



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321769-25

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#### Development

Proposed alterations to the terms of the permitted development granted under reference number ABP-303211-18.

#### Location

Knockharley Landfill County Meath

#### Planning Authority

Meath County Council

#### Requester

Knockharley Landfill Limited

#### Type of Application

Application under Section 146B of the Planning and Development Act, 2000 (as amended) to alter previously approved Strategic Infrastructure Development.

#### Inspector

Fiona Fair

#### Date of site inspection

24.02.2025

## **1. Introduction**

Planning permission was granted by An Bord Pleanála, in 2021 (ABP Ref. No. 303211-18), for an extension of the existing landfill to allow for 440,000 tonnes of waste disposal activities per annum. The SID application included an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS). The permission's site is c. 134 ha in size and has been an EPA licenced (IE Licence No. W0146-042) landfill in operation since 2004.

As part of the permitted project, a 'bio-stabilisation building' (also referred to as a 'biological treatment facility' within the permission) was included on a portion of the site for the purposes of composting 25,000 tonnes per annum of Municipal Solid Waste (MSW) fines/residuals.

The subject application to the Board is for alterations to this permission, under section 146B of the Act. It seeks to amend the permission by way of a change of use from a permitted bio-stabilisation building to a building for purposes of construction and demolition (C&D) fines washing operations, as well as minor internal and external building modifications.

## **2. Legislative Provisions**

Section 146B(1) of the Planning and Development Act 2000 (as amended) (the Act), provides that, subject to subsections (2) to (8) and to section 146C, upon request of any person who is carrying out or intending to carry out a strategic infrastructure development, the Board may alter the terms of the development the subject of planning permission, approval or other consent granted.

Under sub-section 2(a), as soon as practicable after making such a request, the Board is required to make a decision as to whether the making of the development would constitute a material alteration to the development concerned.

Under sub-section (2)(b), before making its decision under sub-section 146B (2), the Board may invite submissions as it considers appropriate and is required to have regard to any submission made to it on foot of the invitation.

Under sub-section (3)(a), if the Board decide that the making of the alteration would not constitute a material alteration, it is required to alter the planning permission/approval/consent accordingly and to notify the requester and the planning authority of the alteration.

Under subsection (3)(b), if the Board decide that the making of the alteration would constitute the making of a material alteration, the Board is required to:

- Request the information specified in Schedule 7A, unless it or an EIAR has already been provided by the requester (sub-section (3)(b)(i)). This information is required to be accompanied by any further relevant information on the characteristics of the alteration and its likely significant effects on the environment including, where relevant, how environmental effects pertaining to EU legislation other than the EIA Directive have been taken into account (sub-section (3A)) and can include mitigation measures (sub-section (3B)).
- Following receipt of such information, determine whether to make the alteration, make an alteration of the terms of the development which differs from the proposed alteration (subject to it not representing a more significant alteration), or refuse to make the alteration (sub-section (3)(b)(ii)).

Under subsection (4), before making a determination under sub-section (3)(b)(ii), the Board is required to determine whether the extent and character of the alteration being requested, or being considered by the Board, would be likely to have significant effects on the environment.

Under subsection (5), if the Board determine that no significant environmental effects will arise, they proceed to make a determination under subsection (3)(b)(ii). If the Board determines that significant effects will arise, the provisions of section 146C apply. These provisions relate to the preparation of an environmental impact assessment report.

Under subsection (7)(a), in making their determination, the Board is required to have regard to:

- The criteria for the purposes of determining which classes of development are likely to have significant effects on the environment set out in any regulations made under section 176,

- The criteria set out in Schedule 7 to the Planning and Development Regulations 2001,
- The Schedule 7A submitted by the requester,
- The further relevant information, if any, referred to in subsection (3A) and the description, if any, referred to in subsection (3B) (summarised above),
- The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive, and
- Whether the development is situated in or would have potential to impact on a European site, or a recognised or protected area of natural heritage,

Under subsection (7)(b), the Board is required to include in its determination, the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 to the Planning and Development Regulations 2001, on which the determination is based.

Under subsection (8)(a) before making a determination under subsection (3)(b)(ii) or (4) the Board is required to require the requester to make information about the alteration available for inspection, notify appropriate persons that the information is available and invite submissions or observations from these persons. Further under subsection 8(b) the Board is required to have regard to these submissions in its determination.

### **3. Planning History**

- **ABP-321572-25** – Concurrent Live Pre-Application Consultation for expansion of the existing landfill void space at Knockharley Landfill. First Meeting Held.

