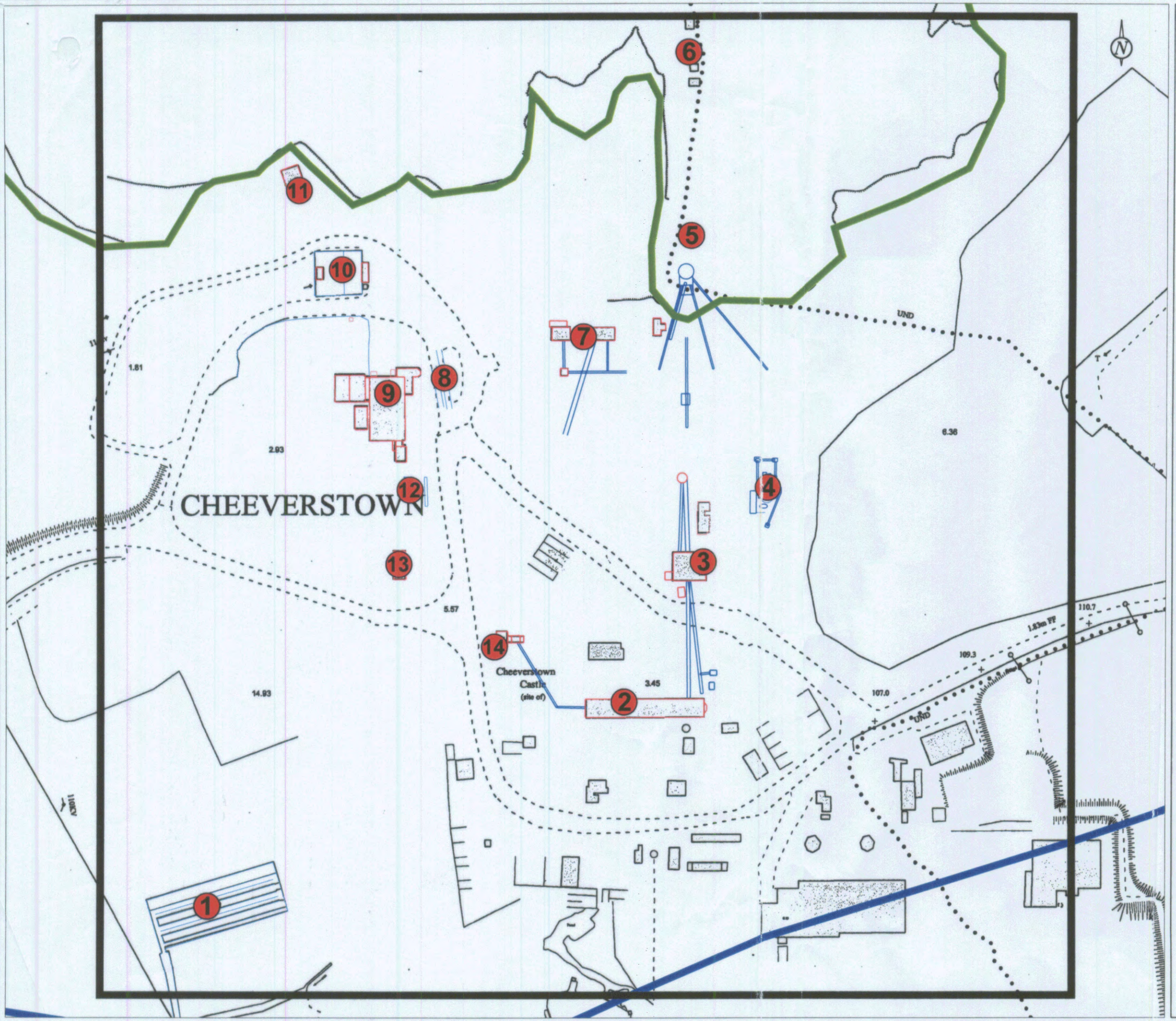
Yours sincerely,

T. Kelly
Technical Director

COUNCIL
19 OCT 1970

Directors: R. A. Kidney *Chairman* · T. C. Roche *Managing* · A. H. Archer · C. Barnes · C. Duncan · J. N. Kidney · P. A. Lynch · W. Murray · C. M. O'Kelly · F. D. Thomson · J. A. Wood · D. Roche *Secretary*

APPENDIX 14
DRAWING FIGURE 2_F12 DATED SEPTEMBER 2005
QUARRY ANCILLARY ACTIVITIES



LEGEND

- Site Boundary (c. 298.2ha)
- Extractable Area (c. 192.6ha)
- Extracted Area (c. 48.2ha)
- Quarry Ancillary Activities

1 Quarry Water Treatment Area
2 Screenhouse & Main Silos
3 Tertiary & Quaternary Crushing Stations
4 Washing Plant
5 Secondary Crushing Station
6 Primary Crushing Station
7 Hazemag 804 Plant
8 Weighbridges (2 no.)
9 Offices, Stores & Workshops
10 ESB Substation
11 Store
12 Fuelling Station
13 Canteen
14 Load-Out

Scale 1:10,000

0m 200m 600m

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-16, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Ordnance Survey Ireland Licence No. SU 0000705 (c) Government of Ireland

roadstone

ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
DUBLIN 24

Project:
Roadstone Dublin Ltd.
Belgard Quarry, Tallaght, Dublin 24
Section 261 Site Plan

Title:
Quarry Ancillary Activities

Figure 2_FI2

Author: pmc
Date: Sept 2005

Ref: 3371

APPENDIX 15

COMPOSITE ILLUSTRATION OF CONCLUSIONS

N

Composite Illustration

SDQU05A/2
Roadstone Belgard
Ordnance Survey 2009

Legend

- Permitted Extraction Area (50 acres) Reg. Ref. C1488 (Determined Location based on available evidence)
- "Area to be Reinstated" - 75 Acres per Drawing RS 2 (Roadstone 1970)
- Extent of Extraction Area 2000 (Aerial Photography 2000)
- Extent of Extraction Area 2000 - 2009 (Aerial Photography 2009)
- Quarry Area Indicated by Roadstone (2007)

0 62.5125 250 375 500
Meters

APPENDIX 16

RELEVANT EXTRACTS FROM DEVELOPMENT PLAN 1998

N

Extract from 1998-2004
Zoning Objectives
SDCC Development Plan

Legend

- Roadstone Landholding Feb. 2007
- County Boundary
- Objective A
- Objective A1
- Objective B
- Objective CT
- Objective TC
- Objective DC
- Objective LC
- Objective E
- Objective F
- Objective G
- Objective GB
- Objective H

0 125 250 500 750 1,000
Meters

Section 261A Review of Quarries

Belgard Quarry

Relevant Policies and objectives of South Dublin County Development Plans 1998

County Development Plan 1998

Extractive Industry

Policy E15: Extractive Industry

It is the policy of the Council to facilitate the operation of extractive industry in suitable locations subject to the protection of amenity and maintenance of environmental quality.

Paragraph 3.5.9.i Extractive Industry states:

In dealing with applications for new development, intensification of use or diversification of activity, the Council will have regard to the nature of the proposal, the scale of the activity proposed, the impact on the adjoining road network and its effect on the environment.

Paragraph 3.5.9.ii states:

Applications for development within this category will be expected to be accompanied by an Environmental Impact Statement and a detailed landscaping plan. The plan should indicate proposed screening for the life of the site and set out a programme for the reinstatement of the landscape.

National Routes

Policy T12: National Routes

It is the policy of the Council to protect all National Routes from frontage access and to keep the number of junctions to a minimum consistent with good traffic management.

Paragraph 2.6.12.i states:

The National routes are of vital importance to the economic and social development of the Country. It is therefore the Council's intention that this investment should be safeguarded by preventing the premature obsolescence of these roads as a result of inadequate control on frontage development. In the implementation of this policy the Council will have regard to the policy of the National Roads Authority.

Preservation and Conservation of Buildings, Structures and Sites

Policy H3 Preservation and Conservation of Buildings, Structures and Sites states:

It is the policy of the Council to preserve and protect buildings, structures and sites of architectural, historic, artistic or archaeological interest and which contribute to the character and heritage of the County.

Paragraph 2.7.3.i of the Development Plan Written Statement (page 35) states that

It is the intention of the Council to secure the preservation of the houses, buildings and other structures and sites specified in List 1.

Archaeological Potential

Policy H4: Areas of Archaeological Potential

It is the policy of the Council to protect, where practical, areas designated as being of archaeological potential.

Casement Aerodrome

Policy T13: Casement Aerodrome Baldonnell

It is the policy of the Council to facilitate the development of Casement Aerodrome.

APPENDIX 17

MAP ILLUSTRATING SITES OF NATURE CONSERVATION INTEREST

N

Liffey Valley

Grand Canal

Dublin City

Lugmore Glen

Dodder Valley

Slade Of Saggart & Crooksling Glen

Glenasmole Valley

Kilteel Wood

The Red Bog

Poulaphouca Reservoir

Wicklow Mountains

O.S. Discovery Series Mapping

Legend

- Roadstone Belgard Quarry
- SDCC County Boundary
- Natural Heritage Areas
- Specia Areas of Conservation
- Special Protection Areas
- Rivers & Streams

0 750 1,500 3,000 4,500 6,000 Meters

APPENDIX 18
S. 261 MANAGER'S ORDER AND APPLICATION DOCUMENTS

SECTION 261 (6) NOTIFICATION OF DECISION

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message *to 086 1731707*

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: *ccounter@sdublincoco.ie*
On-line: www.southdublin.ie

The Secretary,
Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

18th April 2007

Re: Section 261(6) Planning and Development Act 2000
Belgard Quarry, Townland of Fortunestown, Tallaght, South Dublin County.

Register Reference Number: SDQU05A/2 **Registration Date:** 22 April 2005

Dear Sir,

With reference to the above please find enclosed a copy of the Statutory Notice and Schedule of Conditions and Planning Report setting out the decision of the Planning Authority to modify and to add to the conditions attaching to the existing planning permission Register Reference C.1488 in respect of the above quarry. Please also see attached a map outlining the extent of the area to be extracted.

Following the decision of the planning authority, under Section 261(6), it should be noted that you, as the registered owner/operator of the above quarry, may appeal to An Bord Pleanala against the decision to impose, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act 2000, as amended, and the Regulations made thereunder.

Yours faithfully,

C. Shanahan

for Director of Planning
Planning Department.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

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Email: *cccounter@sdublincoco.ie*
On-line: www.southdublin.ie

IN THE MATTER OF THE PLANNING AND DEVELOPMENT ACT, 2000

NOTICE PURSUANT TO SECTION 261(6) OF
THE PLANNING AND DEVELOPMENT ACT, 2000

TAKE NOTICE that for the purpose of the exercise of its functions under the Planning and Development Act, 2000, South Dublin County Council as the Planning Authority for the area hereby gives notice of the Council's decision to modify the planning permission Register Reference C.1488 by the deletion of the existing 10 No. conditions imposed in 1972, and by adding new conditions numbers 1 to 36 as set out in the schedule attached hereto, in respect of the lands at and known as Belgard Quarry, situated in the Townland of Fortunestown, Tallaght, in the County of South Dublin and registered as a quarry in accordance with Section 261 of the Planning and Development Act 2000 under Register Reference Number SDQU05A/2.

Following the decision of the planning authority, under Section 261(6), it should be noted that, the registered owner/operator, may appeal to An Bord Pleanala against the decision to impose, restate, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act, 2000, as amended, and the Regulations made thereunder.

Dated the 18th day of April 2007.

Signed: _____

South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24.

To: Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

SECTION 261 (6) MANAGERS ORDER

PR|0792|07

Record of Executive Business and Manager's Order

Sections 261(6) of the Planning & Development Act, 2000

Belgard Quarry, Fortunestown, Tallaght.
Register Reference SDQU05A/2

Date of Registration	22 April 2005
Reg Ref No:	SDQU05A/2
Operator:	Roadstone Dublin Ltd.
Location:	Belgard
Area of Site:	298.2 ha.
Extracted Area	49.8 ha.
Extractable Area:	192.6 ha.
Extracted Material:	Limestone
Extraction Method:	Drilling & Blasting
Ancillary Operations:	Concrete blocks, paving, asphalt, mortar, pre-cast wall panel, flag, C&D Waste recycling facility.
IPC Licence:	None
Other Licences:	Section 4 (discharge to waters) licence issued. Permit issued for a waste recovery operation in Belgard Quarry.
Monitoring:	Noise & Vibration, Dust, Water
Planning Status:	Planning Permission granted 28th April 1972

SECTION 261 PLANNING AND DEVELOPMENT ACT 2000

Section 261 of the Planning and Development Act 2000 provides for the registration of quarries, other than quarries for which planning permission has been granted less than 5 years prior to the coming into force of section 261. The registration system has two purposes:

- to give a 'snapshot' of the current use of land for quarrying, to ensure that local authorities have basic information about a quarry's operations, planning permission may then be required for any proposed expansion or intensification of its operations;
- where necessary, to permit the introduction of new or modified controls on the operation of certain quarries, either by requiring quarries to comply with new or modified conditions on their operation, or in the case of certain quarries operating since before 1 October 1964 to seek planning permission for their continued operation.

Section 261 requires the owner or operator of a quarry in operation on or after 28th April 2004, for which planning permission was granted more than 5 years prior to the coming into force of section 261, to provide to the planning authority information relating to the operation of the quarry, and on receipt the planning authority shall enter the information in the Planning Register.

Information relating to the Belgard Quarry operated by Roadstone Dublin Limited was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2. Information provided includes a copy of the existing planning permission granted in 1972 Reg. Ref. C.1488, a map of the site, and details of the type of material being extracted, the hours of operation, number of daily vehicle movements, and measures to control noise and dust.

A revised map and other details were subsequently submitted in response to a request for additional information. The map shows the boundaries of the overall site indicated by a red coloured line, the extracted area indicated by a green coloured line, and the extractable area indicated by a blue coloured line.

A statutory public notice published in the Irish Times on 19th October 2005 invited submissions from members of the public on the quarries in respect of which information was submitted by owners / operators. The notice stated the intention of the Planning Authority in respect of Belgard Quarry to restate, modify or add to the conditions of the existing planning permission. No submissions were received during the specified period relating to the Belgard Quarry. However, the Council subsequently received correspondence from the Newlands Golf Club which adjoins the Belgard Quarry, outlining the Club's concerns regarding the effects on the amenity of the golf club premises of noise, vibration and dust resulting from the quarry operations. It is understood that Councilors have received similar representations from Newlands Golf Club.

Under Section 261 a planning authority may not require the submission of a planning application in the case of a quarry with an existing planning permission granted more than five years prior to 28th April 2004, but may decide to restate or modify the conditions of the existing planning permission, or add new conditions, under Section 261(6). The Act allows the Planning Authority a period of two years from the date of registration of the quarry to restate or modify the conditions of the existing planning permission, or to add new conditions. In the case of the Belgard Quarry this period will expire on 21st April 2007.

Where the Planning Authority decides to restate or modify the conditions of the existing planning permission, or add new conditions, it shall serve a notice of its proposals on the owner / operator of the quarry stating the reasons for the proposals and stating that submissions or observations may be made to the Planning Authority within such period as may be specified in the notice, being not less that six weeks from the service of the notice. Where conditions have been restated, modified, or added to, the Act provides that the planning permission shall be deemed to have been granted under section 34 of the Planning and Development Act 2000.

The decision of the Planning Authority may be appealed by the owner / operator within a period of four weeks from the date of receipt of the notification. There is no provision under Section 261 for a third party right of appeal to An Bord Pleanala in relation to any conditions that may be imposed by the Planning Authority. The Board may confirm with or without modifications the decision of the Planning Authority or annul that decision.

Under Section 261(8) where a Planning Authority decides to restate or modify the conditions of the existing planning permission, or add new conditions compensation may be payable where conditions are imposed that are more restrictive than conditions imposed in relation to the existing permission. However, no compensation is payable where the condition relates to:-
- the prevention, limitation or control of emissions from the quarry;
- the reinstatement of land on which the quarry is situated;
- regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant, so far as appears to the planning authority to be expedient for the purposes of or in connection with the development authorised by the permission;
- requiring the carrying out of works (including the provision of facilities) which the planning authority considers are required for the purposes of the development authorised by the permission;
- requiring the taking of measures to reduce or prevent: -
(i) the emission of any noise or vibration from any structure or site comprised in the development authorised by the permission which might give reasonable cause for annoyance either to persons in any premises in the neighbourhood of the development or to persons lawfully using any public place in that neighbourhood; or
(ii) the intrusion of any noise or vibration which might give reasonable cause for annoyance to any person lawfully occupying any such structure or site.

GUIDELINES

The *Quarries and Ancillary Activities Guidelines for Planning Authorities were* published by the Department of Environment Heritage and Local Government in April 2004 under section 28 of the Planning and Development Act 2000, which requires both planning authorities and An Bord Pleanála to have regard to the Guidelines in the performance of their functions. The Guidelines are intended to offer guidance to planning authorities on planning for the quarrying industry through the development plan and determining applications for planning permission for quarrying and ancillary activities, and on the implementation of section 261 of the Planning and Development Act, 2000

SITE LOCATION, DESCRIPTION AND ZONING

The site comprises of an extensive area adjoining the south side of the Naas Road to the west of the Newlands Cross junction with the Belgard Road. It adjoins the Newlands Golf Course to the east and Kingswood village and the Citywest Business Park to the west. It adjoins the Cookstown Road to the south and the reservation for the proposed Outer Ring Road Phase 3 to the west. There are residential areas located to the north, west and south of the site.

In the Development Plan 2004-2010 the area in which the site is located is zoned Objective 'B', "To Protect and Improve Rural Amenity and to Provide for the Development of Agriculture". The land use activities 'Industry – Extractive' and 'Concrete / Asphalt (etc.) Plant in or adjacent to a Quarry' are 'permitted in principle' in areas zoned Objective 'B'.

The relevant Development Plan Policies and Objectives are:-
Policy EE17: Extractive Industry
Development Management Objective 12.3.4 Extractive Industry
Policy AA 1: Protection of Archaeological Heritage
Policy AA 2: Historical and Archaeological Sites and Features
Policy AA 4: Conservation of Buildings Structures and Sites
Local Zoning Objective No. 5 - N7 Gateway Corridor – Upgrading
Roads objectives to build / improve roads in the area including continuation of the Outer Ring Road from the N7 Naas Road to the N81 Blessington Road

The Development Plan 2004-2010 also includes a Local Zoning Objective (*LZO No. 5 - N7 Gateway Corridor – Upgrading*) to prepare a master plan to facilitate high-quality, mixed-use development including offices and residential development on lands adjoining the Naas Road N7 extending from Citywest to the Dublin City Council boundary.

RELEVANT PLANNING HISTORY:

Reg. Ref. C. 1488

A planning permission Reg. Ref. C. 1488 was granted to Roadstone Limited on 28th April 1972 for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Condition No. 1 required that a proposed access from Kingswood be omitted.
Condition No. 2 required revisions to proposed road junction arrangements.
Condition No. 3 limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority.
Condition No. 4 required a detailed scheme for reinstatement and landscaping of the worked out portions of the quarry to be submitted within 12 months of the granting of permission, the scheme to provide for making the land useful for agricultural or recreational purposes and consistent in appearance with the surrounding land.

Condition No. 5 required a detailed scheme showing the location and extent of screening belts of trees and shrubs to be submitted within 6 months of the granting of permission.
Condition No. 6 required retention of existing screening vegetation unless otherwise agreed.
Condition No. 7 required that noise attenuation measures be provided to limit noise levels along the perimeter of the site to not more that 45dbA between 08.00 a.m. and 10.00 p.m., and 35dbA between 10.00 p.m. and 08.00 a.m.
Condition No. 8 required 24 hours advance notice of each explosion be given to adjoining occupants, and limited use of explosives to the period between 08.00 a.m. and 10.00 p.m., subject to use of best practicable means to minimise degree of nuisance caused by explosions.
Condition No. 9 required that quarrying and ancillary operations be contained within the working area of the site as shown on lodged plans and prohibited the placing of machinery and debris on other parts of the site.
Condition No. 10 required security at the rate of £250 per acre to ensure satisfactory completion of reinstatement and landscaping works, subject to adjustment of the amount in line with the current rates for horticultural and general landscape work.

Reg Ref S01A/0195
Proposed development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4,831 sq.m); batching plant incorporating cement silo and aggregate storage bins. No response was received to a request for Additional Information dated 1st June 2001.

SD02A/0167
Planning permission granted for use of a 3.9ha site for the recovery of pre-sorted construction and demolition waste, namely concrete, bricks, tiles and ceramics, asphalt and topsoil.

SD06A/0915
Current planning application for an asphalt plant and ancillary facilities on a site area ca. 3 acres located at Belgard Quarry. Additional Information requested. Applicant SIAC Bituminous Products Ltd.,

ENFORCEMENT HISTORY:

There have been a number of complaints over the last number of years regarding vibrations caused by explosions. These have been referred to other sections of the Council including Environmental Services and Environmental Health Officer.

The Environmental Health Officer records for the most recent period 2004 – 2006 show 2 complaints were received in 2004, and four complaints in each of the other years. The majority of the complaints related to dust, and two (in 2006) refer to blasting. Monitoring records reviewed in relation to the complaints did not show evidence of measurements in excess of accepted limits.

ISSUES ARISING:

A number of issues were identified prior to the Council issuing a draft set of conditions to the owner/operator under Section 261(5) of the Act. These included:

Existing Planning Permission
The existing planning permission for quarrying operations at this quarry was granted 35 years ago. The planning file relating to this permission is not available (C 1488). However, a copy of the decision notice, including the conditions attached, has been submitted with the registration application, and the Bonds and Contribution file is available. Having regard to the length of time that has elapsed since the permission was granted it is considered appropriate to review the conditions attached in order to assess their effectiveness, and to consider what modifications or

additions to the existing conditions are required in order to ensure that the operation of the quarry is appropriately regulated in the interests of the proper planning and sustainable development of the area.

Permitted Extent of Area Under Extraction

Condition No. 3 of planning permission Reg. Ref. C. 1488 limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority. There is no record available as to whether agreement was sought and given to extend the quarry. A revised map submitted in response to a request for additional information states that the applicant's present interest comprises a landholding of 298.2 hectares (approx. 745 acres). The extracted area within this landholding (i.e. the area within the green coloured line on the revised map) is stated to comprise of 49.8 hectares (approx. 125 acres). It is evident that the extent of the area extracted in the period since the above permission was granted substantially exceeds the 50 acres (20 ha) initially approved. Furthermore, an examination of aerial photographs of the quarry lands shows that a substantial portion of the area indicated as extracted (i.e. inside the green coloured line) remains to be worked, and this area is more properly described as the area under extraction. A further area comprising of 192.6 hectares (approx. 480 acres) indicated by a blue coloured line constitutes the balance of the extractable area of the quarry.

Taking account of its size (possibly the largest quarry in the country) and its location in a part of the city which is likely to see very considerable new high-density urban development in the short to medium term, and having regard in particular to its proximity to the proposed Metro route, and to the scope of the objective to prepare a master plan for lands adjoining the Naas Road, it is reasonable that the extent of the area under extraction be limited to enable the future environmental impact of the quarry operations to be assessed in the light of the likely further consolidation and densification of development in the area. It is recommended that the extraction of rock be confined to the area currently under extraction as defined by the green coloured line (125 acres) and that rock extraction on lands outside this area be subject to a separate grant of planning permission.

Life of the Permission

It is estimated that the area under extraction represents 26% of the stated extractable area, and that the extractable area is approximately four times larger than the area currently under extraction. As the quarry has been operating for 35 years it is reasonable to assume that it could have a potential further life in excess of 80 to 100 years. It is therefore reasonable that the quarry should not have the benefit of a planning permission for an indefinite period of time, having regard to the likely significant future development in the local area. It is recommended that the planning permission be subject to further review within an appropriate timescale to enable the operation of the quarry to be reassessed in the light of such changed circumstances. A condition limiting the life of the permission to a further 10 years is therefore recommended.

Operating Hours

The stated quarry operating hours are 07.00-24.00 Monday to Friday, and 07.00-18.00 Saturday. No condition limiting the hours of operation is included in the current planning permission. However, conditions Nos. 7 and 8 of the latter detail restrictions on noise and blasting after 22.00 hours, and these could reasonably be inferred to be a restriction on quarrying operations after that hour. It is noted that no other quarry in the County operates normally after 20.00 hours. The Quarries and Ancillary Activities Guidelines for Planning Authorities 2004 recommend that normal operations should be confined to the hours between 07.00 and 18.00, Monday to Friday inclusive (excluding Bank Holidays) or as may be agreed with the planning authority, and between 07.00 and 14.00 on Saturdays. It is considered reasonable that the normal hours of operation be limited to 07.00 to 20.00 Monday to Friday,

and 07.00 to 14.00 on Saturday, having regard to the proximity of the quarry site to existing and likely future residential development in the area.

Manufacturing Activities

There is no detailed information in the registration application relating to manufacturing activities on the site such as block making or stone coating, including the location and extent of buildings etc. The definition of 'quarry' in the Mines and Quarries Act 1965 does not include ancillary manufacturing activities such as block making. Section 3(3) of that Act states:

> "quarry" includes any place on the surface surrounding or adjacent to the quarry occupied together with the quarry for the storage or removal of the minerals or for the purposes of a process ancillary to the getting of minerals, including the breaking, crushing, grinding, screening, washing or dressing of such minerals but, subject thereto, does not include any place at which any manufacturing process is carried on.

Such ancillary activities do not therefore come within the scope of this report.

Management of Environmental Impacts

The applicant has submitted the results of blasting, dust, and water monitoring carried out on the site, and states that an environmental management system (EMS), which has ISO 14001 accreditation certified by NSAI, has been operated on the site since 2001, and that the EMS addresses all of the environmental aspects of quarrying at the site. Having regard to the lapse of time since the existing planning permission conditions were formulated it is appropriate that revised conditions reflecting current environmental standards be applied to the quarrying operations on the lands. Furthermore having regard to the location of the quarry site within an urban area that is likely to experience significant consolidation and densification involving mixed-use development over the next decade, it is recommended that conditions regulating environmental impacts should include appropriate requirements for monitoring and consultation.

A condition limiting the rate of movement of quarry related HGV traffic to the present rate as stated in the registration application details is also recommended having regard to the above considerations. On the basis of the information provided in the registration applications for the other quarries in the County it is estimated that the volume of material transported from the Belgard Quarry is 2 to 3 times greater than any other quarry. Any proposed significant increase on the present level of traffic generated by the quarry should be subject to a traffic impact assessment as part of a separate planning application.

Phasing of Works and Reinstatement of the excavated areas

There is no information available regarding any reinstatement of excavated areas carried out to date. In view of the extent of the area under extraction as noted above, and the extensive reserve area which is almost four times the size of the current extraction area, it is appropriate that reinstatement be undertaken on an on-going basis. As noted above Condition No. 4 of the original planning permission (C. 1488) required a detailed scheme to be submitted. It is appropriate that detailed arrangements in this regard, including appropriate phasing of works, be agreed to ensure the future satisfactory rehabilitation of the quarry workings on a progressive basis.

Landscaping Measures

Having regard to the length of time since the original permission was granted and to the apparent substantial extension of the quarry area in that period it is appropriate to require the operator to review the effectiveness of any landscaping measures undertaken to date to screen the site, and to implement further measures as appropriate. Existing earth embankments screening the site in the Fortunestown Lane area are visually prominent, viewed from adjoining housing areas, and revised landscape treatment is desirable to ensure that the visual amenities of adjoining areas are protected.

Financial Bond and Contributions
It appears from Council records that security by way of a bond, guarantee or cash deposit required in accordance with condition No. 10 of permission Reg. Ref. C.1488 was not provided to the Council. A new condition requiring security for the satisfactory implementation of conditions attached to the permission is recommended to enable the Planning authority to carry out appropriate works in the event of non-compliance. Conditions requiring appropriate financial contributions are also recommended.

Recorded Monuments and Protected Structure
There are two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). Belgard Castle, a Protected Structure (Map Ref. 206) is also located on the lands. There are no conditions attached to the existing planning permission providing for appropriate protection of these heritage features. It is appropriate therefore that satisfactory arrangements be required to be implemented to ensure their protection.

Notice Under Section 261(5)

In view of the long period of time that has elapsed since planning permission was granted for a quarry at this location, the extent of quarrying carried out since permission was granted, the scale of the existing quarrying operation, the considerable potential for further quarrying, and the likely future significant development in the local area in which the quarry is located, draft conditions were formulated in place of those previously existing on the 1972 planning permission, having regard to the provisions of the Act, the South Dublin County Development Plan, and to the Quarries and Ancillary Activities Guidelines 2004, in the interests of the proper planning and sustainable development of the area.

CONSULTATION WITH OWNER / OPERATOR UNDER SECTION 261(5)

In accordance with Section 261(5) of the Planning and Development Act 2000 a notice was served on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, on 16th January 2007, stating the proposals of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and inviting submissions or observations on the proposed conditions.

A submission was received from Roadstone Dublin Limited on 1st March 2007 setting out the company's comments on the proposed conditions.

Condition 2 Topographical Survey
The submission states that proposed Condition No.2 is noted.

Comment on submission
It is recommended that the condition be revised to provide for the submission of a Digital Terrain Model as this will provide a better quality of information into the future than a Topographical Survey.

Condition 3 Life of Permission
In relation to proposed Condition No.3 the submission states that there is no condition in the existing permission limiting the life of the quarry, and that any such condition would be grounds for compensation. As an alternative it suggests that proposed Condition No. 30 be modified to provide for 10-yearly updating of the phasing programme, and notes that the Environmental Management System applying to the quarry is reviewed annually and revisions are made where

required to ensure ongoing implementation of best environmental management practices for the sector.

Comment on submission
This quarry has a potential working life of in excess of 50 years. Periodic updating of the work programme would have to be conditioned to be subject to the written agreement of the planning authority to enable the PA to maintain control. Having regard to the above it is recommended that the proposed condition be deleted.

Condition 4 Extent of Area to be Extracted
In relation to proposed Condition No. 4 the submission proposes that the condition be revised to restrict quarrying to the area within the blue-coloured line shown on the map submitted with the registration application. It further states that the reserves within the site are of strategic national importance, and that the area within the green coloured line as indicated on Drg. Fig.1-FI1 shows the extracted area as at 28 February 2005, and does not include the full extent of the quarry development including internal haul roads, screening berms, stripped areas, stockpiles etc., and furthermore was not intended to provide a basis to restrict the extent of quarry development.

Comment on submission:
The existing permission placed a limit of 50 acres (20 ha.) on the area that could be quarried (Condition No. 3), and restricted quarrying and ancillary operations to be contained within the working area of the site (Condition No. 9). It is apparent that the existing quarry operations including the extraction, crushing, screening and storage of stone product, occupy an area. which is well in excess of the area indicated in Conditions No 3 and No. 9 of C.1488. The area within the blue coloured line shown on drawings submitted comprises of 192.6 ha. (476 acres), and is almost 10 times as large as the originally approved area.

Having regard to the limitation of the extent of the quarry permitted under Register Reference C.1488 and the extent to which the quarry currently exceeds the permitted area, and having regard to the location of the quarry lands within an urban area, it is considered reasonable and in the interest of residential and visual amenity and the proper planning and sustainable development of the area, that a limitation be placed on the area of the quarrying operation. It is therefore recommended that the proposed condition be revised to provide that the extraction of rock be restricted to the area as delineated on Drawing Ref. SDQU05A/2 DP01 comprising of 102 hectares (250 acres). This area is twice the current excavated area as defined by the green line indicated in the revised map submitted as additional information, and is five times larger than the originally approved quarry area. It is considered that this allows reasonable scope to continue working the quarry for the forseeable future.

It should be noted that the depth of the quarry excavation also has a direct bearing on the length of the working life of the quarry. While the proposed revised condition limits the surface area of the quarry it does not restrict the depth of the workings. It appears possible that the quarry area could therefore be excavated to a substantial depth below the present quarry floor level resulting in a deep void extending over a surface area of several hundred acres enclosed by steep faces. Having regard to the location of the quarry within a rapidly developing urban area, the large extent and likely substantial depth of the quarry workings raise significant issues regarding how the land could be rehabilitated and re-used following the cessation of quarrying. This scenario represents a potential loss of valuable urban land that could otherwise be developed to accommodate a new urban extension on the scale of Adamstown. This will need to be considered in the formulation of a phasing and rehabilitation programme for the future sustainable development of the quarry, as required to be agreed under the relevant conditions attached hereto.

Condition 5 Operating Hours

In relation to proposed Condition No. 5 the submission requests that the condition be revised to permit quarry plant operating hours from 07.00-24.00 Monday to Friday, and 07.00-18.00 Saturday, and also outside the above hours provided that noise levels arising from the activities comply with the noise limits specified in proposed Condition No. 6. It notes that no operating hours are specified in the existing permission and claims that any restriction would be grounds for a claim for compensation under Section 261(8).

Comment on submission
Having regard to the above it is recommended that the hours of operation be conditioned as per the details submitted with the registration application as detailed above.

Condition 6 Noise Limits
In relation to proposed Condition No.6 the submission states that the Quarry Guidelines do not recommend 'daily monitoring', the EMS implemented at the quarry includes a noise monitoring programme, and noise monitoring is typically carried out on a quarterly basis..

Comment on submission:
It is recommended that the proposed condition be revised as requested.

Condition 7 Blasting
In relation to proposed Condition No.7 the submission states that considering the location of this quarry in an urban environment it is not practical or physically possible to individually notify all landowners and occupiers within 500 metres of the quarry, and the existing siren system is adequate. Submission of monitoring results on a quarterly basis is also suggested.

Comment on submission:
It is recommended that the proposed condition be revised to restrict blasting to 09.00-18.00 hours. No change is recommended to the requirements in relation to notification under part d). A new condition requiring quarterly submission of monitoring data in respect of noise, blasting and dust is recommended in accordance with the recommendation of the EHO

Condition 8 Control of Dust
In relation to proposed Condition No.8 the submission requests that 8(c) be revised to omit the requirement for monitoring of particulate emissions as this is not in the Guidelines.

Comment on submission:
It is recommended that the proposed condition be revised as suggested.

Condition 9 Consultation
In relation to proposed Condition No.9 the submission suggests that the proposed condition be revised to require public notices to be provided at the site entrances, and a complaints register maintained under the EMS to be reviewed at 6 monthly intervals, and that part c) be revised to provide that a local forum be established by the Planning Authority to meet once yearly.

Comment on submission:
It is recommended that the condition be revised to provide for the erection of public notices as suggested, however it is considered that a local consultative group should be established by the operator as required in the proposed condition, having regard to the scale of the quarry within this urban area, and persistent local concerns in relation to the quarry operations.

Condition 10 access for monitoring

In relation to proposed Condition No.10 the submission suggests that the EPA should not be included as an IPPC license is not required, and that authorised officers be required to check in with the quarry manager..

Comment on submission:
It is recommended that the EPA reference be retained and that the proposed condition be otherwise revised as suggested..

Condition 11 Annual topographical survey
In relation to proposed Condition No. 11 the submission states that an annual survey is excessive, and that it is normal practice in other council areas to require a survey every 5 years.

Comment on submission
It is recommended that the condition be revised to require that an up to date Digital Terrain Model of the entire lands within the site boundary be submitted for approval every five years during the operating life of the quarry, as this will provide a better quality of information into the future than a topographical survey.

Condition 13 Future Changed Standards
In relation to proposed Condition No.13 the submission proposes that this condition be deleted as the EMS for the site is reviewed annually and revised to ensure implementation of best practices, including review of relevant environmental threshold limit values.

Comment on submission:
It is recommended that the condition be retained as proposed.

Condition 14 Control of External Lighting
In relation to proposed Condition No.14 the submission proposes that this condition be deleted as the quarry is located in an urban area.

Comment on submission:
It is recommended that this condition be retained as proposed, having regard to the location of the quarry in relation to the approach to Casement Aerodrome.

Condition 15 Truck movements
In relation to proposed Condition No.15 the submission states that the 50 quarry truck movements (25 in / 25 out per hour) stated in the application relates to each of the three entrances / exits, and proposes revised wording for the condition to provide for this clarification and times of daily despatch hours and for out of hours deliveries subject to compliance with specified noise standards.

Comment on submission:
It is recommended that the condition be retained as proposed having regard to concerns raised regarding the effects of the noise of trucks using the site exits at night on residents in the vicinity.

Condition 16 Advanced Warning signs
In relation to proposed Condition No.16 the submission states that there is existing signage in place at all site entrances and exits.

Comment on submission:
It is recommended that the condition be retained as proposed.

Condition 18 Wheel Washing Facility
In relation to proposed Condition No.18 the submission states that the key issue does not relate to the provision of a 'concrete apron' 30 metres from the exit, but that the wheel wash is installed at an appropriate location and that all HGV vehicles use it before travelling along a paved surface to the exit. A revised wording for the condition is suggested.

Comment on submission:
It is recommended that the condition be revised as proposed.

Condition 19 Grading Face of Quarry Abutting Roadway
In relation to proposed Condition No. 19 the submission states that the condition relates to health and safety matters and would result in the sterilisation of large volumes of rock and this would be grounds for a compensation claim under Section 261(8).

Comment on submission
Having regard to the above it is recommended that the condition be omitted.

Condition 20 Risk Assessment
In relation to proposed Condition No.20 the submission states that this is a health and safety issue that falls under the jurisdiction of the Health and Safety Authority, and suggests that the condition be deleted.

Comment on submission:
It is recommended that the condition be deleted as proposed.

Condition 22 Discharges to Surface or Ground Waters
In relation to proposed Condition No.22 the submission suggests that part c) be deleted as they have a current discharge licence under which they have implemented a water management system to store and treat surface water run-off within the quarry. There is attenuation capacity within the existing water management system.

Comment on submission:
It is recommended on the advice of Environmental Services Department that the condition be retained as proposed as the 6 litre p/s/ha standard is equivalent to run-off rate from unpaved land surfaces.

Condition 25 Ground Water Levels
In relation to proposed Condition No.25 the submission states that the existing quarry is operating below the water table, and there is no dependence on groundwater resources for water supply in the area. There was no restriction on quarry depth in the 1972 planning permission. Any new imposed restriction on the depth of the excavation would be a ground for compensation under Section 261. It proposes re-wording the condition to require groundwater level monitoring at monthly intervals, and reporting to the Planning Authority on a quarterly basis.

Comment on submission
It is understood that issues relating to groundwater lie within the ambit of the Eastern River Basin Management under the GDSDS and the Water Framework Directive. It is recommended that the condition be revised as suggested, and also to provide that a hydrological / hydrogeological survey be carried out having regard to the Water Framework Directive.

Condition 27
In relation to proposed Condition No.27 the submission states that this is an operational issue. By prescribing monthly cleaning SDCC is attracting liability e.g. if more regular cleaning was required but not carried out, and propose re-wording the condition accordingly.

Comment on submission:
It is recommended that the condition be revised as proposed with the addition of a provision to ensure the operation is done in an environmentally acceptable manner.

Condition 30 Phasing of Development
In relation to proposed Condition No.30 the submission suggests re-wording the condition to provide that the phasing programme shall indicate 'depth of workings', and proposals for restoration of all areas. Also that "This Working Scheme and Restoration Plan shall be updated and submitted to SDCC at 10 years intervals."

Comment on submission
It is recommended that the condition be revised to provide for a 5 year period for updating the phasing programme.

Condition 31 Rehabilitation and Landscaping
In relation to proposed Condition No.31 the submission suggests that the condition be re-worded to replace 'rehabilitation' with 'restoration', and to include "landscaping / boundary treatment for the entire quarry area.", and that the proposed Condition No. 32 Landscaping and Boundary Treatment be omitted.

Comment on submission
It is recommended that Condition 32 be retained as it provides in more detail for landscaping and boundary treatment, which it is considered require comprehensive assessment and proposals for further screening which is highly desirable having regard to the scale of the quarry workings and to its steady incorporation within this rapidly expanding urban area.

Condition 33 Rehabilitation on Cessation of Works
In relation to proposed Condition No.33 the submission recommends deleting this condition as Restoration is included in condition 31.

Comment on submission
It is recommended that Condition 33 be retained as it details requirements for the removal of plant and equipment on cessation of works, requires full details of rehabilitation works to be submitted, requires detailed works to be agreed before works commence, and requires any change of use to be subject to a separate planning permission. These issues are not covered by condition 31.

Condition 34 Storage of Topsoil
In relation to proposed Condition No.34 the submission suggests that the one metre height limit of topsoil mound be changed to three metres as the requirement would otherwise sterilise large area of the quarry.

Comment on submission:
It is recommended that the condition be revised to omit specific heights.

Condition 35 Storage and Use of Unusable / Waste Materials

In relation to proposed Condition No.35 the submission suggests deleting this condition as restoration is included under condition 31.

Comment on submission:
It is recommended that this condition be deleted as suggested.

Condition 36 Safety Measures
In relation to proposed Condition No.36 the submission suggests deleting this condition as it refers to health and safety which is under the jurisdiction of the Health & Safety Authority, and by imposing the condition SDCC are attracting potential liability for these issues.