Description of the proposal:

- Increase the capacity of the landfill via construction of additional active void space of 3.38 million m<sup>3</sup> (volume) for landfilling.

While the volume of the void for the piggyback cell will be 807,000 m<sup>3</sup>.

In terms of volumes (aside from the total volume of proposed landfill cells), the volume for:

- i. Cut for the proposed expanded Void space will be 1.64 million m<sup>3</sup>
- ii. Fill for the west cells embankments will be 116,732 m<sup>3</sup>
- iii. Fill Clay Liner – Cell Construction for the proposed Void Space will be 149,700 m<sup>3</sup>
- iv. Capping of the proposed west cells / expanded Void Space will be 149,900 m<sup>3</sup>.
- v. Fill for existing landfill waste cells capping is 120,000 m<sup>3</sup>
- vi. Fill for new north, west and south berms will be 450,000 m<sup>3</sup>; and
- vii. Fill for piggyback capping will be 79,000 m<sup>3</sup>.

The existing greenfield lands to the west of the site will serve this purpose.

- ‘Capping’ of proposed Expanded Void Space on exhaustion of cells

Upon the exhaustion of the cells of the proposed Expanded Void Space on the west side of the Knockharley Land Fill Facility, it is proposed to develop a ‘cap’ on top of them.

As noted above, the cap on the Expanded Void Space will total a volume of 149,900 m<sup>3</sup> when completed and it is designed to tie onto what will be the then existing landfill cap on the northern element of the currently permitted cells.

This join between the proposed and permitted caps will be of a type referred to as a “piggyback cap” – this is when a landfill cap is constructed on-top of or onto the side of an existing land fill cap – allowing for a horizontal expansion of the existing facility.

- Diversion of the Knockharley Stream

It is proposed to divert the course of the existing stream to the north. The diversion will not be culverted except where road crossings are required and where the stream traverses the alignment of the permitted Screening Berm.

- Relocation of existing overhead ESB lines

In order to facilitate this expansion, the existing 220kV ESB line at the western site boundary will need to be relocated. The applicant proposes to divert this ESB overhead line to along the western boundary of the site.

The replacement of the existing overhead ESB line is necessary to allow the expansion of the Knockharley Landfill Facility Void Space to the west of the site.

- **ABP 303211-18** – Permission Granted 30/04/2021 for facility for the disposal, treatment and recovery of waste at Knockharley Landfill. An increase in the rate of waste acceptance up to 440,000 tonnes per annum comprising up to 435,000 tonnes per annum of non-hazardous waste incl. IBA as well as household, commercial and industrial wastes incl. residual fines, non hazardous contaminated soils. C&D wastes and baled recyclables, and up to 5,000 tonnes per annum of stable non-reactive hazardous waste.
- **Reg Ref No. 01/5006** – Permission sought for the development and operation of an engineered landfill and ancillary facilities to accept 180,000 tonnes per annum of non-hazardous waste for 14 years. The planning authority decided to grant permission. The decision was upheld by the Board (PL 17.125891) subject to conditions which included a restriction on the waste to be accepted to be limited to waste arising from the North-East region as defined by counties Meath, Louth, Cavan and Monaghan. (Condition 2 (a)). The quantities of waste accepted was restricted to 132,000 tonnes per annum until December 2007 and thereafter to a maximum of 88,000 tonnes per annum (Condition No 2(b)).
- **Reg Ref No NA 50453** – In April 2006 Meath County Council refused permission for the change of use of maintenance building to offices and to omit Condition No 2(a) of 01/5006 which limited the waste to be accepted at the facility to waste arising from the North East Region.
- **Reg Ref No NA 60336** – Permission sought for the extension of the landfill footprint (c. 2 ha), an increase in the intake volume to 200,000 tonnes per annum and the removal of the original regional restriction on the origin of the waste accepted at the landfill by modifying condition no 2(a) of permission Ref No 01/5006 so that the facility could accept waste from adjoining waste regions. The planning authority issued a split decision permitting waste to be accepted from adjoining regions and refusing permission for the increase in

the landfill footprint. The Board (PL17 220331) granted permission for the extension to the landfill footprint, the removal of the regional restriction and for the approved level of annual intake volume of 132,000 tonnes until the end of 2010. It refused permission for an increase in the waste intake volume to 200,000 tonnes per annum.