Comment on submission:
It is recommended that this condition be deleted as suggested.

Condition 37 Security for compliance
In relation to proposed Condition No.37 the submission states that a €10 million bond would be expensive to maintain and is excessive and requests that the amount of the bond be reduced to €2.45 million. It also suggests that the surety should apply only to restoration and not to operational issues as the P&D Act allows the Planning Authority to take enforcement action in the event of non-compliance.

Comment on submission
It is recommended that the condition be revised to provide for security in the amount of €2.5 million and that the condition be re-worded as suggested.

Condition 38 Archaeological Impact Assessment
In relation to proposed Condition No.38 the submission suggests deleting 2nd and 3rd sentences of part (b) as these pre-exempt the findings of the AIA.

Comment on submission:
It is recommended that these parts be retained and that the wording be revised to insert 'In the event that the AIA indicates significant archaeological potential ..' at beginning of 2nd sentence.

Condition 39 Discovery of Remains of Archaeological or Historical Interest
In relation to proposed Condition No.39 the submission suggests replacing 'overburden' with 'topsoil' as this is the medium that may potentially host artefacts of archaeological interest.

Comment on submission:
Overburden is defined in the draft EPA Guidelines for Regulators as "clay and soil/topsoil overlaying aggregate to be extracted". Accordingly, no change is recommended to the wording of the proposed condition.

Conditions 41 Standard Development Contribution
In relation to proposed Condition No.41 the submission requests that this condition be deleted as there are no financial contributions stated in the 1972 permission. The Development Contribution Scheme does not apply to Section 261 where existing permissions are being reviewed and modified. If it is imposed it will be grounds for Roadstone to claim compensation under Section 261(8)(a). There is no provision in the SDCC Development Contribution Scheme 2003 to levy a development contribution on the extractive industry.

Comment on submission
It is recommended that the condition be omitted having regard to the above comments.

Conditions 42 Special Development Contribution
In relation to proposed Condition No.41 the submission requests that this condition be deleted as there are no road contributions stated in the 1972 permission. The Special Contribution Scheme does not apply to Section 261 where existing permissions are being reviewed and modified. If it is imposed it will be grounds for Roadstone to claim compensation under Section 261(8)(a). The 1200 metres of road frontage has no material benefit to RSL and in fact has the opposite effect in that it sterilises a very significant valuable limestone reserve, and the reason for this condition is not valid..

Comment on submission
It is recommended that the condition be omitted having regard to the above comments.

Conclusion and Recommendation

Section 261 of the Planning and Development Act 2000 provides for the registration of all quarries in operation on or after the 28th April 2004 which either had the benefit of a planning permission granted more than five years prior to that date, or had been in existence prior to the commencement of the Local Government (Planning and Development) Act 1963. Information relating to the Belgard Quarry at Fortunestown, Tallaght, operated by Roadstone Dublin Limited, was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2.

A planning permission Register Reference C. 1488 was granted to Roadstone Limited on 28th April 1972 for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Under Section 261(6) in the case of a registered quarry with an existing planning permission granted more than five years prior to 28th April 2004, a planning authority may decide to restate or modify the conditions of the existing planning permission, or add new conditions.

Where a planning authority proposes to restate or modify the conditions of the existing planning permission, or add new conditions, it shall, in accordance with Section 261(5)(a), serve a notice on the owner / operator of the quarry stating its proposals and the reasons for the proposals, and stating that submissions or observations may be made to the planning authority within such period as may be specified in the notice, being not less that six weeks from the service of the notice. The Act allows the planning authority a period of two years from the date of registration of the quarry to serve notice of its decision on the owner / operator under Section 261(6). In the case of the Belgard Quarry this period will expire on 21st April 2007.

In accordance with Section 261(5) of the Planning and Development Act 2000 a notice was served on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, on 16th January 2007, stating the proposals of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and stating further that submissions or observations may be made to the Planning Authority within a period of six weeks from the service of the notice.

A submission was received from Roadstone Dublin Limited on 1st March 2007 setting out the company's comments on the proposed conditions. Having considered the comments submitted it is recommended that the following amended conditions reflecting current planning and environmental standards and objectives be applied to the quarrying operations on the lands. These conditions are recommended having regard to:

1) The period of time that has elapsed since planning permission was granted for a quarry at this location;

2) The extent of quarrying carried out since permission was granted;
3) The scale of the current quarrying operations;
4) The considerable potential for further quarrying;
5) The likely future significant development in the local area in which the quarry is located;
6) The impacts on visual and residential amenity: and
7) The proper planning and sustainable development of the area.

It is therefore proposed that the existing planning permission Register Reference C.1488 be modified by the deletion of the existing 10 No. conditions imposed in 1972, and by adding new conditions numbers 1 to 36 thereto, having regard to the provisions of Section 261 of the Planning and Development Act 2000, the South Dublin County Development Plan 2004-2010, and to the Quarries and Ancillary Activities Guidelines for Planning Authorities (2004) issued by the Department of Environment, Heritage and Local Government.

Having considered the comments submitted it is recommended that the following amended conditions reflecting current planning and environmental standards and objectives be applied to the quarrying operations on the lands, in accordance with Section 261(6).

Sections 261(6) of the Planning & Development Act, 2000

Conditions to be Applied to Belgard Quarry, Fortunestown, Tallaght.
Register Reference SDQU05A/2

01	**GENERAL** Quarrying operations on the lands shall be carried out in accordance with the plans, particulars and specifications as described in the documents lodged with the application for registration of the quarry under Section 261 of the Planning and Development Act 2000, as revised by Additional Information submitted on 28th September 2005, including the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371, save as the conditions hereunder require. **Reason:** To ensure that the development is carried out in accordance with appropriate environmental standards and practices, and to enable effective control to be maintained, in the interests of the proper planning and sustainable development of the area.
02	**DIGITAL TERRAIN MODEL** Within three months of the date of this decision a Digital Terrain Model of the entire lands within the site boundary, as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337, shall be submitted to the Planning Authority. The Digital Terrain Model shall be prepared by a professionally qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. A comprehensive photographic record of the quarry workings, and views of the quarry from public roads in the vicinity of the site, the viewing positions of which shall be shown on a map to a suitable scale, shall also be submitted. **Reason:** To ensure effective development management of the quarrying operations in the interest of residential amenity and the proper planning and sustainable development of the area.
03	**OPERATING HOURS** Quarrying operations on the site shall be carried out only between 07.00 and 24.00 hours on Monday to Friday inclusive and between 07.00 and 18.00 hours on Saturday. No such operations shall take place outside these hours or on Sundays or public holidays. No rock-breaking activity shall be undertaken within any part of the entire quarry complex before 07.00 hours each day. **Reason:** In the interest of residential amenity and the proper planning and sustainable development of the area.
04	**LIMITATION OF EXTENT OF AREA TO BE EXTRACTED** The extraction of rock on the subject lands shall be limited to the area within the orange coloured line as indicated on the Drawing Ref. SDQU05A/2 DP01 attached herewith. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development. **Reason:** It is considered reasonable and in the interests of residential and visual amenity and the proper planning and sustainable development of the area, and having regard to the limitation of the extent of the quarry permitted under Register Reference C.1488 and the extent to which the quarry currently exceeds that permitted area, and having regard to the location of the quarry lands within an urban area, that a limitation as expressed in

	this condition be placed on the quarrying operation.
05	**NOISE** a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptors, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (60 minute L_{Aeq}) at any other time. b) No tonal or impulsive noise, including vehicle reversing alarms, shall be audible at the nearest noise sensitive receptors between 20.00 and 07.00 hours. Matters relating to health and safety shall be addressed using alternative (non tonal or impulsive) methods. c) A quarterly noise survey and assessment programme shall be undertaken to assess the impact of noise emissions arising from the operation of the entire quarry complex. The scope and methodology of this survey and assessment programme shall be submitted to the planning authority for its written agreement within three months of the date of this decision. The results obtained from the programme shall be submitted quarterly for the written agreement of the planning authority. The operator shall carry out any amendments to the programme required by the planning authority following this quarterly review. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
06	**VIBRATION AND AIR OVERPRESSURE** a) Ground-borne Vibration levels from blasting shall not exceed a peak particle velocity of 12 mm/second, measured in any three mutually orthogonal directions at any sensitive receptor location. b) Blasting shall not give rise to air overpressure values in excess of 125 $d(B)(Lin)_{max\ peak}$ with a 95% confidence limit at any sensitive receptor location. No individual air overpressure value shall exceed the limit value by more than five dB (Lin). c) Blasting shall only be carried out during 09.00 – 18.00 hours, Monday to Friday. d) Advance notification of blasting shall be provided to all landowners and occupiers within 500 metres of the entire quarry complex. e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall provide for monitoring to be carried out whenever a blast occurs, and shall include an annual review of all blast monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. f) Any blast management programme to be implemented at the site shall ensure that the structural integrity of Belgard Castle, a Protected Structure (RPS 206), and of the two Recorded Monuments (DU021/024 and DU021/025) located on the quarry lands, are adequately protected. **Reason**: To ensure the protection of residential amenity, public health and cultural heritage in the interest of the proper planning and sustainable development of the area.
07	**SUPPRESSION AND CONTROL OF DUST**

	a) Total dust deposition (soluble and insoluble) measured at the site boundary shall not exceed 350mg/m2/day (when averaged over a 30 day period). The Bergerhoff Method (German Standard VDI 2119, 1972) shall be used to measure dust deposition. Continuous monitoring of dust deposition shall be carried out. Any emission which does not comply with the above standards shall be notified to the Planning Authority immediately. b) Within six months of the date of this decision details of satisfactory arrangements for the suppression and control of dust arising from the open working, processing and the handling and transportation of mineral and / or product, and stripping of overburden, shall be submitted for the written agreement of the Planning Authority. The location of sensitive receptors and prevailing wind directions shall be taken into account when locating haul roads, tips, stockpiles and processing plant. The area of excavated land not covered by vegetation shall be kept to a minimum. The stripping of overburden shall be carried out only during favourable weather conditions. The deposition of dust on surrounding lands in excess of allowed limits, or spillage on to public roads shall be prevented at all times. c) A monthly survey and monitoring programme of dust shall be undertaken to provide for compliance with the above limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the entire quarry complex, shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall include an annual review of all dust monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. **Reason:** To ensure the protection of residential amenity and public health in the interest of the proper planning and sustainable development of the area.
08	**MONITORING RESULTS** All data recorded from monitoring of noise emissions, blasting and dust deposition shall be submitted to the Planning Authority in a suitably formatted and readable form on a quarterly basis, within ten working days of the end of each quarter. The monitoring quarters to be January – March, April – June, July – September and October – December. Where any data is missing this fact must be recorded and a reason given for its omission. **Reason:** To ensure the protection of residential amenity and public health, in the interest of the proper planning and sustainable development of the area.
09	**COMMUNICATION AND CONSULTATION** a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to South Dublin County Council. All changes in personnel or particulars must also be notified to the Council as soon as they occur. b) A public notice shall be erected and maintained at each entrance to the quarry. This notice shall contain the name of the company and contact details, including contact outside operating hours, which may be used in the event that any person wishes to contact the operator in relation to any aspect of the quarry operation. c) The operator shall provide all landowners and occupiers within 500 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of an aspect of

	the quarry operation. d) Within six months of the date of this decision, the operator shall establish a local consultative group, to include representatives of the operator, and representatives of the local community and landed interests, including representatives of each residential estate within 500 metres of the entire quarry complex. This group shall constitute a forum to address environmental management and associated issues related to the quarry operations which are considered to impact upon local amenity. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
10	**ACCESS FOR MONITORING** Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. Authorised officers carrying out such inspections shall check-in with the quarry manager or his/her representative prior to such inspections. **Reason:** In the interests of residential amenity, pollution control and public health.
11	**UPDATED DIGITAL TERRAIN MODEL** Five years from the date of this decision and at five-yearly intervals thereafter the operator shall submit to the Planning Authority an up to date Digital Terrain Model of the entire lands within the site boundary as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337. The digital terrain model shall be prepared by a professionally qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. **Reason**: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.
12	**ANNUAL ENVIRONMENTAL AUDIT** On an annual basis (by the end of February each year) three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose names shall be submitted to the Planning Authority for prior approval, and shall contain the following: a) A record of all movements of heavy vehicles outside the permitted operating hours. b) A record of surface water quality, and groundwater quality and levels, measured at monthly intervals. c) A full record of any breaches over the previous year of dust, noise, vibration / air overpressure, and water quality standards. d) A written record of all complaints received, including actions taken on each complaint. **Reason:** To ensure that the quarry shall be operated in compliance with the stated standards in the interests of residential amenity, pollution control, public health and the proper planning and sustainable development of the area.

13	**FUTURE CHANGED STANDARDS** Notwithstanding the current environmental standards for noise, vibration, and dust, contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (Non Scheduled Minerals)", should these standards be revised in the future or should new standards be introduced, either by legislation, or guidance from the Environmental Protection Agency or it's successor, the quarry operations shall be carried out in compliance with the revised standards. **Reason:** In the interests of residential amenity, pollution control, public health, and the proper planning and sustainable development of the area.
14	**CONTROL OF EXTERNAL LIGHTING** Within three months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the planning authority. The scheme shall be designed, installed and operated, so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over-lighting. Measures shall be included to provide adequate screening from adjacent areas where appropriate. **Reason**: In the interests of residential amenity, air and traffic safety, and the proper planning and sustainable development of the area.
15	**LIMITATION OF RATE OF MOVEMENT OF TRUCKS.** The rate of movement of trucks generated by the operation of the quarry shall not exceed the total number of movements in and out of the quarry per hour as detailed in the documents submitted in connection with the registration of the quarry. **Reason:** In the interest of traffic safety, residential amenity and the proper planning and sustainable development of the area.
16	**ADVANCE WARNING SIGNS** Metal advance warning signs shall be erected at all site entrances and exits. These signs shall be maintained in good and clean condition. The material, content, design and location of these signs shall be agreed with the Planning Authority. **Reason:** In the interests of traffic safety.
17	**MAINTENANCE OF PUBLIC ROADWAY** No waste, debris, excavated materials or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc. in the vicinity of the site. The quarry operator shall be responsible for maintaining the public roadways in the vicinity of the site entrances / exits in a clean state, free from mud and other debris caused by the haulage of such material. **Reason:** In the interests of traffic safety and residential amenity.
18	**WHEEL WASHING FACILITY** (a) A paved surface shall be provided at the site exit to the public road, and shall be kept free from soil, sand and gravel deposits at all times. (b) A wheel washing facility shall be installed at an appropriate location along this paved surface. It shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept

	properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres. (c) All heavy goods vehicles exiting the site shall use the wheel washing facility, and shall travel only on the paved surface to the exit. **Reason:** In order to prevent dust emissions in the interests of residential amenity, traffic safety, and the proper planning and sustainable development of the area.
19	**SURFACE WATER RUN-OFF** All surface water run-offs from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, or to discharge to any effluent disposal system or public foul sewer. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
20	**DISCHARGES TO SURFACE OR GROUND WATERS** a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts, 1977 – 1990 or as may be amended from time to time. b) Only clean uncontaminated storm water shall be discharged to surface waters. Interceptor traps shall be fitted to the storm water drainage system where appropriate; to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soak ways or groundwater. c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc) to existing drains or watercourses then the discharge shall be limited to a rate of 6 litres per second per hectare of impermeable surface to reduce the risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge by means of a 'Hydrocrack' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
21	**SURFACE WATER RUN-OFF FROM OPEN CUT AREAS** Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses and wells shall be maintained **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

22	**SURFACE WATER FROM THE PLANT AREA, QUARRY FLOOR AND INTERNAL HAUL ROADS** a) All surface water from the plant area, quarry floor and internal haul roads shall be directed to sumps and discharged from there to settling lagoons. b) The settling lagoons shall be of an adequate size and properly maintained to ensure the efficient removal of suspended solids. c) Site roads and approaches to river crossings shall be regularly brushed or scraped and kept free from dust and mud deposits. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
23	**GROUND WATER LEVELS** a) A groundwater level monitoring programme shall be implemented at the quarry. Groundwater levels shall be recorded at monthly intervals, and reported to the Planning Authority on a quarterly basis. b) Within three months of the date of this decision a hydrological / hydrogeological report in respect of the quarry, prepared by a suitably qualified person having appropriate experience, shall be submitted to the Planning Authority. The report shall detail all measures proposed to be taken to protect groundwater resources. The report shall have regard to all relevant requirements arising under the Water Framework Directive. **Reason:** In the interest public health, the protection of ground water resources. and the proper planning and sustainable development of the area,
24	**PREVENTION OF POLLUTION** a) All over-ground oil or other chemical storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 110% of the capacity of the largest tank. b) Bunds shall be tested at intervals of not more than three years and documentation of tests shall be available for inspection by the Planning Authority. c) All refueling shall take place on impermeable areas that drain through an interceptor from tanks that are bunded or double skinned. d) All waste oil and chemicals shall be removed from the site and disposed of to the satisfaction of the Water Pollution Control Section of the Local Authority. e) A spill kit shall be maintained on site with adequate supply of containment booms and absorbent materials to deal with any spillage. f) The operator shall ensure that blasting practice minimises the risk of occurrence of nitrate/ammonia residues by proper blast design and implementation, appropriate disposal of any excess explosives, and selection of the appropriate type of explosives. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
25	**SETTLEMENT PONDS**

	Settlement ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the planning authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. Appropriate measures shall be put in place to prevent silt leaving the site in any drain or watercourse during the cleaning process. **Reason:** To minimise dust in the interest of proper planning and sustainable development of the area.
26	**DETAILS OF DRAINAGE ARRANGEMENTS** Within six months of the date of this decision full details, including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
27	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** In the interests of public health, safety and the proper planning and sustainable development of the area.
28	**PHASING OF DEVELOPMENT** Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the depth of the workings, the proposed phasing of extraction for the remaining areas, and the proposed timing of and proposals for the rehabilitation of all the areas. This phasing scheme and rehabilitation plan shall be updated and submitted for the written agreement of the Planning Authority at 5 yearly intervals. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and in the interest of the proper planning and sustainable development of the area.
29	**REHABILITATION AND LANDSCAPING** a) Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the rehabilitation and landscaping of existing worked out portions of the quarry and measures to ensure public safety therein. Separate proposals for the rehabilitation and landscaping of future worked out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority.

	b) The proposals shall, inter alia, provide for the phased carrying out of rehabilitation and landscaping operations within a definite period or periods related to the anticipated pace of extraction operations, and shall provide for the grading of surface levels, seeding and planting works, surface and sub-surface drainage and attenuation as per the Greater Dublin Strategic Drainage Study guidelines, planting and seeding works and details of future maintenance. The proposals shall be prepared by landscape architects with experience in the remediation / rehabilitation of quarries. c) The source of all material proposed to be used in respect of all rehabilitation works, together with full details of the type of material and the quantities involved, shall be submitted as part of the rehabilitation and landscaping proposals. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
30	**LANDSCAPING AND BOUNDARY TREATMENT** Within six months of the date of this decision a comprehensive landscaping scheme to screen views of the quarry workings from all adjacent areas outside the site, shall be submitted for the written agreement of the Planning Authority. The scheme shall include detailed drawings and specifications of proposals for appropriate landscaping and boundary treatment, including tree planting and mounding, and a satisfactory time frame for the implementation of the scheme. A survey of all trees and hedgerows on the lands carried out by a competent professional to B.S. 5837 shall be submitted as part of the scheme. The agreed scheme shall be implemented to the satisfaction of the Planning Authority. Reason: In the interests of residential and visual amenity and the proper planning and sustainable development of the area.
31	**REHABILITATION ON CESSATION OF WORKS** a) On cessation of quarrying operations, all plant and surface equipment shall be removed from the site within 12 months of the date of such cessation. The whole of the surface area (including the slopes and sections containing deposition accruing from the operation of the quarry) shall be rehabilitated by the appropriate land shaping of the ground in relation to the contours of adjoining land. b) Specifications and drawings indicating the proposed works to rehabilitate the site, existing contours, and the grading and levels of the final contours to which the rehabilitation shall be carried out, shall be submitted to the Planning Authority for agreement in writing. c) The works shall not commence until such agreement has issued in writing and the agreed works shall be completed to the satisfaction of the Planning Authority. d) Any re-use or change of use of the lands shall be subject to a separate grant of planning permission for such use. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
32	**STORAGE OF TOPSOIL**

	All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil shall be stockpiled in a manner to ensure that the soil flora and fauna are not destroyed. **Reason:** To ensure the satisfactory restoration of the site in the interests of visual amenity and the proper planning and sustainable development of the area.
33	**SECURITY FOR COMPLIANCE WITH CONDITIONS** Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €2,500,000 (Two million five hundred thousand euro), together with an agreement empowering the Planning Authority to apply such security to the rehabilitation of the site in the event that the operator fails to secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index. **Reason:** To ensure the satisfactory rehabilitation of the site in the interest of the proper planning and sustainable development of the area.
34	**ARCHAEOLOGICAL IMPACT ASSESSMENT** a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). The AIA shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/ field survey, aerial photography and if necessary geophysical survey, etc. b) The AIA shall be submitted to the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. In the event that the AIA indicates significant achaeological potential the archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government. c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government. d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator. **REASON**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
35	**DISCOVERY OF REMAINS OF ARCHAEOLOGICAL OR HISTORIC INTEREST** At all times during the stripping of overburden on the site a suitably licensed archaeologist shall be present to monitor the work. In the event of any remains of archaeological or historic interest being discovered on the site, the Planning Authority shall be informed

	immediately. All works affecting these remains shall cease immediately and shall not re-commence until approval in writing has been received from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. REASON: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
36	**ARCHITECTURAL HERITAGE IMPACT ASSESSMENT** a) Within six months of the date of this decision an Architectural Heritage Impact Assessment (AHIA) shall be submitted to the Planning Authority and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. The AHIA shall detail the potential visual and other impacts of the quarry operations on the conservation value of Belgard Castle, a Protected Structure (Map Ref. 206 as listed in the Council's Record of Protected Structures), including its curtilege and attendant grounds as relevant, and any mitigation measures. The Architectural Heritage Impact Assessment shall be prepared by a suitably qualified person and the costs of preparing the AHIA shall be at the expense of the quarry owner / operator. b) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Protected Structure, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **REASON:** To facilitate the investigation and protection of the protected structure on the site in the interests of the proper planning and sustainable development of the area.

Recommendation

I therefore recommend that a Notice be served in accordance with Section 261(6) of the Planning and Development Act 2000 on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, stating the [redacted] Decision of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and stating further that an appeal may be made to An Bord Pleanala within a period of four weeks from the date of the decision of the Planning Authority.

Date 18/04/07

Senior Executive Planner

Date 18/4/07

Senior Planner

ORDER: The service of a Notice under Section 261(6) of the Planning & Development Act, 2000 on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, in respect of the Belgard Quarry at Fortunestown, Tallaght, Dublin 24, stating the decision of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and stating further that an appeal may be made to An Bord Pleanala within a period of four weeks from the date of the decision, is hereby authorised.

Date 18/04/07

Director of Planning

S261 (5) CONSULTATION DOCUMENTS

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message *to 086 1731707*

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: *ccounter@sdublincoco.ie*
On-line: www.southdublin.ie

Mr. Jim Farrell,
Managing Director,
Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

16th January, 2007

RE: Sections 261(5) and 261(6) of the Planning & Development Act 2000
Belgard Quarry, Townland of County Dublin

Register Reference Number: SDQU05A/2 **Registration Date:** 22 April 2005

Dear Mr. Farrell

With reference to the above please find enclosed herewith a copy of the Statutory Notice and Schedule of proposed conditions, setting out the Planning Authority's proposals to modify and to add to the conditions attaching to the existing planning permission Register Reference C. 1488 in respect of the Belgard Quarry.

Please take note that the **closing date for receipt of submissions in this matter is 2nd March 2007**.

In accordance with Section 261(5)(c) of the Planning and Development Act, 2000 submissions or observations made pursuant to the statutory notice shall be taken into consideration by the planning authority prior to issuing its decision under Section 261.

Following the decision of the planning authority, under Section 261(6), it should be noted that you, as the registered owner/operator, may then appeal to An Bord Pleanala against the decision to impose, restate, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act, 2000, as amended, and the Regulations made thereunder.

Yours sincerely

Tom Doherty
Director of Services.

Schedule of Conditions proposed in accordance with Section 261(6) of the Planning & Development Act, 2000 Belgard Quarry, Fortunestown, Tallaght.

01	**GENERAL** Quarrying operations on the lands shall be carried out in accordance with the plans, particulars and specifications as described in the documents lodged with the application for registration of the quarry under Section 261 of the Planning and Development Act 2000, as revised by Additional Information submitted on 28th September 2005, including the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371, save as the conditions hereunder require. **Reason:** To ensure that the development is carried out in accordance with appropriate environmental standards and practices, and to enable effective control to be maintained, in the interests of the proper planning and sustainable development of the area.
02	**TOPOGRAPHICAL SURVEY** Within three months of the date of this decision a report of a full topographical survey of the entire lands within the site boundary, as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337, shall be submitted to the Planning Authority. The survey shall be carried out by an independent qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. The report shall also include a comprehensive photographic record of the quarry workings, including an aerial view, and views of the quarry from public roads in the vicinity of the site the viewing positions of which shall be shown on a map to a suitable scale. **Reason:** To ensure effective development management of the quarrying operations in the interest of residential amenity and the proper planning and sustainable development of the area.
03	**LIMITATION OF LIFE OF PERMISSION** This permission shall be valid until and including 30th April 2017. All quarrying operations on the site shall cease from that date unless a planning permission has been granted for their continuation for a further period. **Reason:** To enable the impact of the quarrying operations to be assessed having regard to the circumstances pertaining at that time.
04	**LIMITATION OF EXTENT OF AREA TO BE EXTRACTED** The extraction of rock on the subject lands shall be limited to the area within the green coloured line as indicated on the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371 submitted as Additional Information on 28th September 2005. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development. **Reason:** To enable the quarrying operations to be assesed in the light of relevant changes in environmental standards and technology, having regard to the location of the quarry lands within an urban area that is likely to experience significant mixed-use

	development during the period within which the above permitted area of extraction will be worked, in the interest of residential amenity and the proper planning and sustainable development of the area.
05	**OPERATING HOURS** Quarrying operations on the site shall be carried out only between 07.00 and 20.00 hours on Monday to Friday inclusive and between 07.00 and 14.00 hours on Saturday. No such activity shall take place outside these hours or on Sundays or public holidays. No rock-breaking activity shall be undertaken within any part of the entire quarry complex before 08.00 hours each day. **Reason:** In the interest of residential amenity and the proper planning and sustainable development of the area.
06	**NOISE** a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptor, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (15 minute L_{Aeq}) at any other time. b) Daily monitoring shall be carried out. c) No audible or impulsive noise shall be permitted outside permitted operating hours. d) Notwithstanding (a) above, where any temporary quarry activity is expected to exceed the noise limits above, this shall be notified in advance to the planning authority, and to residents in the vicinity, indicating the reason for such activity, and its likely duration. No such exceedence of noise limits shall occur without the prior agreement of the planning authority. e) A quarterly noise survey and assessment programme shall be undertaken to assess the impact of noise emissions arising from the operation of the entire quarry complex. The scope and methodology of this survey and assessment programme shall be submitted to the planning authority for its written agreement within three months of the date of this decision. The results obtained from the programme shall be submitted quarterly for the written agreement of the planning authority. The operator shall carry out any amendments to the programme required by the planning authority following this quarterly review. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
07	**VIBRATION AND AIR OVERPRESSURE** a) Ground-borne Vibration levels from blasting shall not exceed a peak particle velocity of 12 mm/second, measured in any three mutually orthogonal directions at any sensitive receptor location. In the event that blasting occurs at a frequency of more than once per week the peak particle velocity shall not exceed 8 millimetres per second measured as above. b) Blasting shall not give rise to air overpressure values in excess of 125 $d(B)(Lin)_{max\ peak}$ with a 95% confidence limit at any sensitive receptor location. No individual air overpressure value shall exceed the limit value by more than five dB (Lin). c) Blasting shall only be carried out within the permitted operating hours. d) Advance notification of blasting shall be provided to all landowners and occupiers within 500 metres of the entire quarry complex.

	e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall provide for monitoring to be carried out whenever a blast occurs, and shall include an annual review of all blast monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. f) Any blast management programme to be implemented at the site shall ensure that the structural integrity of Belgard Castle, a Protected Structure, and of the two Recorded Monuments located on the quarry lands, is adequately protected. **Reason:** To ensure the protection of residential amenity, public health and cultural heritage in the interest of the proper planning and sustainable development of the area.
08	**SUPPRESSION AND CONTROL OF DUST** a) Total dust deposition (soluble and insoluble) measured at the site boundary shall not exceed 350mg/m2/day (when averaged over a 30 day period). The Bergerhoff Method (German Standard VDI 2119, 1972) shall be used to measure dust deposition. Daily monitoring of dust deposition shall be carried out. Any emission which does not comply with the above standards shall be notified to the Planning Authority immediately. b) Within six months of the date of this decision details of satisfactory arrangements for the suppression and control of dust arising from the open working, processing and the handling and transportation of mineral and / or product, and stripping of overburden, shall be submitted for the written agreement of the Planning Authority. The location of sensitive receptors and prevailing wind directions shall be taken into account when locating haul roads, tips, stockpiles and processing plant. The area of excavated land not covered by vegetation shall be kept to a minimum. The stripping of overburden shall be carried out only during favourable weather conditions. The deposition of dust on surrounding lands in excess of allowed limits, or spillage on to public roads shall be prevented at all times. c) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with the above limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the entire quarry complex, shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall include an annual review of all dust monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. **Reason:** To ensure the protection of residential amenity and public health in the interest of the proper planning and sustainable development of the area.
09	**COMMUNICATION AND CONSULTATION** **a)** The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to South Dublin County Council. All changes in personnel or particulars must also be notified to the Council as

	soon as they occur. b) The operator shall provide all landowners and occupiers within 500 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of an aspect of the quarry operation. c) Within six months of the date of this decision, the operator shall establish a local consultative group, to include representatives of the operator, and residents and representatives of the local community and landed interests. This group shall constitute a forum to address operational issues of the quarry which are considered to impact upon local amenity. **Reason:** In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
10	**ACCESS FOR MONITORING** Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. **Reason:** In the interests of residential amenity, pollution control and public health.
11	**ANNUAL TOPOGRAPHICAL SURVEY** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry the operator shall submit: a) A topographical survey carried out by an independent qualified surveyor agreed by the planning authority, including a map surveyed against established perimeter beacons, the form and location of which shall be agreed with the planning authority, showing all areas i) that have been excavated to date, ii) that have been prepared for excavation, and iii) that may have been restored. b) An aerial photograph which adequately enables the planning authority to assess the progress of the phases of extraction. **Reason**: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.
12	**ANNUAL ENVIRONMENTAL AUDIT** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry, three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose names shall be submitted to the Planning Authority for prior approval, and shall contain the following: a) A record of all movements of heavy vehicles outside the permitted operating hours. b) A record of surface water quality, and groundwater quality and levels, measured at

	monthly intervals. c) A full record of any breaches over the previous year of dust, noise, vibration / air overpressure, and water quality standards. d) A written record of all complaints received, including actions taken on each complaint. **Reason:** To ensure that the quarry shall be operated in compliance with the stated standards in the interests of residential amenity, pollution control, public health and the proper planning and sustainable development of the area.
13	**FUTURE CHANGED STANDARDS** Notwithstanding the current environmental standards for noise, vibration, and dust, contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (Non Scheduled Minerals)", should these standards be revised in the future or should new standards be introduced, either by legislation, or guidance from the Environmental Protection Agency or it's successor, the quarry operations shall be carried out in compliance with the revised standards. **Reason:** In the interests of residential amenity, pollution control, public health, and the proper planning and sustainable development of the area.
14	**CONTROL OF EXTERNAL LIGHTING** Within three months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the planning authority. The scheme shall be designed, installed and operated, so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over-lighting. Measures shall be included to provide adequate screening from adjacent areas where appropriate. **Reason:** In the interests of residential amenity, air and traffic safety, and the proper planning and sustainable development of the area.
15	**LIMITATION OF RATE OF MOVEMENT OF TRUCKS.** The rate of movement of trucks generated by the operation of the quarry shall not exceed the total number of movements in and out of the quarry per hour as detailed in the documents submitted in connection with the registration of the quarry. **Reason:** In the interest of traffic safety, residential amenity and the proper planning and sustainable development of the area.
16	**ADVANCE WARNING SIGNS** Metal advance warning signs shall be erected at all site entrances and exits. These signs shall be maintained in good and clean condition. The material, content, design and location of these signs shall be agreed with the Planning Authority. **Reason:** In the interests of traffic safety.
17	**MAINTENENCE OF PUBLIC ROADWAY** No waste, debris, excavated materials or dust caused by the haulage of material either to

	or from the site shall be deposited on the public roads, footpaths, margins etc. in the vicinity of the site. The quarry operator shall be responsible for maintaining the public roadways in the vicinity of the site entrances / exits in a clean state, free from mud and other debris caused by the haulage of such material. **Reason:** In the interests of traffic safety and residential amenity.
18	**WHEEL WASHING FACILITY** (a) A concrete apron shall be provided at the site exits to the public road for a minimum distance of 30m into the site. This apron shall be kept free from soil, sand and gravel deposits at all times. (b) A wheel washing facility shall be installed at the innermost end of this concrete apron. It shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres. (c) All vehicles exiting the site shall use the wheel washing facility, and shall travel only on the apron to the exit. **Reason:** In order to prevent dust emissions in the interests of residential amenity, traffic safety, and the proper planning and sustainable development of the area.
19	**GRADING FACE OF QUARRY ABUTTING ROADWAY** Where a face of the quarry working abuts a road or laneway, and is below the roadway, the gradient of the face of the working shall provide an in-situ batter not exceeding a gradient of 1 vertical to 2 horizontal. The distance from the top of the batter to the adjoining road / lane boundary shall be not less than 100 metres. If there are trees or a hedge between the excavation and the roadway, this distance shall be increased so that roots of the trees or hedge are not interfered with. If there is a mound being constructed between the quarry face and the road, and the quarry is below the road, the face of the quarry shall be not less than 10 metres from the toe of the mound. **Reason:** To ensure that public roads are not undermined in the interests of traffic and public safety, and in the interest of visual amenity.
20	**RISK ASSESSMENT** Where a face of the quarry abuts a road or laneway and there is a possibility that a vehicle on the road / lane could crash through the boundary fence onto the quarry floor, the operator shall arrange to have a risk assessment of this possible event carried out by a suitably qualified expert. The operator shall implement any recommendations made following the carrying out of this risk assessment. **Reason:** In the interest of public safety and traffic safety.
21	**SURFACE WATER RUN-OFF** All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, nor to discharge to any effluent disposal system or public foul

	sewer. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
22	**DISCHARGES TO SURFACE OR GROUND WATERS** a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts, 1977 – 1990 or as may be amended from time to time. b) Only clean uncontaminated storm water shall be discharged to surface waters. Interceptor traps shall be fitted to the storm water drainage system where appropriate, to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soak ways or groundwater. c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc) to existing drains or watercourses then the discharge shall be limited to 6 litres per second per hectare of impermeable surface to reduce the risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge by means of a 'Hydobrake' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority. **Reason:** To prevent water pollution and flooding in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
23	**SURFACE WATER RUN-OFF FROM OPEN CUT AREAS** Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses and wells shall be maintained **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
24	**SURFACE WATER FROM THE PLANT AREA, QUARRY FLOOR AND INTERNAL HAUL ROADS** a) All surface water from the plant area, quarry floor and internal haul roads shall be directed to sumps and discharged from there to settling lagoons. b) The settling lagoons shall be of an adequate size and properly maintained to ensure the efficient removal of suspended solids. c) Site roads and approaches to river crossings shall be regularly brushed or scraped and kept free from dust and mud deposits.

	Reason: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
25	**GROUND WATER LEVELS** The water table level shall be determined before any stripping or excavation takes place. A record of ground water levels shall be taken at monthly intervals. The highest water table level shall be used to determine the depth to which excavation may be taken. No excavation shall take place within 1.5m of the highest water table level. Working shall not take place below water table level. **Reason:** In the interest of public health, the protection of ground water resources. and the proper planning and sustainable development of the area,
26	**PREVENTION OF POLLUTION** a) All over-ground oil or other chemical storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 110% of the capacity of the largest tank. b) Bunds shall be tested at intervals of not more than three years and documentation of tests shall be available for inspection by the Planning Authority. c) All refueling shall take place on impermeable areas that drain through an interceptor from tanks that are bunded or double skinned. d) All waste oil and chemicals shall be removed from the site and disposed of to the satisfaction of the Water Pollution Control Section of the Local Authority. e) A spill kit shall be maintained on site with adequate supply of containment booms and absorbent materials to deal with any spillage. f) The operator shall ensure that blasting practice minimises the risk of occurrence of nitrate/ammonia residues by proper blast design and implementation, appropriate disposal of any excess explosives, and selection of the appropriate type of explosives. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
27	**SETTLEMENT PONDS** Settlement ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the planning authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. **Reason:** To minimise dust in the interest of the proper planning and sustainable development of the area.
28	**DETAILS OF DRAINAGE ARRANGEMENTS**

	Within six months of the date of this decision full details, including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
29	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** In the interests of public health, safety and the proper planning and sustainable development of the area.
30	**PHASING OF DEVELOPMENT** Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the proposed phasing of extraction for the remaining areas, and the proposed timing of, and proposals for, the rehabilitation of all the areas. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and in the interest of the proper planning and sustainable development of the area.
31	**REHABILITATION AND LANDSCAPING** a) Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the rehabilitation and landscaping of existing worked out portions of the quarry and measures to ensure public safety therein. Separate proposals for the rehabilitation and landscaping of future worked out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority. b) The proposals shall, inter alia, provide for the phased carrying out of rehabilitation and landscaping operations within a definite period or periods related to the anticipated pace of extraction operations, and shall provide for the grading of surface levels, seeding and planting works, surface and sub-surface drainage and attenuation as per the Greater Dublin Strategic Drainage Study guidelines, planting and seeding works and details of future maintenance.The proposals shall be prepared by landscape architects with experience in the remediation / rehabilitation of quarries. c) The source of all material proposed to be used in respect of all rehabilitation works, together with full details of the type of material and the quantities involved, shall be

	submitted as part of the rehabilitation and landscaping proposals. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
32	**LANDSCAPING AND BOUNDARY TREATMENT** Within six months of the date of this decision a comprehensive landscaping scheme to screen views of the quarry workings from all adjacent areas outside the site, shall be submitted for the written agreement of the Planning Authority. The scheme shall include detailed drawings and specifications of proposals for appropriate landscaping and boundary treatment, including tree planting and mounding, and a satisfactory time frame for the implementation of the scheme. A survey of all trees and hedgerows on the lands carried out by a competent professional to B.S. 5837 shall be submitted as part of the scheme. The agreed scheme shall be implemented to the satisfaction of the Planning Authority. Reason: In the interests of residential and visual amenity and the proper planning and sustainable development of the area.
33	**REHABILITAION ON CESSATION OF WORKS** a) On cessation of quarrying operations, all plant and surface equipment shall be removed from the site within 12 months of the date of such cessation. The whole of the surface area (including the slopes and sections containing deposition accruing from the operation of the quarry) shall be rehabilitated by the appropriate land shaping of the ground in relation to the contours of adjoining land. b) Specifications and drawings indicating the proposed works to rehabilitate the site, existing contours, and the grading and levels of the final contours to which the rehabilitation shall be carried out, shall be submitted to the Planning Authority for agreement in writing. c) The works shall not commence until such agreement has issued in writing and the agreed works shall be completed to the satisfaction of the Planning Authority. d) Any re-use or change of use of the lands shall be subject to a separate grant of planning permission for such use. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
34	**STORAGE OF TOPSOIL** All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil shall be stockpiled in mounds not greater than one metre in height to ensure that the soil flora and fauna are not destroyed. **Reason:** To ensure the satisfactory restoration of the site in the interests of visual

	amenity and the proper planning and sustainable development of the area.
35	**STORAGE AND USE OF UNUSABLE/WASTE MATERIALS** The unusable materials accruing from current working shall be stored separately. Thereafter, it shall be deposited in excavated areas, and any future waste materials shall not be deposited above the general level of the ground but shall be deposited in excavated areas as rehabilitation proceeds. Such material shall have occurred naturally on the site and not as a result of previous filling. Any material which is classed as waste shall be disposed of at an authorised facility by authorised waste carriers **Reason:** To ensure the satisfactory restoration of the site in the interests of the visual amenity and proper planning and sustainable development of the area.
36	**SAFETY MEASURES** Within six months of the date of this decision the operator shall submit for the written agreement of the Planning Authority details of the safety measures, including adequate fencing, to prevent access to the edge of all slopes and vertical faces within the quarry lands and the agreed safety measures shall be implemented to the satisfaction of the Planning Authority. These measures shall include details of any grading and/or stepping of the sides of the excavation adjacent to land not in use or required for quarrying operations. **Reason:** In the interest of public safety.
37	**SECURITY FOR COMPLIANCE WITH CONDITIONS** Within six months of the of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the planning authority in the amount of €10,000,000 (Ten million euro), for the purpose of ensuring that the Planning Authority have a ready sanction to render the site safe in the event that the operator fails to continue to operate or secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index. **Reason:** The site has the potential to be a seriously dangerous place either in the event of it being subject to trespass by members of the public or in the event of it filling with water or other similar event which could present danger to the public or to public health, and it is considered reasonable that the owner / operator should provide such security to enable the Planning Authority to take protective measures and to provide for the rehabilitation of the site.
38	**ARCHAEOLOGICAL IMPACT ASSESSMENT** a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). The AIA shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/ field survey, aerial photography and if necessary geophysical survey, etc.

	b) The AIA shall be submitted to the Heritage and Planning division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. The archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government. c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government. d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator. **REASON**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
39	**DISCOVERY OF REMAINS OF ARCHAEOLOGICAL OR HISTORIC INTEREST** At all times during the stripping of overburden on the site a suitably licensed archaeologist shall be present to monitor the work. In the event of any remains of archaeological or historic interest being discovered on the site, the Planning Authority shall be informed immediately. All works affecting these remains shall cease immediately and shall not re-commence until approval in writing has been received from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. REASON: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
40	**ARCHITECTURAL HERITAGE IMPACT ASSESSMENT** a) Within six months of the date of this decision an Architectural Heritage Impact Assessment (AHIA) shall be submitted to the Planning Authority and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. The AHIA shall detail the potential visual and other impacts of the quarry operations on the conservation value of Belgard Castle, a Protected Structure (Map Ref. 206 as listed in the Council's Record of Protected Structures), including its curtilege and attendant grounds as relevant, and any mitigation measures. The Architectural Heritage Impact Assessment shall be prepared by a suitably qualified person and the costs of preparing the AHIA shall be at the expense of the quarry owner / operator. b) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Protected Structure, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **REASON:** To facilitate the investigation and protection of the protected structure

	on the site in the interests of the proper planning and sustainable development of the area.
41	**STANDARD DEVELOPMENT CONTRIBUTION** The owner / operator shall pay the sum of **€**500,000 (Five hundred thousand euro), updated to the appropriate rate at the date of the coming into effect of these conditions, or any amendments thereto, in accordance with changes in the Tender Price Index, to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the County Council as provided for in the Development Contribution Scheme for the County, made by the Council. This development contribution shall be payable at the rate of €1.00 per tonne extracted from the quarry, until an amount of €500,000, as adjusted, has been paid, or within 12 months of the date of the decision, whichever is the earlier. **REASON:** The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.
42	**SPECIAL DEVELOPMENT CONTRIBUTION** The owner / operator shall pay, to South Dublin County Council a Special Contribution in the sum of €5,000,000 (Five million euro) pursuant to the provision of Section 48(2)(c) of the Planning and Development Act 2000, towards the expenditure incurred, or to be incurred, by the Council in the provision of the Outer Ring Road Phase from the N7 to the N81 which facilitates this development. Payment of this development contribution to be made within 12 months of this decision. **REASON:** The Council is expending a sum of €32 million on the provision of this road. This road will provide new frontage of approximately 1,200 metres to the applicants lands and will facilitate the site of the development, enhancing access to the site and easing traffic movement in the immediate vicinity of the site and it is considered reasonable that the owner / operator should contribute towards its provision.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message *to 086 1731707*

Planning Department,
County Hall, Tallaght,
Dublin 24.
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Fax 01-414 0102
Email: *cccounter@sdublincoco.ie*
On-line: www.southdublin.ie

S. Geraghty
Roadstone Dublin Ltd.
Fortunestown
Tallaght
Dublin 24.

27-Apr-2007

Register Reference SDQU05A/2

Applicant:	Roadstone Dublin Ltd.
Development:	Application for registration of a quarry under Section 261 of Planning & Development Act 2000.
Location:	Belgard Quarry, Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24.
Application Type:	Quarry Registration

Dear Sir /Madam,

Enclosed please find copy of Drawing No. SDQU05A/2-DP01 as referred to in Condition No. 4 of the Notice Pursuant to Section 261 (6) of the Planning & Developmnent Act 2000, which was issued on 18th April, 2007.

Yours faithfully,

.....

for **Senior Executive Officer**

CORKAGH DEMESNE

BEDLESSHILL

CORKAGH

KINGSWOOD

BELGARD

Quarry

Extent of area to be extracted under Condition 4, of SDQU05A/2 outlined in Orange

CHEEVERSTOWN

Title :

Belgard Quarry - Extent of Area to be Extracted

Drawn By : L. McEvoy, Senior Executive Technician	Prepared For : M. Kenny, Senior Planner	
Drawing Name / Location : SDQU05A/2-DP01	Scale : 1:7500	Date : April 2007

Is leo Ar gCúram

This We hold in Trust

SOUTH DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT

T. Doherty
Director of Planning.

Roadstone Dublin Ltd.

Fortunestown
Tallaght
Dublin 24

Tel: (+353 1) 404 1200
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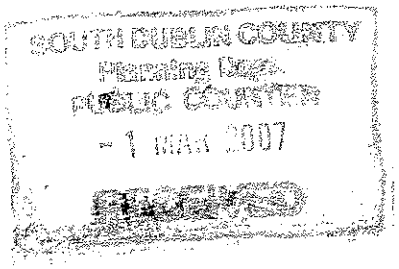
28th February 2007.

Mr. Tom Doherty,
Director of Services,
South Dublin County Council,
Town Centre,
Tallaght,
Dublin 24.



Without Prejudice

Re: Section 261 (5) and 261(6) of the Planning and Development Act 2000.
Belgard Quarry Townland of County Dublin. Register Ref. No. SOU054A/2,
Registered Date 24th April 2005

Dear Sir,

Please find enclosed our submissions and observations on the conditions proposed by South Dublin County Council in your letter of the 16th January 2007. We also enclose a copy of the EPA guidelines and the DoEHLG guidelines for the Extractive Industry.

While we agree with some of the proposed conditions and aspirations there are others that would cause serious restrictions on trading. We have made an honest attempt to bridge the gap in our submission and would ask you to give our observations your serious consideration before making your final determination, bearing in mind the strategic importance and location of this facility within the Greater Dublin area.

Many thanks.

Yours sincerely,

Jim Farrell
Managing Director

c.c. Mr. Michael Kenny, Planning Department, South Dublin County Council
Mr. Bob Matthews, Planning Department, South Dublin County Council

Directors: A. M. O'Loghlen Chairman, J. Farrell Managing, S Alegre, F. Byrne, D. J. Dempsey, D. Doyle, S. Keane, D. McCarthy, O. Mahon, M. O'Connor, G. Gowran Secretary
Registered in Ireland Reg. No. 11035. Registered Office Fortunestown, Tallaght, Dublin 24.

Condition No.	Proposed New Conditions to be imposed by South Dublin County Council	Roadstone Dublin Ltd. Submission / Comment
1	**GENERAL** Quarrying operations on the lands shall be carried out in accordance with the plans, particulars and specifications as described in the documents lodged with the application for registration of the quarry under Section 261 of the Planning and Development Act 2000, as revised by Additional Information submitted on 28th September 2005, including the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371, save as the conditions hereunder require. **Reason**: To ensure that the development is carried out in accordance with appropriate environmental standards and practices, and to enable effective control to be maintained, in the interests of the proper planning and sustainable development of the area.	***Noted.***
2	**TOPOGRAPHICAL SURVEY** Within three months of the date of this decision a report of a full topographical survey of the entire lands within the site boundary, as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337, shall be submitted to the Planning Authority. The survey shall be carried out by an independent qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. The report shall also include a comprehensive photographic record of the quarry workings, including an aerial a view, and views of the quarry from public roads in the vicinity of the site the viewing positions of which shall be shown on a map to a suitable scale. **Reason**: To ensure effective development management of the quarrying operations in the interest of residential amenity and the proper planning and sustainable development of the area.	***Noted.***

3	**LIMITATION OF LIFE OF PERMISSION** This permission shall be valid until and including 30th April 2017. All quarrying operations on the site shall cease from that date unless a planning permission has been granted for their continuation for a further period. **Reason**: To enable the impact of the quarrying operations to be assessed having regard to the circumstances pertaining at that time.	*Delete this condition.* *[Comment: There was no limit on the duration of the development / life of permission specified in the 1972 permission (Planning Reg. Ref. No. C.1488). If South Dublin Co. Council (SDCC) imposes a limitation on the life of the development, it would be grounds for a compensation claim under Section 261, subsection (8) (a).* *Refer also to the proposed revised wording of Condition No. 30 that provided for 10 year updates of the Working Scheme and Restoration Plan and comment provided under Condition No. 13 regarding annual review of the existing environmental management system (EMS).]*
4	**LIMITATION OF EXTENT OF AREA TO BE EXTRACTED** The extraction of rock on the subject lands shall be limited to the area within the green coloured line as indicated on the Site Layout Plan Figure 1-FI1 Drawing Ref. 3371 submitted as Additional information on 28th September 2005. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development. **Reason:** To enable the quarrying operations to be assessed in the light of relevant changes in environmental standards and technology, having regard to the location of the quarry lands within an urban area that is likely to experience significant mixed-use development during the period within which the above permitted area of extraction will be worked, in the interest of residential amenity and the proper planning and sustainable development of the area.	*Revise the wording of this condition, as follows:.* *The extraction of rock on the subject lands shall be limited to the area within the **blue** coloured line as indicated on the plan included with the original quarry registration documentation. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development.*

		[Comment: The extractable limestone reserves within the site are of strategic national importance and the extent of these extractable reserves is shown outlined in blue on the plan included with the original quarry registration documentation.] *The extracted area as of 28th April 2005 is shown outlined in Green on Figure 1 – Fl1. This information was provided as part of the response to the further information request issued by South Dublin Co. Co.* *The green line does not take into account the full extent of the quarry development. The overall quarry including ongoing extraction area, internal haul roads, screening berms, stripped areas and stockpiles etc. extends beyond this green line. This green line had no other significance under Section 261 other than to provide a 'snapshot' of the extracted area at a specific point in time. Its purpose was not to provide a basis to restrict the extent of quarry development]*
5	**OPERATING HOURS** Quarrying operations on the site shall be carried out only between 07.00 and 20.00 hours on Monday to Friday inclusive and between 07.00 and 14.00 hours on Saturday. No such activity shall take place outside these hours or on Sundays or public holidays. No rock-breaking activity shall be undertaken within any part of the entire quarry complex before 08.00 hours each day. **Reason**: In the interest of residential amenity and the proper planning and	*Revise the wording of this condition.* *QUARRY OPERATING HOURS* *The quarry shall be operated between the hours of 06.00 and 24.00 hours, Monday to Sunday. Quarrying activity may take place outside these times provided that noise levels arising from these activities comply with the*

	sustainable development of the area.	*noise limits stated in Condition No. 6, and in exceptional circumstances as identified in* ***Appendix D*** *of the quarry registration submission.* ***[Comment: There were no quarry operating hours specified in the 1972 planning permission. Any restriction in quarry operating hours would be grounds for a compensation claim under Section 261, subsection (8) (a).*** ***Notwithstanding this and in the spirit of Section 261, Roadstone are prepared to accept the revised wording as set out above. This format referring to compliance with noise limits has been used by other Planning Authorities – Laois Co. Council : Section 261 (Quarry Ref. QY05/62).*** ***Refer to Condition No. 15 in relation to hours of truck movements from the quarry]***
6	**NOISE** a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptor, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (15 minute L_{Aeq}) at any other time. b) Daily monitoring shall be carried out. c) No audible or impulsive noise shall be permitted outside permitted operating	***Revise wording of Item a) so that the monitoring period for the 45 dB(A) threshold limit value is 60 minutes as specified in the EPA (2006) Environmental Management Guidelines for the sector, refer to Section 3.5.2, page 13, of the guidelines, a copy of***

	hours. d) Notwithstanding (a) above, where any temporary quarry activity is expected to exceed the noise limits above, this shall be notified in advance to the Planning Authority, and to the residents in the vicinity, indicating the reason for such activity, and its likely duration. No such exceedence of noise limits shall occur without the prior agreement of the planning authority. e) A quarterly noise survey and assessment programme shall be undertaken to assess the impact of noise emissions arising from the operation of the entire quarry complex. The scope and methodology of this survey and assessment programme shall be submitted to the Planning Authority for its written agreement within three months of the date of this decision. The results obtained from the programme shall be submitted quarterly for the written agreement of the Planning Authority. The operator shall carry out any amendments to the programme required by the planning authority following this quarterly review. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.	***which is enclosed.*** *a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptor, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (60 minute L_{Aeq}) at any other time.* ***Delete Item b) of this condition.*** ***[Comment: Daily noise monitoring is excessive, and is not recommended in the DoEHLG / EPA guidelines for the sector.*** ***Roadstone Dublin Ltd. has implemented an ISO 14000 accredited environmental management system (EMS) at the quarry. This includes a programme of noise monitoring.*** ***Typically noise monitoring is carried out on a quarterly basis at quarry operations, as stated under Item e) of this condition.]***
7	**VIBRATION AND AIR OVERPRESSURE** a) Ground-borne Vibration levels from blasting shall not exceed a peak particle velocity of 12mm/second, measured in any three mutually orthogonal directions at any sensitive receptor location. In the event that blasting occurs at a frequency of more than once per week the peak particle velocity shall not exceed 8 millimetres per second measured as above. b) Blasting shall not give rise to air overpressure values in excess of	***Revise the wording of Items d) and e) of this condition, as follows:*** *d) Advance notification of blasting shall be provided by a dedicated siren system that shall be audible beyond the quarry*

	125d(B)(Lin) $_{max\ peak}$ with a 95% confidence limit at any sensitive receptor location. No individual air overpressure value shall exceed the limit value by more than five dB (Lin). c) Blasting shall only be carried out within the permitted operating hours. d) Advance notification of blasting shall be provided to all landowners and occupiers within 500 metres of the entire quarry complex. e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the Planning Authority within three months of the date of this decision. This programme shall provide for monitoring carried out whenever a blast occurs, and shall include an annual review of all blast data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. f) Any blast management programme to be implemented at the site shall ensure that the structural integrity of Belgard Castle, a Protected Structure, and of the two Recorded Monuments located on the quarry lands, is adequately protected. **Reason**: To ensure the protection of residential amenity and public health and cultural heritage in the interest of the proper planning and sustainable development of the area.	*boundary.* *e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the Planning Authority within three months of the date of this decision. This programme shall provide for monitoring carried out whenever a blast occurs, and shall include an annual review of all blast data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority on a quarterly basis. The operator shall carry out any amendments to the programme required by the planning authority following this annual review.* ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This includes a programme of blast monitoring for every blast.*** ***Roadstone Dublin Ltd. currently blast on Tuesdays and Fridays. There is a siren system in place that provides advance notification of blasting. These established procedures are adequate in providing the public (including landowners and occupiers) with advance notification of blasting.*** ***Considering the location of this quarry in an urban environment it is not practical or physically possible to individually notify all landowners and occupiers within 500 metres of the quarry complex].***

8	**SUPPRESSION AND CONTROL OF DUST** a) Total dust deposition (soluble and insoluble) measured at the site boundary shall not exceed 350mg/m2/day (when averaged over a 30 day period). The Bergerhoff Method (German Standard VDI 2119, 1972) shall be used to measure dust deposition. Daily monitoring of dust deposition shall be carried out. Any emission which does not comply with the above standards shall be notified to the Planning Authority immediately. b) Within six months of the date of this decision details of satisfactory arrangements for the suppression and control of dust arising from the open working, processing and the handling and transportation of mineral and / or product, and stripping of overburden, shall be submitted for the written agreement of the Planning Authority. The location of sensitive receptors and prevailing wind directions shall be taken into account when locating haul roads, tips, stockpiles and processing plant. The area of excavated land not covered by vegetation shall be kept to a minimum. The stripping of overburden shall be carried out only during favourable weather conditions. The deposition of dust on surrounding lands in excess of allowed limits, or spillage on to public roads shall be prevented at all times. c) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with the above limits. Details of this programme including the location of dust monitoring stations, and details of dust suppression measure to be carried out within the entire quarry complex shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall include an annual review of all dust monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the Planning Authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. **Reason**: To ensure the protection of residential amenity and public health in the interest of the proper planning and sustainable development of the area.	***Noted. – Delete Requirement for monitoring of particulate emissions, as not recommended under the DoEHLG or EPA guidelines for the sector ?*** ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This incorporates a programme of dust deposition monitoring]***

9	**COMMUNICATION AND CONSULTATION** a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to South Dublin County Council. All changes in personnel or particulars must also be notified to the Council as soon as they occur. b) The operator shall provide all landowners and occupiers within 500 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of any aspect of the quarry operation c) Within six months of the date of this decision, the operator shall establish a local consultative group, to include representatives of the operator, and residents and representatives of the local community and landed interests. This group shall constitute a forum to address operational issues of the quarry which are considered to impact upon local amenity. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.	***Revise the wording of Items b) and c) of this condition, as follows:*** *b) A public notice shall be erected at each entrance to the quarry. This notice shall contain the name of the company and contact details which may be used in the event that any person wishes to contact the operator in relation to any aspect of the quarry operation.* *c) The Complaints Register (implemented as part of the existing EMS) shall be reviewed at 6 monthly intervals with the Planning Section, South Dublin Co. Council.* Notwithstanding the submission on Item c) above, if SDCC consider it absolutely necessary to set up a Local Forum then the following revised wording for Item c) is proposed: *Within six months of the date of this decision, the Planning Authority shall establish a local forum, to include a representative of the operator, the local residents and South Dublin County Council. This forum shall meet on an annual basis to discuss environmental management and associated issues related to the quarry operations.*

10	**ACCESS FOR MONITORING** Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. **Reason**: In the interests of residential amenity, pollution control and public health.	***Revise the wording of this condition, as follows:*** *"Access shall be granted to any authorised officer of the Planning Authority and Health Services Executive (Environmental Health) , or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. These persons shall check – in with the Quarry Manager prior to such inspections to ensure compliance with Health & Safety regulations."* ***[Comment: The quarry operations do not require an IPPC Licence. The EPA has no statutory control over quarry developments for non-scheduled minerals.]***

11	**ANNUAL TOPOGRAPHICAL SURVEY** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry operator shall submit: a) A topographical survey carried out by an independent qualified surveyor agreed by the Planning Authority, including a map surveyed against established perimeter, beacons, the form and location of which shall be agreed with the Planning Authority, showing all areas i) that have been excavated to date, ii) that have been prepared for excavation, and iii) that may have been restored. b) An aerial photograph which adequately enables the planning authority to assess the progress of the phases of extraction. **Reason**: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.	***Revise the wording of the 1st sentence of this condition:.*** *Every five years (by the end of February each period) during the operation of the quarry, the quarry operator shall submit:* ***[Comment: An annual survey is excessive. A lower frequency (e.g. every 5 years) has been adopted and agreed with other planning authorities].***
12	**ANNUAL ENVIRONMENTAL AUDIT** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry, three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose names shall be submitted to the Planning Authority for prior approval, and shall contain the following: a) A record of all movement of heavy vehicles, outside the permitted operating hours. b) A record of surface water quality, and groundwater quality and levels, measured at monthly intervals c) A full record of any breaches over the previous year of dust, noise, vibration / air overpressure, and water quality standards. d) A written record of all complaints received, including actions taken on each complaint.	***Noted.*** ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. An annual environmental audit is carried out as part of this EMS. The scope of the audit will be reviewed to include items listed in Condition No. 12, if these are not already covered in the existing audit process]***

	Reason: To ensure that the quarry shall be operated in compliance with the stated standards in the interests of residential amenity, pollution control, public heath and the proper planning and sustainable development of the area.	
13	**FUTURE CHANGED STANDARDS** Notwithstanding the current environmental standards for noise, vibration, and dust contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (Non Scheduled Minerals)", should these standards be revised in the future or should new standards be introduced, either by legislation or guidance from the Environmental Protection Agency or its successor, the quarry operations shall be carried out in compliance with the revised standards **Reasons**: In the interests of residential amenity, pollution control, public health, and the proper planning and sustainable development of the area.	***Delete this condition:*** ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. It is reviewed on an annual basis and where required revisions are made to environmental management and monitoring practices at the quarry to ensure ongoing implementation of best environmental management practices for the sector, including a review of the relevant environmental threshold limit values.]***
14	**CONTROL OF EXTERNAL LIGHTING** Within three months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the planning authority. The scheme	***Delete this condition:*** ***[Comment: This is an operating quarry with external lighting in place for the past 35 years.***

	shall be designed, installed and operated, so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over-lighting. Measure shall be included to provide adequate screening from adjacent areas where appropriate **Reason**: In the interests of residential amenity, air and traffic safety, and the proper planning and sustainable development of the area.	***The quarry is located within a city urban environment, and is not a Greenfield quarry in a rural setting].***
15	**LIMITATION OF RATE OF MOVEMENT OF TRUCKS** The rate of movement of trucks generated by the operation of the quarry shall not exceed the total number of movements in and out of the quarry per hour as detailed in the documents submitted in connection with the registration of the quarry. **Reason**: In the interests of traffic safety, residential amenity and the proper planning and sustainable development of the area.	***Revise the wording of this condition:*** ***MOVEMENT OF TRUCKS*** *The number of truck movements at each exit generated by the operation of the quarry shall not exceed the number of movements in and out per hour as detailed in the documents submitted in connection with the registration of the quarry. Trucks transporting quarry products (crushed stone) to the market shall operate between the hours of 07.00 to 20.00 hrs. Monday to Friday; and 07.00 to 18.00 hrs. on Saturdays. Trucks may operate outside these hours to serve projects / customers described in Appendix D of the registration submission for this quarry and such activity shall comply with the noise threshold limit values specified Condition No.6.* ***[Comment: The quarry registration form was not specific in terms of multiple exits for quarry operations such as Belgard Quarry. Potential impacts (such as noise) associated with traffic are localised and are related to the volume of traffic movements at each exit***

		location. *For clarification, the traffic movements stated in the registration documentation submitted for this quarry refer to the movement of trucks (transporting quarry stone products to the market) at each of the three exit points from the quarry].*
16	**ADVANCED WARNING SIGNS** Metal advance warning signs shall be erected at all site entrances and exits. These signs shall be maintained in good and clean condition. The material, content, design and location of these signs shall be agreed with the Planning Authority. **Reason**: In the interests of traffic safety.	***Noted.*** *[Comment: There is existing signage in place at all site entrances and exits].*
17	**MAINTENANCE OF PUBLIC ROADWAY** No waste, debris, excavated materials or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc. in the vicinity of the site. The quarry operator shall be responsible for maintaining the public roadways in the vicinity of the site entrances / exits in a clean state, free from mud and other debris caused by the haulage of such material. **Reason**: In the interests of traffic safety and residential amenity.	***Noted.***

18	**WHEEL WASHING FACILITY** (a) A concrete apron shall be provided at the site exits to the public road for a minimum distance of 30m in to the site. This apron shall be kept free from soil, sand and gravel deposits at all times. (b) A wheel washing facility shall be installed at the innermost end of this concrete apron. It shall be proved with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres. (c) All vehicles exiting the site shall use the wheel washing facility, and shall travel only on the apron to the exit. **Reason**: In order to prevent dust emissions in the interests of residential amenity, traffic safety, and the proper planning and sustainable development of the area.	***Revise the wording of this condition:.*** *(a) A paved surface shall be provided at the site exits to the public road. This apron shall be kept free from soil, sand and gravel deposits at all times.* *(b) A wheel washing facility shall be installed at an appropriate location along this paved surface. It shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres.* *(c) All HGV vehicles exiting the site shall use the wheel washing facility, and shall travel on a paved surface to the exit.* ***[Comment: The key issue does not relate to the provision of a 'concrete apron' 30 metres from the exit, but that the wheelwash is installed at an appropriate location and that all HGV vehicles use it before travelling along a paved surface to the exit]***

19	**GRADING FACE OF QUARRY ABUTTING ROADWAY** Where a face of the quarry working abuts a road or laneway, and is below the roadway, the gradient of the face of the working shall provide an in-situ batter not exceeding a gradient of 1 vertical to 2 horizontal. The distance from the top of the batter to the adjoining road / lane boundary shall be not less than 100 metres. If here are trees or a hedge between the excavation and the roadway, this distance shall be increased so that roots of the trees or hedge are not interfered with. If there is a mound being constructed between the quarry face and the road, and the quarry is below the road, the face of the quarry shall be not less than 10 metres from the toe of the mound. **Reason**: To ensure that public roads are not undermined in the interests of traffic and public safety, and in the interests of visual amenity.	*Delete this condition.* *[Comment: This condition relates to stability of the quarry faces and is a health & safety issue. The prescriptive nature of this condition with excessively conservative face angles (26 degrees to the horizontal) and stand-off distances to boundaries (100 metres), if required to be implemented will result in sterilisation of large volumes of limestone. This is a ground for a compensation claim under Section 261 subsection (8) (a).*
20	**RISK ASSESSMENT** Where a face of the quarry abuts a road or laneway and there is a possibility that a vehicle on the road / lane could crash through the boundary fence onto the quarry floor, the operator shall arrange to have a risk assessment of this possible event carried out by a suitably qualified expert. The operator shall implement any recommendations made following the carrying out of this risk assessment. **Reason**: In the interest of public safety and traffic safety.	*Delete this condition.* *[Comment: This is a health & safety issue that falls under the jurisdiction of the Health & Safety Authority.]*
21	**SURFACE WATER RUN-OFF** All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, nor to discharge to any effluent	*Noted.*

		prescribing monthly cleaning South Dublin Co. Council are attracting liability, if for example, more regular cleaning of the lagoons was required but not carried out].
28	**DETAILS OF DRAINAGE ARRRANGEMENTS** Within six months of the date of this decision full details including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	*Noted.*
29	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** To In the interests of public health, safety and the proper planning and sustainable development of the area.	*Noted.* *[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This includes a record of the types and quantities of wastes generated at the quarry]*

	disposal system or public foul sewer **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	
22	**DISCHARGES TO SURFACE OR GROUND WATERS** a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts, 1977 – 1990 or as may be amended from time to time. b) Only clean uncontaminated storm water shall be discharged to surface water. Interceptor traps shall be fitted to the storm water drainage system where appropriate, to prevent accidental spillages of oils, greases solvents or other contaminated matter entering the watercourses or soak ways or groundwater. c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc.) to existing drains or watercourses then the discharge shall be limited 6 litres per second per hectare of impermeable surface to reduce the risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge my means of a 'Hydrobrake' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority. **Reason**: To prevent water pollution and flooding in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Delete Item c) of this condition*** ***[Comment: Roadstone Dublin Ltd. have a current Discharge Licence. As part of this licence they have implemented a water management system on site to store and treat surface water run-off within the quarry. There is attenuation capacity within the existing water management system]***

23	**SURFACE WATER RUN-OFF FROM OPEN CUT AREAS** Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses and wells shall be maintained **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Noted.***
24	**SURFACE WATER FROM THE PLANT AREA, QUARRY FLOOR AND INTERNAL HAUL ROADS** a) All surface water from the plan area, quarry floor and internal haul roads shall be directed to sumps and discharged from there to settling lagoons. b) The settling lagoons shall be of an adequate size and properly maintained to ensure the efficient removal of suspended solids. c) Site roads and approaches to river crossings shall be regularly brushed or scraped and kept free from dust and mud deposits. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Noted.***

25	**GROUND WATER LEVELS** The water table level shall be determined before any stripping or excavation takes place. A record of ground water levels shall be taken at monthly intervals. The highest water table level shall be used to determine the depth to which excavation may be taken. No excavation shall take place within 1.5m of the highest water table level. Working shall not take place below water table level. **Reason:** In the interest of public health, the protection of ground water resources, and the proper planning and sustainable development of the area.	***Revise the wording of this condition, as follows:*** *" A groundwater level monitoring programme shall be implemented at the quarry. Groundwater levels shall be recorded at monthly intervals, and reported to the planning authority on a quarterly basis."* ***[Comment: This is an existing operating multi-bench limestone quarry that is currently operating below the groundwater table. The quarry is located in a city urban environment where mains water supply is provided to all dwellings and businesses, i.e. there is no dependence on groundwater resources for water supply.*** ***There was no restriction on quarry depth stated in the 1972 planning permission. Any new imposed restriction on the depth of excavation would be a ground for compensation under Section 261].***

26	**PREVENTION OF POLLUTION** a) All over-ground oil or other chemical storage tanks shall be adequately bunded to protect again spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 110% of the capacity of the largest tank. b) Bunds shall be tested at intervals of not more than three years and documentation of tests shall be available for inspection by the Planning Authority. c) All refuelling shall take place on impermeable areas that drain through an interceptor from tanks that are bunded or double skinned. d) All waste oil and chemicals shall be removed from the site and disposed of to the satisfaction of the Water Pollution Control Section of the Local Authority. e) A spill kit shall be maintained on site with adequate supply of containment booms and absorbent materials to deal with any spillage. f) The operator shall ensure that blasting practice minimises the risk of occurrence of nitrate/ammonia residues by proper blast design and implementation, appropriate disposal of any excess explosives, and selection of appropriate type of explosives. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Noted.***
27	**SETTLEMENT PONDS** Settlement ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the planning authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. **Reason**: To minimise dust in the interest of the proper planning and sustainable development of the area.	***Revise the wording of the 1st sentence of this condition, as follows:*** *Settlement lagoons / tanks shall be cleaned out by the operator on a regular basis, as necessary for the efficient operation of the lagoons / tanks.* ***[Comment: Management of the settlement lagoons is a quarry operational issue. By***

		prescribing monthly cleaning South Dublin Co. Council are attracting liability, if for example, more regular cleaning of the lagoons was required but not carried out].
28	**DETAILS OF DRAINAGE ARRRANGEMENTS** Within six months of the date of this decision full details including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	*Noted.*
29	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** To In the interests of public health, safety and the proper planning and sustainable development of the area.	*Noted.* *[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This includes a record of the types and quantities of wastes generated at the quarry]*

30	**PHASING OF DEVELOPMENT** Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the proposed phasing of extraction for the remaining areas, and the proposed timing of, and proposals for, the rehabilitation of all the areas. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and in the interest of the proper planning and sustainable development of the area.	***Revise the wording of this condition and the reason for the condition*** *Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the depth of the workings, the proposed phasing of extraction for the remaining areas, and the proposed timing of, and proposals for, the restoration of all the areas. This Working Scheme and Restoration Plan shall be updated and submitted to South Dublin County Council at 10 year intervals.* ***Reason:** To ensure proper planning and sustainable development of the area, and satisfactory restoration of the site.*
31	**REHABILITATION AND LANDSCAPING** a) Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the rehabilitation and landscaping of existing worked out portions of the quarry and measures to ensure public safety therein. Separate proposals for the rehabilitation and landscaping of future worked	***Revise the wording of Part a) of this condition to include boundary treatment*** ***The term 'Restoration & Afteruse' has been adopted in accordance with the EPA (2006) Environmental Management Guidelines (Section 3.6, page 14, refer to copy enclosed), and the DoEHLG (2004) Planning Guidelines***

	out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority. b) The proposals shall, inter alia, provide for the phased carrying out of rehabilitation and landscaping operations within a definite period or periods related to the anticipated pace of extraction operations, and shall provide for the grading of surface levels, seeding and planting works, surface and sub-surface drainage and attenuation as per the Greater Dublin Strategic Drainage Study guidelines, planting and seeding works and details of future maintenance. The proposals shall be prepared by landscape architects with experience in the remediation / rehabilitation of quarries. c) The source of all material proposed to be used in respect of all rehabilitation works, together with full details of the type of material and the quantities involved, shall be submitted as part of the rehabilitation and landscaping proposals. **Reason**: To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area and sustainable development of the area.	***for the sector (Section 2.6, page 19 and Section 4.7 (i), page 35)*** a) *Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration and afteruse of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the restoration, afteruse and landscaping of existing worked out portions of the quarry and landscaping / boundary treatment for the entire quarry area to ensure public safety therein. Separate proposals for the restoration, afteruse and landscaping of future worked out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority.*
32	**LANDSCAPING AND BOUNDARY TREATMENT** Within six months of the date of this decision a comprehensive landscaping scheme to screen views of the quarry workings from all adjacent areas outside the site, shall be submitted for the written agreement of the Planning Authority. The scheme shall include detailed drawings and specifications of proposals for appropriate landscaping and boundary treatment, including tree planting and mounding, and a satisfactory time frame for the implementation of the scheme. A survey of all trees and hedgerows on the lands carried out by a competent professional to B.S. 5837 shall be submitted as part of the scheme. The agreed scheme shall be implemented to the satisfaction of the Planning Authority.	***Delete this condition*** ***[Comment: Landscaping is included under Condition No. 31 – repetition of Condition No. 31]***

	Reason: In the interests of residential and visual amenity and the proper planning and sustainable development of the area.	
33	**REHABILITATION ON CESSATION OF WORKS** a) On cessation of quarrying operations, all plant and surface equipment shall be removed form the site within 12 months of the date of such cessation. The whole of the surface area (including the slopes and sections containing deposition accruing from the operation of the quarry) shall be rehabilitated by the appropriate land shaping of the ground in relation to the contours of adjoining land. b) Specifications and drawings indicating the proposed works to rehabilitate the site, existing contours, and the grading and levels of the final contours to which the rehabilitation shall be carried out, shall be submitted to the Planning Authority for agreement in writing. c) The work shall not commence until such agreement has been issued in writing and the agreed works shall be completed to the satisfaction of the Planning Authority. d) Any re-use or change of use of the lands shall be subject to a separate grant of planning permission for such use. **Reason**: To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.	*Delete this condition* ***[Comment: Restoration is included under Condition No. 31 – repetition of Condition No. 31]***

34	**STORAGE OF TOPSOIL** All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil shall be stockpiled in mounds not greater than one metre in height to ensure that the soil flora and fauna are not destroyed. **Reason**: To ensure the satisfactory restoration of the site in the interests of visual Amenity and the proper planning and sustainable development of the area.	***Revise the wording of the 2nd sentence of this condition, as follows:*** *Topsoil shall be stockpiled in mounds not greater than three metres in height.* ***[Comment: a 1metre height restriction is unnecessarily low and would result in large areas being sterilised by topsoil storage].***
35	**STORAGE AND USE OF UNUSABLE/WASTE MATERIALS** The unusable materials accruing from current working shall be stored separately. Thereafter, it shall be deposited in excavated areas, and any future waste materials shall not be deposited above the general level of the ground but shall be deposited in excavated areas as rehabilitation proceeds. Such material shall have occurred naturally on the site and not as a result of previous filling. Any material which is classed as waste shall be disposed of at an authorised facility by authorised waste carriers. **Reason**: To ensure the satisfactory restoration of the site in the interests of the visual amenity and proper planning and sustainable development of the area.	***Delete this condition.*** ***[Comment: Restoration is included under Condition No. 31 – repetition of Condition No. 31]***
36	**SAFETY MEASURES** Within six months of the date of this decision the operator shall submit for the written agreement of the Planning Authority details of the safety measures, including adequate fencing, to prevent access to the edge of all slopes and vertical faces within the quarry lands and the agreed safety measure shall be implemented to the satisfaction of the Planning Authority. These measures shall include details of any grading and/or stepping of the sides of the excavation adjacent to land not in use or	***Delete this condition.*** ***[Comment: It refers to health and safety which is under the jurisdiction of the Health & Safety Authority.*** ***By imposing conditions related to health &***

	required for quarrying operations. **Reason**: In the interest of public safety.	***safety issues South Dublin Co. Council are attracting potential liability for these issues.]***
37	**SECURITY FOR COMPLIANCE WITH CONDITIONS** Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €10,000,000 (Ten million euro), for the purpose of ensuring that the Planning Authority have a ready sanction to render the site safe in the event that the operator fails to continue to operate or secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index. **Reason**: The site has the potential to be a seriously dangerous place either in the event of it being subject to trespass by members of the public or in the event of it filling with water or other similar event which could present danger to the public or to public heath, and it is considered reasonable that the owner / operator should provide such security to enable the Planning Authority to take protective measures and to provide for the rehabilitation of the site.	***Revise the wording of this condition and reason for the condition, as follows:*** *"Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €2,450,000 (Two million, four hundred and fifty thousand euro), for the purpose of ensuring that the Planning Authority have a ready sanction to restore the site in the event that the operator fails to restore the site in accordance with the scheme submitted under Condition No. 31 above, to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index.* *Reason: To ensure satisfactory reinstatement and restoration of the site."* ***[Comment: Average restoration costs for this type of development are of the order***

		of €5,000 per acre. The proposed final extraction area covers approximately 198 hectares (490 acres). This equates to a restoration cost of €2,450,000. Condition No. 10 of the 1972 permission refers to a financial surety of £250 per acre. *The surety shall apply to restoration of the quarry only not operational issues as stated in the condition. Provision is made within the Planning & Development Act, 2000, that allows the Planning Authority to take enforcement action in the event of non-compliance.]*
38	**ARCHAEOLOGICAL IMPACT ASSESSMENT** a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) possible (Ref. DU021—25). The AIA Shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/field survey, aerial photography and if necessary geophysical survey, etc. b) The AIA shall be submitted to the Heritage and Planning division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. The archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government. c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division	*Delete 2nd and 3rd sentences of Item b).* *[Comment: These sentences pre-exempt the findings of the Archaeological Impact Assessment and should be deleted.]*

	of the Department of the Environment Heritage and Local Government. d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator. **Reason**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.	
39	**DISCOVERY OF REMAINS OF ARCHAEOLOGICAL OR HISTORIC INTEREST** At all times during the stripping of overburden on the site a suitably licensed archaeologist shall be present to monitor the work. In the event of any remains of archaeological or historic interest being discovered on the site, the Planning Authority shall be informed immediately. All works affecting these remains shall cease immediately and shall not recommence until approval in writing has been received from the planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **Reason**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.	***Revise the wording of the 1st sentence of this condition, as follows:*** *"At all times during the stripping of topsoil on the site a suitably licensed archaeologist shall be present to monitor the work."* ***[Comment: replace 'overburden' with 'topsoil', as this is the medium that may potentially host artefacts of archaeological interest. Overburden is natural undisturbed soil that by its nature cannot therefore host any artefacts of archaeological interest.]***
40	**ARCHITECTURAL HERITAGE IMPACT ASSESSMENT** a) Within six months of the date of this decision an Architectural Heritage Impact Assessment (AHIA) shall be submitted to the Planning Authority and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. The AHIA shall detail the potential visual and other impacts of the quarry operations on the conservation value of Belgard Castle, a Protected Structure (Map Ref. 206 as listed in the Council's Record of Protected Structures), including its curtilege and	***Noted.***

	attendant grounds as relevant, and any mitigation measures. The Architectural Heritage Impact Assessment shall be prepared by a suitably qualified person and the costs of preparing the AHIA shall be at the expense of the quarry owner / operator. b) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Protected Structure, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **REASON**: To facilitate the investigation and protection of the protected structure on the site in the interests of the proper planning and sustainable development of the area.	
41	**STANDARD DEVELOPMENT CONTRIBUTION** The owner / operator shall pay the sum of €500,000 (Five hundred thousand euro), updated to the appropriate rate at the date of the coming into effect of these conditions, or any amendments thereto, in accordance with changes in the Tender Price Index, to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the County Council as provided for in the Development Contribution Scheme for the County, made by the Council. This development contribution shall be payable at the rate of €1.00 per tonne extracted from the quarry, until an amount of €500,000, as adjusted, has been paid, or within 12 months of the date of the decision, whichever is the earlier. **REASON**: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended with be provided, by or on behalf of the Local Authority.	*Delete this condition.* *[Comment: There are no financial contributions stated in the 1972 permission.* *The Development Contribution Scheme does not apply to Section 261 where existing permissions are being reviewed and modified.* *If South Dublin Co. Council (SDCC) imposes a financial contribution under the Development Contribution Scheme, it would be grounds for a compensation claim under Section 261, subsection (8) (a).* *Notwithstanding the above, it should be noted that there is no provision in the South Dublin County Council Development Contribution Scheme 2003 to levy a development contribution on the Extractive Industry]*

42	**SPECIAL DEVELOPMENT CONTRIBUTION** The owner/ operator shall pay, to South Dublin County Council a Special Contribution in the sum of €5,000,000 (Five million euros) pursuant to the provision of Section 48(2)(c) of the Planning and Development Act 2000, towards the expenditure incurred, or to be incurred, by the Council in the provision of the Outer Ring Road Phase from the N7 to the N81 which facilitates this development. Payment of this development contribution to be made within 12 months of this decision. **Reason**: The Council is expending a sum of €32 million on the provision of this road. This road will provide new frontage of approximately 1,200 metres to the applicants lands and will facilitate the site of the development, enhancing access to the site and easing traffic movement in the immediate vicinity of the site and its is considered reasonable that the owner / operator should contribute towards its provision.	*Delete this condition.* *[Comment: There are no road contributions stated in the 1972 permission.* *The Special Development Contribution scheme does not apply to Section 261 where existing permissions are being reviewed and modified.* *If South Dublin Co. Council (SDCC) imposes a financial contribution under the Development Contribution Scheme, it would be grounds for a compensation claim under Section 261, subsection (8) (a).* *Roadstone Dublin Ltd. is in negotiation with South Dublin Co. Council on the sale of approximately 15 acres to the council for this road scheme. The 1200 metres of road frontage has no material benefit to the company and in fact it has the opposite effect in that it sterilises a very significant valuable limestone reserves. The reason for this condition is not valid]*

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message *to 086 1731707*

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: *ccounter@sdublincoco.ie*
On-line: www.southdublin.ie

Mr. Jim Farrell,
Managing Director,
Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

16th January, 2007

RE: Sections 261(5) and 261(6) of the Planning & Development Act 2000
Belgard Quarry, Townland of County Dublin

Register Reference Number: SDQU05A/2 **Registration Date:** 22 April 2005

Dear Mr. Farrell

With reference to the above please find enclosed herewith a copy of the Statutory Notice and Schedule of proposed conditions, setting out the Planning Authority's proposals to modify and to add to the conditions attaching to the existing planning permission Register Reference C. 1488 in respect of the Belgard Quarry.