- **Reg Ref No NA 70015** – Permission granted by Meath Co Council for the installation and operation of a gas utilisation plant on a 0.3 ha site to generate up to 4.2 MW of electricity for export to the National Grid.
- **PL17.PA0009** – Permission refused by An Bord Pleanála for an increase in the rate of waste acceptance to 400,000 tonnes per annum and to alter the landfill phasing sequence with no extension to the permitted landfill void. It was considered that the proposal to increase the tonnage per annum intake would compromise the viability of more sustainable waste infrastructure and would compromise the long-term waste infrastructure requirements of the region and the designation of Knockharley as the long-term residual landfill for the region.
- **Reg Ref AA161431** – Permission granted by Meath Co Council in January 2017 for an extension of duration of permission Reg Ref No 01/50006 for five years. The permission expires on 26<sup>th</sup> August 2021.
- **Reg Ref No AA 180145** – Permission granted on June 21<sup>st</sup>, 2018 by Meath County Council for a solar farm with export capacity of approximately 3MW. The panel arrays would be located on the top of the engineered landfill cells that have been capped and reinstated.

#### Other relevant consents

The site is regulated under EPA Industrial Emissions (IE) Licence W0146-02. Under the licence the waste intake is limited to 200,000 tonnes per annum. The waste for disposal consists of residual, non-hazardous household, commercial and industrial waste.

## **4. Background to the Proposed Alterations**

The applicant proposes a shift from the permitted bio-stabilisation/composting operations at the site to the process of fines washing to better support its circular economy objectives.

It is submitted that this transition will boost the efficiency and sustainability of operations by ensuring that more recyclable materials are recovered and reused within the resource recovery process.

It is highlighted that six years have passed since the previous application was lodged in December 2018 and this is of significance. Throughout this period, Knockharley Landfill has continuously advanced its sustainability objectives, including identifying additional means to recapture waste materials for reuse across various sectors. The proposed fines washing process aligns with this progressive approach. Whilst the approach of composting as per the permitted development is still a valuable process in reducing waste to landfill, the composting that was originally envisaged to take place at Knockharley is now occurring at the applicants other facilities such as Littleton, Co. Tipperary (ABP-310786-21).

Submitted in support of the alteration request are the following:

- EIA Screening report
- Planning Report prepared by TPA
- Drawing schedule and drawings.

The landfill site is c. 134 ha in size and has been an EPA licenced (IE Licence No. W0146-042) landfill in operation since 2004.

It is submitted by the applicant that:

“The combination of the project location, the project characteristics, potential impacts and the control measures already specified in the EPA licence, means that the proposed development will not have any significant adverse environmental impacts.

In this context it is considered that there is no requirement for an EIA.”



## 5. Scope of Request

The applicant is seeking to alter the terms of the development, subject of the permission granted under ABP-303211-25, as follows:

- The size and functionality of the permitted bio-stabilisation building allows the proposed fines washing operations to seamlessly occupy the same footprint without requiring any increase in the building's size. The internal composting tunnels will not be constructed, and the processed wastes now proposed will not be odorous (C&D waste), meaning the odour control system (biofilter, wet scrubber, and stack) and the ancillary vehicle wheel cleaning and floor wash downs will not be required, resulting in a reduced building form and bulk.
- The proposed operations will be located entirely inside the building. It will be a modular system similar to soil washing plants used to treat contaminated soils from brownfield development sites. It will comprise a feed hopper, screener, washing unit, conveyors and an integral water treatment system comprising a polyelectrolyte dosing unit, centrifuge thickener and a water recirculation tank.
- The plant will operate between 07.30 and 18.30 Monday to Saturday and the annual processing capacity will be 25,000 tonnes (the same as the permitted building's operations).
- There will be no increase in tonnes processed at the facility.
- Electricity consumption is estimated to be in the region of 1000 MW/hrs, associated with the operation of the conveyors, washing plant, and pumps. This will be an immaterial change to the consumption that would have been required for the bio-stabilisation process.
- Harvested roof water will be used in the washing cycle, topped up as required by the mains supply. Small amounts of polyelectrolyte will be added to the wash water before it enters the thickener to enhance the settlement of the non-aggregates. The clear water in the top of the thickener will flow over a weir and into the recirculation tank. The washing plant will use between 10 and 15m<sup>3</sup> of water/hour that will be recycled in the plant. To maintain water quality there will be a continuous bleed of wash water (ca 1m<sup>3</sup>/hour) to a

proprietary wastewater treatment plant located inside the building. The water will be treated to remove the solid particles, which will settle out as a sludge.