Please take note that the **closing date for receipt of submissions in this matter is 2nd March 2007**.

In accordance with Section 261(5)(c) of the Planning and Development Act, 2000 submissions or observations made pursuant to the statutory notice shall be taken into consideration by the planning authority prior to issuing its decision under Section 261.

Following the decision of the planning authority, under Section 261(6), it should be noted that you, as the registered owner/operator, may then appeal to An Bord Pleanala against the decision to impose, restate, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act, 2000, as amended, and the Regulations made thereunder.

Yours sincerely

Tom Doherty
Director of Services.

S261 APPLICATION DOCUMENTS

SOUTH DUBLIN COUNTY COUNCIL

APPLICATION FORM FOR REGISTRATION OF A QUARRY UNDER SECTION 261 OF THE PLANNING AND DEVELOPMENT ACT, 2000

Please answer all questions on the application form

Details of Quarry Owner / Operator

Name of Owner / Operator of Quarry	Roadstone Dublin Limited		
Address for correspondence:	S Geraghty, Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24		
Telephone number	(01) 4041307	Mobile Telephone No	(087) 2138730
Fax No	(01) 4141018	E-mail Address (if any)	sgeraghty@roadstone.ie

If owner/operator is a company, please state-:

Name of Company	Roadstone Dublin Limited
Names of Company Directors	See Appendix A
Registered Address of Company	Fortunestown, Tallaght, Dublin 24
Companies Office Registration Number	11035

Landowner and Location details

Name and address of landowner (if different from owner / operator)	N/A
~~Location, townland or~~ postal address of quarry	Belgard Quarry, Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24

A site location map to a scale of not less than 1:2500 should be submitted with the application for registration. The map should indicate
(b) the current site boundary (outlined in red) and
(b) the current workable area (outlined in blue) **See Appendix G**
State the Ordnance Survey Map Ref No. and the Grid Reference if available

Folio No(s). of lands on which Quarry is located	See Appendix B
When were the lands in each Folio acquired for Quarrying purposes.	See Appendix B

Planning History of Quarry

Was planning permission granted for the Quarry under Part IV of the Local Government (Planning and Development) Act, 1963 **or** Part III of the Planning and Development Act 2000? (If yes, please quote the reference number of the permission and include a copy if possible)	YES ■ NO □ Planning Register Reference Numbers. C.1488; PL. 6/5/16175 See Appendix C
Did the quarry commence operation before 1 October 1964 If YES, supporting documentary evidence should be submitted with your application.	YES □ NO ■
If YES, what date did the Quarry operation commence on the land? If the operation of the quarry was only periodic, please give details of dates of operation if known (See Chapter 5 of Guidelines)	

Details of Quarry Operation

Are quarry operations currently being carried out on the site?	YES ■ NO □	
Is the site normally used for quarry operations on a seasonal or occasional basis?	YES □ NO ■	
Are quarry operations temporarily suspended?	YES □ NO ■	
If YES when were quarry operations last carried out on the site?		
Total area of Quarry (hectares) including extracted area	305.8	hectares
Type of material being extracted	Limestone	
Annual extraction rate (tonnes)	Commercially confidential information	
Method of extraction	Drill and blast	
Please give details of any ancillary processing or manufacturing operations on the site (e.g. concrete blocks, asphalt, etc.)	Concrete, blocks, paving, asphalt, mortar, dry mortar, pre-cast wall panel, flag, C & D waste recycling facility	

Quarry Operational Details

Plant operating hours	(a) Weekdays	0700 hrs to 2400 hrs
	(b) Saturdays	0700 hrs to 1800 hrs
Loading/Off-site Haulage Hours (if different from above)	(a) Weekdays	0700 hrs to 1800 hrs
	(b) Saturdays	0700 hrs to 1800 hrs
Operating hours (outside normal Opening hours) to service exceptional customer requirements:	(a) Weekdays	See Appendix D
	(b) Saturdays	See Appendix D
Give details of the traffic generated by the operation of the quarry?	Fifty (50) tipper truck movements per hour, that is, 25 entering and 25 leaving the quarry per hour	
Give type and frequency of vehicles entering and leaving the quarry.	Same as above	
Please give details of emissions (noise, dust, water, etc) from the quarry where measurements are available.	See Appendix E	

Please note that any changes to the particulars set out above must be brought to the attention of the Planning Authority as soon as possible.

Full Name (BLOCK CAPITALS)	PATRICK MARTIN
Signature	Pat Mart
Position with firm / company *(if applicable)* [2]	DIRECTOR
Date	22/4/05.

[2] Where registration is on behalf of a company, the form must be signed by a company director/secretary

*(**Note:** You are advised that additional details can be submitted in separate sheets where the Application Form does not give adequate space.)*

This application for registration when completed should be forwarded on or before 27th April 2005 to -

Planning Department,
South Dublin County Council,
County Hall,
Town Centre,
Tallaght,
Dublin 24.

Applicants Interest (c. 305.8ha)

Extraction Area (c. 197.4ha)

RKAGH DEMESNE

CORKAGH DEMESNE

BUCKANDHOUNDS

NEWLANDS DEMESNE

MOOREENARUGGAN

BEDLESSHILL

BELGARD

KINGSWOOD

CHEEVERSTOWN

Golf Course

Quarry

Scale 1:2500

0m 100m 300m

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3383-05, 3327-21, 3327-16, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3388-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Ordnance Survey Ireland Licence No. SU 0006705 (c) Government of Ireland

roadstone

ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
DUBLIN 24

Project:

Roadstone Dublin Ltd.

Belgard Quarry, Tallaght, Dublin 24

Section 261 Site Plan

Title:

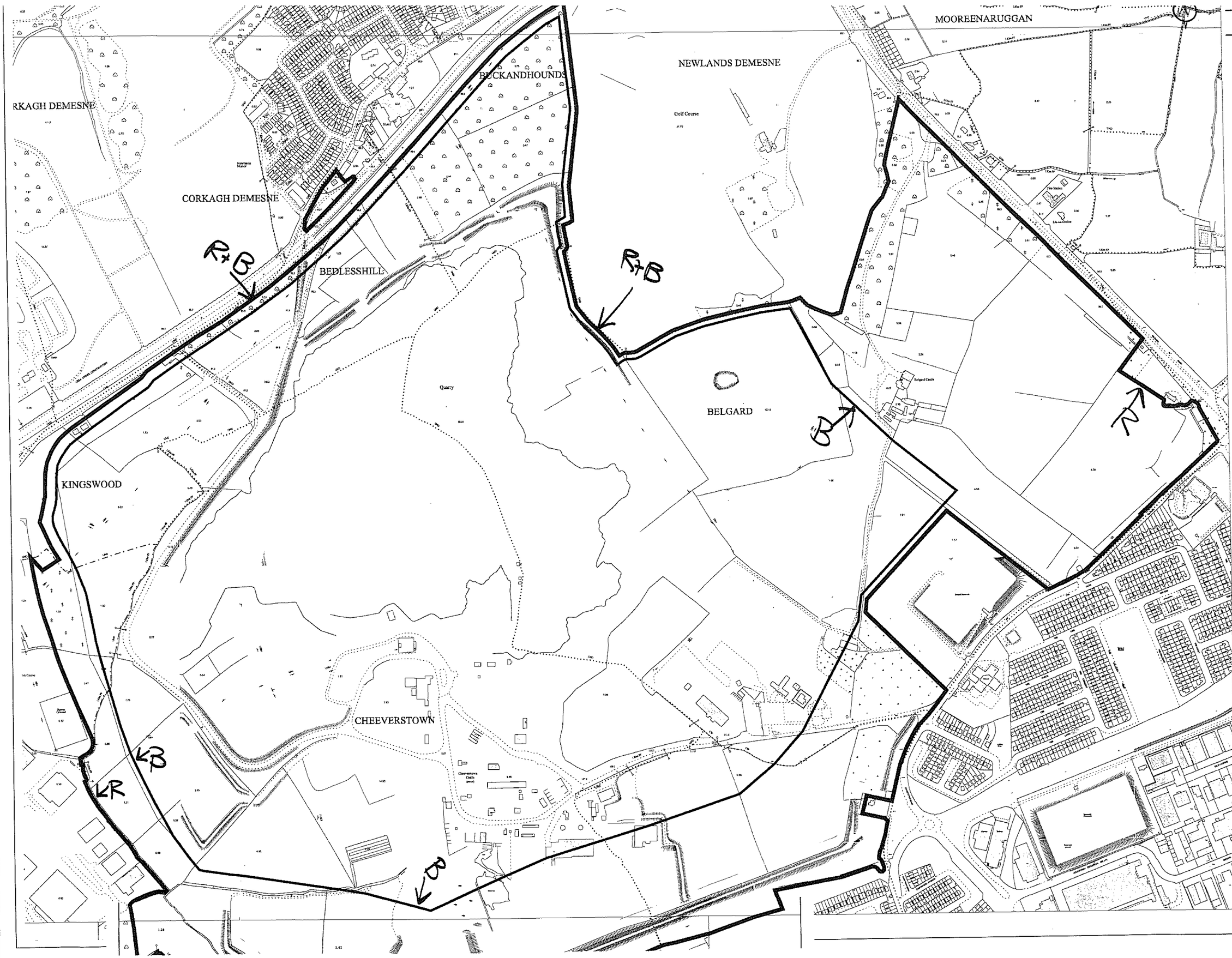
Site Layout Plan

Figure 1

Author: pmc

Date: Mar 2005

Ref: 3371



Scale 1:2500

0m 100m 300m

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-16, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Ordnance Survey Ireland Licence No SU 0006705 (c) Government of Ireland

roadstone

ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
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Belgard Quarry, Tallaght, Dublin 24

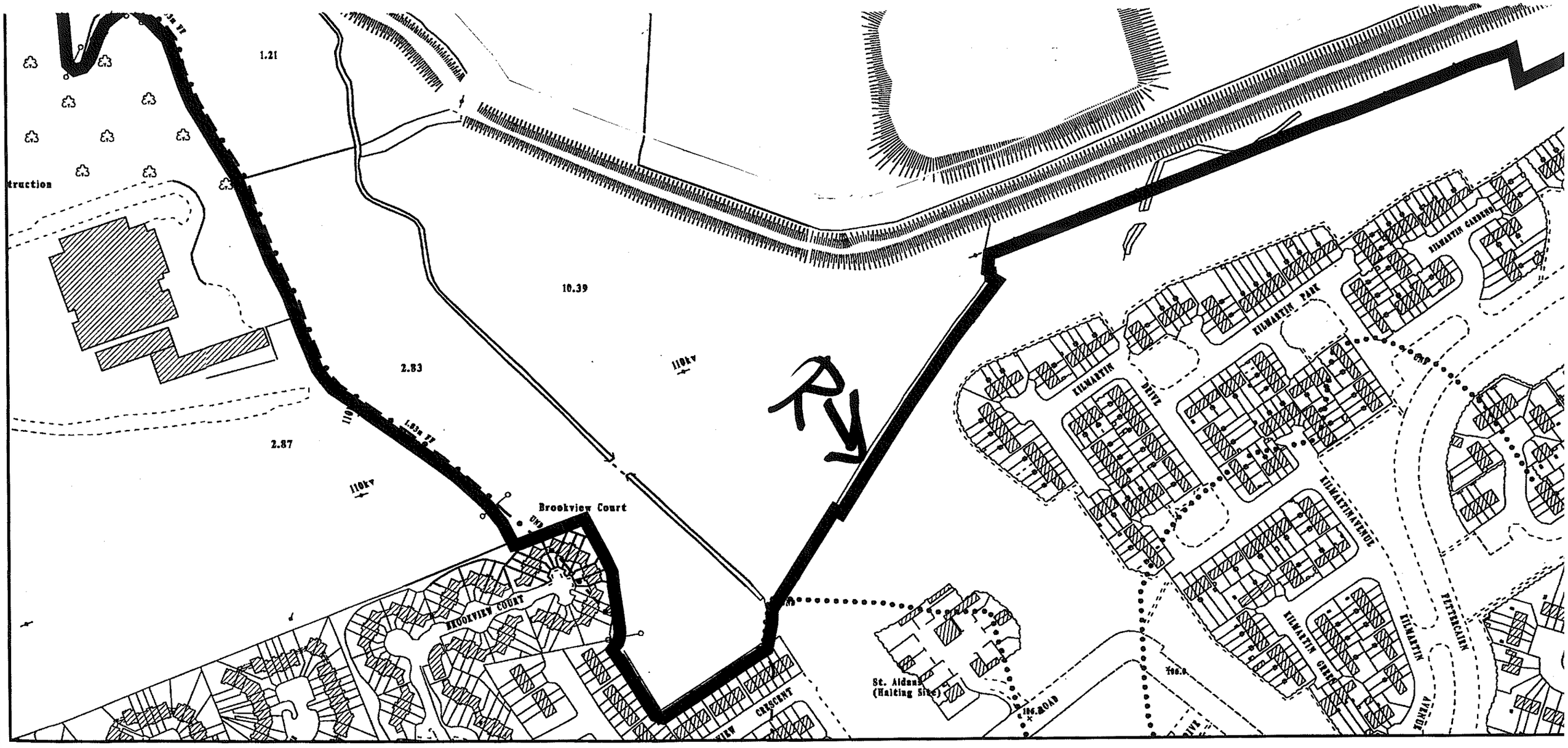
Section 261 Site Plan

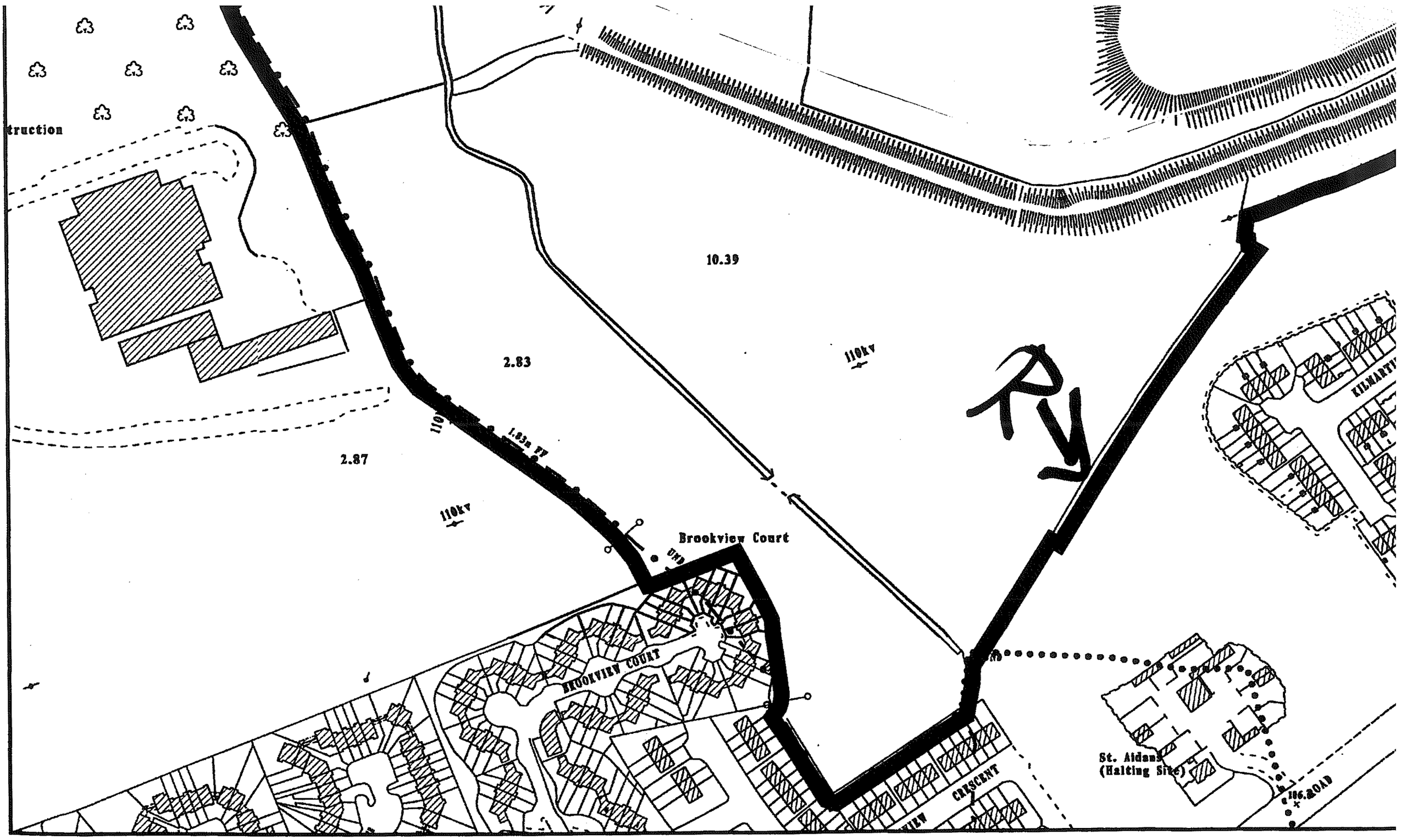
Title:

Site Layout Plan

Figure 1

Author: pmc	Ref: 3371
Date: Mar 2005	


1.21
10.39
2.83
2.87
110kV
Brookview Court
BROOKVIEW COURT
CRESCENT
St. Aidans
(Halting Site)
KILMARTIN PARK
KILMARTIN GARDENS
KILMARTIN AVENUE
KILMARTIN GROVE
KILMARTIN
AVENUE
PEMBROKE
DRIVE
ROAD


truction
10.39
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1.83a FT
Brookview Court
UNDER
BROOKVIEW COURT
CRESCENT
St. Aidans
(Halting Site)
106.8 ROAD
KILMARTY

Roadstone Dublin Ltd.

Fortunestown
Tallaght
Dublin 24

Tel: (+353 1) 404 1200
Fax: (+353 1) 404 1321
Web: www.roadstone.ie
email: info@roadstone.ie

SDQ405A/2

20th April 2005

Planning Department
South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24

SOUTH DUBLIN COUNTY
Planning Dept.
PUBLIC COUNTER
22 APR 2005
RECEIVED

BY HAND

Re: Registration of a Quarry under Section 261 of the Planning & Development Act, 2000 – Belgard Quarry

Dear Sir/Madam,

Please find attached the following registration documentation for our quarry at Belgard, Fortunestown, Tallaght, Dublin 24.

- Completed Registration Form
- 1:2500 Map (see Appendix G – Figure 1)
- List of Company Directors
- List of Land Registry Folios
- Copy of Planning Permission C.1488; PL. 6/5/16175
- Environmental Monitoring Results – dust deposition; water and blasting (ground borne vibration & air overpressure)
- Copy of Water Pollution Licence (see Appendix F)

Roadstone Dublin Limited has operated an environmental management system (EMS) since 2001. This EMS covers Belgard Quarry, and addresses all of the environmental aspects of quarrying at the site. Our EMS has ISO 14001 accreditation, certified by the NSAI.

The monitoring results submitted as part of this registration confirm that quarrying activities at this site comply with the environmental thresholds set out in Section 4.7 of the Quarries and Ancillary Activities: Guidelines for Planning Authorities (Department of Environment, Heritage & Local Government (DoEHLG)).

Please confirm receipt of this quarry registration. Any future correspondence in relation to this matter should be addressed to the undersigned at Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24.

Yours faithfully,

Shane Geraghty
ROADSTONE DUBLIN LIMITED

Enc. Copy of Registration Documentation – Belgard Quarry

APPENDIX A

Names of Company Directors

- A.M. O'Loghlen (Chairman)
- J. Farrell (Managing)
- S. Alegre
- F. Byrne
- R.O. Clarke
- D.J. Dempsey
- D. Doyle
- O. Mahon
- P.G. Martin
- M. O'Connor
- G. Richardson
- G. Gowran (Secretary)

APPENDIX B

Folio No(s). of lands on which Quarry is located

When were the lands in each Folio acquired for Quarrying purposes

Folio	Date of purchase
Unregistered conveyance dated 28th March 1963	1963
391	1963
4181	1963
5369	1963
125	1968
126	1968
501	1968
925	1968
953	1968
1456	1968
2521	1968
4153F	1968
17917	1968
500	1969
952	1969
1090	1969
18325	1969
Lease dated 8th February 1805 for 999 years from 29th September 1804	1969
908	1969
17961	1969
Unregistered conveyance dated 4th August 1970	1970
1156F	1971
318F	1972
Unregistered conveyance dated 1977	1977
16693F	1979
7400	1990

APPENDIX C

Was planning permission granted for the Quarry under Part IV of the Local Government (Planning and Development) Act, 1963 or Part III of the Planning and Development Act 2000? (If yes, please quote the reference number of the permission and include a copy if possible)

A copy of the following planning permission is attached –

- C. 1488; PL. 6/5/16175

PL. 8/2/10112

ROINN RIALTAIS ÁITIÚIL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

Contae Bhaile Átha Cliath

Planning Register Reference Number: C.1488

APPEAL by William K. Nowlan of "Vetchcroft", Kingswood, Clondalkin against the decision made on the 12th day of January, 1971, by the Council of the County of Dublin deciding to grant subject to conditions a permission to Roadstone Limited for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard, and Naas Road, Clondalkin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to subsections (5) and (9) of section 26 of the Local Government (Planning and Development) Act, 1963, it is hereby decided to grant permission for the said development in accordance with the said plans and particulars subject to the conditions specified in column 1 of the Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Schedule and the said permission is hereby granted subject to the said conditions.

SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
1. The proposed road from the quarry to Kingswood shall be omitted from the development.	1. To protect the safety and free flow of traffic on the Dublin/Naas dual carriageway by preventing the generation of additional heavy traffic at the uncontrolled road junction at Kingswood and to prevent injury to residential amenities of the Kingswood area by the movement of heavy vehicles through the area.
2. The proposed road junction at point 'A' on the lodged drawing number 81/8, dated 24th August, 1970, shall consist of a splayed junction with acceleration and deceleration lanes on each side of the junction for a length of 250 feet, the lane width at the actual junction to be 15 feet, decreasing to zero at the termination of each lane.	2. To permit the safe entry and exit of vehicles to and from the adjoining narrow public road.
3. Quarrying shall be limited initially to a continuous and total area of not more than 50 acres in line with the intended pattern of development as shown on the lodged drawing number RS.2 dated 14th August, 1970. No quarrying operations shall be undertaken on any part of the site outside the said area of 50 acres without the prior agreement	3. To control the extent and location of quarrying on the site in order to permit evaluation of the effects of the operations on the environment of the area.

Column 1 - Conditions	Column 2 - Reasons for Conditions
3. of the planning authority or, in the event of dispute, without the prior agreement of the Minister for Local Government.	
4. Within twelve months from the date of this order, a detailed scheme for the reinstatement and landscaping of the worked-out portions of the quarry, together with details of proposals for the reinstatement of areas at ground level, and areas no longer required for surface plant or buildings, shall be submitted to the planning authority by the developers and shall be agreed between the developers and that authority, or in default of agreement shall be as determined by the Minister for Local Government.	4. To secure the eventual restoration of the land to an appearance and use consistent with the appearance and use of lands in the vicinity of the site in as short a period as possible.
The scheme shall provide for the carrying out of such works as may be necessary to make the land useful for agricultural or recreational purposes and consistent in appearance with surrounding land including works for the disposal of waste materials and for the moulding of surface levels, the provision of natural surface and subsoil drainage, vegetation planting and re-seeding and the securing of stable and self-regulating terrain. The scheme shall also provide for the carrying out of the reinstatement and landscaping operations within a definite period or periods related to the anticipated pace of quarrying operations on the site. Reinstatement and landscaping shall be carried out in accordance with the scheme approved as aforesaid.	
5. Within six months from the date of this order, a detailed scheme illustrated by a map to a scale of 1:2500, shall be submitted to the planning authority by the developers and shall be agreed between the developers and that authority or in default of agreement shall be as determined by the said Minister. This scheme shall show the proposed location and extent of belts of trees and shrubs to be planted in order to provide effective screening of the development particularly from the south and east, when viewed from the public roads on the	5.and 6. In the interests of the visual amenities of the area.

Continued

SCHEDULE (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
5. perimeter of the site and shall indicate the time-scale proposed for the carrying out of the planting. Planting shall be carried out in accordance with the scheme approved as aforesaid.	
6. Existing or proposed trees or shrubs on the site which provide or will provide screening of the development, shall not be destroyed or removed without the prior agreement of the planning authority. In the event of natural failure of any such screening, steps shall be taken to replace it.	
7. Acoustic cladding or other noise-reducing material or devices shall be provided where necessary so that the noise level caused by quarrying and other ancillary operations shall not exceed 45 dbA between 8.00 a.m. and 10.00 p.m. or 35 dbA between 10.00 p.m. and 8.00 a.m. when measured from any open location along the perimeter of the site.	7. and 8. To minimise nuisance and injury to the amenities of the area resulting from noise.
8. Not less than 24 hours advance notice of each explosion to be carried out shall be given to occupants of lands adjoining the site. Explosions shall be limited to the hours between 8.00 a.m. and 10.00 p.m. and the best practicable means shall be used to minimise the degree of nuisance caused by explosions, such means to include the proper management of the operations, regard being had to the timing and frequency and the use of the most careful blasting techniques.	
9. Quarrying and other ancillary operations shall be contained within the working area of the site as shown on the lodged drawing number 70/35/7, dated August 1970, and no machinery or debris shall be placed on other parts of the site or on any public road.	9. In the interests of the general amenities of the area.

Continued

SCHEDULE (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
10. For each acre of land to be disturbed by quarrying and other ancillary operations, security by way of bond, guarantee or cash deposit at the rate of £250 per acre shall be given to the planning authority before operations in relation to that acre shall be commenced, to ensure the satisfactory completion of reinstatement and landscaping works. The amount of security per acre shall be adjusted as necessary to allow for cost variations taking the rates, current as at the date of this order, for horticultural and general landscape work as a base. The conditions under which such security is to be given and held (including provision for the investment of any moneys deposited with the planning authority, payment of interest thereon, and repayment by the planning authority of any moneys held by them on the satisfactory completion by the developers of the reinstatement and landscaping work to which the particular deposit relates) shall be agreed between the developers and the planning authority or, in the event of disagreement, shall be determined by the said Minister.	10. To ensure the eventual restoration of the land to an appearance and use consistent with other lands in the vicinity.

Liam Cunningham

Parliamentary Secretary to the Minister for Local Government to whom the relevant powers and duties of the said Minister under the Local Government (Planning and Development) Act, 1963, are delegated by An tOrdú Rialtas Áitiúil (Feidhmeanna Aire a Tharmligean), 1970.

Dated 28th day of April 1972.

APPENDIX D

Operating hours (outside normal Opening hours) to service exceptional customer requirements

Quarry plant operating hours and loading/off-site haulage hours can vary depending on circumstances to service exceptional requirements, for example, Local Authority road works on city and town streets, National Roads Authority demands, Iarnrod Eireann works, Airport surfacing works, or other such similar requirements.

APPENDIX E

Please give details of emissions (noise, dust, water, etc) from the quarry where measurements are available

The following monitoring results are attached –

- Blasting
- Dust
- Water

See Figure 2 – Environmental Monitoring Location map

BLAST MONITORING

RESULTS

Blast Monitoring Results – Belgard Quarry

Date	Location	PPV			Air Overpressure dB(L)
		Tran (mm/s)	Vert (mm/s)	Long (mm/s)	
16/1/04	BM1*				
	BM2	3.97	1.94	3.17	132.0
	BM4*				
20/1/04	BM1*				
	BM2*				
	BM4	1.16	0.89	1.11	105.0
23/1/04	BM1*				
	BM2	3.40	2.32	3.17	111.0
	BM4*				
27/1/04	BM1*				
	BM2*				
	BM4	1.87	0.78	1.46	113.0
3/2/04	BM1*				
	BM2	2.84	3.05	3.35	114.0
	BM4*				
6/2/04	BM1*				
	BM2	3.97	1.62	2.46	112.0
	BM4*				
13/2/04	BM1*				
	BM2	3.75	1.52	3.84	109.0
	BM4*				
17/2/04	BM1*				
	BM2*				
	BM4	2.84	0.67	1.40	119.0
20/2/04	BM1*				
	BM2	2.64	1.84	2.65	108.0
	BM4*				
24/2/04	BM1*				
	BM2*				
	BM3	1.16	1.00	0.86	113.0
27/2/04	BM1*				
	BM2	2.75	1.92	3.38	115.0
	BM3*				
2/3/04	BM1*				
	BM2*				
	BM3	1.41	0.51	0.89	107.0
3/3/04	BM1*				
	BM2	1.19	1.13	1.13	108.0
	BM3*				

BM1, BM2, BM3 & BM4 (decommissioned) are permanent monitoring stations.
* Vibration from blast was too low to trigger the monitor.

Blast Monitoring Results – Belgard Quarry

Date	Location	PPV			Air Overpressure dB(L)
		Tran (mm/s)	Vert (mm/s)	Long (mm/s)	
5/3/04	BM1*				
	BM2	4.21	2.08	2.65	116.0
	BM3*				
9/3/04	BM1*				
	BM2	2.22	2.54	3.97	112.0
	BM3*				
16/3/04	BM1*				
	BM2	2.48	2.17	2.60	116.0
	BM3*				
23/3/04	BM1*				
	BM2	2.86	2.08	3.44	115.0
	BM3*				
26/3/04	BM1*				
	BM2	0.84	1.03	1.32	115.0
	BM3*				
30/3/04	BM1	0.37	0.51	0.33	91.5
	BM2	3.54	2.71	3.03	112.0
	BM3*				
6/4/04	BM1*				
	BM2	2.98	2.79	5.38	119.0
	BM3*				
15/4/04	BM1*				
	BM2	1.00	0.67	1.21	122.0
	BM3*				
16/4/04	BM1*				
	BM2	5.08	2.33	6.22	114.0
	BM3*				
23/4/04	BM1*				
	BM2	3.37	2.46	3.32	119.0
	BM3*				
27/4/04	BM1*				
	BM2*				
	BM3	1.40	0.78	1.64	115.0
5/5/04	BM1	0.40	0.37	0.52	94.0
	BM2	3.41	3.25	4.76	117.0
	BM3*				
14/5/04	BM1	0.54	0.40	0.41	103.0
	BM2	3.17	1.67	3.14	122.0
	BM3*				

BM1, BM2 & BM3 are permanent monitoring stations.
* Vibration from blast was too low to trigger the monitor.

Blast Monitoring Results – Belgard Quarry

Date	Location	PPV			Air Overpressure dB(L)
		Tran (mm/s)	Vert (mm/s)	Long (mm/s)	
21/5/04	BM1	0.38	0.32	0.49	103.0
	BM2	3.57	2.24	7.46	115.0
	BM3*				
25/5/04	BM1*				
	BM2	3.32	3.32	3.17	111.0
	BM3*				
1/6/04	BM1*				
	BM2	2.02	2.05	1.84	116.0
	BM3*				
4/6/04	BM1*				
	BM2	2.22	1.37	1.60	113.0
	BM3*				
10/6/04	BM1	0.49	0.33	0.49	94.0
	BM2	3.41	2.79	6.22	114.0
	BM3*				
18/6/04	BM1*				
	BM2	3.76	3.41	4.79	110.0
	BM3	1.03	0.67	0.87	101.0
25/6/04	BM1	0.43	0.54	0.44	95.9
	BM2	2.27	1.68	2.21	119.0
	BM3*				
29/6/04	BM1*				
	BM2	1.51	1.05	1.60	116.0
	BM3*				
6/7/04	BM1	0.78	0.40	0.54	95.9
	BM2	3.52	2.33	4.44	113.0
	BM3*				
16/7/04	BM1*				
	BM2	3.48	3.70	4.43	119.0
	BM3	1.48	0.48	1.22	101.0
20/7/04	BM1*				
	BM2	0.86	1.06	1.03	111.0
	BM3	1.30	0.89	0.62	98.8
23/7/04	BM1*				
	BM2	3.11	1.76	2.54	120.0
	BM3	1.24	0.64	1.00	100.0
27/7/04	BM1*				
	BM2	0.98	0.38	1.03	111.0
	BM3	1.27	0.57	0.59	98.8

BM1, BM2 & BM3 are permanent monitoring stations.
* Vibration from blast was too low to trigger the monitor.

Blast Monitoring Results – Belgard Quarry

Date	Location	PPV			Air Overpressure dB(L)
		Tran (mm/s)	Vert (mm/s)	Long (mm/s)	
30/7/04	BM1*				
	BM2	3.81	2.13	3.75	116.0
	BM3	1.02	0.44	1.02	101.0
13/8/04	BM1*				
	BM2	4.64	1.44	3.60	111.0
	BM3*				
20/8/04	BM1*				
	BM2	2.60	1.78	2.48	117.0
	BM3*				
27/8/04	BM1	0.48	0.38	0.60	94.0
	BM2	3.40	2.30	3.51	111.0
	BM3*				
7/9/04	BM1	0.49	0.32	0.43	91.5
	BM2	4.10	2.27	4.33	116.0
	BM3	1.83	0.54	1.48	102.0
14/9/04	BM1	0.56	0.48	0.56	91.5
	BM2	1.87	2.19	2.29	121.0
	BM3*				
21/9/04	BM1	0.51	0.30	0.40	91.5
	BM2	3.40	1.97	3.67	110.0
	BM3*				
24/9/04	BM1	0.46	0.30	0.62	91.5
	BM2	4.03	2.51	4.75	115.0
	BM3*				
1/10/04	BM1*				
	BM2	3.73	2.70	3.33	115.0
	BM3	1.00	0.38	0.91	104.0
5/10/04	BM1	0.71	0.43	0.68	91.5
	BM2	4.43	3.68	6.11	117.0
	BM3*				
12/10/04	BM1*				
	BM2	2.43	1.70	2.83	123.0
	BM3*				
19/10/04	BM1*				
	BM2	2.95	3.08	5.57	118.0
	BM3*				
22/10/04	BM1*				
	BM2	2.91	2.35	2.40	113.0
	BM3*				

BM1, BM2 & BM3 are permanent monitoring stations.
* Vibration from blast was too low to trigger the monitor.

Blast Monitoring Results – Belgard Quarry

Date	Location	PPV			Air Overpressure dB(L)
		Tran (mm/s)	Vert (mm/s)	Long (mm/s)	
29/10/04	BM1*				
	BM2	2.37	2.11	1.32	121.0
	BM3*				
3/11/04	BM1	0.67	0.24	0.29	102.0
	BM2*				
	BM3*				
9/11/04	BM1	0.54	0.33	0.32	<88.0
	BM2*				
	BM3*				
12/11/04	BM1*				
	BM2	3.98	2.38	4.18	118.0
	BM3*				
19/11/04	BM1*				
	BM2	1.81	1.17	1.43	120.0
	BM3	1.11	0.41	0.67	104.0
26/11/04	BM1*				
	BM2	1.89	1.21	1.35	123.0
	BM3*				
30/11/04	BM1*				
	BM2	2.40	2.05	4.35	118.0
	BM3*				
7/12/04	BM1*				
	BM2	2.78	1.64	3.76	116.0
	BM3*				
10/12/04	BM1*				
	BM2	1.41	0.91	1.37	122.0
	BM3*				
17/12/04	BM1*				
	BM2	1.84	1.02	1.32	103.0
	BM3*				
21/12/04	BM1	0.49	0.48	0.60	91.5
	BM2*				
	BM3*				

BM1, BM2 & BM3 are permanent monitoring stations.
* Vibration from blast was too low to trigger the monitor.

Note:-

Department of Environment, Heritage & Local Government (2004): "Quarries and Ancillary Activities – Guidelines for Planning Authorities"
Peak Particle Velocity (PPV) shall not exceed 12 millimetres per second and Air Overpressure shall not exceed 125 dB(Lin)$_{\text{max. peak}}$ with a 95% confidence limit.

DUST MONITORING

RESULTS

Dust Monitoring Results

Type: Dust Deposition

Method: Bergerhoff Horizontal Gauge (Total Dust)

Location: Belgard Quarry

Date	Location	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Mean
		Total Dust (mg/m²/day) averaged over 30 days												
2004														
	D1	165	134	175	106	132	162	148	179	167	127	138	199	153
	D2		124	164	184	187	172	164	154	189	163	143	109	159
	D3	154	137	171	134	101	145	175	135	154	145	187	134	148
	D4	103	153	134	184	176	123	175	185	201	142	165	172	159

Note:-

Department of Environment, Heritage & Local Government (2004): "Quarries and Ancillary Activities - Guidelines for Planning Authorities"
Total Dust Deposition (soluble and insoluble): Threshold limit is 350 milligrams per square metre per day (when averaged over a 30-day period).

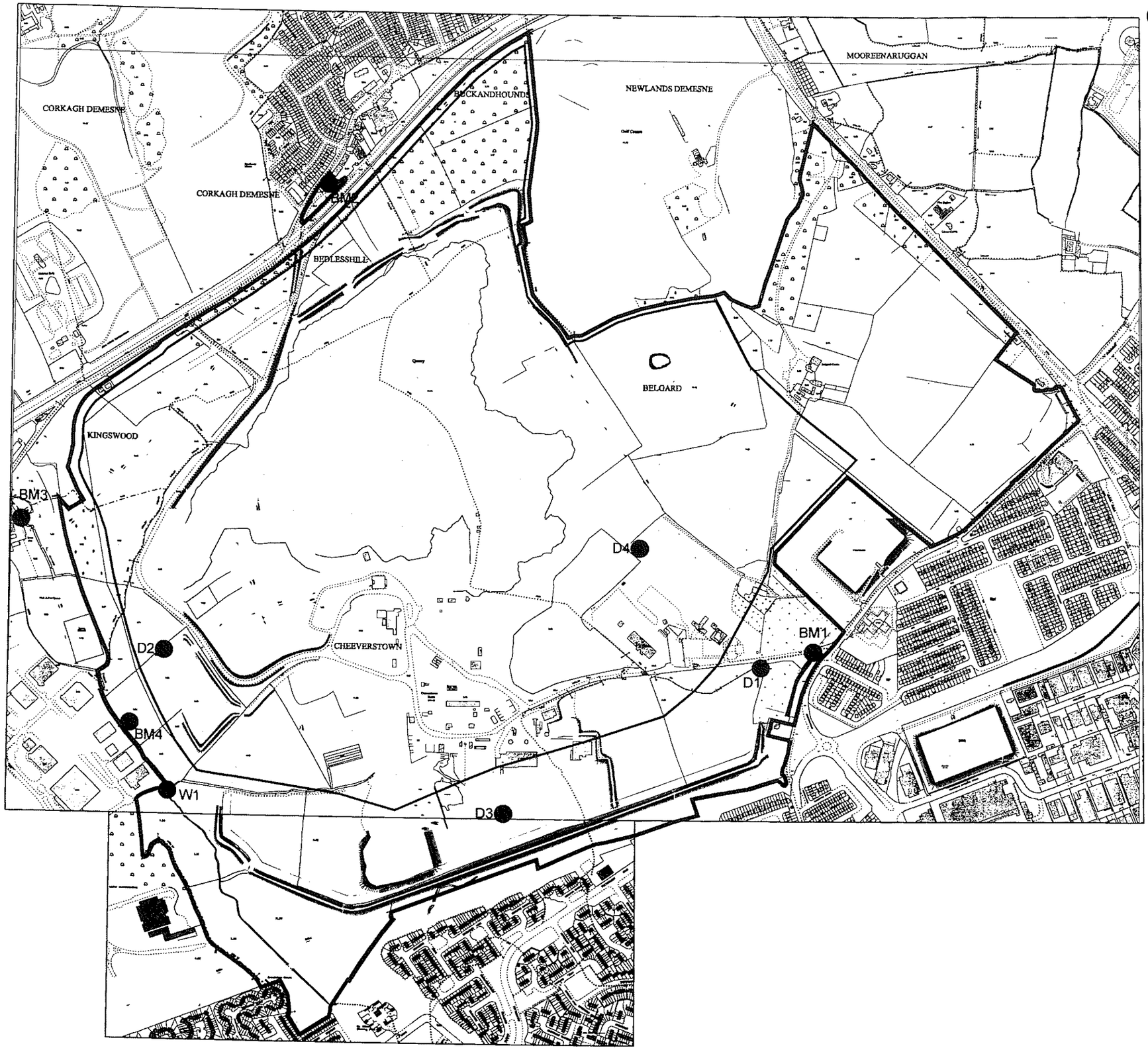
WATER MONITORING

RESULTS

Water Monitoring Results

Location: Belgard Quarry

Date	Location	Lab I.D.	pH	BOD	Suspended Solids
7/1/2004	W1	40889	8.0	<2	3
21/1/2004	W1	41139	8.0	2	5
3/2/2004	W1	41357	7.9	<2	27
19/2/2004	W1	41653	8.2	<2	3
3/3/2004	W1	41850	8.1	<2	10
16/3/2004	W1	42059	8.1	<2	1
6/4/2004	W1	42398	8.2	<2	5
19/4/2004	W1	42621	8.2	<2	2
4/5/2004	W1	42872	8.0	<2	5
2/6/2004	W1	43448	8.0	<2	6
17/6/2004	W1	43753	8.3	<2	4
2/7/2004	W1	44074	8.2	<2	5
12/7/2004	W1	44252	8.1	<5	8
17/8/2004	W1	44860	8.1	<5	2
7/9/2004	W1	45298	8.1	<2	4
20/9/2004	W1	45561	8.1	<2	2
7/10/2004	W1	45874	8.2	<3	2
18/10/2004	W1	46025	8.3	<2	13
8/11/2004	W1	46472	8.1	<2	9
23/11/2004	W1	46777	8.0	<2	4
14/12/2004	W1	47297	8.0	<2	3
21/12/2004	W1	47481	8.0	<2	5



LEGEND

- Applicants Interest (c. 305.8ha)
- Extraction Area (c. 197.4ha)
- BM1 Blast Monitoring Location
- D1 Dust Monitoring Location
- W1 Water Monitoring Location

Scale 1:10,000

0m 200m 600m

Based on 1:1000 & 1:2500 scale digital map Sheet No. 3389-09, 3390-01, 3326-13, 3326-14, 3390-06, 3389-07, 3389-02, 3327-11, 3389-05, 3327-21, 3327-16, 3389-10, 3326-15, 3326-C, 3326-D, 3389-A, 3389-B, 3389-13, 3389-09, 3389-14, 3389-A & 3389-B provided by Ordnance Survey Ireland

Ordnance Survey Ireland Licence No. SU 0000705 (c) Government of Ireland

roadstone

ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
DUBLIN 24

Project:

Roadstone Dublin Ltd.