- The outputs will be sands of different particle sizes and a non-hazardous sludge with a solids content of >15%. All outputs will be stored inside the building pending discharge. The sands will be sold and sent off-site. Currently there are no beneficial reuses for the sludge and, pending the future development of these, the sludge will be disposed of in the landfill. As the sludge will be non-hazardous, no mitigation measures, additional to what is permitted or already in operation at the landfill, will be required to minimise environmental impact

No significant environmental impacts are predicted

### EIA Screening

The proposed alteration is not one for which an EIA is mandatory. It principally involves a change of use to facilitate the recycling of materials, the quantum of which is already permitted for acceptance and processing.

O'Callaghan Moran & Associates (OCM) have prepared an EIA Screening Report in respect of the proposed alteration, which concludes that:

“the combination of the project location, the project characteristics, potential impacts, and the control measures already specified in the EPA licence, means that the proposed development will not have any significant adverse environmental impacts. In this context it is considered that there is no requirement for an EIA.”

Therefore, the applicants agent submits that, as it can be concluded that there is likely to be no significant impacts on the environment as a result of the proposed alteration, there is no requirement for the applicant to make an application under s. 146C.

### AA Screening

The permitted development's Natura Impact Statement (NIS) concluded that:

“On the basis of objective scientific information, the proposed development will not, either alone or in combination with other plans or projects, adversely affect any of the constitutive interests of the River Nanny Estuary and Shore SPA, in light of the site’s conservation objectives.”

Given the separation distances between the project site and the nearest European sites (approx. 5 km to River Boyne and River Blackwater SPA and SAC to the north), the respective sites’ conservation objectives, the fact that no additional project mitigation measures are required to maintain local water quality, and, in particular, having regard to the specific nature of the alterations under consideration in this application i.e. minimal dimension alterations to already permitted building and minimal changes to the proposed emissions/outputs, it is the planning opinion of the applicants agent that, Appropriate Assessment (AA) can be screened out.

## **6. Public Consultation**

I have considered the provisions of section 146B(2)(b) which provides for, at the Board’s discretion, the invitation of submissions from persons, including the public.

I am of the opinion that the inviting of submissions from the public in this instance is not necessary and is not required for the purposes of the Board in determining the matter for the following reasons:

- (a) I am satisfied that the proposed alterations, that are fully contained within the footprint of the existing site boundary, are minor in nature.
- (b) The amendment to change the use from a Biological Treatment Facility for biodegradability (bio-stabilisation / composting) to one for processing of materials of construction and demolition (C&D) aggregates and fines washing, the quantum of which is already permitted for acceptance and processing at the landfill site, will result in no significant negative impacts upon the environment.
- (c) The proposal represents a positive impact on the environment by the replacement of the bio-stabilisation use with recycling of materials of

construction and demolition (C&D) fines and will result in no significant negative impacts upon the environment.

(d) The proposed interior alterations:

- replacement of composting tunnels, odour control system (biofilter, wet scrubber and stack), and ancillary vehicle wheel cleaning and floor wash downs with a feed hopper, screener, washing unit, conveyors and an integral water treatment system comprising a polyelectrolyte dosing unit, centrifuge thickener, and water recirculation tank.

And the proposed exterior alterations:

- external flu is no longer required, nor are the access stairs and doors to the previously proposed first level. The Construction & Demolition (C&D) fines processing plant will be entirely located inside the building, the footprint of which will be the same as the permitted building (5,400 sq. m FA, 108m L x 50m W x 17m H).

comprise minor internal and external building modifications and will not result in any significant impact upon the landscape and visual impact of the proposal.

(e) The nature and scale of the overall development will remain unchanged.

## **7. Assessment**

In the following assessment I consider the issue of materiality, and the potential for significant effects on the environment and European sites.

### **7.1 Consideration of Materiality**

The first consideration in relation to this request to alter the terms of ABP- 303211-18 is to determine if the alteration would constitute the making of a material alteration of the terms of the previously approved facility for the disposal, treatment and recovery of waste at Knockharley Landfill, as approved.

I note that the question of materiality is influenced by the type and extent of alterations being proposed and the consequences of these changes from a planning and environmental perspective. With respect to consideration of the following three questions:

- Does the development remain consistent with the planning policy context for the development?
- Is the development likely to have significant effects on people and other environmental parameters over and above those already identified and assessed in the parent permission?
- Is the development likely to have an adverse effect on a European site as a consequence of the alterations being proposed.

It is my considered opinion that the change of use / replacement of the bio-stabilisation / composting operations use with recycling of materials of construction and demolition (C&D) fines, reduces the overall risks associated with biological treatment and air emissions and will result in no significant negative impacts upon the environment. I am of the view the amendments proposed would remain consistent with the planning policy context for the development, is unlikely to have significant effects on people and other environmental parameters over and above those already identified and assessed in the parent permission and will not likely to have an adverse effect on a European site as a consequence of the alterations being proposed.

There are environmental benefits to replacement of the bio-stabilisation use with recycling of materials of C&D fines and the amendment will result in no significant negative impacts upon the environment. The recycling of C&D fines is similar in nature and characteristics to the approved development, the quantum of which is already permitted for acceptance and processing at the landfill site, and all works are contained within the permitted building, within the site and the red line boundary.

I note it is submitted by the applicant that a shift from the permitted bio-stabilisation/composting operations at the site to the process of fines washing will better support circular economy objectives. It will boost the efficiency and sustainability of operations by ensuring that more recyclable materials are recovered and reused within the resource recovery process.

The findings of the Stage 1 Screening for Appropriate Assessment in the case of 303211-18 found that there was potential for significant effects on one European site, namely, the conservation interests of the **River Nanny Estuary and Shore SPA**, in the absence of mitigation. A Natura Impact Statement (NIS) was submitted with the application to assist in the assessment of the potential impacts of the proposed development on the site in light of its conservation objectives.

This conclusion is based on:

- The weak ecological connection between the proposed development and the River Nanny Estuary and Shore SPA;
- Prevention of possible construction related pollutants entering the River Nanny river system by effective mitigation measures;
- Prevention of possible operational pollutants entering the River Nanny river system by effective mitigation measures including monitoring controls.

The Inspector in the case of ABP 303211-18 concluded, based on a complete assessment of all aspects of the proposed project, there is no reasonable doubt as to the absence of adverse effects.

I have carried out a site visit and reviewed the drawings and documentation that accompany the request and consider there is no potential for any material change (significant or substantial) in the nature or extent of the development, or its appearance such that it would be inconsistent with the character of the permitted development. Or that it would give rise to any significant environmental, hydrogeological or hydrology effects, impacts upon biodiversity, soils and geology or landscape and visual effects. In addition, the proposed alterations will not give rise to increased emissions to air or water and will not give rise to increased noise or vibration over what was originally approved. These potential impacts are discussed in the Environmental Effects section below.

#### **7.1.1 Finding in Respect of Materiality**

Having regard to the scale and nature of the alterations proposed in relation to the consented development, I am satisfied that the alterations will not alter the character of the approved development or give rise to new considerations or environmental effects that were not already considered in the assessment of impacts under ABP-

303211-18. I consider it reasonable to conclude therefore that the proposal subject of this request does not constitute the making of a material alteration of the development as approved under ABP-303211-18.

## **7.2 The Potential for Significant Environmental Effects**

As Schedule 7A documentation was submitted with the proposed amendment, a screening determination was carried out. See attached FORM 3, Appended to this report.

Having regard to: -

1. the criteria set out in Schedule 7, in particular:

(a) the nature and scale of the proposed change of use, to replace the bio-stabilisation / composting operations use with recycling of materials of construction and demolition (C&D) fines, in an established landfill site, being a previously approved facility for the disposal, treatment and recovery of waste.

(b) the recycling of C&D fines is similar in nature and characteristics to the approved development (ABP-303211-18), the quantum of which is already permitted for acceptance and processing at the landfill site, and all works are contained within the permitted building, within the site and the red line boundary.

(c) the absence of any significant environmental sensitivity in the vicinity, the development characteristics, potential impacts and the scale and nature of the alterations proposed in relation to the consented development.

(d) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)

2. the results of other relevant assessments of the effects on the environment submitted by the applicant including the Environmental Impact Assessment Screening Report, prepared by OCM & Associates, January 2025 and the EIAR, AA and NIS submitted with the permitted SID permission ABP-303211-18

3. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the mitigation measures specified in the EIAR, NIS and CEMP and control measures specified in the EPA licence.

I conclude that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

### **7.3 Appropriate Assessment Screening**

I have considered the proposal to replace the bio-stabilisation / composting operations use with recycling of materials of construction and demolition (C&D) fines, in an established landfill site, being a previously approved facility for the disposal, treatment and recovery of waste in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The Knockharley Landfill landholding is not located in an area designated for environmental conservation. The following Special Area of Conservation (SAC) and Special Protection Areas (SPA) are within a possible zone of influence of the proposed development.