Belgard Quarry, Tallaght, Dublin 24

Section 261 Site Plan

Title:

Environmental Monitoring Location

Figure 2

Author: pmc

Date: Mar 2005

Ref: 3371

APPENDIX F

Documentation regarding any Air Pollution or Water Pollution licences issued by the Local Authority in respect of the Quarry should also be submitted

A copy of the following licence is attached –

- Water Pollution Licence – WPW 5/22

4149101

COMHAIRLE CHONTAE ATHA CLIATH

Dublin County Council

LOCAL GOVERNMENT (WATER POLLUTION) ACT, 1977

LICENCE TO DISCHARGE TRADE OR SEWAGE EFFLUENT TO WATERS

Local Authority DUBLIN COUNTY COUNCIL

Reference number in register:-
WPW 5/22
Order reference number:-
WPW/5/83

TO: Roadstone Limited,
Belgard Quarry,
Clondalkin, Co. Dublin.

The Dublin County Council, in exercise of the powers conferred on it by the Local Government (Water Pollution) Act, 1977 hereby grants a licence/~~xxxx

4149101
COMHAIRLE CHONTAE ATHA CLIATH

(Dublin County Council)

LOCAL GOVERNMENT (WATER POLLUTION) ACT, 1977.

LICENCE TO DISCHARGE TRADE OR SEWAGE EFFLUENT TO WATERS

Local Authority:- DUBLIN COUNTY COUNCIL

Reference number in register:- WPW 5/22

Order reference number:- WPW/5/83

The effluent should contain no other substance in such a concentration or be discharged in such a manner as to be injurious to fish or other aquatic life.

2. Excess sludge shall be removed from the settling tank at regular intervals. A log book for recording the frequency of sludge removal shall be kept by the applicant and made available for inspection by the Council.

3. The existing treatment plant shall be properly maintained and in operation at all times.

4. Samples of the effluent shall be taken by the applicant not less than fortnightly and tested for pH, B.O.D. and S.S. Tests shall comply with "Standard Methods for the Examination of Waters and Wastewaters". (W.P.C.S., A.P.H.A., A.W.W.A.). The cost of such tests shall be borne by the applicant. Results shall be kept and made available to the Council for inspection. The frequency of testing shall be reviewed six months after issue of licence.

NOTE:- The effluent should be sampled just prior to entry to the Fettercairn Stream.

5. The applicant shall install a weir at an agreed location in order to facilitiate measurement of the flow of the effluent.

6. The applicant shall pay an annual contribution of £300 payable from the date of issue of the licence, towards the County Council's cost of monitoring the discharge.

7. Charges under conditions 6 are subject to price variation for 1984 and subsequent years.

Dated this ....10th.....day of .....June.....1983

Ciaran Hanway
PRINCIPAL OFFICER.

APPENDIX G

A site location map to a scale of not less than 1:2500 should be submitted with the application for registration. The map should indicate

(a) the current site boundary (outlined in red) and
(b) the current workable area (outlined in blue)

State the Ordnance Survey Map Ref No. and the Grid Reference if available

See Figure 1 – Site Layout Plan, attached.

O.S. Map Ref No.:-

(1:1000) 3389-09, 3327-11, 3390-01, 3389-05, 3326-13, 3327-21, 3326-14, 3327-16, 3390-06, 3389- 10, 3389-07, 3326-15, 3389-02

(1:2500) 3326-C, 3389-A, 3326-D, 3389-B

Grid Reference:-

306,620E; 229,264N

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Lár an Bhaile
Tamhlacht, Baile Átha Cliath 24
Telefon: 01-4149000
Facs: 01-4149104

Planning Department
County Hall, Town Centre
Tallaght, Dublin 24
Telephone: 01-4149000
Fax: 01-4149104

www.southdublin.ie

S. Geraghty
Roadstone Dublin Ltd.,
Fortunestown,
Tallaght,
Dublin 24.

13-May-2005

SECTION 261 - PLANNING & DEVELOPMENT ACT, 2000

REGISTRATION OF QUARRIES

Register Reference:	SDQU05A/2
Location:	Belgard Quarry, Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24.
Applicant:	Roadstone Dublin Ltd.

Dear Sir/Madam,

With reference to the above, I acknowledge receipt of your application received on 22-Apr-2005.

Yours sincerely,

Gerry Ryan
Senior Staff Officer

Excellence Through People
Awarded 2004

Chambers of Commerce of
Ireland Excellence in Local Government
Economic Development Award 2004

COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL

MEETING OF TALLAGHT AREA COMMITTEE (2)

MONDAY 27TH JUNE 2005

FILE DISCUSSED:	SDQU05A/2
LOCATION:	Belgard Quarry, Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24
COMMENTS:	Councillor J. Neville noted that the application is not a planning application.

PR/1950/05

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Order

Reg. Reference:	SDQU05A/2	**Application Date:**	22-Apr-2005
Submission Type:		**Registration Date:**	22-Apr-2005

Correspondence Name and Address:	S. Geraghty Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24.
Proposed Development:	Application for registration of a quarry under Section 261 of Planning & Development Act 2000.
Location:	Belgard Quarry, Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24.
Applicant Name:	Roadstone Dublin Ltd.
Application Type:	Quarry Registration

(BM/AOS)

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. A revised site map to a scale of not less than 1:2,500 indicating (a) the site boundary outlined in red, (b) the extractable area outlined in blue, and (c) the total area extracted to date outlined in green.
2. The annual rate of extraction of quarried material.
3. Clarification as to the total number of vehicle movements generated per hour, calculated on the basis of one entry movement and one exit movement for each vehicle equating to two movements per vehicle.
4. Details relating to all ancillary activities carried out on the site, including a site map showing the location and extent of buildings etc.
5. Details of the Environmental Management System (EMS) in operation on the site.

Applicant to submit the above further information on or before 28th September, 2005.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

AN ROINN PLEANÁLA
An Rannóg Chlárlainne,
Halla an Chontae, Lár an Bhaile,
Tamhlacht, Baile Átha Cliath 24.

Telefon: 01 - 414 9000
Facs: 01 - 414 9104
www.sdublincoco.ie

PLANNING DEPARTMENT
Registry Section
County Hall, Town Centre,
Tallaght, Dublin 24.

Telephone 01 - 414 9000
Fax : 01 - 414 9104
www.sdublincoco.ie

S. Geraghty
Roadstone Dublin Ltd.
Fortunestown
Tallaght
Dublin 24.

PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Decision Order Number 1950	**Date of Decision** 30-Aug-2005
Register Reference SDQU05A/2	**Registration Date** 22-Apr-2005

Applicant: Roadstone Dublin Ltd.

Development: Application for registration of a quarry under Section 261 of Planning & Development Act 2000.

Location: Belgard Quarry, Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24.

Application Type: Quarry Registration

Dear Sir /Madam,

With reference to your planning application, received on 22-Apr-2005 in connection with the above, I wish to inform you that before the application can be considered under Section 261 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

1. A revised site map to a scale of not less than 1:2,500 indicating (a) the site boundary outlined in red, (b) the extractable area outlined in blue, and (c) the total area extracted to date outlined in green.
2. The annual rate of extraction of quarried material.
3. Clarification as to the total number of vehicle movements generated per hour, calculated on the basis of one entry movement and one exit movement for each vehicle equating to two movements per vehicle.

Irish Independent BEST COMPANIES TO WORK FOR IRELAND 2005

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

AN ROINN PLEANÁLA
An Rannóg Chlárlainne,
Halla an Chontae, Lár an Bhaile,
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PLANNING DEPARTMENT
Registry Section
County Hall, Town Centre,
Tallaght, Dublin 24.

Telephone 01 - 414 9000
Fax : 01 - 414 9104
www.sdublincoco.ie

4. Details relating to all ancillary activities carried out on the site, including a site map showing the location and extent of buildings etc.
5. Details of the Environmental Management System (EMS) in operation on the site.

Applicant to submit the above further information on or before 28th September, 2005.

Please mark your reply **"ADDITIONAL INFORMATION"** and quote the Planning Register Reference Number given above.

Signed on behalf of South Dublin County Council

Register Reference: SDQU05A/2

Current Date: 31-Aug-2005

Yours faithfully,

.....

for **Senior Executive Officer**

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Lár an Bhaile,
Tamhlacht, Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104
www.sdublincoco.ie

PLANNING DEPARTMENT
County Hall, Town Centre,
Tallaght, Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104
www.sdublincoco.ie

S. Geraghty
Roadstone Dublin Ltd.
Fortunestown
Tallaght
Dublin 24.

Date: 29-Sep-2005

PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS THEREUNDER

Register Reference:	SDQU05A/2
Development:	Application for registration of a quarry under Section 261 of Planning & Development Act 2000.
Location:	Belgard Quarry, Roadstone Dublin Ltd., Fortunestown, Tallaght, Dublin 24.
Applicant:	Roadstone Dublin Ltd. Fortunestown, Tallaght, Dublin 24
Submission Type:	**Additional Information**

Dear Sir/Madam,

With reference to the above, I acknowledge receipt of Additional Information received 28-Sep-2005.

Yours faithfully,

for **Senior Executive Officer**

BEST COMPANIES TO WORK FOR

Roadstone Dublin Ltd.

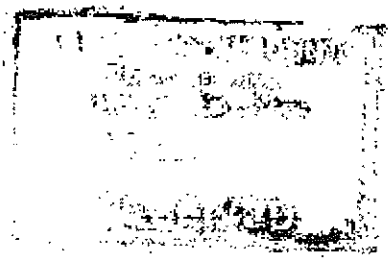
Fortunestown
Tallaght
Dublin 24

Tel: (+353 1) 404 1200
Fax: (+353 1) 404 1321
web: www.roadstone.ie
email: info@roadstone.ie

SDQU05A/2
Add Info.

27th September 2005

Senior Executive Officer
Planning Department
South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24



BY HAND

Re: Registration of Quarries – Section 261, Planning & Development Act, 2000
Register Reference SDQU05A/2 – Belgard Quarry
ADDITIONAL INFORMATION

Dear Sir / Madam,

Further to your letter of 31st August 2005 seeking additional information regarding our Section 261 application referred to above, we make the following submission to address the queries raised. Please find enclosed six copies of the additional information sought as requested.

Please note that the total area of Quarry (hectares) including extracted area and the extraction area given on our registration form are incorrect. Our planning consultants advise us that this was due to a slight mapping error. The correct areas are as follows –

- Total area of Quarry including extracted area / Site area — 298.2 hectares
- Extraction area / Extractable area — 192.6 hectares
- Total area extracted to date — 48.2 hectares

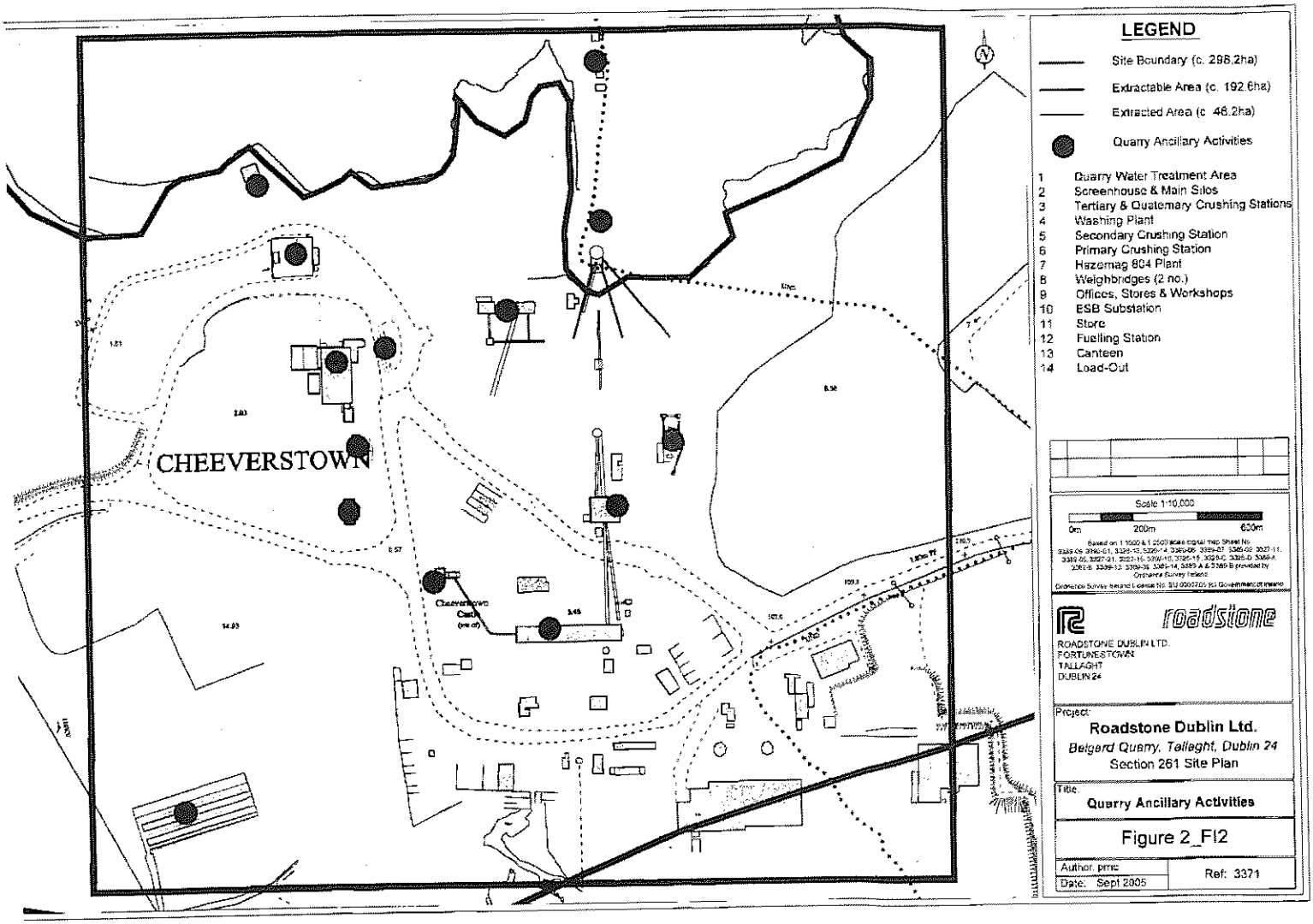
Please confirm receipt of this submission.

Yours faithfully,

Shane Geraghty
ROADSTONE DUBLIN LIMITED

Enc. 6 no. copies of Additional Information – Belgard Quarry

Directors: A. M. O'Loughlin Chairman, J. Farrell Managing, S Alegre, F. Byrne, T. O. Clarke, D. J. Dempsey, D. Doyle, C. Mahon, P. G. Moore, M. O'Connor, G. Richardson, G. Gower Secretary
Registered in Ireland Reg. No. 11305. Registered Office: Fortunestown, Tallaght, Dublin 24
A CRH Group Company


CHEEVERSTOWN
Cheeverstown Castle (site of)
LEGEND
Site Boundary (c. 298.2ha)
Extractable Area (c. 192.6ha)
Extracted Area (c. 48.2ha)
Quarry Ancillary Activities
1 Quarry Water Treatment Area
2 Screenhouse & Main Silos
3 Tertiary & Quaternary Crushing Stations
4 Washing Plant
5 Secondary Crushing Station
6 Primary Crushing Station
7 Hazemag 804 Plant
8 Weighbridges (2 no.)
9 Offices, Stores & Workshops
10 ESB Substation
11 Store
12 Fuelling Station
13 Canteen
14 Load-Out
Scale 1:10,000
0m 200m 600m
roadstone
ROADSTONE DUBLIN LTD.
FORTUNESTOWN
TALLAGHT
DUBLIN 24
Project:
Roadstone Dublin Ltd.
Belgard Quarry, Tallaght, Dublin 24
Section 261 Site Plan
Title:
Quarry Ancillary Activities
Figure 2_FI2
Author: pmc
Date: Sept 2005
Ref: 3371

PR|0076|07

South Dublin County Council
Record of Executive Business and Manager's Order

Sections 261(5) and 261(6) of the Planning & Development Act, 2000

Belgard Quarry, Fortunestown, Tallaght.

Date of Registration	22 April 2005
Reg Ref No:	SDQU05A/2
Operator:	Roadstone Dublin Ltd.
Location:	Belgard
Area of Site:	298.2 ha.
Extracted Area	49.8 ha.
Extractable Area:	192.6 ha.
Extracted Material:	Limestone
Extraction Method:	Drilling & Blasting
Extraction Rate:	Not Stated
Operating Hours:	08.00 - 24.00
Vehicle Movements:	50 per hour
Ancillary Operations:	Concrete blocks, paving, asphalt, mortar, pre-cast wall panel, flag, C&D Waste recycling facility.
IPC Licence:	None
Other Licences:	Section 4 (discharge to waters) licence issued. Permit issued for a waste recovery operation in Belgard Quarry.
Monitoring:	Noise & Vibration, Dust, Water
Planning Status:	Planning Permission granted 28th April 1972

SECTION 261 PLANNING AND DEVELOPMENT ACT 2000

Section 261 of the Planning and Development Act 2000 provides for the registration of quarries, other than quarries for which planning permission has been granted less than 5 years prior to the coming into force of section 261. The registration system has two purposes:

- to give a 'snapshot' of the current use of land for quarrying, to ensure that local authorities have basic information about a quarry's operations, planning permission may then be required for any proposed expansion or intensification of its operations;
- where necessary, to permit the introduction of new or modified controls on the operation of certain quarries, either by requiring quarries to comply with new or modified conditions on their operation, or in the case of certain quarries operating since before 1 October 1964 to seek planning permission for their continued operation.

Section 261 requires the owner or operator of a quarry in operation on or after 28th April 2004, for which planning permission was granted more than 5 years prior to the coming into force of section 261, to provide to the planning authority information relating to the operation of the quarry, and on receipt the planning authority shall enter the information in the Planning Register.

Information relating to the Belgard Quarry operated by Roadstone Dublin Limited, was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2. Information provided includes a copy of the existing planning permission granted in 1972, a map of the site, and details of the type of material being extracted, the hours of operation, number of daily vehicle movements, and measures to control noise and dust.

A revised map and other details were subsequently submitted in response to a request for additional information. The map shows the boundaries of the overall site indicated by a red coloured line, the extracted area indicated by a green coloured line, and the extractable area indicated by a blue coloured line.

A statutory public notice published in the Irish Times on 19th October 2005 invited submissions from members of the public on the quarries in respect of which information was submitted by owners / operators. The notice stated the intention of the Planning Authority in respect of Belgard Quarry to restate, modify or add to the conditions of the existing planning permission. No submissions were received during the specified period relating to the Belgard Quarry. However, the Council recently received a letter from the Newlands Golf Club which adjoins the Belgard Quarry, outlining the Club's concerns regarding the effects on the amenity of the golf club premises of noise, vibration and dust resulting from the quarry operations. It is understood that Councilors have received similar representations from Newlands Golf Club.

Under Section 261 a planning authority may not require the submission of a planning application in the case of a quarry with an existing planning permission granted more than five years prior to 28th April 2004, but may decide to restate or modify the conditions of the existing planning permission, or add new conditions, under Section 261(6). The Act allows the Planning Authority a period of two years from the date of registration of the quarry to restate or modify the conditions of the existing planning permission, or to add new conditions. In the case of the Belgard Quarry this period will expire on 21st April 2007.

Where the Planning Authority decides to restate or modify the conditions of the existing planning permission, or add new conditions, it shall serve a notice of its proposals on the owner / operator of the quarry stating the reasons for the proposals and stating that submissions or observations may be made to the Planning Authority within such period as may be specified in the notice, being not less that six weeks from the service of the notice. Where conditions have been restated, modified, or added to, the Act provides that the planning permission shall be deemed to have been granted under section 34 of the Planning and Development Act 2000.

The decision of the Planning Authority may be appealed by the owner / operator within a period of four weeks from the date of receipt of the notification. There is no provision under Section 261 for public consultation at this stage, and there is no provision for a third party right of appeal to An Bord Pleanala in relation to any conditions that may be imposed by the Planning Authority. The Board may confirm with or without modifications the decision of the Planning Authority or annul that decision.

Under Section 261(8) where a Planning Authority decides to restate or modify the conditions of the existing planning permission, or add new conditions, compensation may be payable where conditions are imposed that are more restrictive than conditions imposed in relation to the existing permission. However, no compensation is payable where the condition relates to:-
- the prevention, limitation or control of emissions from the quarry;
- the reinstatement of land on which the quarry is situated;
- regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant, so far as appears to the planning authority to be expedient for the purposes of or in connection with the development authorised by the permission;
- requiring the carrying out of works (including the provision of facilities) which the planning authority considers are required for the purposes of the development authorised by the permission;
- requiring the taking of measures to reduce or prevent: -
(i) the emission of any noise or vibration from any structure or site comprised in the development authorised by the permission which might give reasonable cause for annoyance either to persons in any premises in the neighbourhood of the development or to persons lawfully using any public place in that neighbourhood; or
(ii) the intrusion of any noise or vibration which might give reasonable cause for annoyance to any person lawfully occupying any such structure or site.

GUIDELINES

The *Quarries and Ancillary Activities Guidelines for Planning Authorities were* published by the Department of Environment Heritage and Local Government in April 2004 under section 28 of the

Planning and Development Act 2000, which requires both planning authorities and An Bord Pleanála to have regard to the Guidelines in the performance of their functions. The Guidelines are intended to offer guidance to planning authorities on planning for the quarrying industry through the development plan and determining applications for planning permission for quarrying and ancillary activities, and on the implementation of section 261 of the Planning and Development Act, 2000

SITE LOCATION, DESCRIPTION AND ZONING

The site comprises of an extensive area adjoining the south side of the Naas Road to the west of the Newlands Cross junction with the Belgard Road. It adjoins the Newlands Golf Course to the east and Kingswood village and the Citywest Business Park to the west. It adjoins the Cookstown Road to the south and the reservation for the proposed Outer Ring Road Phase 3 to the west. There are residential areas located to the north, west and south of the site.

In the Development Plan 2004-2010 the area in which the site is located is zoned Objective 'B', "To Protect and Improve Rural Amenity and to Provide for the Development of Agriculture". The land use activities 'Industry – Extractive' and 'Concrete / Asphalt (etc.) Plant in or adjacent to a Quarry', are 'permitted in principle' in areas zoned Objective 'B'.

The relevant Development Plan Policies and Objectives are:-
Policy EE17: Extractive Industry
Development Management Objective 12.3.4 Extractive Industry
Policy AA 1: Protection of Archaeological Heritage
Policy AA 2: Historical and Archaeological Sites and Features
Policy AA 4: Conservation of Buildings Structures and Sites
Local Zoning Objective No. 5 - N7 Gateway Corridor – Upgrading
Roads objectives to build / improve roads in the area including continuation of the Outer Ring Road from the N7 Naas Road to the N81 Blessington Road

The Development Plan 2004-2010 also includes a Local Zoning Objective (*LZO No. 5 - N7 Gateway Corridor – Upgrading*) to prepare a master plan to facilitate high-quality, mixed-use development including offices and residential development on lands adjoining the Naas Road N7 extending from Citywest to the Dublin City Council boundary.

RELEVANT PLANNING HISTORY:

Reg. Ref. C. 1488
A planning permission Reg. Ref. C. 1488 was granted to Roadstone Limited on 28th April 1972 for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Condition No. 1 required that a proposed access from Kingswood be omitted.
Condition No. 2 required revisions to proposed road junction arrangements.
Condition No. 3 limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority.
Condition No. 4 required a detailed scheme for reinstatement and landscaping of the worked out portions of the quarry to be submitted within 12 months of the granting of permission, the scheme to provide for making the land useful for agricultural or recreational purposes and consistent in appearance with the surrounding land.
Condition No. 5 required a detailed scheme showing the location and extent of screening belts of trees and shrubs to be submitted within 6 months of the granting of permission.
Condition No. 6 required retention of existing screening vegetation unless otherwise agreed.
Condition No. 7 required that noise attenuation measures be provided to limit noise levels along the perimeter of the site to not more that 45dbA between 08.00 a.m. and 10.00 p.m., and 35dbA between 10.00 p.m. and 08.00 a.m.

Condition No. 8 required 24 hours advance notice of each explosion be given to adjoining occupants, and limited use of explosives to the period between 08.00 a.m. and 10.00 p.m., subject to use of best practible means to minimise degree of nuisance caused by expolsions.
Condition No. 9 required that quarrying and ancillary operations be contained within the working area of the site as shown on lodged plans and prohibited the placing of machinery and debris on other parts of the site.
Condition No. 10 required security at the rate of £250 per acre to ensure satisfactory completion of reinstatement and landscaping works, subject to adjustment of the amount in line with the current rates for horticultural and general landscape work.

Reg Ref S01A/0195
Proposed development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4,831 sq.m); batching plant incorporating cement silo and aggregate storage bins. No response was received to a request for Additional Information dated 1st June 2001.

SD02A/0167
Planning permission granted for use of a 3.9ha site for the recovery of pre-sorted construction and demolition waste, namely concrete, bricks, tiles and ceramics, asphalt and topsoil.

SD06A/0915
Current planning application for an asphalt plant and ancillary facilities on a site area ca. 3 acres located at Belgard Quarry. Additional Information requested. Applicant SIAC Bituminus Products Ltd.,

ENFORCEMENT HISTORY:
There have been a number of complaints over the last number of years regarding vibrations caused by explosions. These have been referred to other sections of the Council including Environmental Services and Environmental Health Officer.

The Environmental Health Officer records for the most recent period 2004 – 2006 show 2 complaints were received in 2004, and four complaints in each of the other years. The majority of the complaints related to dust, and two (in 2006) refer to blasting. Monitoring records reviewed in relation to the complaints did not show evidence of measurements in excess of accepted limits.

ISSUES ARISING:
Existing Planning Permission
The existing planning permission for quarrying operations at this quarry was granted 33 years ago. The planning file relating to this permission is not available (C 1488). However, a copy of the decision notice, including the conditions attached, has been submitted with the registration application, and the Bonds and Contribution file is available. Having regard to the length of time that has elapsed since the permission was granted it is considered appropriate to review the conditions attached in order to assess their effectiveness, and to consider what modifications or additions to the existing conditions are required in order to ensure that the operation of the quarry is appropriately regulated in the interests of the proper planning and sustainable development of the area.

Permitted Extent of Area Under Extraction
Condition No. 3 of planning permission Reg. Ref. C. 1488 limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority. There is no record available as to whether agreement was sought and given to extend the quarry. A revised map submitted in response to a request for

additional information states that the applicants present interest comprises a landholding of 298.2 hectares (approx. 745 acres). The extracted area within this landholding (i.e. the area within the green coloured line on the revised map) is stated to comprise of 49.8 hecatres (approx. 125 acres). It is evident that the extent of the area extracted in the period since the above permission was granted substantially exceeds the 50 acres (20 ha) initially approved. Furthermore, an examination of aerial photographs of the quarry lands shows that a substantial portion of the area indicated as extracted (i.e. inside the green coloured line) remains to be worked, and this area is more properly described as the area under extraction. A further area comprising of 192.6 hectares (approx. 480 acres) indicated by a blue coloured line constititutes the balance of the extractable area of the quarry.

Taking account of its size (possibly the largest quarry in the country) and its location in a part of the city which is likely to see very considerable new high-density urban development in the short to medium term, and having regard in particular to its proximity to the proposed Metro route, and to the scope of the objective to prepare a master plan for lands adjoining the Naas Road, it is reasonable that the extent of the area under extraction be limited to enable the future environmental impact of the quarry operations to be assessed in the light of the likely further consolidation and densification of development in the area. It is recommended that the extraction of rock be confined to the area currently under extraction as defined by the green coloured line (125 acres) and that rock extraction on lands outside this area be subject to a separate grant of planning permission.

Life of the Permission

It is estimated that the area under extraction represents 26% of the stated extractable area, and that the extractable area is approximately four times larger than the area currently under extraction. As the quarry has been operating for 35 years it is reasonable to assume that it could have a potential further life in excess of 80 to 100 years. It is therefore reasonable that the quarry should not have the benefit of a planning permission for an indefinite period of time, having regard to the likely significant future development in the local area. It is recommended that the planning permission be subject to further review within an appropriate timescale to enable the operation of the quarry to be reassessed in the light of such changed circumstances. A condition limiting the life of the permission to a further 10 years is therefore recommended.

Operating Hours

The stated quarry operating hours are 07.00-24.00 Monday to Friday, and 07.00-18.00 Saturday. No condition limiting the hours of operation is included in the current planning permission. However, conditions Nos. 7 and 8 of the latter detail restrictions on noise and blasting after 22.00 hours, and these could reasonably be inferred to be a restriction on quarrying operations after that hour. It is noted that no other quarry in the County operates normally after 20.00 hours. The Quarries and Ancillary Activities Guidelines for Planning Authorities 2004 recommend that normal operations should be confined to the hours between 07.00 and 18.00, Monday to Friday inclusive (excluding Bank Holidays) or as may be agreed with the planning authority, and between 07.00 and 14.00 on Saturdays. It is considered reasonable that the normal hours of operation be limited to 07.00 to 20.00 Monday to Friday, and 07.00 to 14.00 on Saturday, having regard to the proximity of the quarry site to existing and likely future residential development in the area.

Manufacturing Activities

There is no detailed information in the registration application relating to manufacturing activities on the site such as block making or stone coating, including the location and extent of buildings etc. The definition of 'quarry' in the Mines and Quarries Act 1965 does not include ancillary manufacturing activities such as block making. Section 3(3) of that Act states:

> "quarry" includes any place on the surface surrounding or adjacent to the quarry occupied together with the quarry for the storage or removal of the minerals or for the purposes of a process ancillary to

the getting of minerals, including the breaking, crushing, grinding, screening, washing or dressing of such minerals but, subject thereto, does not include any place at which any manufacturing process is carried on.

Such ancillary activities do not therefore come within the scope of this report.

Management of Environmental Impacts

The applicant has submitted the results of blasting, dust, and water monitoring carried out on the site, and states that an environmental management system (EMS), which has ISO 14001 accreditation certified by NSAI, has been operated on the site since 2001, and that the EMS addresses all of the environmental aspects of quarrying at the site. Having regard to the lapse of time since the existing planning permission conditions were formulated it is appropriate that revised conditions reflecting current environmental standards be applied to the quarrying operations on the lands. Furthermore having regard to the location of the quarry site within an urban area that is likely to experience significant consolidation and densification involving mixed-use development over the next decade, it is recommended that conditions regulating environmental impacts should include appropriate requirements for monitoring and consultation.

A condition limiting the rate of movement of quarry related HGV traffic to the present rate as stated in the registration application details is also recommended having regard to the above considerations. On the basis of the information provided in the registration applications for the other quarries in the County it is estimated that the volume of material transported from the Belgard Quarry is 2 to 3 times greater than any other quarry. Any proposed significant increase on the present level of traffic generated by the quarry should be subject to a traffic impact assessment as part of a separate planning application.

Phasing of Works and Reinstatement of the excavated areas

There is no information available regarding any reinstatement of excavated areas carried out to date. In view of the extent of the area under extraction as noted above, and the extensive reserve area which is almost four times the size of the current extraction area, it is appropriate that reinstatement be undertaken on an on-going basis. As noted above Condition No. 4 of the original planning permission (C. 1488) required a detailed scheme to be submitted. It is appropriate that detailed arrangements in this regard, included appropriate phasing of works, be agreed to ensure the future satisfactory rehabilitation of the quarry workings on a progressive basis.

Landscaping Measures

Having regard to the length of time since the original permission was granted and to the apparent substantial extension of the quarry area in that period it is appropriate to require the operator to review the effectiveness of any landscaping measures undertaken to date to screen the site, and to implement further measures as appropriate. Existing earth embankments screening the site in the Fortunestown Lane area are visually prominent, viewed from adjoining housing areas, and revised landscape treatment is desirable to ensure that the visual amenities of adjoining areas are protected.

Financial Bond and Contributions

It appears from Council records that security by way of a bond, guarantee or cash deposit required in accordance with condition No. 10 of permission Reg. Ref. C.1488 was not provided to the Council. A new condition requiring security for the satisfactory implementation of conditions attached to the permission is recommended to enable the Planning authority to carry out appropriate works in the event of non-compliance. Conditions requiring appropriate financial contributions are also recommended.

Recorded Monuments and Protected Structure

There are two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). Belgard Castle, a Protected Structure (Map Ref. 206) is also located on the lands. There are no conditions attached to the existing planning permission providing for appropriate protection of these heritage features. It is appropriate therefore that satisfactory arrangements be required to be implemented to ensure their protection.

Assessment

Section 261 of the Planning and Development Act 2000 provides for the registration of all quarries in operation on or after the 28th April 2004 which either had the benefit of a planning permission granted more than five years prior to that date, or had been in existence prior to the commencement of the Local Government (Planning and Development) Act 1963. Information relating to the Belgard Quarry at Fortunestown, Tallaght, operated by Roadstone Dublin Limited, was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2.

A planning permission Reg. Ref. C. 1488 was granted to Roadstone Limited on 28th April 1972 for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Under Section 261(6) in the case of a registered quarry with an existing planning permission granted more than five years prior to 28th April 2004, a planning authority may decide to restate or modify the conditions of the existing planning permission, or add new conditions.

Where a planning authority proposes to restate or modify the conditions of the existing planning permission, or add new conditions, it shall, in accordance with Section 261(5)(a), serve a notice on the owner / operator of the quarry stating its proposals and the reasons for the proposals, and stating that submissions or observations may be made to the planning authority within such period as may be specified in the notice, being not less that six weeks from the service of the notice. The Act allows the planning authority a period of two years from the date of registration of the quarry to serve notice of its decision on the owner / operator under Section 261(6). In the case of the Belgard Quarry this period will expire on 21st April 2007.

In view of the following reasons:

1) The period of time that has elapsed since planning permission was granted for a quarry at this location;
2) The extent of quarrying carried out since permission was granted;
3) The scale of the current quarrying operations;
4) The considerable potential for further quarrying; and
5) The likely future significant development in the local area in which the quarry is located;

it is recommended that revised conditions reflecting current planning and environmental standards and objectives be applied to the quarrying operations on the lands.

It is therefore proposed that the existing planning permission Register Reference C.1488 be modified by the deletion of the existing 10 No. conditions imposed in 1972, and by adding new conditions numbers 1 to 42 thereto as listed below, having regard to the provisions of the South Dublin County Development Plan 2004-2010, and to the Quarries and Ancillary Activities Guidelines for Planning Authorities 2004 issued by the Department of the Environment, Heritage and Local Government.

01	**GENERAL** Quarrying operations on the lands shall be carried out in accordance with the plans, particulars and specifications as described in the documents lodged with the application for registration of the quarry under Section 261 of the Planning and Development Act 2000, as revised by Additional Information submitted on 28th September 2005, including the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371, save as the conditions hereunder require. **Reason:** To ensure that the development is carried out in accordance with appropriate environmental standards and practices, and to enable effective control to be maintained, in the interests of the proper planning and sustainable development of the area.
02	**TOPOGRAPHICAL SURVEY** Within three months of the date of this decision a report of a full topographical survey of the entire lands within the site boundary, as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337, shall be submitted to the Planning Authority. The survey shall be carried out by an independent qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. The report shall also include a comprehensive photographic record of the quarry workings, including an aerial view, and views of the quarry from public roads in the vicinity of the site the viewing positions of which shall be shown on a map to a suitable scale. **Reason:** To ensure effective development management of the quarrying operations in the interest of residential amenity and the proper planning and sustainable development of the area.
03	**LIMITATION OF LIFE OF PERMISSION** This permission shall be valid until and including 30th April 2017. All quarrying operations on the site shall cease from that date unless a planning permission has been granted for their continuation for a further period. **Reason:** To enable the impact of the quarrying operations to be assessed having regard to the circumstances pertaining at that time.
04	**LIMITATION OF EXTENT OF AREA TO BE EXTRACTED** The extraction of rock on the subject lands shall be limited to the area within the green coloured line as indicated on the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371 submitted as Additional Information on 28th September 2005. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development. **Reason:** To enable the quarrying operations to be assesed in the light of relevant changes in environmental standards and technology, having regard to the location of the quarry lands within an urban area that is likely to experience significant mixed-use development during the period within which the above permitted area of extraction will be worked, in the interest of residential amenity and the proper planning and sustainable development of the area.
05	***OPERATING HOURS*** Quarrying operations on the site shall be carried out only between 07.00 and 20.00 hours

	on Monday to Friday inclusive and between 07.00 and 14.00 hours on Saturday. No such activity shall take place outside these hours or on Sundays or public holidays. No rock-breaking activity shall be undertaken within any part of the entire quarry complex before 08.00 hours each day. **Reason:** In the interest of residential amenity and the proper planning and sustainable development of the area.
06	**NOISE** a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptor, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (15 minute L_{Aeq}) at any other time. b) Daily monitoring shall be carried out. c) No audible or impulsive noise shall be permitted outside permitted operating hours. d) Notwithstanding (a) above, where any temporary quarry activity is expected to exceed the noise limits above, this shall be notified in advance to the planning authority, and to residents in the vicinity, indicating the reason for such activity, and its likely duration. No such exceedence of noise limits shall occur without the prior agreement of the planning authority. e) A quarterly noise survey and assessment programme shall be undertaken to assess the impact of noise emissions arising from the operation of the entire quarry complex. The scope and methodology of this survey and assessment programme shall be submitted to the planning authority for its written agreement within three months of the date of this decision. The results obtained from the programme shall be submitted quarterly for the written agreement of the planning authority. The operator shall carry out any amendments to the programme required by the planning authority following this quarterly review. **Reason:** In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
07	**VIBRATION AND AIR OVERPRESSURE** a) Ground-borne Vibration levels from blasting shall not exceed a peak particle velocity of 12 mm/second, measured in any three mutually orthogonal directions at any sensitive receptor location. In the event that blasting occurs at a frequency of more than once per week the peak particle velocity shall not exceed 8 millimetres per second measured as above. b) Blasting shall not give rise to air overpressure values in excess of 125 $d(B)(Lin)_{max\ peak}$ with a 95% confidence limit at any sensitive receptor location. No individual air overpressure value shall exceed the limit value by more than five dB (Lin). c) Blasting shall only be carried out within the permitted operating hours. d) Advance notification of blasting shall be provided to all landowners and occupiers within 500 metres of the entire quarry complex. e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall provide for monitoring to be carried out whenever a blast occurs, and shall include an annual review of all blast monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. f) Any blast management programme to be implemented at the site shall ensure that the structural integrity of Belgard Castle, a Protected Structure, and of the two Recorded Monuments located on the quarry lands, is adequately protected.