- River Boyne and River Blackwater cSAC (Site code 002299) c. 4.3km to the north
- River Boyne and River Blackwater SPA (Site code 004232) c 4.4km to the north
- Boyne Estuary SPA (Site code 004080) c. 14.6 km to the north.
- Boyne Coast and Estuary cSAC (Site code 001957) c 18.7 to the north east.
- River Nanny Estuary and Shore SPA (Site code 004158) c. 22km to the east.

Under the Stage 1 Screening Report for Appropriate Assessment carried out on foot of ABP 303211-18 the three sites to the north of the landfill are all associated with the River Boyne and River Blackwater. These sites were screened out for further assessment on the basis that no ecological pathways exist between the landfill and the designated sites and the potential for significant effects can therefore be ruled out. Similarly, no hydrological connection exists between the site and the Boyne



Coast and Estuary SAC to the east, which is designated for coastal habitats.

Potential significant effects on this site can also be ruled out.

The proposed development site is, however ecologically connected to the River Nanny and Estuary and Shore SPA via a tributary of the River Nanny, the Knockharley Stream. This is a weak connection due to the distance involved (>22 km), however a precautionary approach was taken to further examine possible effects and apply mitigation measures, on foot of ABP 303211-18. It was concluded, in the parent SID permission, that in the absence of mitigation, significant effects on this European site could not be ruled out. These impacts could potentially arise during the construction and operational phases of the development associated with potential release of contaminants to the Knockharley Stream, which feeds into the River Nanny.

I note the QI's of the River Nanny and Estuary and Shore SPA:

**Qualifying Interests:**

Oystercatcher (*Haematopus ostralegus*) [A130]

Ringed Plover (*Charadrius hiaticula*) [A137]

Golden Plover (*Pluvialis apricaria*) [A140]

Knot (*Calidris canutus*) [A143]

Sanderling (*Calidris alba*) [A144]

Herring Gull (*Larus argentatus*) [A184]

Wetland and Waterbirds [A999]

**Conservation Objectives:**

- To maintain the favourable conservation condition of Oystercatcher in River Nanny Estuary and Shore SPA.
- To maintain the favourable conservation condition of Ringed Plover in River Nanny Estuary and Shore SPA.
- To maintain the favourable conservation condition of Golden Plover in River Nanny Estuary and Shore SPA.

- To maintain the favourable conservation condition of Knot in River Nanny Estuary and Shore SPA.
- To maintain the favourable conservation condition of Sanderling in River Nanny Estuary and Shore SPA.
- To maintain the favourable conservation condition of Herring Gull in River Nanny Estuary and Shore SPA
- To maintain the favourable conservation condition of the wetland habitat in the River Nanny Estuary and Shore SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.

The main impacts which could give rise to significant effects on the River Nanny Estuary and Shore SPA are sedimentation and pollution with the potential to give rise to a possible decrease in habitat quality and/or prey availability for the 6 no. species and Wetlands for which the site is selected.

A suite of mitigation measures are proposed, in the parent permission 303211-18, to avoid the risk of sediment and pollutants entering surface water and to protect water quality during each stage of the development. These are summarised below:

#### *Construction Stage*

- Table 3-5 of the NIS submitted with 303211-18 provides details of each of the mitigation measures that will be employed during the construction stage and how these measures avoid adverse effects. The following provides a summary of these measures.
- A Construction and Environmental Plan will be prepared and will include all of the mitigation measures set out in the EIAR and the NIS.
- A suitably qualified person will be appointed by the developer to ensure the effective implementation of the CEMP on site and to oversee the management and maintenance of the mitigation measures during construction.
- The new attenuation pond will be installed at the commencement of construction to eliminate the risk of any increase in the rate of run-off, to control erosion and silt or polluted run-off.

- Silt control, including silt traps and stilling ponds will be put in place in parallel with, or, ahead of construction.
- A new surface water management system will be installed to the north of the site, to cater for the proposed development. It will incorporate a four-stage treatment train (swale-holding pond-attenuation-wetland) to retain and treat the discharges from the new surfaces as a result of the development. This will reduce the potential impacts of increased run-off and sediment loading on watercourses.
- During the diversion of the stream and culverting to the north, in-stream sediment traps will be installed prior to construction and maintained for the duration of the works. All diverted surface water/run-off will be diverted to the attenuation lagoon to avoid risk of sediment entering Knockharley Stream. Any instream works will be undertaken in consultation with Inland Fisheries Ireland (IFI) and subject to Section 50 approval from the OPW.
- No works will take place during severe weather conditions.
- Works in watercourses will be carried out during July-September unless prior agreement has been reached with Inland Fisheries Ireland.
- A flood culvert will be constructed within Knockharley Stream to provide flood plain storage lost through construction of the northern surface water management system.
- Tree felling will be undertaken in accordance with best practice to prevent the introduction of sediments and nutrients to Knockharely Stream.
- Standard best practice procedures will be implemented regarding stockpiling of material, storage of fuels, refuelling of vehicles, construction of berms etc to avoid the risk of hydrocarbon leaks, contaminated run-off, sediment and excess nutrients entering the watercourse.

### *Operational Stage*

There is existing surface water drainage infrastructure in place to serve the existing development which is designed to ensure that surface water discharges to receiving waters will not impact on water quality. The existing collection system is as follows. Rainfall on the undeveloped parts of the landfill discharges directly to the surface

water drainage system. Rainfall on active areas of the landfill is collected in the leachate collection system. The surface water from all roads, capped areas and hard standing areas is directed to the surface water attenuation pond via an oil interceptor. Drainage from the existing waste inspection and quarantine bays is directed to the leachate lagoon.

A second surface water attenuation lagoon and wetland with an associated holding pond and a new flood plain is proposed to facilitate management of surface water in the northern portion of the site. It is proposed that drainage from the biological treatment facility will be directed to an underground leachate tank and drainage from the new IBA facility will be directed to a new leachate storage facility. In the event of a pollution incident discharges from the attenuation ponds to the north and south of the facility can be shut down to prevent pollution entering the watercourse.

The mitigation measures proposed during the operational stage are included in Table 3-6 of the NIS (ABP-303211-18). They include standard best practice protocols to prevent chemical/petroleum products, IBA contaminated run-off, leachate spills etc from entering the surface water management system including the attenuation and wetland system. The new surface water attenuation pond will be sized to manage a 1 in 100 year flood event to prevent uncontrolled releases of sediment and a constructed wetland will be provided to further attenuate flows and polish suspended solids prior to discharge to Knockharely Stream.

These measures combined with continuous monitoring of water quality will ensure that water quality is not adversely affected by the existing/proposed development. This will ensure that no downstream effects on water quality will occur with the potential to adversely impact on the special conservation interests of the River Nanny Estuary and Shore SPA.

#### Conclusion:

Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Scale and nature of the development.
- Location-distance from nearest European site and lack of connections.
- The Stage 1 Screening Report for Appropriate Assessment (AA) and Natura Impact Statement (NIS) carried out in respect of 303211-18, the parent SID application, which was granted planning permission.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## **8. Recommendation**

I recommend that the Board decides that (a) the making of the alterations subject of this request do not constitute the making of a material alteration of the terms of the development as approved under ABP 303211-18, and (b) the proposed modifications will not give rise to significant environmental effects or significant effects on the integrity of any European site, for the reasons stated below.

## **DRAFT ORDER**

**REQUEST** received by An Bord Pleanála on the 22<sup>nd</sup> day of January 2025 from Knockharley Landfill Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a strategic infrastructure development, granted under ABP-303211-18 for a facility for the disposal, treatment and recovery of waste at Knockharley Landfill. Which comprised an increase in the rate of waste acceptance up to 440,000 tonnes per annum comprising up to 435,000 tonnes per annum of non-hazardous waste incl. IBA as well as household, commercial and industrial wastes incl. residual fines, non hazardous contaminated soils. C&D wastes and baled recyclables, and up to 5,000 tonnes per annum of stable non-reactive hazardous waste, at Knockharley Landfill, County Meath.

**WHEREAS** the Board made a decision to grant the proposed development, subject to conditions, for the above-mentioned development by order dated the 30<sup>th</sup> April 2021.

**AND WHEREAS** the proposed alteration is described as follows:

A change of use from a permitted bio-stabilisation / composting building to a building for purposes of construction and demolition (C&D) fines washing operations, as well as minor internal and external building modifications.