	Reason: To ensure the protection of residential amenity, public health and cultural heritage in the interest of the proper planning and sustainable development of the area.
08	**SUPPRESSION AND CONTROL OF DUST** a) Total dust deposition (soluble and insoluble) measured at the site boundary shall not exceed 350mg/m2/day (when averaged over a 30 day period). The Bergerhoff Method (German Standard VDI 2119, 1972) shall be used to measure dust deposition. Daily monitoring of dust deposition shall be carried out. Any emission which does not comply with the above standards shall be notified to the Planning Authority immediately. b) Within six months of the date of this decision details of satisfactory arrangements for the suppression and control of dust arising from the open working, processing and the handling and transportation of mineral and / or product, and stripping of overburden, shall be submitted for the written agreement of the Planning Authority. The location of sensitive receptors and prevailing wind directions shall be taken into account when locating haul roads, tips, stockpiles and processing plant. The area of excavated land not covered by vegetation shall be kept to a minimum. The stripping of overburden shall be carried out only during favourable weather conditions. The deposition of dust on surrounding lands in excess of allowed limits, or spillage on to public roads shall be prevented at all times. c) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with the above limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the entire quarry complex, shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall include an annual review of all dust monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. **Reason:** To ensure the protection of residential amenity and public health in the interest of the proper planning and sustainable development of the area.
09	**COMMUNICATION AND CONSULTATION** a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to South Dublin County Council. All changes in personnel or particulars must also be notified to the Council as soon as they occur. b) The operator shall provide all landowners and occupiers within 500 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of an aspect of the quarry operation. c) Within six months of the date of this decision, the operator shall establish a local consultative group, to include representatives of the operator, and residents and representatives of the local community and landed interests. This group shall constitute a forum to address operational issues of the quarry which are considered to impact upon local amenity. **Reason:** In the interests of residential amenity, public health and the proper planning

	and sustainable development of the area.
10	**ACCESS FOR MONITORING** Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. **Reason:** In the interests of residential amenity, pollution control and public health.
11	**ANNUAL TOPOGRAPHICAL SURVEY** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry the operator shall submit: a) A topographical survey carried out by an independent qualified surveyor agreed by the planning authority, including a map surveyed against established perimeter beacons, the form and location of which shall be agreed with the planning authority, showing all areas i) that have been excavated to date, ii) that have been prepared for excavation, and iii) that may have been restored. b) An aerial photograph which adequately enables the planning authority to assess the progress of the phases of extraction. **Reason:** To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.
12	**ANNUAL ENVIRONMENTAL AUDIT** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry, three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose names shall be submitted to the Planning Authority for prior approval, and shall contain the following: a) A record of all movements of heavy vehicles outside the permitted operating hours. b) A record of surface water quality, and groundwater quality and levels, measured at monthly intervals. c) A full record of any breaches over the previous year of dust, noise, vibration / air overpressure, and water quality standards. d) A written record of all complaints received, including actions taken on each complaint. **Reason:** To ensure that the quarry shall be operated in compliance with the stated standards in the interests of residential amenity, pollution control, public health and the proper planning and sustainable development of the area.
13	**FUTURE CHANGED STANDARDS** Notwithstanding the current environmental standards for noise, vibration, and dust, contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (Non Scheduled Minerals)", should these standards be revised in the future or should new standards be introduced, either by legislation, or guidance from the Environmental Protection Agency or it's successor, the quarry operations shall be carried out in compliance with the revised standards.

	Reason: In the interests of residential amenity, pollution control, public health, and the proper planning and sustainable development of the area.
14	**CONTROL OF EXTERNAL LIGHTING** Within three months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the planning authority. The scheme shall be designed, installed and operated, so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over-lighting. Measures shall be included to provide adequate screening from adjacent areas where appropriate. **Reason:** In the interests of residential amenity, air and traffic safety, and the proper planning and sustainable development of the area.
15	**LIMITATION OF RATE OF MOVEMENT OF TRUCKS.** The rate of movement of trucks generated by the operation of the quarry shall not exceed the total number of movements in and out of the quarry per hour as detailed in the documents submitted in connection with the registration of the quarry. **Reason:** In the interest of traffic safety, residential amenity and the proper planning and sustainable development of the area.
16	**ADVANCE WARNING SIGNS** Metal advance warning signs shall be erected at all site entrances and exits. These signs shall be maintained in good and clean condition. The material, content, design and location of these signs shall be agreed with the Planning Authority. **Reason:** In the interests of traffic safety.
17	**MAINTENENCE OF PUBLIC ROADWAY** No waste, debris, excavated materials or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc. in the vicinity of the site. The quarry operator shall be responsible for maintaining the public roadways in the vicinity of the site entrances / exits in a clean state, free from mud and other debris caused by the haulage of such material. **Reason:** In the interests of traffic safety and residential amenity.
18	**WHEEL WASHING FACILITY** (a) A concrete apron shall be provided at the site exits to the public road for a minimum distance of 30m into the site. This apron shall be kept free from soil, sand and gravel deposits at all times. (b) A wheel washing facility shall be installed at the innermost end of this concrete apron. It shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres. (c) All vehicles exiting the site shall use the wheel washing facility, and shall travel only on the apron to the exit. **Reason:** In order to prevent dust emissions in the interests of residential amenity, traffic safety, and the proper planning and sustainable development of the area.

19	**GRADING FACE OF QUARRY ABUTTING ROADWAY** Where a face of the quarry working abuts a road or laneway, and is below the roadway, the gradient of the face of the working shall provide an in-situ batter not exceeding a gradient of 1 vertical to 2 horizontal. The distance from the top of the batter to the adjoining road / lane boundary shall be not less than 100 metres. If there are trees or a hedge between the excavation and the roadway, this distance shall be increased so that roots of the trees or hedge are not interfered with. If there is a mound being constructed between the quarry face and the road, and the quarry is below the road, the face of the quarry shall be not less than 10 metres from the toe of the mound. **Reason:** To ensure that public roads are not undermined in the interests of traffic and public safety, and in the interest of visual amenity.
20	**RISK ASSESSMENT** Where a face of the quarry abuts a road or laneway and there is a possibility that a vehicle on the road / lane could crash through the boundary fence onto the quarry floor, the operator shall arrange to have a risk assessment of this possible event carried out by a suitably qualified expert. The operator shall implement any recommendations made following the carrying out of this risk assessment. **Reason:** In the interest of public safety and traffic safety.
21	**SURFACE WATER RUN-OFF** All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, nor to discharge to any effluent disposal system or public foul sewer. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
22	**DISCHARGES TO SURFACE OR GROUND WATERS** a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts, 1977 – 1990 or as may be amended from time to time. b) Only clean uncontaminated storm water shall be discharged to surface waters. Interceptor traps shall be fitted to the storm water drainage system where appropriate, to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soak ways or groundwater. c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc) to existing drains or watercourses then the discharge shall be limited to 6 litres per second per hectare of impermeable surface to reduce the risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge by means of a 'Hydobrake' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority. **Reason:** To prevent water pollution and flooding in the interests of public health

	and the protection of natural heritage and the proper planning and sustainable development of the area.
23	**SURFACE WATER RUN-OFF FROM OPEN CUT AREAS** Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses and wells shall be maintained **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
24	**SURFACE WATER FROM THE PLANT AREA, QUARRY FLOOR AND INTERNAL HAUL ROADS** a) All surface water from the plant area, quarry floor and internal haul roads shall be directed to sumps and discharged from there to settling lagoons. b) The settling lagoons shall be of an adequate size and properly maintained to ensure the efficient removal of suspended solids. c) Site roads and approaches to river crossings shall be regularly brushed or scraped and kept free from dust and mud deposits. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
25	**GROUND WATER LEVELS** The water table level shall be determined before any stripping or excavation takes place. A record of ground water levels shall be taken at monthly intervals. The highest water table level shall be used to determine the depth to which excavation may be taken. No excavation shall take place within 1.5m of the highest water table level. Working shall not take place below water table level. **Reason:** In the interest of public health, the protection of ground water resources. and the proper planning and sustainable development of the area,
26	**PREVENTION OF POLLUTION** a) All over-ground oil or other chemical storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 110% of the capacity of the largest tank. b) Bunds shall be tested at intervals of not more than three years and documentation of tests shall be available for inspection by the Planning Authority. c) All refueling shall take place on impermeable areas that drain through an interceptor from tanks that are bunded or double skinned. d) All waste oil and chemicals shall be removed from the site and disposed of to the satisfaction of the Water Pollution Control Section of the Local Authority.

	e) A spill kit shall be maintained on site with adequate supply of containment booms and absorbent materials to deal with any spillage. f) The operator shall ensure that blasting practice minimises the risk of occurrence of nitrate/ammonia residues by proper blast design and implementation, appropriate disposal of any excess explosives, and selection of the appropriate type of explosives. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
27	**SETTLEMENT PONDS** Settlement ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the planning authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. **Reason:** To minimise dust in the interest of the proper planning and sustainable development of the area.
28	**DETAILS OF DRAINAGE ARRANGEMENTS** Within six months of the date of this decision full details, including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
29	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** In the interests of public health, safety and the proper planning and sustainable development of the area.
30	**PHASING OF DEVELOPMENT** Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the proposed phasing of extraction for the remaining areas, and the proposed timing of, and proposals for, the rehabilitation of all the areas. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and in the interest of the proper planning and sustainable development of the area.
31	**REHABILITATION AND LANDSCAPING** a) Within six months following approval by the Planning Authority of a plan for the

	phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the rehabilitation and landscaping of existing worked out portions of the quarry and measures to ensure public safety therein. Separate proposals for the rehabilitation and landscaping of future worked out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority. b) The proposals shall, inter alia, provide for the phased carrying out of rehabilitation and landscaping operations within a definite period or periods related to the anticipated pace of extraction operations, and shall provide for the grading of surface levels, seeding and planting works, surface and sub-surface drainage and attenuation as per the Greater Dublin Strategic Drainage Study guidelines, planting and seeding works and details of future maintenance.The proposals shall be prepared by landscape architects with experience in the remediation / rehabilitation of quarries. c) The source of all material proposed to be used in respect of all rehabilitation works, together with full details of the type of material and the quantities involved, shall be submitted as part of the rehabilitation and landscaping proposals. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
32	**LANDSCAPING AND BOUNDARY TREATMENT** Within six months of the date of this decision a comprehensive landscaping scheme to screen views of the quarry workings from all adjacent areas outside the site, shall be submitted for the written agreement of the Planning Authority. The scheme shall include detailed drawings and specifications of proposals for appropriate landscaping and boundary treatment, including tree planting and mounding, and a satisfactory time frame for the implementation of the scheme. A survey of all trees and hedgerows on the lands carried out by a competent professional to B.S. 5837 shall be submitted as part of the scheme. The agreed scheme shall be implemented to the satisfaction of the Planning Authority. Reason:In the interests of residential and visual amenity and the proper planning and sustainable development of the area.
33	**REHABILITAION ON CESSATION OF WORKS** a) On cessation of quarrying operations, all plant and surface equipment shall be removed from the site within 12 months of the date of such cessation. The whole of the surface area (including the slopes and sections containing deposition accruing from the operation of the quarry) shall be rehabilitated by the appropriate land shaping of the ground in relation to the contours of adjoining land. b) Specifications and drawings indicating the proposed works to rehabilitate the site, existing contours, and the grading and levels of the final contours to which the rehabilitation shall be carried out, shall be submitted to the Planning Authority for agreement in writing. c) The works shall not commence until such agreement has issued in writing and the agreed works shall be completed to the satisfaction of the Planning Authority. d) Any re-use or change of use of the lands shall be subject to a separate grant of

	planning permission for such use. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
34	**STORAGE OF TOPSOIL** All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil shall be stockpiled in mounds not greater than one metre in height to ensure that the soil flora and fauna are not destroyed. **Reason:** To ensure the satisfactory restoration of the site in the interests of visual amenity and the proper planning and sustainable development of the area.
35	**STORAGE AND USE OF UNUSABLE/WASTE MATERIALS** The unusable materials accruing from current working shall be stored separately. Thereafter, it shall be deposited in excavated areas, and any future waste materials shall not be deposited above the general level of the ground but shall be deposited in excavated areas as rehabilitation proceeds. Such material shall have occurred naturally on the site and not as a result of previous filling. Any material which is classed as waste shall be disposed of at an authorised facility by authorised waste carriers **Reason:** To ensure the satisfactory restoration of the site in the interests of the visual amenity and proper planning and sustainable development of the area.
36	**SAFETY MEASURES** Within six months of the date of this decision the operator shall submit for the written agreement of the Planning Authority details of the safety measures, including adequate fencing, to prevent access to the edge of all slopes and vertical faces within the quarry lands and the agreed safety measures shall be implemented to the satisfaction of the Planning Authority. These measures shall include details of any grading and/or stepping of the sides of the excavation adjacent to land not in use or required for quarrying operations. **Reason:** In the interest of public safety.
37	**SECURITY FOR COMPLIANCE WITH CONDITIONS** Within six months of the of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the planning authority in the amount of €10,000,000 (Ten million euro), for the purpose of ensuring that the Planning Authority have a ready sanction to render the site safe in the event that the operator fails to continue to operate or secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index. **Reason:** The site has the potential to be a seriously dangerous place either in the event of it being subject to trespass by members of the public or in the event of it filling with water or other similar event which could present danger to the public or to public health, and it is considered reasonable that the owner / operator should provide such security to

	enable the Planning Authority to take protective measures and to provide for the rehabilitation of the site.
38	**ARCHAEOLOGICAL IMPACT ASSESSMENT** a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). The AIA shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/ field survey, aerial photography and if necessary geophysical survey, etc. b) The AIA shall be submitted to the Heritage and Planning division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. The archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government. c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government. d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator. **REASON**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
39	**DISCOVERY OF REMAINS OF ARCHAEOLOGICAL OR HISTORIC INTEREST** At all times during the stripping of overburden on the site a suitably licensed archaeologist shall be present to monitor the work. In the event of any remains of archaeological or historic interest being discovered on the site, the Planning Authority shall be informed immediately. All works affecting these remains shall cease immediately and shall not re-commence until approval in writing has been received from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. REASON: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
40	**ARCHITECTURAL HERITAGE IMPACT ASSESSMENT** a) Within six months of the date of this decision an Architectural Heritage Impact Assessment (AHIA) shall be submitted to the Planning Authority and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. The AHIA shall detail the potential visual and other impacts of the quarry operations on the conservation value of Belgard Castle, a Protected Structure (Map Ref. 206 as listed in the Council's Record of Protected Structures), including its curtilege and attendant grounds as relevant, and any mitigation measures. The Architectural Heritage Impact Assessment shall be prepared by a suitably qualified person and the costs of preparing the AHIA shall be at the expense of the quarry owner / operator.

	b) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Protected Structure, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **REASON:** To facilitate the investigation and protection of the protected structure on the site in the interests of the proper planning and sustainable development of the area.
41	**STANDARD DEVELOPMENT CONTRIBUTION** The owner / operator shall pay the sum of **€**500,000 (Five hundred thousand euro), updated to the appropriate rate at the date of the coming into effect of these conditions, or any amendments thereto, in accordance with changes in the Tender Price Index, to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the County Council as provided for in the Development Contribution Scheme for the County, made by the Council. This development contribution shall be payable at the rate of €1.00 per tonne extracted from the quarry, until an amount of €500,000, as adjusted, has been paid, or within 12 months of the date of the decision, whichever is the earlier. **REASON:** The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.
42	**SPECIAL DEVELOPMENT CONTRIBUTION** The owner / operator shall pay, to South Dublin County Council a Special Contribution in the sum of €5,000,000 (Five million euro) pursuant to the provision of Section 48(2)(c) of the Planning and Development Act 2000, towards the expenditure incurred, or to be incurred, by the Council in the provision of the Outer Ring Road Phase from the N7 to the N81 which facilitates this development. Payment of this development contribution to be made within 12 months of this decision. **REASON:** The Council is expending a sum of €32 million on the provision of this road. This road will provide new frontage of approximately 1,200 metres to the applicants lands and will facilitate the site of the development, enhancing access to the site and easing traffic movement in the immediate vicinity of the site and it is considered reasonable that the owner / operator should contribute towards its provision.

I therefore recommend that a Notice be served in accordance with Section 261(5) of the Planning and Development Act 2000 on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, stating the proposals of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard in accordance with Section 261(6) of the Planning and Development Act 2000, and stating further that submissions or observations may be made to the Planning Authority within a period of six weeks from the service of the notice.

Recommended by:

Date 16/01/07

Bob Matthews
Senior Executive Planner

Endorsed by:

Date 16/1/07

Michael Kenny
Senior Planner

ORDER: The service of a Notice under Section 261(5) of the Planning & Development Act, 2000 on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, in respect of the Belgard Quarry at Fortunestown, Tallaght, Dublin 24, stating the proposals of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, in accordance with Section 261(6) of the Planning and Development Act 2000, and stating further that submissions or observations may be made to the Planning Authority within a period of six weeks from the service of the notice, is hereby authorised.

Date 16/01/07

Tom Doherty
Director of Planning

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message *to 086 1731707*

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: *ccounter@sdublincoco.ie*
On-line: www.southdublin.ie

Mr. Jim Farrell,
Managing Director,
Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

16th January, 2007

RE: Sections 261(5) and 261(6) of the Planning & Development Act 2000
Belgard Quarry, Townland of County Dublin

Register Reference Number: SDQU05A/2 **Registration Date:** 22 April 2005

Dear Mr. Farrell

With reference to the above please find enclosed herewith a copy of the Statutory Notice and Schedule of proposed conditions, setting out the Planning Authority's proposals to modify and to add to the conditions attaching to the existing planning permission Register Reference C. 1488 in respect of the Belgard Quarry.

Please take note that the **closing date for receipt of submissions in this matter is 2nd March 2007**.

In accordance with Section 261(5)(c) of the Planning and Development Act, 2000 submissions or observations made pursuant to the statutory notice shall be taken into consideration by the planning authority prior to issuing its decision under Section 261.

Following the decision of the planning authority, under Section 261(6), it should be noted that you, as the registered owner/operator, may then appeal to An Bord Pleanala against the decision to impose, restate, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act, 2000, as amended, and the Regulations made thereunder.

Yours sincerely

Tom Doherty
Director of Services.

COUNTY COUNCIL OF THE COUNTY OF SOUTH DUBLIN

IN THE MATTER OF THE PLANNING AND DEVELOPMENT ACT, 2000

NOTICE PURSUANT TO SECTION 261(5) OF THE PLANNING AND DEVELOPMENT ACT, 2000

TAKE NOTICE that for the purpose of the exercise of its functions under the Planning and Development Act, 2000, South Dublin County Council, as the Planning Authority for the area, hereby gives notice of the Council's proposals to modify by the deletion of the existing 10 No. conditions imposed in 1972, in respect of the planning permission Register Reference C.1488 and by adding new conditions numbers 1 to 42 as set out in the schedule attached hereto, in accordance with Section 261(6) of the Planning and Development Act 2000, and further hereby invites you, being the registered owner/operator of lands at and known as Belgard Quarry, situated in the Townland of Fortunestown, Tallaght, in the County of South Dublin and registered as a quarry in accordance with Section 261 of the Planning and Development Act 2000 under Register Reference Number SDQU05A/2, not later than 2nd March 2007, to make submissions or observations to the Planning Authority in respect of the proposed conditions set out in the schedule attached to this notice.

In accordance with Section 261(5)(c) of the Planning and Development Act, 2000 submissions or observations made pursuant to this notice shall be taken into consideration by the planning authority prior to issuing its decision under Section 261. Following the decision of the planning authority, under Section 261(6), it should be noted that you, as the registered owner/operator, may appeal to An Bord Pleanala against the decision to impose, restate, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act, 2000, as amended, and the Regulations made thereunder.

Dated the 16th day of January 2007.

Signed: _____

South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24.

To: The Secretary,
Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

S261 SUBMISSIONS

2nd March, 2007

Mr. Jim Farrell
Managing Director
Roadstone Dublin Ltd
Fortunestown
Tallaght
Dublin 24

Re: Section 261(5) and 261(6) of the Planning and Development Act 2000.
Belgard Quarry Townland of County Dublin. Reg Ref No SOU054A/2
Registered date 24th April 2005

Dear Mr. Farrell

I wish to acknowledge receipt of your letter dated 28th February and observations on the draft conditions to be substituted for existing conditions attached to the planning permission for the quarry.

The Council will consider these conditions and will revert to you in a few weeks time.

Yours sincerely

Tom Doherty
Director of Planning

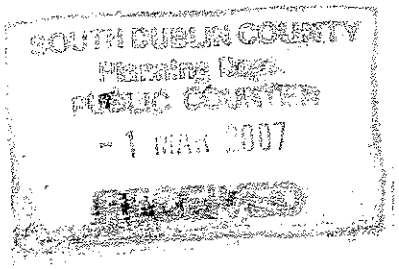
Roadstone Dublin Ltd.

Fortunestown
Tallaght
Dublin 24

Tel: (+353 1) 404 1200
Fax: (+353 1) 404 1321
web: www.roadstone.ie
email: info@roadstone.ie

28th February 2007.

Mr. Tom Doherty,
Director of Services,
South Dublin County Council,
Town Centre,
Tallaght,
Dublin 24.



Without Prejudice

Re: Section 261 (5) and 261(6) of the Planning and Development Act 2000.
Belgard Quarry Townland of County Dublin. Register Ref. No. SOU054A/2,
Registered Date 24th April 2005

Dear Sir,

Please find enclosed our submissions and observations on the conditions proposed by South Dublin County Council in your letter of the 16th January 2007. We also enclose a copy of the EPA guidelines and the DoEHLG guidelines for the Extractive Industry.

While we agree with some of the proposed conditions and aspirations there are others that would cause serious restrictions on trading. We have made an honest attempt to bridge the gap in our submission and would ask you to give our observations your serious consideration before making your final determination, bearing in mind the strategic importance and location of this facility within the Greater Dublin area.

Many thanks.

Yours sincerely,

Jim Farrell
Managing Director

c.c. Mr. Michael Kenny, Planning Department, South Dublin County Council
Mr. Bob Matthews, Planning Department, South Dublin County Council

Directors: A. M. O'Loghlen Chairman, J. Farrell Managing, S Alegre, F. Byrne, D. J. Dempsey, D. Doyle, S. Keane, D. McCarthy, O. Mahon, M. O'Connor, G. Gowran Secretary
Registered in Ireland Reg. No. 11035. Registered Office Fortunestown, Tallaght, Dublin 24.

Condition No.	Proposed New Conditions to be imposed by South Dublin County Council	Roadstone Dublin Ltd. Submission / Comment
1	**GENERAL** Quarrying operations on the lands shall be carried out in accordance with the plans, particulars and specifications as described in the documents lodged with the application for registration of the quarry under Section 261 of the Planning and Development Act 2000, as revised by Additional Information submitted on 28th September 2005, including the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371, save as the conditions hereunder require. **Reason**: To ensure that the development is carried out in accordance with appropriate environmental standards and practices, and to enable effective control to be maintained, in the interests of the proper planning and sustainable development of the area.	***Noted.***
2	**TOPOGRAPHICAL SURVEY** Within three months of the date of this decision a report of a full topographical survey of the entire lands within the site boundary, as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337, shall be submitted to the Planning Authority. The survey shall be carried out by an independent qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. The report shall also include a comprehensive photographic record of the quarry workings, including an aerial a view, and views of the quarry from public roads in the vicinity of the site the viewing positions of which shall be shown on a map to a suitable scale. **Reason**: To ensure effective development management of the quarrying operations in the interest of residential amenity and the proper planning and sustainable development of the area.	***Noted.***

3	**LIMITATION OF LIFE OF PERMISSION** This permission shall be valid until and including 30th April 2017. All quarrying operations on the site shall cease from that date unless a planning permission has been granted for their continuation for a further period. **Reason**: To enable the impact of the quarrying operations to be assessed having regard to the circumstances pertaining at that time.	*Delete this condition.* *[Comment: There was no limit on the duration of the development / life of permission specified in the 1972 permission (Planning Reg. Ref. No. C.1488). If South Dublin Co. Council (SDCC) imposes a limitation on the life of the development, it would be grounds for a compensation claim under Section 261, subsection (8) (a).* *Refer also to the proposed revised wording of Condition No. 30 that provided for 10 year updates of the Working Scheme and Restoration Plan and comment provided under Condition No. 13 regarding annual review of the existing environmental management system (EMS).]*
4	**LIMITATION OF EXTENT OF AREA TO BE EXTRACTED** The extraction of rock on the subject lands shall be limited to the area within the green coloured line as indicated on the Site Layout Plan Figure 1-FI1 Drawing Ref. 3371 submitted as Additional information on 28th September 2005. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development. **Reason:** To enable the quarrying operations to be assessed in the light of relevant changes in environmental standards and technology, having regard to the location of the quarry lands within an urban area that is likely to experience significant mixed-use development during the period within which the above permitted area of extraction will be worked, in the interest of residential amenity and the proper planning and sustainable development of the area.	*Revise the wording of this condition, as follows:.* *The extraction of rock on the subject lands shall be limited to the area within the **blue** coloured line as indicated on the plan included with the original quarry registration documentation. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development.*

		[Comment: The extractable limestone reserves within the site are of strategic national importance and the extent of these extractable reserves is shown outlined in blue on the plan included with the original quarry registration documentation.] *The extracted area as of 28th April 2005 is shown outlined in Green on Figure 1 – Fl1. This information was provided as part of the response to the further information request issued by South Dublin Co. Co.* *The green line does not take into account the full extent of the quarry development. The overall quarry including ongoing extraction area, internal haul roads, screening berms, stripped areas and stockpiles etc. extends beyond this green line. This green line had no other significance under Section 261 other than to provide a 'snapshot' of the extracted area at a specific point in time. Its purpose was not to provide a basis to restrict the extent of quarry development]*
5	**OPERATING HOURS** Quarrying operations on the site shall be carried out only between 07.00 and 20.00 hours on Monday to Friday inclusive and between 07.00 and 14.00 hours on Saturday. No such activity shall take place outside these hours or on Sundays or public holidays. No rock-breaking activity shall be undertaken within any part of the entire quarry complex before 08.00 hours each day. **Reason**: In the interest of residential amenity and the proper planning and	*Revise the wording of this condition.* *QUARRY OPERATING HOURS* *The quarry shall be operated between the hours of 06.00 and 24.00 hours, Monday to Sunday. Quarrying activity may take place outside these times provided that noise levels arising from these activities comply with the*

	sustainable development of the area.	*noise limits stated in Condition No. 6, and in exceptional circumstances as identified in* ***Appendix D*** *of the quarry registration submission.* ***[Comment: There were no quarry operating hours specified in the 1972 planning permission. Any restriction in quarry operating hours would be grounds for a compensation claim under Section 261, subsection (8) (a).*** ***Notwithstanding this and in the spirit of Section 261, Roadstone are prepared to accept the revised wording as set out above. This format referring to compliance with noise limits has been used by other Planning Authorities – Laois Co. Council : Section 261 (Quarry Ref. QY05/62).*** ***Refer to Condition No. 15 in relation to hours of truck movements from the quarry]***
6	**NOISE** a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptor, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (15 minute L_{Aeq}) at any other time. b) Daily monitoring shall be carried out. c) No audible or impulsive noise shall be permitted outside permitted operating	***Revise wording of Item a) so that the monitoring period for the 45 dB(A) threshold limit value is 60 minutes as specified in the EPA (2006) Environmental Management Guidelines for the sector, refer to Section 3.5.2, page 13, of the guidelines, a copy of***

	hours. d) Notwithstanding (a) above, where any temporary quarry activity is expected to exceed the noise limits above, this shall be notified in advance to the Planning Authority, and to the residents in the vicinity, indicating the reason for such activity, and its likely duration. No such exceedence of noise limits shall occur without the prior agreement of the planning authority. e) A quarterly noise survey and assessment programme shall be undertaken to assess the impact of noise emissions arising from the operation of the entire quarry complex. The scope and methodology of this survey and assessment programme shall be submitted to the Planning Authority for its written agreement within three months of the date of this decision. The results obtained from the programme shall be submitted quarterly for the written agreement of the Planning Authority. The operator shall carry out any amendments to the programme required by the planning authority following this quarterly review. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.	***which is enclosed.*** *a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptor, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (60 minute L_{Aeq}) at any other time.* ***Delete Item b) of this condition.*** ***[Comment: Daily noise monitoring is excessive, and is not recommended in the DoEHLG / EPA guidelines for the sector.*** ***Roadstone Dublin Ltd. has implemented an ISO 14000 accredited environmental management system (EMS) at the quarry. This includes a programme of noise monitoring.*** ***Typically noise monitoring is carried out on a quarterly basis at quarry operations, as stated under Item e) of this condition.]***
7	**VIBRATION AND AIR OVERPRESSURE** a) Ground-borne Vibration levels from blasting shall not exceed a peak particle velocity of 12mm/second, measured in any three mutually orthogonal directions at any sensitive receptor location. In the event that blasting occurs at a frequency of more than once per week the peak particle velocity shall not exceed 8 millimetres per second measured as above. b) Blasting shall not give rise to air overpressure values in excess of	***Revise the wording of Items d) and e) of this condition, as follows:*** *d) Advance notification of blasting shall be provided by a dedicated siren system that shall be audible beyond the quarry*

	125d(B)(Lin) $_{max\ peak}$ with a 95% confidence limit at any sensitive receptor location. No individual air overpressure value shall exceed the limit value by more than five dB (Lin). c) Blasting shall only be carried out within the permitted operating hours. d) Advance notification of blasting shall be provided to all landowners and occupiers within 500 metres of the entire quarry complex. e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the Planning Authority within three months of the date of this decision. This programme shall provide for monitoring carried out whenever a blast occurs, and shall include an annual review of all blast data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. f) Any blast management programme to be implemented at the site shall ensure that the structural integrity of Belgard Castle, a Protected Structure, and of the two Recorded Monuments located on the quarry lands, is adequately protected. **Reason**: To ensure the protection of residential amenity and public health and cultural heritage in the interest of the proper planning and sustainable development of the area.	*boundary.* *e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the Planning Authority within three months of the date of this decision. This programme shall provide for monitoring carried out whenever a blast occurs, and shall include an annual review of all blast data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority on a quarterly basis. The operator shall carry out any amendments to the programme required by the planning authority following this annual review.* ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This includes a programme of blast monitoring for every blast.*** ***Roadstone Dublin Ltd. currently blast on Tuesdays and Fridays. There is a siren system in place that provides advance notification of blasting. These established procedures are adequate in providing the public (including landowners and occupiers) with advance notification of blasting.*** ***Considering the location of this quarry in an urban environment it is not practical or physically possible to individually notify all landowners and occupiers within 500 metres of the quarry complex].***

8	**SUPPRESSION AND CONTROL OF DUST** a) Total dust deposition (soluble and insoluble) measured at the site boundary shall not exceed 350mg/m2/day (when averaged over a 30 day period). The Bergerhoff Method (German Standard VDI 2119, 1972) shall be used to measure dust deposition. Daily monitoring of dust deposition shall be carried out. Any emission which does not comply with the above standards shall be notified to the Planning Authority immediately. b) Within six months of the date of this decision details of satisfactory arrangements for the suppression and control of dust arising from the open working, processing and the handling and transportation of mineral and / or product, and stripping of overburden, shall be submitted for the written agreement of the Planning Authority. The location of sensitive receptors and prevailing wind directions shall be taken into account when locating haul roads, tips, stockpiles and processing plant. The area of excavated land not covered by vegetation shall be kept to a minimum. The stripping of overburden shall be carried out only during favourable weather conditions. The deposition of dust on surrounding lands in excess of allowed limits, or spillage on to public roads shall be prevented at all times. c) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with the above limits. Details of this programme including the location of dust monitoring stations, and details of dust suppression measure to be carried out within the entire quarry complex shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall include an annual review of all dust monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the Planning Authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. **Reason**: To ensure the protection of residential amenity and public health in the interest of the proper planning and sustainable development of the area.	***Noted. – Delete Requirement for monitoring of particulate emissions, as not recommended under the DoEHLG or EPA guidelines for the sector ?*** ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This incorporates a programme of dust deposition monitoring]***

9	**COMMUNICATION AND CONSULTATION** a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to South Dublin County Council. All changes in personnel or particulars must also be notified to the Council as soon as they occur. b) The operator shall provide all landowners and occupiers within 500 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of any aspect of the quarry operation c) Within six months of the date of this decision, the operator shall establish a local consultative group, to include representatives of the operator, and residents and representatives of the local community and landed interests. This group shall constitute a forum to address operational issues of the quarry which are considered to impact upon local amenity. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.	***Revise the wording of Items b) and c) of this condition, as follows:*** *b) A public notice shall be erected at each entrance to the quarry. This notice shall contain the name of the company and contact details which may be used in the event that any person wishes to contact the operator in relation to any aspect of the quarry operation.* *c) The Complaints Register (implemented as part of the existing EMS) shall be reviewed at 6 monthly intervals with the Planning Section, South Dublin Co. Council.* Notwithstanding the submission on Item c) above, if SDCC consider it absolutely necessary to set up a Local Forum then the following revised wording for Item c) is proposed: *Within six months of the date of this decision, the Planning Authority shall establish a local forum, to include a representative of the operator, the local residents and South Dublin County Council. This forum shall meet on an annual basis to discuss environmental management and associated issues related to the quarry operations.*

10	**ACCESS FOR MONITORING** Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. **Reason**: In the interests of residential amenity, pollution control and public health.	***Revise the wording of this condition, as follows:*** *"Access shall be granted to any authorised officer of the Planning Authority and Health Services Executive (Environmental Health) , or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. These persons shall check – in with the Quarry Manager prior to such inspections to ensure compliance with Health & Safety regulations."* ***[Comment: The quarry operations do not require an IPPC Licence. The EPA has no statutory control over quarry developments for non-scheduled minerals.]***

11	**ANNUAL TOPOGRAPHICAL SURVEY** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry operator shall submit: a) A topographical survey carried out by an independent qualified surveyor agreed by the Planning Authority, including a map surveyed against established perimeter, beacons, the form and location of which shall be agreed with the Planning Authority, showing all areas i) that have been excavated to date, ii) that have been prepared for excavation, and iii) that may have been restored. b) An aerial photograph which adequately enables the planning authority to assess the progress of the phases of extraction. **Reason**: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.	***Revise the wording of the 1st sentence of this condition:.*** *Every five years (by the end of February each period) during the operation of the quarry, the quarry operator shall submit:* ***[Comment: An annual survey is excessive. A lower frequency (e.g. every 5 years) has been adopted and agreed with other planning authorities].***
12	**ANNUAL ENVIRONMENTAL AUDIT** On an annual basis (by the end of February each year) for the permitted lifetime of the quarry, three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose names shall be submitted to the Planning Authority for prior approval, and shall contain the following: a) A record of all movement of heavy vehicles, outside the permitted operating hours. b) A record of surface water quality, and groundwater quality and levels, measured at monthly intervals c) A full record of any breaches over the previous year of dust, noise, vibration / air overpressure, and water quality standards. d) A written record of all complaints received, including actions taken on each complaint.	***Noted.*** ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. An annual environmental audit is carried out as part of this EMS. The scope of the audit will be reviewed to include items listed in Condition No. 12, if these are not already covered in the existing audit process]***

	Reason: To ensure that the quarry shall be operated in compliance with the stated standards in the interests of residential amenity, pollution control, public heath and the proper planning and sustainable development of the area.	
13	**FUTURE CHANGED STANDARDS** Notwithstanding the current environmental standards for noise, vibration, and dust contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (Non Scheduled Minerals)", should these standards be revised in the future or should new standards be introduced, either by legislation or guidance from the Environmental Protection Agency or its successor, the quarry operations shall be carried out in compliance with the revised standards **Reasons**: In the interests of residential amenity, pollution control, public health, and the proper planning and sustainable development of the area.	***Delete this condition:*** ***[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. It is reviewed on an annual basis and where required revisions are made to environmental management and monitoring practices at the quarry to ensure ongoing implementation of best environmental management practices for the sector, including a review of the relevant environmental threshold limit values.]***
14	**CONTROL OF EXTERNAL LIGHTING** Within three months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the planning authority. The scheme	***Delete this condition:*** ***[Comment: This is an operating quarry with external lighting in place for the past 35 years.***

	shall be designed, installed and operated, so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over-lighting. Measure shall be included to provide adequate screening from adjacent areas where appropriate **Reason**: In the interests of residential amenity, air and traffic safety, and the proper planning and sustainable development of the area.	***The quarry is located within a city urban environment, and is not a Greenfield quarry in a rural setting].***
15	**LIMITATION OF RATE OF MOVEMENT OF TRUCKS** The rate of movement of trucks generated by the operation of the quarry shall not exceed the total number of movements in and out of the quarry per hour as detailed in the documents submitted in connection with the registration of the quarry. **Reason**: In the interests of traffic safety, residential amenity and the proper planning and sustainable development of the area.	***Revise the wording of this condition:*** ***MOVEMENT OF TRUCKS*** *The number of truck movements at each exit generated by the operation of the quarry shall not exceed the number of movements in and out per hour as detailed in the documents submitted in connection with the registration of the quarry. Trucks transporting quarry products (crushed stone) to the market shall operate between the hours of 07.00 to 20.00 hrs. Monday to Friday; and 07.00 to 18.00 hrs. on Saturdays. Trucks may operate outside these hours to serve projects / customers described in Appendix D of the registration submission for this quarry and such activity shall comply with the noise threshold limit values specified Condition No.6.* ***[Comment: The quarry registration form was not specific in terms of multiple exits for quarry operations such as Belgard Quarry. Potential impacts (such as noise) associated with traffic are localised and are related to the volume of traffic movements at each exit***

		location. *For clarification, the traffic movements stated in the registration documentation submitted for this quarry refer to the movement of trucks (transporting quarry stone products to the market) at each of the three exit points from the quarry].*
16	**ADVANCED WARNING SIGNS** Metal advance warning signs shall be erected at all site entrances and exits. These signs shall be maintained in good and clean condition. The material, content, design and location of these signs shall be agreed with the Planning Authority. **Reason**: In the interests of traffic safety.	***Noted.*** *[Comment: There is existing signage in place at all site entrances and exits].*
17	**MAINTENANCE OF PUBLIC ROADWAY** No waste, debris, excavated materials or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc. in the vicinity of the site. The quarry operator shall be responsible for maintaining the public roadways in the vicinity of the site entrances / exits in a clean state, free from mud and other debris caused by the haulage of such material. **Reason**: In the interests of traffic safety and residential amenity.	***Noted.***

18	**WHEEL WASHING FACILITY** (a) A concrete apron shall be provided at the site exits to the public road for a minimum distance of 30m in to the site. This apron shall be kept free from soil, sand and gravel deposits at all times. (b) A wheel washing facility shall be installed at the innermost end of this concrete apron. It shall be proved with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres. (c) All vehicles exiting the site shall use the wheel washing facility, and shall travel only on the apron to the exit. **Reason**: In order to prevent dust emissions in the interests of residential amenity, traffic safety, and the proper planning and sustainable development of the area.	***Revise the wording of this condition:.*** *(a) A paved surface shall be provided at the site exits to the public road. This apron shall be kept free from soil, sand and gravel deposits at all times.* *(b) A wheel washing facility shall be installed at an appropriate location along this paved surface. It shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres.* *(c) All HGV vehicles exiting the site shall use the wheel washing facility, and shall travel on a paved surface to the exit.* ***[Comment: The key issue does not relate to the provision of a 'concrete apron' 30 metres from the exit, but that the wheelwash is installed at an appropriate location and that all HGV vehicles use it before travelling along a paved surface to the exit]***

19	**GRADING FACE OF QUARRY ABUTTING ROADWAY** Where a face of the quarry working abuts a road or laneway, and is below the roadway, the gradient of the face of the working shall provide an in-situ batter not exceeding a gradient of 1 vertical to 2 horizontal. The distance from the top of the batter to the adjoining road / lane boundary shall be not less than 100 metres. If here are trees or a hedge between the excavation and the roadway, this distance shall be increased so that roots of the trees or hedge are not interfered with. If there is a mound being constructed between the quarry face and the road, and the quarry is below the road, the face of the quarry shall be not less than 10 metres from the toe of the mound. **Reason**: To ensure that public roads are not undermined in the interests of traffic and public safety, and in the interests of visual amenity.	*Delete this condition.* *[Comment: This condition relates to stability of the quarry faces and is a health & safety issue. The prescriptive nature of this condition with excessively conservative face angles (26 degrees to the horizontal) and stand-off distances to boundaries (100 metres), if required to be implemented will result in sterilisation of large volumes of limestone. This is a ground for a compensation claim under Section 261 subsection (8) (a).*
20	**RISK ASSESSMENT** Where a face of the quarry abuts a road or laneway and there is a possibility that a vehicle on the road / lane could crash through the boundary fence onto the quarry floor, the operator shall arrange to have a risk assessment of this possible event carried out by a suitably qualified expert. The operator shall implement any recommendations made following the carrying out of this risk assessment. **Reason**: In the interest of public safety and traffic safety.	*Delete this condition.* *[Comment: This is a health & safety issue that falls under the jurisdiction of the Health & Safety Authority.]*
21	**SURFACE WATER RUN-OFF** All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, nor to discharge to any effluent	*Noted.*

	disposal system or public foul sewer **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	
22	**DISCHARGES TO SURFACE OR GROUND WATERS** a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts, 1977 – 1990 or as may be amended from time to time. b) Only clean uncontaminated storm water shall be discharged to surface water. Interceptor traps shall be fitted to the storm water drainage system where appropriate, to prevent accidental spillages of oils, greases solvents or other contaminated matter entering the watercourses or soak ways or groundwater. c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc.) to existing drains or watercourses then the discharge shall be limited 6 litres per second per hectare of impermeable surface to reduce the risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge my means of a 'Hydrobrake' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority. **Reason**: To prevent water pollution and flooding in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Delete Item c) of this condition*** ***[Comment: Roadstone Dublin Ltd. have a current Discharge Licence. As part of this licence they have implemented a water management system on site to store and treat surface water run-off within the quarry. There is attenuation capacity within the existing water management system]***

23	**SURFACE WATER RUN-OFF FROM OPEN CUT AREAS** Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses and wells shall be maintained **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Noted.***
24	**SURFACE WATER FROM THE PLANT AREA, QUARRY FLOOR AND INTERNAL HAUL ROADS** a) All surface water from the plan area, quarry floor and internal haul roads shall be directed to sumps and discharged from there to settling lagoons. b) The settling lagoons shall be of an adequate size and properly maintained to ensure the efficient removal of suspended solids. c) Site roads and approaches to river crossings shall be regularly brushed or scraped and kept free from dust and mud deposits. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Noted.***

25	**GROUND WATER LEVELS** The water table level shall be determined before any stripping or excavation takes place. A record of ground water levels shall be taken at monthly intervals. The highest water table level shall be used to determine the depth to which excavation may be taken. No excavation shall take place within 1.5m of the highest water table level. Working shall not take place below water table level. **Reason:** In the interest of public health, the protection of ground water resources, and the proper planning and sustainable development of the area.	***Revise the wording of this condition, as follows:*** *" A groundwater level monitoring programme shall be implemented at the quarry. Groundwater levels shall be recorded at monthly intervals, and reported to the planning authority on a quarterly basis."* ***[Comment: This is an existing operating multi-bench limestone quarry that is currently operating below the groundwater table. The quarry is located in a city urban environment where mains water supply is provided to all dwellings and businesses, i.e. there is no dependence on groundwater resources for water supply.*** ***There was no restriction on quarry depth stated in the 1972 planning permission. Any new imposed restriction on the depth of excavation would be a ground for compensation under Section 261].***

26	**PREVENTION OF POLLUTION** a) All over-ground oil or other chemical storage tanks shall be adequately bunded to protect again spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 110% of the capacity of the largest tank. b) Bunds shall be tested at intervals of not more than three years and documentation of tests shall be available for inspection by the Planning Authority. c) All refuelling shall take place on impermeable areas that drain through an interceptor from tanks that are bunded or double skinned. d) All waste oil and chemicals shall be removed from the site and disposed of to the satisfaction of the Water Pollution Control Section of the Local Authority. e) A spill kit shall be maintained on site with adequate supply of containment booms and absorbent materials to deal with any spillage. f) The operator shall ensure that blasting practice minimises the risk of occurrence of nitrate/ammonia residues by proper blast design and implementation, appropriate disposal of any excess explosives, and selection of appropriate type of explosives. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	***Noted.***
27	**SETTLEMENT PONDS** Settlement ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the planning authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. **Reason**: To minimise dust in the interest of the proper planning and sustainable development of the area.	***Revise the wording of the 1st sentence of this condition, as follows:*** *Settlement lagoons / tanks shall be cleaned out by the operator on a regular basis, as necessary for the efficient operation of the lagoons / tanks.* ***[Comment: Management of the settlement lagoons is a quarry operational issue. By***

		prescribing monthly cleaning South Dublin Co. Council are attracting liability, if for example, more regular cleaning of the lagoons was required but not carried out].
28	**DETAILS OF DRAINAGE ARRRANGEMENTS** Within six months of the date of this decision full details including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason**: To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.	*Noted.*
29	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** To In the interests of public health, safety and the proper planning and sustainable development of the area.	*Noted.* *[Comment: Roadstone Dublin Ltd. has implemented an ISO 14000 accredited EMS at the quarry. This includes a record of the types and quantities of wastes generated at the quarry]*

30	**PHASING OF DEVELOPMENT** Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the proposed phasing of extraction for the remaining areas, and the proposed timing of, and proposals for, the rehabilitation of all the areas. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and in the interest of the proper planning and sustainable development of the area.	***Revise the wording of this condition and the reason for the condition*** *Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the depth of the workings, the proposed phasing of extraction for the remaining areas, and the proposed timing of, and proposals for, the restoration of all the areas. This Working Scheme and Restoration Plan shall be updated and submitted to South Dublin County Council at 10 year intervals.* ***Reason:** To ensure proper planning and sustainable development of the area, and satisfactory restoration of the site.*
31	**REHABILITATION AND LANDSCAPING** a) Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the rehabilitation and landscaping of existing worked out portions of the quarry and measures to ensure public safety therein. Separate proposals for the rehabilitation and landscaping of future worked	***Revise the wording of Part a) of this condition to include boundary treatment*** ***The term 'Restoration & Afteruse' has been adopted in accordance with the EPA (2006) Environmental Management Guidelines (Section 3.6, page 14, refer to copy enclosed), and the DoEHLG (2004) Planning Guidelines***

	out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority. b) The proposals shall, inter alia, provide for the phased carrying out of rehabilitation and landscaping operations within a definite period or periods related to the anticipated pace of extraction operations, and shall provide for the grading of surface levels, seeding and planting works, surface and sub-surface drainage and attenuation as per the Greater Dublin Strategic Drainage Study guidelines, planting and seeding works and details of future maintenance. The proposals shall be prepared by landscape architects with experience in the remediation / rehabilitation of quarries. c) The source of all material proposed to be used in respect of all rehabilitation works, together with full details of the type of material and the quantities involved, shall be submitted as part of the rehabilitation and landscaping proposals. **Reason**: To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area and sustainable development of the area.	***for the sector (Section 2.6, page 19 and Section 4.7 (i), page 35)*** a) *Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration and afteruse of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the restoration, afteruse and landscaping of existing worked out portions of the quarry and landscaping / boundary treatment for the entire quarry area to ensure public safety therein. Separate proposals for the restoration, afteruse and landscaping of future worked out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority.*
32	**LANDSCAPING AND BOUNDARY TREATMENT** Within six months of the date of this decision a comprehensive landscaping scheme to screen views of the quarry workings from all adjacent areas outside the site, shall be submitted for the written agreement of the Planning Authority. The scheme shall include detailed drawings and specifications of proposals for appropriate landscaping and boundary treatment, including tree planting and mounding, and a satisfactory time frame for the implementation of the scheme. A survey of all trees and hedgerows on the lands carried out by a competent professional to B.S. 5837 shall be submitted as part of the scheme. The agreed scheme shall be implemented to the satisfaction of the Planning Authority.	***Delete this condition*** ***[Comment: Landscaping is included under Condition No. 31 – repetition of Condition No. 31]***

	Reason: In the interests of residential and visual amenity and the proper planning and sustainable development of the area.	
33	**REHABILITATION ON CESSATION OF WORKS** a) On cessation of quarrying operations, all plant and surface equipment shall be removed form the site within 12 months of the date of such cessation. The whole of the surface area (including the slopes and sections containing deposition accruing from the operation of the quarry) shall be rehabilitated by the appropriate land shaping of the ground in relation to the contours of adjoining land. b) Specifications and drawings indicating the proposed works to rehabilitate the site, existing contours, and the grading and levels of the final contours to which the rehabilitation shall be carried out, shall be submitted to the Planning Authority for agreement in writing. c) The work shall not commence until such agreement has been issued in writing and the agreed works shall be completed to the satisfaction of the Planning Authority. d) Any re-use or change of use of the lands shall be subject to a separate grant of planning permission for such use. **Reason**: To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.	*Delete this condition* ***[Comment: Restoration is included under Condition No. 31 – repetition of Condition No. 31]***

34	**STORAGE OF TOPSOIL** All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil shall be stockpiled in mounds not greater than one metre in height to ensure that the soil flora and fauna are not destroyed. **Reason**: To ensure the satisfactory restoration of the site in the interests of visual Amenity and the proper planning and sustainable development of the area.	***Revise the wording of the 2nd sentence of this condition, as follows:*** *Topsoil shall be stockpiled in mounds not greater than three metres in height.* ***[Comment: a 1metre height restriction is unnecessarily low and would result in large areas being sterilised by topsoil storage].***
35	**STORAGE AND USE OF UNUSABLE/WASTE MATERIALS** The unusable materials accruing from current working shall be stored separately. Thereafter, it shall be deposited in excavated areas, and any future waste materials shall not be deposited above the general level of the ground but shall be deposited in excavated areas as rehabilitation proceeds. Such material shall have occurred naturally on the site and not as a result of previous filling. Any material which is classed as waste shall be disposed of at an authorised facility by authorised waste carriers. **Reason**: To ensure the satisfactory restoration of the site in the interests of the visual amenity and proper planning and sustainable development of the area.	***Delete this condition.*** ***[Comment: Restoration is included under Condition No. 31 – repetition of Condition No. 31]***
36	**SAFETY MEASURES** Within six months of the date of this decision the operator shall submit for the written agreement of the Planning Authority details of the safety measures, including adequate fencing, to prevent access to the edge of all slopes and vertical faces within the quarry lands and the agreed safety measure shall be implemented to the satisfaction of the Planning Authority. These measures shall include details of any grading and/or stepping of the sides of the excavation adjacent to land not in use or	***Delete this condition.*** ***[Comment: It refers to health and safety which is under the jurisdiction of the Health & Safety Authority.*** ***By imposing conditions related to health &***

	required for quarrying operations. **Reason**: In the interest of public safety.	***safety issues South Dublin Co. Council are attracting potential liability for these issues.]***
37	**SECURITY FOR COMPLIANCE WITH CONDITIONS** Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €10,000,000 (Ten million euro), for the purpose of ensuring that the Planning Authority have a ready sanction to render the site safe in the event that the operator fails to continue to operate or secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index. **Reason**: The site has the potential to be a seriously dangerous place either in the event of it being subject to trespass by members of the public or in the event of it filling with water or other similar event which could present danger to the public or to public heath, and it is considered reasonable that the owner / operator should provide such security to enable the Planning Authority to take protective measures and to provide for the rehabilitation of the site.	***Revise the wording of this condition and reason for the condition, as follows:*** *"Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €2,450,000 (Two million, four hundred and fifty thousand euro), for the purpose of ensuring that the Planning Authority have a ready sanction to restore the site in the event that the operator fails to restore the site in accordance with the scheme submitted under Condition No. 31 above, to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index.* *Reason: To ensure satisfactory reinstatement and restoration of the site."* ***[Comment: Average restoration costs for this type of development are of the order***

		of €5,000 per acre. The proposed final extraction area covers approximately 198 hectares (490 acres). This equates to a restoration cost of €2,450,000. Condition No. 10 of the 1972 permission refers to a financial surety of £250 per acre. *The surety shall apply to restoration of the quarry only not operational issues as stated in the condition. Provision is made within the Planning & Development Act, 2000, that allows the Planning Authority to take enforcement action in the event of non-compliance.]*
38	**ARCHAEOLOGICAL IMPACT ASSESSMENT** a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) possible (Ref. DU021—25). The AIA Shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/field survey, aerial photography and if necessary geophysical survey, etc. b) The AIA shall be submitted to the Heritage and Planning division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. The archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government. c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division	*Delete 2nd and 3rd sentences of Item b).* *[Comment: These sentences pre-exempt the findings of the Archaeological Impact Assessment and should be deleted.]*

	of the Department of the Environment Heritage and Local Government. d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator. **Reason**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.	
39	**DISCOVERY OF REMAINS OF ARCHAEOLOGICAL OR HISTORIC INTEREST** At all times during the stripping of overburden on the site a suitably licensed archaeologist shall be present to monitor the work. In the event of any remains of archaeological or historic interest being discovered on the site, the Planning Authority shall be informed immediately. All works affecting these remains shall cease immediately and shall not recommence until approval in writing has been received from the planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **Reason**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.	***Revise the wording of the 1st sentence of this condition, as follows:*** *"At all times during the stripping of topsoil on the site a suitably licensed archaeologist shall be present to monitor the work."* ***[Comment: replace 'overburden' with 'topsoil', as this is the medium that may potentially host artefacts of archaeological interest. Overburden is natural undisturbed soil that by its nature cannot therefore host any artefacts of archaeological interest.]***
40	**ARCHITECTURAL HERITAGE IMPACT ASSESSMENT** a) Within six months of the date of this decision an Architectural Heritage Impact Assessment (AHIA) shall be submitted to the Planning Authority and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. The AHIA shall detail the potential visual and other impacts of the quarry operations on the conservation value of Belgard Castle, a Protected Structure (Map Ref. 206 as listed in the Council's Record of Protected Structures), including its curtilege and	***Noted.***

	attendant grounds as relevant, and any mitigation measures. The Architectural Heritage Impact Assessment shall be prepared by a suitably qualified person and the costs of preparing the AHIA shall be at the expense of the quarry owner / operator. b) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Protected Structure, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **REASON**: To facilitate the investigation and protection of the protected structure on the site in the interests of the proper planning and sustainable development of the area.	
41	**STANDARD DEVELOPMENT CONTRIBUTION** The owner / operator shall pay the sum of €500,000 (Five hundred thousand euro), updated to the appropriate rate at the date of the coming into effect of these conditions, or any amendments thereto, in accordance with changes in the Tender Price Index, to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the County Council as provided for in the Development Contribution Scheme for the County, made by the Council. This development contribution shall be payable at the rate of €1.00 per tonne extracted from the quarry, until an amount of €500,000, as adjusted, has been paid, or within 12 months of the date of the decision, whichever is the earlier. **REASON**: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended with be provided, by or on behalf of the Local Authority.	*Delete this condition.* *[Comment: There are no financial contributions stated in the 1972 permission.* *The Development Contribution Scheme does not apply to Section 261 where existing permissions are being reviewed and modified.* *If South Dublin Co. Council (SDCC) imposes a financial contribution under the Development Contribution Scheme, it would be grounds for a compensation claim under Section 261, subsection (8) (a).* *Notwithstanding the above, it should be noted that there is no provision in the South Dublin County Council Development Contribution Scheme 2003 to levy a development contribution on the Extractive Industry]*

42	**SPECIAL DEVELOPMENT CONTRIBUTION** The owner/ operator shall pay, to South Dublin County Council a Special Contribution in the sum of €5,000,000 (Five million euros) pursuant to the provision of Section 48(2)(c) of the Planning and Development Act 2000, towards the expenditure incurred, or to be incurred, by the Council in the provision of the Outer Ring Road Phase from the N7 to the N81 which facilitates this development. Payment of this development contribution to be made within 12 months of this decision. **Reason**: The Council is expending a sum of €32 million on the provision of this road. This road will provide new frontage of approximately 1,200 metres to the applicants lands and will facilitate the site of the development, enhancing access to the site and easing traffic movement in the immediate vicinity of the site and its is considered reasonable that the owner / operator should contribute towards its provision.	*Delete this condition.* *[Comment: There are no road contributions stated in the 1972 permission.* *The Special Development Contribution scheme does not apply to Section 261 where existing permissions are being reviewed and modified.* *If South Dublin Co. Council (SDCC) imposes a financial contribution under the Development Contribution Scheme, it would be grounds for a compensation claim under Section 261, subsection (8) (a).* *Roadstone Dublin Ltd. is in negotiation with South Dublin Co. Council on the sale of approximately 15 acres to the council for this road scheme. The 1200 metres of road frontage has no material benefit to the company and in fact it has the opposite effect in that it sterilises a very significant valuable limestone reserves. The reason for this condition is not valid]*

PR/0792/07

Record of Executive Business and Manager's Order

Sections 261(6) of the Planning & Development Act, 2000

Belgard Quarry, Fortunestown, Tallaght.
Register Reference SDQU05A/2

Date of Registration	22 April 2005
Reg Ref No:	SDQU05A/2
Operator:	Roadstone Dublin Ltd.
Location:	Belgard
Area of Site:	298.2 ha.
Extracted Area	49.8 ha.
Extractable Area:	192.6 ha.
Extracted Material:	Limestone
Extraction Method:	Drilling & Blasting
Ancillary Operations:	Concrete blocks, paving, asphalt, mortar, pre-cast wall panel, flag, C&D Waste recycling facility.
IPC Licence:	None
Other Licences:	Section 4 (discharge to waters) licence issued. Permit issued for a waste recovery operation in Belgard Quarry.
Monitoring:	Noise & Vibration, Dust, Water
Planning Status:	Planning Permission granted 28th April 1972

SECTION 261 PLANNING AND DEVELOPMENT ACT 2000

Section 261 of the Planning and Development Act 2000 provides for the registration of quarries, other than quarries for which planning permission has been granted less than 5 years prior to the coming into force of section 261. The registration system has two purposes:

- to give a 'snapshot' of the current use of land for quarrying, to ensure that local authorities have basic information about a quarry's operations, planning permission may then be required for any proposed expansion or intensification of its operations;
- where necessary, to permit the introduction of new or modified controls on the operation of certain quarries, either by requiring quarries to comply with new or modified conditions on their operation, or in the case of certain quarries operating since before 1 October 1964 to seek planning permission for their continued operation.

Section 261 requires the owner or operator of a quarry in operation on or after 28th April 2004, for which planning permission was granted more than 5 years prior to the coming into force of section 261, to provide to the planning authority information relating to the operation of the quarry, and on receipt the planning authority shall enter the information in the Planning Register.

Information relating to the Belgard Quarry operated by Roadstone Dublin Limited was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2. Information provided includes a copy of the existing planning permission granted in 1972 Reg. Ref. C.1488, a map of the site, and details of the type of material being extracted, the hours of operation, number of daily vehicle movements, and measures to control noise and dust.

A revised map and other details were subsequently submitted in response to a request for additional information. The map shows the boundaries of the overall site indicated by a red coloured line, the extracted area indicated by a green coloured line, and the extractable area indicated by a blue coloured line.

A statutory public notice published in the Irish Times on 19th October 2005 invited submissions from members of the public on the quarries in respect of which information was submitted by owners / operators. The notice stated the intention of the Planning Authority in respect of Belgard Quarry to restate, modify or add to the conditions of the existing planning permission. No submissions were received during the specified period relating to the Belgard Quarry. However, the Council subsequently received correspondence from the Newlands Golf Club which adjoins the Belgard Quarry, outlining the Club's concerns regarding the effects on the amenity of the golf club premises of noise, vibration and dust resulting from the quarry operations. It is understood that Councilors have received similar representations from Newlands Golf Club.

Under Section 261 a planning authority may not require the submission of a planning application in the case of a quarry with an existing planning permission granted more than five years prior to 28th April 2004, but may decide to restate or modify the conditions of the existing planning permission, or add new conditions, under Section 261(6). The Act allows the Planning Authority a period of two years from the date of registration of the quarry to restate or modify the conditions of the existing planning permission, or to add new conditions. In the case of the Belgard Quarry this period will expire on 21st April 2007.

Where the Planning Authority decides to restate or modify the conditions of the existing planning permission, or add new conditions, it shall serve a notice of its proposals on the owner / operator of the quarry stating the reasons for the proposals and stating that submissions or observations may be made to the Planning Authority within such period as may be specified in the notice, being not less that six weeks from the service of the notice. Where conditions have been restated, modified, or added to, the Act provides that the planning permission shall be deemed to have been granted under section 34 of the Planning and Development Act 2000.

The decision of the Planning Authority may be appealed by the owner / operator within a period of four weeks from the date of receipt of the notification. There is no provision under Section 261 for a third party right of appeal to An Bord Pleanala in relation to any conditions that may be imposed by the Planning Authority. The Board may confirm with or without modifications the decision of the Planning Authority or annul that decision.

Under Section 261(8) where a Planning Authority decides to restate or modify the conditions of the existing planning permission, or add new conditions compensation may be payable where conditions are imposed that are more restrictive than conditions imposed in relation to the existing permission. However, no compensation is payable where the condition relates to:-
- the prevention, limitation or control of emissions from the quarry;
- the reinstatement of land on which the quarry is situated;
- regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant, so far as appears to the planning authority to be expedient for the purposes of or in connection with the development authorised by the permission;
- requiring the carrying out of works (including the provision of facilities) which the planning authority considers are required for the purposes of the development authorised by the permission;
- requiring the taking of measures to reduce or prevent: -
(i) the emission of any noise or vibration from any structure or site comprised in the development authorised by the permission which might give reasonable cause for annoyance either to persons in any premises in the neighbourhood of the development or to persons lawfully using any public place in that neighbourhood; or
(ii) the intrusion of any noise or vibration which might give reasonable cause for annoyance to any person lawfully occupying any such structure or site.

GUIDELINES

The *Quarries and Ancillary Activities Guidelines for Planning Authorities were* published by the Department of Environment Heritage and Local Government in April 2004 under section 28 of the Planning and Development Act 2000, which requires both planning authorities and An Bord Pleanála to have regard to the Guidelines in the performance of their functions. The Guidelines are intended to offer guidance to planning authorities on planning for the quarrying industry through the development plan and determining applications for planning permission for quarrying and ancillary activities, and on the implementation of section 261 of the Planning and Development Act, 2000

SITE LOCATION, DESCRIPTION AND ZONING

The site comprises of an extensive area adjoining the south side of the Naas Road to the west of the Newlands Cross junction with the Belgard Road. It adjoins the Newlands Golf Course to the east and Kingswood village and the Citywest Business Park to the west. It adjoins the Cookstown Road to the south and the reservation for the proposed Outer Ring Road Phase 3 to the west. There are residential areas located to the north, west and south of the site.

In the Development Plan 2004-2010 the area in which the site is located is zoned Objective 'B', "To Protect and Improve Rural Amenity and to Provide for the Development of Agriculture". The land use activities 'Industry – Extractive' and 'Concrete / Asphalt (etc.) Plant in or adjacent to a Quarry' are 'permitted in principle' in areas zoned Objective 'B'.

The relevant Development Plan Policies and Objectives are:-
Policy EE17: Extractive Industry
Development Management Objective 12.3.4 Extractive Industry
Policy AA 1: Protection of Archaeological Heritage
Policy AA 2: Historical and Archaeological Sites and Features
Policy AA 4: Conservation of Buildings Structures and Sites
Local Zoning Objective No. 5 - N7 Gateway Corridor – Upgrading
Roads objectives to build / improve roads in the area including continuation of the Outer Ring Road from the N7 Naas Road to the N81 Blessington Road

The Development Plan 2004-2010 also includes a Local Zoning Objective (*LZO No. 5 - N7 Gateway Corridor – Upgrading*) to prepare a master plan to facilitate high-quality, mixed-use development including offices and residential development on lands adjoining the Naas Road N7 extending from Citywest to the Dublin City Council boundary.

RELEVANT PLANNING HISTORY:

Reg. Ref. C. 1488

A planning permission Reg. Ref. C. 1488 was granted to Roadstone Limited on 28th April 1972 for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Condition No. 1 required that a proposed access from Kingswood be omitted.
Condition No. 2 required revisions to proposed road junction arrangements.
Condition No. 3 limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority.
Condition No. 4 required a detailed scheme for reinstatement and landscaping of the worked out portions of the quarry to be submitted within 12 months of the granting of permission, the scheme to provide for making the land useful for agricultural or recreational purposes and consistent in appearance with the surrounding land.

Condition No. 5 required a detailed scheme showing the location and extent of screening belts of trees and shrubs to be submitted within 6 months of the granting of permission.
Condition No. 6 required retention of existing screening vegetation unless otherwise agreed.
Condition No. 7 required that noise attenuation measures be provided to limit noise levels along the perimeter of the site to not more that 45dbA between 08.00 a.m. and 10.00 p.m., and 35dbA between 10.00 p.m. and 08.00 a.m.
Condition No. 8 required 24 hours advance notice of each explosion be given to adjoining occupants, and limited use of explosives to the period between 08.00 a.m. and 10.00 p.m., subject to use of best practicable means to minimise degree of nuisance caused by explosions.
Condition No. 9 required that quarrying and ancillary operations be contained within the working area of the site as shown on lodged plans and prohibited the placing of machinery and debris on other parts of the site.
Condition No. 10 required security at the rate of £250 per acre to ensure satisfactory completion of reinstatement and landscaping works, subject to adjustment of the amount in line with the current rates for horticultural and general landscape work.

Reg Ref S01A/0195
Proposed development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4,831 sq.m); batching plant incorporating cement silo and aggregate storage bins. No response was received to a request for Additional Information dated 1st June 2001.

SD02A/0167
Planning permission granted for use of a 3.9ha site for the recovery of pre-sorted construction and demolition waste, namely concrete, bricks, tiles and ceramics, asphalt and topsoil.

SD06A/0915
Current planning application for an asphalt plant and ancillary facilities on a site area ca. 3 acres located at Belgard Quarry. Additional Information requested. Applicant SIAC Bituminous Products Ltd.,

ENFORCEMENT HISTORY:

There have been a number of complaints over the last number of years regarding vibrations caused by explosions. These have been referred to other sections of the Council including Environmental Services and Environmental Health Officer.

The Environmental Health Officer records for the most recent period 2004 – 2006 show 2 complaints were received in 2004, and four complaints in each of the other years. The majority of the complaints related to dust, and two (in 2006) refer to blasting. Monitoring records reviewed in relation to the complaints did not show evidence of measurements in excess of accepted limits.

ISSUES ARISING:

A number of issues were identified prior to the Council issuing a draft set of conditions to the owner/operator under Section 261(5) of the Act. These included:

Existing Planning Permission
The existing planning permission for quarrying operations at this quarry was granted 35 years ago. The planning file relating to this permission is not available (C 1488). However, a copy of the decision notice, including the conditions attached, has been submitted with the registration application, and the Bonds and Contribution file is available. Having regard to the length of time that has elapsed since the permission was granted it is considered appropriate to review the conditions attached in order to assess their effectiveness, and to consider what modifications or

additions to the existing conditions are required in order to ensure that the operation of the quarry is appropriately regulated in the interests of the proper planning and sustainable development of the area.

Permitted Extent of Area Under Extraction

Condition No. 3 of planning permission Reg. Ref. C. 1488 limited quarrying initially to a continuous and total area of 50 acres, further quarrying operations to be subject to the prior agreement of the planning authority. There is no record available as to whether agreement was sought and given to extend the quarry. A revised map submitted in response to a request for additional information states that the applicant's present interest comprises a landholding of 298.2 hectares (approx. 745 acres). The extracted area within this landholding (i.e. the area within the green coloured line on the revised map) is stated to comprise of 49.8 hectares (approx. 125 acres). It is evident that the extent of the area extracted in the period since the above permission was granted substantially exceeds the 50 acres (20 ha) initially approved. Furthermore, an examination of aerial photographs of the quarry lands shows that a substantial portion of the area indicated as extracted (i.e. inside the green coloured line) remains to be worked, and this area is more properly described as the area under extraction. A further area comprising of 192.6 hectares (approx. 480 acres) indicated by a blue coloured line constitutes the balance of the extractable area of the quarry.

Taking account of its size (possibly the largest quarry in the country) and its location in a part of the city which is likely to see very considerable new high-density urban development in the short to medium term, and having regard in particular to its proximity to the proposed Metro route, and to the scope of the objective to prepare a master plan for lands adjoining the Naas Road, it is reasonable that the extent of the area under extraction be limited to enable the future environmental impact of the quarry operations to be assessed in the light of the likely further consolidation and densification of development in the area. It is recommended that the extraction of rock be confined to the area currently under extraction as defined by the green coloured line (125 acres) and that rock extraction on lands outside this area be subject to a separate grant of planning permission.

Life of the Permission

It is estimated that the area under extraction represents 26% of the stated extractable area, and that the extractable area is approximately four times larger than the area currently under extraction. As the quarry has been operating for 35 years it is reasonable to assume that it could have a potential further life in excess of 80 to 100 years. It is therefore reasonable that the quarry should not have the benefit of a planning permission for an indefinite period of time, having regard to the likely significant future development in the local area. It is recommended that the planning permission be subject to further review within an appropriate timescale to enable the operation of the quarry to be reassessed in the light of such changed circumstances. A condition limiting the life of the permission to a further 10 years is therefore recommended.

Operating Hours

The stated quarry operating hours are 07.00-24.00 Monday to Friday, and 07.00-18.00 Saturday. No condition limiting the hours of operation is included in the current planning permission. However, conditions Nos. 7 and 8 of the latter detail restrictions on noise and blasting after 22.00 hours, and these could reasonably be inferred to be a restriction on quarrying operations after that hour. It is noted that no other quarry in the County operates normally after 20.00 hours. The Quarries and Ancillary Activities Guidelines for Planning Authorities 2004 recommend that normal operations should be confined to the hours between 07.00 and 18.00, Monday to Friday inclusive (excluding Bank Holidays) or as may be agreed with the planning authority, and between 07.00 and 14.00 on Saturdays. It is considered reasonable that the normal hours of operation be limited to 07.00 to 20.00 Monday to Friday,

and 07.00 to 14.00 on Saturday, having regard to the proximity of the quarry site to existing and likely future residential development in the area.

Manufacturing Activities

There is no detailed information in the registration application relating to manufacturing activities on the site such as block making or stone coating, including the location and extent of buildings etc. The definition of 'quarry' in the Mines and Quarries Act 1965 does not include ancillary manufacturing activities such as block making. Section 3(3) of that Act states:

> "quarry" includes any place on the surface surrounding or adjacent to the quarry occupied together with the quarry for the storage or removal of the minerals or for the purposes of a process ancillary to the getting of minerals, including the breaking, crushing, grinding, screening, washing or dressing of such minerals but, subject thereto, does not include any place at which any manufacturing process is carried on.

Such ancillary activities do not therefore come within the scope of this report.

Management of Environmental Impacts

The applicant has submitted the results of blasting, dust, and water monitoring carried out on the site, and states that an environmental management system (EMS), which has ISO 14001 accreditation certified by NSAI, has been operated on the site since 2001, and that the EMS addresses all of the environmental aspects of quarrying at the site. Having regard to the lapse of time since the existing planning permission conditions were formulated it is appropriate that revised conditions reflecting current environmental standards be applied to the quarrying operations on the lands. Furthermore having regard to the location of the quarry site within an urban area that is likely to experience significant consolidation and densification involving mixed-use development over the next decade, it is recommended that conditions regulating environmental impacts should include appropriate requirements for monitoring and consultation.

A condition limiting the rate of movement of quarry related HGV traffic to the present rate as stated in the registration application details is also recommended having regard to the above considerations. On the basis of the information provided in the registration applications for the other quarries in the County it is estimated that the volume of material transported from the Belgard Quarry is 2 to 3 times greater than any other quarry. Any proposed significant increase on the present level of traffic generated by the quarry should be subject to a traffic impact assessment as part of a separate planning application.

Phasing of Works and Reinstatement of the excavated areas

There is no information available regarding any reinstatement of excavated areas carried out to date. In view of the extent of the area under extraction as noted above, and the extensive reserve area which is almost four times the size of the current extraction area, it is appropriate that reinstatement be undertaken on an on-going basis. As noted above Condition No. 4 of the original planning permission (C. 1488) required a detailed scheme to be submitted. It is appropriate that detailed arrangements in this regard, including appropriate phasing of works, be agreed to ensure the future satisfactory rehabilitation of the quarry workings on a progressive basis.

Landscaping Measures

Having regard to the length of time since the original permission was granted and to the apparent substantial extension of the quarry area in that period it is appropriate to require the operator to review the effectiveness of any landscaping measures undertaken to date to screen the site, and to implement further measures as appropriate. Existing earth embankments screening the site in the Fortunestown Lane area are visually prominent, viewed from adjoining housing areas, and revised landscape treatment is desirable to ensure that the visual amenities of adjoining areas are protected.

Financial Bond and Contributions
It appears from Council records that security by way of a bond, guarantee or cash deposit required in accordance with condition No. 10 of permission Reg. Ref. C.1488 was not provided to the Council. A new condition requiring security for the satisfactory implementation of conditions attached to the permission is recommended to enable the Planning authority to carry out appropriate works in the event of non-compliance. Conditions requiring appropriate financial contributions are also recommended.

Recorded Monuments and Protected Structure
There are two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). Belgard Castle, a Protected Structure (Map Ref. 206) is also located on the lands. There are no conditions attached to the existing planning permission providing for appropriate protection of these heritage features. It is appropriate therefore that satisfactory arrangements be required to be implemented to ensure their protection.

Notice Under Section 261(5)

In view of the long period of time that has elapsed since planning permission was granted for a quarry at this location, the extent of quarrying carried out since permission was granted, the scale of the existing quarrying operation, the considerable potential for further quarrying, and the likely future significant development in the local area in which the quarry is located, draft conditions were formulated in place of those previously existing on the 1972 planning permission, having regard to the provisions of the Act, the South Dublin County Development Plan, and to the Quarries and Ancillary Activities Guidelines 2004, in the interests of the proper planning and sustainable development of the area.

CONSULTATION WITH OWNER / OPERATOR UNDER SECTION 261(5)

In accordance with Section 261(5) of the Planning and Development Act 2000 a notice was served on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, on 16th January 2007, stating the proposals of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and inviting submissions or observations on the proposed conditions.

A submission was received from Roadstone Dublin Limited on 1st March 2007 setting out the company's comments on the proposed conditions.

Condition 2 Topographical Survey
The submission states that proposed Condition No.2 is noted.

Comment on submission
It is recommended that the condition be revised to provide for the submission of a Digital Terrain Model as this will provide a better quality of information into the future than a Topographical Survey.

Condition 3 Life of Permission
In relation to proposed Condition No.3 the submission states that there is no condition in the existing permission limiting the life of the quarry, and that any such condition would be grounds for compensation. As an alternative it suggests that proposed Condition No. 30 be modified to provide for 10-yearly updating of the phasing programme, and notes that the Environmental Management System applying to the quarry is reviewed annually and revisions are made where

required to ensure ongoing implementation of best environmental management practices for the sector.

Comment on submission
This quarry has a potential working life of in excess of 50 years. Periodic updating of the work programme would have to be conditioned to be subject to the written agreement of the planning authority to enable the PA to maintain control. Having regard to the above it is recommended that the proposed condition be deleted.

Condition 4 Extent of Area to be Extracted
In relation to proposed Condition No. 4 the submission proposes that the condition be revised to restrict quarrying to the area within the blue-coloured line shown on the map submitted with the registration application. It further states that the reserves within the site are of strategic national importance, and that the area within the green coloured line as indicated on Drg. Fig.1-FI1 shows the extracted area as at 28 February 2005, and does not include the full extent of the quarry development including internal haul roads, screening berms, stripped areas, stockpiles etc., and furthermore was not intended to provide a basis to restrict the extent of quarry development.

Comment on submission:
The existing permission placed a limit of 50 acres (20 ha.) on the area that could be quarried (Condition No. 3), and restricted quarrying and ancillary operations to be contained within the working area of the site (Condition No. 9). It is apparent that the existing quarry operations including the extraction, crushing, screening and storage of stone product, occupy an area. which is well in excess of the area indicated in Conditions No 3 and No. 9 of C.1488. The area within the blue coloured line shown on drawings submitted comprises of 192.6 ha. (476 acres), and is almost 10 times as large as the originally approved area.

Having regard to the limitation of the extent of the quarry permitted under Register Reference C.1488 and the extent to which the quarry currently exceeds the permitted area, and having regard to the location of the quarry lands within an urban area, it is considered reasonable and in the interest of residential and visual amenity and the proper planning and sustainable development of the area, that a limitation be placed on the area of the quarrying operation. It is therefore recommended that the proposed condition be revised to provide that the extraction of rock be restricted to the area as delineated on Drawing Ref. SDQU05A/2 DP01 comprising of 102 hectares (250 acres). This area is twice the current excavated area as defined by the green line indicated in the revised map submitted as additional information, and is five times larger than the originally approved quarry area. It is considered that this allows reasonable scope to continue working the quarry for the forseeable future.

It should be noted that the depth of the quarry excavation also has a direct bearing on the length of the working life of the quarry. While the proposed revised condition limits the surface area of the quarry it does not restrict the depth of the workings. It appears possible that the quarry area could therefore be excavated to a substantial depth below the present quarry floor level resulting in a deep void extending over a surface area of several hundred acres enclosed by steep faces. Having regard to the location of the quarry within a rapidly developing urban area, the large extent and likely substantial depth of the quarry workings raise significant issues regarding how the land could be rehabilitated and re-used following the cessation of quarrying. This scenario represents a potential loss of valuable urban land that could otherwise be developed to accommodate a new urban extension on the scale of Adamstown. This will need to be considered in the formulation of a phasing and rehabilitation programme for the future sustainable development of the quarry, as required to be agreed under the relevant conditions attached hereto.

Condition 5 Operating Hours

In relation to proposed Condition No. 5 the submission requests that the condition be revised to permit quarry plant operating hours from 07.00-24.00 Monday to Friday, and 07.00-18.00 Saturday, and also outside the above hours provided that noise levels arising from the activities comply with the noise limits specified in proposed Condition No. 6. It notes that no operating hours are specified in the existing permission and claims that any restriction would be grounds for a claim for compensation under Section 261(8).

Comment on submission
Having regard to the above it is recommended that the hours of operation be conditioned as per the details submitted with the registration application as detailed above.

Condition 6 Noise Limits
In relation to proposed Condition No.6 the submission states that the Quarry Guidelines do not recommend 'daily monitoring', the EMS implemented at the quarry includes a noise monitoring programme, and noise monitoring is typically carried out on a quarterly basis..

Comment on submission:
It is recommended that the proposed condition be revised as requested.

Condition 7 Blasting
In relation to proposed Condition No.7 the submission states that considering the location of this quarry in an urban environment it is not practical or physically possible to individually notify all landowners and occupiers within 500 metres of the quarry, and the existing siren system is adequate. Submission of monitoring results on a quarterly basis is also suggested.

Comment on submission:
It is recommended that the proposed condition be revised to restrict blasting to 09.00-18.00 hours. No change is recommended to the requirements in relation to notification under part d). A new condition requiring quarterly submission of monitoring data in respect of noise, blasting and dust is recommended in accordance with the recommendation of the EHO

Condition 8 Control of Dust
In relation to proposed Condition No.8 the submission requests that 8(c) be revised to omit the requirement for monitoring of particulate emissions as this is not in the Guidelines.

Comment on submission:
It is recommended that the proposed condition be revised as suggested.

Condition 9 Consultation
In relation to proposed Condition No.9 the submission suggests that the proposed condition be revised to require public notices to be provided at the site entrances, and a complaints register maintained under the EMS to be reviewed at 6 monthly intervals, and that part c) be revised to provide that a local forum be established by the Planning Authority to meet once yearly.

Comment on submission:
It is recommended that the condition be revised to provide for the erection of public notices as suggested, however it is considered that a local consultative group should be established by the operator as required in the proposed condition, having regard to the scale of the quarry within this urban area, and persistent local concerns in relation to the quarry operations.

Condition 10 access for monitoring

In relation to proposed Condition No.10 the submission suggests that the EPA should not be included as an IPPC license is not required, and that authorised officers be required to check in with the quarry manager..

Comment on submission:
It is recommended that the EPA reference be retained and that the proposed condition be otherwise revised as suggested..

Condition 11 Annual topographical survey
In relation to proposed Condition No. 11 the submission states that an annual survey is excessive, and that it is normal practice in other council areas to require a survey every 5 years.

Comment on submission
It is recommended that the condition be revised to require that an up to date Digital Terrain Model of the entire lands within the site boundary be submitted for approval every five years during the operating life of the quarry, as this will provide a better quality of information into the future than a topographical survey.

Condition 13 Future Changed Standards
In relation to proposed Condition No.13 the submission proposes that this condition be deleted as the EMS for the site is reviewed annually and revised to ensure implementation of best practices, including review of relevant environmental threshold limit values.

Comment on submission:
It is recommended that the condition be retained as proposed.

Condition 14 Control of External Lighting
In relation to proposed Condition No.14 the submission proposes that this condition be deleted as the quarry is located in an urban area.

Comment on submission:
It is recommended that this condition be retained as proposed, having regard to the location of the quarry in relation to the approach to Casement Aerodrome.

Condition 15 Truck movements
In relation to proposed Condition No.15 the submission states that the 50 quarry truck movements (25 in / 25 out per hour) stated in the application relates to each of the three entrances / exits, and proposes revised wording for the condition to provide for this clarification and times of daily despatch hours and for out of hours deliveries subject to compliance with specified noise standards.

Comment on submission:
It is recommended that the condition be retained as proposed having regard to concerns raised regarding the effects of the noise of trucks using the site exits at night on residents in the vicinity.

Condition 16 Advanced Warning signs
In relation to proposed Condition No.16 the submission states that there is existing signage in place at all site entrances and exits.

Comment on submission:
It is recommended that the condition be retained as proposed.

Condition 18 Wheel Washing Facility
In relation to proposed Condition No.18 the submission states that the key issue does not relate to the provision of a 'concrete apron' 30 metres from the exit, but that the wheel wash is installed at an appropriate location and that all HGV vehicles use it before travelling along a paved surface to the exit. A revised wording for the condition is suggested.

Comment on submission:
It is recommended that the condition be revised as proposed.

Condition 19 Grading Face of Quarry Abutting Roadway
In relation to proposed Condition No. 19 the submission states that the condition relates to health and safety matters and would result in the sterilisation of large volumes of rock and this would be grounds for a compensation claim under Section 261(8).

Comment on submission
Having regard to the above it is recommended that the condition be omitted.

Condition 20 Risk Assessment
In relation to proposed Condition No.20 the submission states that this is a health and safety issue that falls under the jurisdiction of the Health and Safety Authority, and suggests that the condition be deleted.

Comment on submission:
It is recommended that the condition be deleted as proposed.

Condition 22 Discharges to Surface or Ground Waters
In relation to proposed Condition No.22 the submission suggests that part c) be deleted as they have a current discharge licence under which they have implemented a water management system to store and treat surface water run-off within the quarry. There is attenuation capacity within the existing water management system.

Comment on submission:
It is recommended on the advice of Environmental Services Department that the condition be retained as proposed as the 6 litre p/s/ha standard is equivalent to run-off rate from unpaved land surfaces.

Condition 25 Ground Water Levels
In relation to proposed Condition No.25 the submission states that the existing quarry is operating below the water table, and there is no dependence on groundwater resources for water supply in the area. There was no restriction on quarry depth in the 1972 planning permission. Any new imposed restriction on the depth of the excavation would be a ground for compensation under Section 261. It proposes re-wording the condition to require groundwater level monitoring at monthly intervals, and reporting to the Planning Authority on a quarterly basis.

Comment on submission
It is understood that issues relating to groundwater lie within the ambit of the Eastern River Basin Management under the GDSDS and the Water Framework Directive. It is recommended that the condition be revised as suggested, and also to provide that a hydrological / hydrogeological survey be carried out having regard to the Water Framework Directive.

Condition 27
In relation to proposed Condition No.27 the submission states that this is an operational issue. By prescribing monthly cleaning SDCC is attracting liability e.g. if more regular cleaning was required but not carried out, and propose re-wording the condition accordingly.

Comment on submission:
It is recommended that the condition be revised as proposed with the addition of a provision to ensure the operation is done in an environmentally acceptable manner.

Condition 30 Phasing of Development
In relation to proposed Condition No.30 the submission suggests re-wording the condition to provide that the phasing programme shall indicate 'depth of workings', and proposals for restoration of all areas. Also that "This Working Scheme and Restoration Plan shall be updated and submitted to SDCC at 10 years intervals."

Comment on submission
It is recommended that the condition be revised to provide for a 5 year period for updating the phasing programme.

Condition 31 Rehabilitation and Landscaping
In relation to proposed Condition No.31 the submission suggests that the condition be re-worded to replace 'rehabilitation' with 'restoration', and to include "landscaping / boundary treatment for the entire quarry area.", and that the proposed Condition No. 32 Landscaping and Boundary Treatment be omitted.

Comment on submission
It is recommended that Condition 32 be retained as it provides in more detail for landscaping and boundary treatment, which it is considered require comprehensive assessment and proposals for further screening which is highly desirable having regard to the scale of the quarry workings and to its steady incorporation within this rapidly expanding urban area.

Condition 33 Rehabilitation on Cessation of Works
In relation to proposed Condition No.33 the submission recommends deleting this condition as Restoration is included in condition 31.

Comment on submission
It is recommended that Condition 33 be retained as it details requirements for the removal of plant and equipment on cessation of works, requires full details of rehabilitation works to be submitted, requires detailed works to be agreed before works commence, and requires any change of use to be subject to a separate planning permission. These issues are not covered by condition 31.

Condition 34 Storage of Topsoil
In relation to proposed Condition No.34 the submission suggests that the one metre height limit of topsoil mound be changed to three metres as the requirement would otherwise sterilise large area of the quarry.

Comment on submission:
It is recommended that the condition be revised to omit specific heights.

Condition 35 Storage and Use of Unusable / Waste Materials

In relation to proposed Condition No.35 the submission suggests deleting this condition as restoration is included under condition 31.

Comment on submission:
It is recommended that this condition be deleted as suggested.

Condition 36 Safety Measures
In relation to proposed Condition No.36 the submission suggests deleting this condition as it refers to health and safety which is under the jurisdiction of the Health & Safety Authority, and by imposing the condition SDCC are attracting potential liability for these issues.

Comment on submission:
It is recommended that this condition be deleted as suggested.

Condition 37 Security for compliance
In relation to proposed Condition No.37 the submission states that a €10 million bond would be expensive to maintain and is excessive and requests that the amount of the bond be reduced to €2.45 million. It also suggests that the surety should apply only to restoration and not to operational issues as the P&D Act allows the Planning Authority to take enforcement action in the event of non-compliance.

Comment on submission
It is recommended that the condition be revised to provide for security in the amount of €2.5 million and that the condition be re-worded as suggested.

Condition 38 Archaeological Impact Assessment
In relation to proposed Condition No.38 the submission suggests deleting 2nd and 3rd sentences of part (b) as these pre-exempt the findings of the AIA.

Comment on submission:
It is recommended that these parts be retained and that the wording be revised to insert 'In the event that the AIA indicates significant archaeological potential ..' at beginning of 2nd sentence.

Condition 39 Discovery of Remains of Archaeological or Historical Interest
In relation to proposed Condition No.39 the submission suggests replacing 'overburden' with 'topsoil' as this is the medium that may potentially host artefacts of archaeological interest.

Comment on submission:
Overburden is defined in the draft EPA Guidelines for Regulators as "clay and soil/topsoil overlaying aggregate to be extracted". Accordingly, no change is recommended to the wording of the proposed condition.

Conditions 41 Standard Development Contribution
In relation to proposed Condition No.41 the submission requests that this condition be deleted as there are no financial contributions stated in the 1972 permission. The Development Contribution Scheme does not apply to Section 261 where existing permissions are being reviewed and modified. If it is imposed it will be grounds for Roadstone to claim compensation under Section 261(8)(a). There is no provision in the SDCC Development Contribution Scheme 2003 to levy a development contribution on the extractive industry.

Comment on submission
It is recommended that the condition be omitted having regard to the above comments.

Conditions 42 Special Development Contribution

In relation to proposed Condition No.41 the submission requests that this condition be deleted as there are no road contributions stated in the 1972 permission. The Special Contribution Scheme does not apply to Section 261 where existing permissions are being reviewed and modified. If it is imposed it will be grounds for Roadstone to claim compensation under Section 261(8)(a). The 1200 metres of road frontage has no material benefit to RSL and in fact has the opposite effect in that it sterilises a very significant valuable limestone reserve, and the reason for this condition is not valid..

Comment on submission

It is recommended that the condition be omitted having regard to the above comments.

Conclusion and Recommendation

Section 261 of the Planning and Development Act 2000 provides for the registration of all quarries in operation on or after the 28th April 2004 which either had the benefit of a planning permission granted more than five years prior to that date, or had been in existence prior to the commencement of the Local Government (Planning and Development) Act 1963. Information relating to the Belgard Quarry at Fortunestown, Tallaght, operated by Roadstone Dublin Limited, was received on 22nd April 2005 and was duly entered in the Planning Register under Register Reference SDQU05A/2.

A planning permission Register Reference C. 1488 was granted to Roadstone Limited on 28th April 1972 for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

Under Section 261(6) in the case of a registered quarry with an existing planning permission granted more than five years prior to 28th April 2004, a planning authority may decide to restate or modify the conditions of the existing planning permission, or add new conditions.

Where a planning authority proposes to restate or modify the conditions of the existing planning permission, or add new conditions, it shall, in accordance with Section 261(5)(a), serve a notice on the owner / operator of the quarry stating its proposals and the reasons for the proposals, and stating that submissions or observations may be made to the planning authority within such period as may be specified in the notice, being not less that six weeks from the service of the notice. The Act allows the planning authority a period of two years from the date of registration of the quarry to serve notice of its decision on the owner / operator under Section 261(6). In the case of the Belgard Quarry this period will expire on 21st April 2007.

In accordance with Section 261(5) of the Planning and Development Act 2000 a notice was served on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, on 16th January 2007, stating the proposals of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and stating further that submissions or observations may be made to the Planning Authority within a period of six weeks from the service of the notice.

A submission was received from Roadstone Dublin Limited on 1st March 2007 setting out the company's comments on the proposed conditions. Having considered the comments submitted it is recommended that the following amended conditions reflecting current planning and environmental standards and objectives be applied to the quarrying operations on the lands. These conditions are recommended having regard to:

1) The period of time that has elapsed since planning permission was granted for a quarry at this location;

2) The extent of quarrying carried out since permission was granted;
3) The scale of the current quarrying operations;
4) The considerable potential for further quarrying;
5) The likely future significant development in the local area in which the quarry is located;
6) The impacts on visual and residential amenity: and
7) The proper planning and sustainable development of the area.

It is therefore proposed that the existing planning permission Register Reference C.1488 be modified by the deletion of the existing 10 No. conditions imposed in 1972, and by adding new conditions numbers 1 to 36 thereto, having regard to the provisions of Section 261 of the Planning and Development Act 2000, the South Dublin County Development Plan 2004-2010, and to the Quarries and Ancillary Activities Guidelines for Planning Authorities (2004) issued by the Department of Environment, Heritage and Local Government.

Having considered the comments submitted it is recommended that the following amended conditions reflecting current planning and environmental standards and objectives be applied to the quarrying operations on the lands, in accordance with Section 261(6).

Sections 261(6) of the Planning & Development Act, 2000

Conditions to be Applied to Belgard Quarry, Fortunestown, Tallaght.
Register Reference SDQU05A/2

01	**GENERAL** Quarrying operations on the lands shall be carried out in accordance with the plans, particulars and specifications as described in the documents lodged with the application for registration of the quarry under Section 261 of the Planning and Development Act 2000, as revised by Additional Information submitted on 28th September 2005, including the Site Layout Plan Figure 1_FI1 Drawing Ref. 3371, save as the conditions hereunder require. **Reason:** To ensure that the development is carried out in accordance with appropriate environmental standards and practices, and to enable effective control to be maintained, in the interests of the proper planning and sustainable development of the area.
02	**DIGITAL TERRAIN MODEL** Within three months of the date of this decision a Digital Terrain Model of the entire lands within the site boundary, as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337, shall be submitted to the Planning Authority. The Digital Terrain Model shall be prepared by a professionally qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. A comprehensive photographic record of the quarry workings, and views of the quarry from public roads in the vicinity of the site, the viewing positions of which shall be shown on a map to a suitable scale, shall also be submitted. **Reason:** To ensure effective development management of the quarrying operations in the interest of residential amenity and the proper planning and sustainable development of the area.
03	**OPERATING HOURS** Quarrying operations on the site shall be carried out only between 07.00 and 24.00 hours on Monday to Friday inclusive and between 07.00 and 18.00 hours on Saturday. No such operations shall take place outside these hours or on Sundays or public holidays. No rock-breaking activity shall be undertaken within any part of the entire quarry complex before 07.00 hours each day. **Reason:** In the interest of residential amenity and the proper planning and sustainable development of the area.
04	**LIMITATION OF EXTENT OF AREA TO BE EXTRACTED** The extraction of rock on the subject lands shall be limited to the area within the orange coloured line as indicated on the Drawing Ref. SDQU05A/2 DP01 attached herewith. No extraction of rock shall be undertaken on any part of the lands outside the said area unless a separate planning permission has been granted for such development. **Reason:** It is considered reasonable and in the interests of residential and visual amenity and the proper planning and sustainable development of the area, and having regard to the limitation of the extent of the quarry permitted under Register Reference C.1488 and the extent to which the quarry currently exceeds that permitted area, and having regard to the location of the quarry lands within an urban area, that a limitation as expressed in

	this condition be placed on the quarrying operation.
05	**NOISE** a) Free-field noise levels attributable to the operation of the entire quarry complex, when measured at the nearest noise sensitive receptors, shall not exceed 55 dB(A) (60 minute L_{Aeq}) during permitted operating hours, and shall not exceed 45 dB(A) (60 minute L_{Aeq}) at any other time. b) No tonal or impulsive noise, including vehicle reversing alarms, shall be audible at the nearest noise sensitive receptors between 20.00 and 07.00 hours. Matters relating to health and safety shall be addressed using alternative (non tonal or impulsive) methods. c) A quarterly noise survey and assessment programme shall be undertaken to assess the impact of noise emissions arising from the operation of the entire quarry complex. The scope and methodology of this survey and assessment programme shall be submitted to the planning authority for its written agreement within three months of the date of this decision. The results obtained from the programme shall be submitted quarterly for the written agreement of the planning authority. The operator shall carry out any amendments to the programme required by the planning authority following this quarterly review. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
06	**VIBRATION AND AIR OVERPRESSURE** a) Ground-borne Vibration levels from blasting shall not exceed a peak particle velocity of 12 mm/second, measured in any three mutually orthogonal directions at any sensitive receptor location. b) Blasting shall not give rise to air overpressure values in excess of 125 d(B)$(Lin)_{max\ peak}$ with a 95% confidence limit at any sensitive receptor location. No individual air overpressure value shall exceed the limit value by more than five dB (Lin). c) Blasting shall only be carried out during 09.00 – 18.00 hours, Monday to Friday. d) Advance notification of blasting shall be provided to all landowners and occupiers within 500 metres of the entire quarry complex. e) A suitable monitoring programme shall be developed to assess the impact of quarry blasts. Details of this programme shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall provide for monitoring to be carried out whenever a blast occurs, and shall include an annual review of all blast monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. f) Any blast management programme to be implemented at the site shall ensure that the structural integrity of Belgard Castle, a Protected Structure (RPS 206), and of the two Recorded Monuments (DU021/024 and DU021/025) located on the quarry lands, are adequately protected. **Reason**: To ensure the protection of residential amenity, public health and cultural heritage in the interest of the proper planning and sustainable development of the area.
07	**SUPPRESSION AND CONTROL OF DUST**

	a) Total dust deposition (soluble and insoluble) measured at the site boundary shall not exceed 350mg/m2/day (when averaged over a 30 day period). The Bergerhoff Method (German Standard VDI 2119, 1972) shall be used to measure dust deposition. Continuous monitoring of dust deposition shall be carried out. Any emission which does not comply with the above standards shall be notified to the Planning Authority immediately. b) Within six months of the date of this decision details of satisfactory arrangements for the suppression and control of dust arising from the open working, processing and the handling and transportation of mineral and / or product, and stripping of overburden, shall be submitted for the written agreement of the Planning Authority. The location of sensitive receptors and prevailing wind directions shall be taken into account when locating haul roads, tips, stockpiles and processing plant. The area of excavated land not covered by vegetation shall be kept to a minimum. The stripping of overburden shall be carried out only during favourable weather conditions. The deposition of dust on surrounding lands in excess of allowed limits, or spillage on to public roads shall be prevented at all times. c) A monthly survey and monitoring programme of dust shall be undertaken to provide for compliance with the above limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the entire quarry complex, shall be submitted for the written agreement of the planning authority within three months of the date of this decision. This programme shall include an annual review of all dust monitoring data, to be undertaken by a competent person, the results of which shall be submitted to the planning authority within two weeks of completion for its written agreement. The operator shall carry out any amendments to the programme required by the planning authority following this annual review. **Reason:** To ensure the protection of residential amenity and public health in the interest of the proper planning and sustainable development of the area.
08	**MONITORING RESULTS** All data recorded from monitoring of noise emissions, blasting and dust deposition shall be submitted to the Planning Authority in a suitably formatted and readable form on a quarterly basis, within ten working days of the end of each quarter. The monitoring quarters to be January – March, April – June, July – September and October – December. Where any data is missing this fact must be recorded and a reason given for its omission. **Reason:** To ensure the protection of residential amenity and public health, in the interest of the proper planning and sustainable development of the area.
09	**COMMUNICATION AND CONSULTATION** a) The names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the operation of this quarry shall be provided to South Dublin County Council. All changes in personnel or particulars must also be notified to the Council as soon as they occur. b) A public notice shall be erected and maintained at each entrance to the quarry. This notice shall contain the name of the company and contact details, including contact outside operating hours, which may be used in the event that any person wishes to contact the operator in relation to any aspect of the quarry operation. c) The operator shall provide all landowners and occupiers within 500 metres of the entire quarry complex with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident, such as the discovery of flyrock on lands outside the quarry, or otherwise to make a complaint in respect of an aspect of

	the quarry operation. d) Within six months of the date of this decision, the operator shall establish a local consultative group, to include representatives of the operator, and representatives of the local community and landed interests, including representatives of each residential estate within 500 metres of the entire quarry complex. This group shall constitute a forum to address environmental management and associated issues related to the quarry operations which are considered to impact upon local amenity. **Reason**: In the interests of residential amenity, public health and the proper planning and sustainable development of the area.
10	**ACCESS FOR MONITORING** Access shall be granted to any authorised officer of the Planning Authority, the Health Services Executive, or the Environmental Protection Agency, or their successors, to enter on to the subject lands during permitted operating hours for the purpose of carrying out inspections of the quarrying operations including examining any monitoring equipment installed in accordance with this permission. Authorised officers carrying out such inspections shall check-in with the quarry manager or his/her representative prior to such inspections. **Reason:** In the interests of residential amenity, pollution control and public health.
11	**UPDATED DIGITAL TERRAIN MODEL** Five years from the date of this decision and at five-yearly intervals thereafter the operator shall submit to the Planning Authority an up to date Digital Terrain Model of the entire lands within the site boundary as shown on Site Layout Plan Figure 1_FI1 Drawing Ref. 337. The digital terrain model shall be prepared by a professionally qualified surveyor agreed by the Planning Authority, and shall include details of all areas, a) that have been excavated to date, b) that have been prepared for excavation, and c) that have been restored. **Reason**: To ensure effective development management in the interest of residential amenity and the proper planning and sustainable development of the area.
12	**ANNUAL ENVIRONMENTAL AUDIT** On an annual basis (by the end of February each year) three copies of an environmental audit shall be submitted to the Planning Authority. This audit shall be carried out at the expense of the operator by suitably qualified and experienced independent environmental auditors, whose names shall be submitted to the Planning Authority for prior approval, and shall contain the following: a) A record of all movements of heavy vehicles outside the permitted operating hours. b) A record of surface water quality, and groundwater quality and levels, measured at monthly intervals. c) A full record of any breaches over the previous year of dust, noise, vibration / air overpressure, and water quality standards. d) A written record of all complaints received, including actions taken on each complaint. **Reason:** To ensure that the quarry shall be operated in compliance with the stated standards in the interests of residential amenity, pollution control, public health and the proper planning and sustainable development of the area.

13	**FUTURE CHANGED STANDARDS** Notwithstanding the current environmental standards for noise, vibration, and dust, contained in the Environmental Protection Agency document "Environmental Management in the Extractive Industry (Non Scheduled Minerals)", should these standards be revised in the future or should new standards be introduced, either by legislation, or guidance from the Environmental Protection Agency or it's successor, the quarry operations shall be carried out in compliance with the revised standards. **Reason:** In the interests of residential amenity, pollution control, public health, and the proper planning and sustainable development of the area.
14	**CONTROL OF EXTERNAL LIGHTING** Within three months of the date of this decision a scheme of external lighting for the entire site shall be submitted for the approval of the planning authority. The scheme shall be designed, installed and operated, so as to prevent interference with air navigation or nuisance to adjoining occupiers and road users, and to avoid over-lighting. Measures shall be included to provide adequate screening from adjacent areas where appropriate. **Reason**: In the interests of residential amenity, air and traffic safety, and the proper planning and sustainable development of the area.
15	**LIMITATION OF RATE OF MOVEMENT OF TRUCKS.** The rate of movement of trucks generated by the operation of the quarry shall not exceed the total number of movements in and out of the quarry per hour as detailed in the documents submitted in connection with the registration of the quarry. **Reason:** In the interest of traffic safety, residential amenity and the proper planning and sustainable development of the area.
16	**ADVANCE WARNING SIGNS** Metal advance warning signs shall be erected at all site entrances and exits. These signs shall be maintained in good and clean condition. The material, content, design and location of these signs shall be agreed with the Planning Authority. **Reason:** In the interests of traffic safety.
17	**MAINTENANCE OF PUBLIC ROADWAY** No waste, debris, excavated materials or dust caused by the haulage of material either to or from the site shall be deposited on the public roads, footpaths, margins etc. in the vicinity of the site. The quarry operator shall be responsible for maintaining the public roadways in the vicinity of the site entrances / exits in a clean state, free from mud and other debris caused by the haulage of such material. **Reason:** In the interests of traffic safety and residential amenity.
18	**WHEEL WASHING FACILITY** (a) A paved surface shall be provided at the site exit to the public road, and shall be kept free from soil, sand and gravel deposits at all times. (b) A wheel washing facility shall be installed at an appropriate location along this paved surface. It shall be provided with a continuous water supply facility together with a suitable sump arrangement for the drawing off of waste waters arising. It shall be kept

	properly maintained and cleaned at regular intervals, such that trucks, on exiting the wheel wash, shall not have mud or dust adhering to their tyres. (c) All heavy goods vehicles exiting the site shall use the wheel washing facility, and shall travel only on the paved surface to the exit. **Reason:** In order to prevent dust emissions in the interests of residential amenity, traffic safety, and the proper planning and sustainable development of the area.
19	**SURFACE WATER RUN-OFF** All surface water run-offs from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soak pits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow on to the public roadway or adjoining properties, or to discharge to any effluent disposal system or public foul sewer. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
20	**DISCHARGES TO SURFACE OR GROUND WATERS** a) No effluent from the site shall discharge to surface or ground waters other than in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts, 1977 – 1990 or as may be amended from time to time. b) Only clean uncontaminated storm water shall be discharged to surface waters. Interceptor traps shall be fitted to the storm water drainage system where appropriate; to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soak ways or groundwater. c) Where it is proposed to discharge surface water from impermeable surfaces (roads, roofs etc) to existing drains or watercourses then the discharge shall be limited to a rate of 6 litres per second per hectare of impermeable surface to reduce the risk of downstream flooding. This shall be achieved by constructing attenuation storage, preferably a pond, and restricting the outflow discharge by means of a 'Hydrocrack' or equivalent device. Details of the design shall be submitted for the written agreement of the planning authority. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
21	**SURFACE WATER RUN-OFF FROM OPEN CUT AREAS** Adequate precautions shall be taken to prevent surface water run-off from open cut areas flowing directly to any stream or watercourse. All such water shall be trapped and held in settling lagoons until such time as the suspended solids are deposited and the colour of the discharge water indicates that it will not cause any discolouration of the receiving waters. Where possible appropriate measures shall be taken to prevent water from entering excavations. Adequate clearance from watercourses and wells shall be maintained **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.

22	**SURFACE WATER FROM THE PLANT AREA, QUARRY FLOOR AND INTERNAL HAUL ROADS** a) All surface water from the plant area, quarry floor and internal haul roads shall be directed to sumps and discharged from there to settling lagoons. b) The settling lagoons shall be of an adequate size and properly maintained to ensure the efficient removal of suspended solids. c) Site roads and approaches to river crossings shall be regularly brushed or scraped and kept free from dust and mud deposits. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
23	**GROUND WATER LEVELS** a) A groundwater level monitoring programme shall be implemented at the quarry. Groundwater levels shall be recorded at monthly intervals, and reported to the Planning Authority on a quarterly basis. b) Within three months of the date of this decision a hydrological / hydrogeological report in respect of the quarry, prepared by a suitably qualified person having appropriate experience, shall be submitted to the Planning Authority. The report shall detail all measures proposed to be taken to protect groundwater resources. The report shall have regard to all relevant requirements arising under the Water Framework Directive. **Reason:** In the interest public health, the protection of ground water resources. and the proper planning and sustainable development of the area,
24	**PREVENTION OF POLLUTION** a) All over-ground oil or other chemical storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 110% of the capacity of the largest tank. b) Bunds shall be tested at intervals of not more than three years and documentation of tests shall be available for inspection by the Planning Authority. c) All refueling shall take place on impermeable areas that drain through an interceptor from tanks that are bunded or double skinned. d) All waste oil and chemicals shall be removed from the site and disposed of to the satisfaction of the Water Pollution Control Section of the Local Authority. e) A spill kit shall be maintained on site with adequate supply of containment booms and absorbent materials to deal with any spillage. f) The operator shall ensure that blasting practice minimises the risk of occurrence of nitrate/ammonia residues by proper blast design and implementation, appropriate disposal of any excess explosives, and selection of the appropriate type of explosives. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
25	**SETTLEMENT PONDS**

	Settlement ponds shall be cleaned out monthly. Details of the proposed use, handling, and destination of the removed silt shall be submitted for the written agreement of the planning authority. Silt removed from the settlement ponds shall be immediately removed to the agreed end-destination repository and shall be periodically covered with topsoil and seeded with grass to prevent subsequent dispersal. Appropriate measures shall be put in place to prevent silt leaving the site in any drain or watercourse during the cleaning process. **Reason:** To minimise dust in the interest of proper planning and sustainable development of the area.
26	**DETAILS OF DRAINAGE ARRANGEMENTS** Within six months of the date of this decision full details, including detailed drawings and specifications, of all existing and proposed foul and surface water drainage arrangements on the entire site, showing full compliance with the requirements set out in the conditions attached hereto, shall be submitted for the written approval of the Planning Authority. **Reason:** To prevent water pollution in the interests of public health and the protection of natural heritage and the proper planning and sustainable development of the area.
27	**RECORDS OF TYPES AND QUANTITIES OF WASTES** Detailed records of the types and quantities of all wastes generated by the development shall be maintained and made available for inspection by the Planning Authority upon request. Any treatment / disposal of waste shall be carried out in compliance with the Waste Management Act 1996 – 2006, or as may be amended from time to time. **Reason:** In the interests of public health, safety and the proper planning and sustainable development of the area.
28	**PHASING OF DEVELOPMENT** Within three months of the date of this decision or such other period as may be agreed with the Planning Authority, a suitable site plan showing the proposed phasing of the development shall be submitted for the approval of the Planning Authority. This plan shall indicate the areas that have been worked, the depth of the workings, the proposed phasing of extraction for the remaining areas, and the proposed timing of and proposals for the rehabilitation of all the areas. This phasing scheme and rehabilitation plan shall be updated and submitted for the written agreement of the Planning Authority at 5 yearly intervals. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and in the interest of the proper planning and sustainable development of the area.
29	**REHABILITATION AND LANDSCAPING** a) Within six months following approval by the Planning Authority of a plan for the phasing of the development, or such further period as the Planning Authority may permit, the operator shall submit for the written agreement of the Planning Authority, a comprehensive plan for the restoration of the entire quarry following the cessation of quarrying works. This plan shall include detailed proposals for the rehabilitation and landscaping of existing worked out portions of the quarry and measures to ensure public safety therein. Separate proposals for the rehabilitation and landscaping of future worked out portions of the quarry shall be lodged annually or such other period as may be agreed with the Planning Authority.

	b) The proposals shall, inter alia, provide for the phased carrying out of rehabilitation and landscaping operations within a definite period or periods related to the anticipated pace of extraction operations, and shall provide for the grading of surface levels, seeding and planting works, surface and sub-surface drainage and attenuation as per the Greater Dublin Strategic Drainage Study guidelines, planting and seeding works and details of future maintenance. The proposals shall be prepared by landscape architects with experience in the remediation / rehabilitation of quarries. c) The source of all material proposed to be used in respect of all rehabilitation works, together with full details of the type of material and the quantities involved, shall be submitted as part of the rehabilitation and landscaping proposals. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
30	**LANDSCAPING AND BOUNDARY TREATMENT** Within six months of the date of this decision a comprehensive landscaping scheme to screen views of the quarry workings from all adjacent areas outside the site, shall be submitted for the written agreement of the Planning Authority. The scheme shall include detailed drawings and specifications of proposals for appropriate landscaping and boundary treatment, including tree planting and mounding, and a satisfactory time frame for the implementation of the scheme. A survey of all trees and hedgerows on the lands carried out by a competent professional to B.S. 5837 shall be submitted as part of the scheme. The agreed scheme shall be implemented to the satisfaction of the Planning Authority. Reason: In the interests of residential and visual amenity and the proper planning and sustainable development of the area.
31	**REHABILITATION ON CESSATION OF WORKS** a) On cessation of quarrying operations, all plant and surface equipment shall be removed from the site within 12 months of the date of such cessation. The whole of the surface area (including the slopes and sections containing deposition accruing from the operation of the quarry) shall be rehabilitated by the appropriate land shaping of the ground in relation to the contours of adjoining land. b) Specifications and drawings indicating the proposed works to rehabilitate the site, existing contours, and the grading and levels of the final contours to which the rehabilitation shall be carried out, shall be submitted to the Planning Authority for agreement in writing. c) The works shall not commence until such agreement has issued in writing and the agreed works shall be completed to the satisfaction of the Planning Authority. d) Any re-use or change of use of the lands shall be subject to a separate grant of planning permission for such use. **Reason:** To ensure the satisfactory rehabilitation of the site in the interests of residential and visual amenity and the proper planning and sustainable development of the area.
32	**STORAGE OF TOPSOIL**

	All topsoil removed in the course of quarrying operations shall be separately retained from waste materials (including sub-soil and overburden) so that it can readily be re-used by spreading evenly over the worked surface or backfilled. Topsoil shall be stockpiled in a manner to ensure that the soil flora and fauna are not destroyed. **Reason:** To ensure the satisfactory restoration of the site in the interests of visual amenity and the proper planning and sustainable development of the area.
33	**SECURITY FOR COMPLIANCE WITH CONDITIONS** Within six months of the date of this decision the operator shall lodge with South Dublin County Council a bond of an insurance company or other form of equivalent security acceptable to the Planning Authority in the amount of €2,500,000 (Two million five hundred thousand euro), together with an agreement empowering the Planning Authority to apply such security to the rehabilitation of the site in the event that the operator fails to secure and rehabilitate the site in the future to the satisfaction of the Planning Authority. The value of the bond or alternative security shall be adjusted annually by reference to the Tender Price Index. **Reason:** To ensure the satisfactory rehabilitation of the site in the interest of the proper planning and sustainable development of the area.
34	**ARCHAEOLOGICAL IMPACT ASSESSMENT** a) An Archaeological Impact Assessment (AIA) shall be prepared in relation to the two Recorded Monuments located on the quarry lands, a Tower House, Well Possible, Bawn Possible (Ref. DU021-024), and a Ringfort (Rath/Cashel) Possible (Ref. DU021-025). The AIA shall be prepared by a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-94) and shall be based on desk study/ field survey, aerial photography and if necessary geophysical survey, etc. b) The AIA shall be submitted to the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government and to the Planning Authority within six months of the date of this decision. In the event that the AIA indicates significant achaeological potential the archaeologist may be required to carry out further research and/or excavate test trenches. Upon completion of this work the archaeologist shall submit a written report to the Planning Authority and the Department of the Environment, Heritage and Local Government. c) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Recorded Monuments, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following prior consultation with the Heritage and Planning Division of the Department of the Environment Heritage and Local Government. d) The costs of any archaeological investigation shall be at the expense of the quarry owner / operator. **REASON**: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
35	**DISCOVERY OF REMAINS OF ARCHAEOLOGICAL OR HISTORIC INTEREST** At all times during the stripping of overburden on the site a suitably licensed archaeologist shall be present to monitor the work. In the event of any remains of archaeological or historic interest being discovered on the site, the Planning Authority shall be informed

	immediately. All works affecting these remains shall cease immediately and shall not re-commence until approval in writing has been received from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. REASON: To facilitate the investigation of any remains of archaeological or historic interest discovered on the site in the interests of the proper planning and sustainable development of the area.
36	**ARCHITECTURAL HERITAGE IMPACT ASSESSMENT** a) Within six months of the date of this decision an Architectural Heritage Impact Assessment (AHIA) shall be submitted to the Planning Authority and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. The AHIA shall detail the potential visual and other impacts of the quarry operations on the conservation value of Belgard Castle, a Protected Structure (Map Ref. 206 as listed in the Council's Record of Protected Structures), including its curtilege and attendant grounds as relevant, and any mitigation measures. The Architectural Heritage Impact Assessment shall be prepared by a suitably qualified person and the costs of preparing the AHIA shall be at the expense of the quarry owner / operator. b) No site preparation or excavation or other works impacting directly upon, or in the vicinity of, the Protected Structure, shall be carried out at any time unless approval to proceed has been received in writing from the Planning Authority, following consultation with the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. **REASON:** To facilitate the investigation and protection of the protected structure on the site in the interests of the proper planning and sustainable development of the area.

Recommendation

I therefore recommend that a Notice be served in accordance with Section 261(6) of the Planning and Development Act 2000 on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, stating the DECISION of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and stating further that an appeal may be made to An Bord Pleanala within a period of four weeks from the date of the decision of the Planning Authority.

Date 18/04/07

Senior Executive Planner

Date 18/4/07

Senior Planner

ORDER: The service of a Notice under Section 261(6) of the Planning & Development Act, 2000 on Roadstone Dublin Limited, Fortunestown, Tallaght, Dublin 24, in respect of the Belgard Quarry at Fortunestown, Tallaght, Dublin 24, stating the decision of the Planning Authority to modify the conditions of the existing planning permission and to add new conditions, and the reasons in that regard, and stating further that an appeal may be made to An Bord Pleanala within a period of four weeks from the date of the decision, is hereby authorised.

Date 18/04/07

Director of Planning

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message to 086 1731707

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: *ccounter@sdublincoco.ie*
On-line: www.southdublin.ie

The Secretary,
Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

18th April 2007

Re: Section 261(6) Planning and Development Act 2000
Belgard Quarry, Townland of Fortunestown, Tallaght, South Dublin County.

Register Reference Number: SDQU05A/2 **Registration Date:** 22 April 2005

Dear Sir,

With reference to the above please find enclosed a copy of the Statutory Notice and Schedule of Conditions and Planning Report setting out the decision of the Planning Authority to modify and to add to the conditions attaching to the existing planning permission Register Reference C.1488 in respect of the above quarry. Please also see attached a map outlining the extent of the area to be extracted.

Following the decision of the planning authority, under Section 261(6), it should be noted that you, as the registered owner/operator of the above quarry, may appeal to An Bord Pleanala against the decision to impose, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act 2000, as amended, and the Regulations made thereunder.

Yours faithfully,

for Director of Planning
Planning Department.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Tamhlacht,
Baile Átha Cliath 24.
Telefon: 01-4149000
Facs: 01-414 0102
For SMS queries text "counter" &
your message *to 086 1731707*

Planning Department,
County Hall, Tallaght,
Dublin 24.
Telephone: 01-4149000
Fax 01-414 0102
Email: *cccounter@sdublincoco.ie*
On-line: www.southdublin.ie

IN THE MATTER OF THE PLANNING AND DEVELOPMENT ACT, 2000

NOTICE PURSUANT TO SECTION 261(6) OF
THE PLANNING AND DEVELOPMENT ACT, 2000

TAKE NOTICE that for the purpose of the exercise of its functions under the Planning and Development Act, 2000, South Dublin County Council as the Planning Authority for the area hereby gives notice of the Council's decision to modify the planning permission Register Reference C.1488 by the deletion of the existing 10 No. conditions imposed in 1972, and by adding new conditions numbers 1 to 36 as set out in the schedule attached hereto, in respect of the lands at and known as Belgard Quarry, situated in the Townland of Fortunestown, Tallaght, in the County of South Dublin and registered as a quarry in accordance with Section 261 of the Planning and Development Act 2000 under Register Reference Number SDQU05A/2.

Following the decision of the planning authority, under Section 261(6), it should be noted that, the registered owner/operator, may appeal to An Bord Pleanala against the decision to impose, restate, add to or modify conditions, within 4 weeks beginning on the date of the Council's decision, in accordance with the statutory provisions for the making of appeals to An Bord Pleanala as provided for in Chapter III of the Planning and Development Act, 2000, as amended, and the Regulations made thereunder.

Dated the 18th day of April 2007.

Signed: _____

South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24.

To: Roadstone Dublin Limited,
Fortunestown,
Tallaght,
Dublin 24.

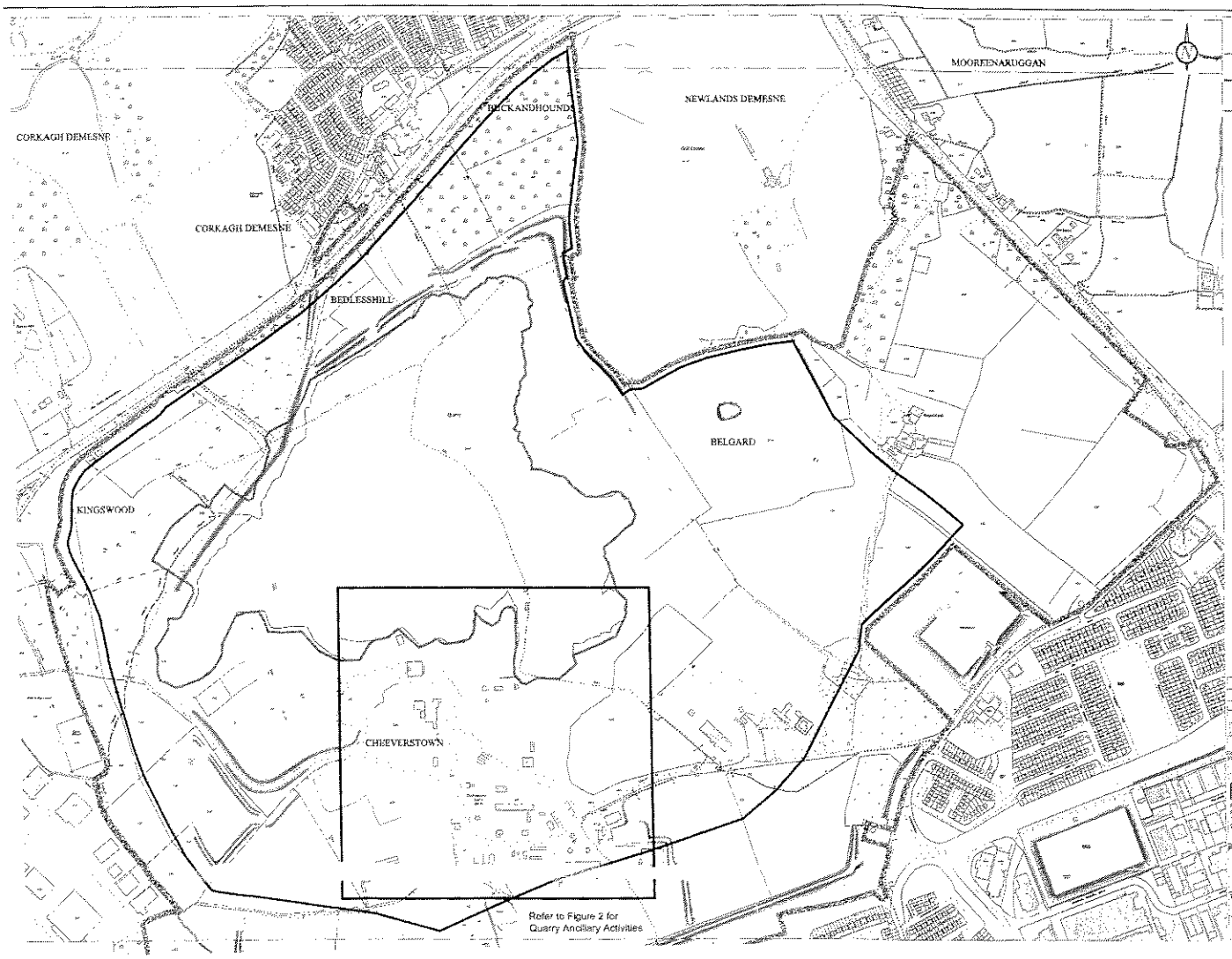

LEGEND
Site Boundary (c. 256.2
Extractable Area (c. 192
Extracted Area (c. 49.8
MOOREENARUGGAN
NEWLANDS DEMESNE
BECKANDHOUNDS
CORKAGH DEMESNE
CORKAGH DEMESNE
BEDLESSHILL
BELGARD
KINGSWOOD
CHEEVERSTOWN
Refer to Figure 2 for
Quarry Ancillary Activities
Roadstone Dublin Ltd
Belgard Quarry, Tallaght, Dub
Section 261 Site Plan
Site Layout Plan

Figure 1_Fl1