**AND WHEREAS** having regard to the issues involved, the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, not to invite submissions or observations from the public in relation to the matter,

**AND WHEREAS** the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in the making of a material alteration to the terms of the development, the subject of the approval,

**AND WHEREAS** having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

**NOW THEREFORE** in accordance with section 146B(3)(b)(ii)(I) of the Planning and Development Act, 2000, as amended, the Board hereby alters the abovementioned decision so that the approved development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 22<sup>nd</sup> January 2025, for the reasons and considerations set out below.

### **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

### **REASONS AND CONSIDERATIONS**

In coming to its decision, the Board had regard to the following:

- (a) The nature and scale of the proposed alteration,
- (b) The documentation on file,
- (c) The report of the Inspector.

## EIA Screening Determination

Having regard to: -

1. the criteria set out in Schedule 7, in particular:
  - (a) the nature and scale of the proposed change of use, to replace the bio-stabilisation / composting operations use with recycling of materials of construction and demolition (C&D) fines, in an established landfill site, being a previously approved facility for the disposal, treatment and recovery of waste.
  - (b) the recycling of C&D fines is similar in nature and characteristics to the approved development (ABP-303211-18), the quantum of which is already permitted for acceptance and processing at the landfill site, and all works are contained within the permitted building, within the site and the red line boundary.
  - (c) the absence of any significant environmental sensitivity in the vicinity, the development characteristics, potential impacts and the scale and nature of the alterations proposed in relation to the consented development.
  - (d) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. the results of other relevant assessments of the effects on the environment submitted by the applicant including the Environmental Impact Assessment Screening Report, prepared by OCM & Associates, January 2025 and the EIAR, AA and NIS submitted with the permitted SID permission ABP-303211-18
3. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the mitigation measures specified in the EIAR, NIS and CEMP and control measures specified in the EPA licence.



The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

#### AA Screening Determination

Under ABP-303211-18, the Board considered a range of potential impacts on European Sites including the impact from noise and vibration causing disturbance to wildlife and the impact from airborne and water emissions. Taking account of the mitigation measures proposed, no potential for residual adverse effects on the Qualifying Interests of the River Nanny Estuary and Shore SPA (Site code 004158), as a result of the proposed development were predicted.

It is concluded, that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

Having regard to:

- the nature and scale of the development permitted under ABP-303211-18,
- the examination of the environmental impact, including in relation to Natura 2000 sites, carried out in the course of that application,
- the limited nature and scale of the alterations when considered in relation to the overall permitted development
- the location of the proposed alterations, within the footprint of an existing permitted building, within the site and the red line boundary.
- the absence of any significant new or additional environmental impacts arising as a result of the proposed alterations, and
- the report of the Board's inspector, which is adopted,

It is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Board hereby makes the said alterations.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Fiona Fair

Senior Planning Inspector

23.04.2025

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ABP-321769-25
<b>Proposed Development Summary</b>	<p>Proposed amendments to the previously approved (ABP-303211-18 SID) Knockharley Landfill.</p> <p>The amend seeks a change of use from a permitted bio-stabilisation / composting building to a building for purposes of construction and demolition (C&amp;D) fines washing operations, as well as minor internal and external building modifications.</p>
<b>Development Address</b>	Knockharley Landfill, County Meath.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed</b>	

road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	<b>State the Class and state the relevant threshold</b>
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	<b>State the Class and state the relevant threshold</b>
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b>  The class of activity is listed in Part 2 of Schedule 5 of the Planning & Development Regulations Class 11 (b) – Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule  Note: An EIAR has already been completed (Ref. No. 303211).  The proposed development falls into Class 13 (a)(ii) of Part 2 of Schedule 2 - Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:- <ul style="list-style-type: none"> <li>(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule and</li> <li>(ii) result in an increase in size greater than 25 per cent, or an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.</li> </ul>

	<p>The whole site is the relevant size when considering Class 13(a)(ii) and as the development will be carried out inside the permitted boundary there will be no increase in size of the site. There will be no change to the quantities of waste already authorised for acceptance (440,000 tonnes) and therefore no exceedance of the appropriate threshold, which is 12,500 tonnes (50% of 25,000 tonnes). As the proposed development will neither result in any increase in the size of the site, nor will there be any change to the permitted annual waste intake, an EIA is not mandatory.</p>
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4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input checked="" type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

## Form 3 - EIA Screening Determination Sample Form

A. CASE DETAILS		
<b>An Bord Pleanála Case Reference</b>	ABP-321769-25	
<b>Development Summary</b>	<p>Proposed amendments to the previously approved (ABP-303211-18 SID) Knockharley Landfill.</p> <p>The amend seeks a change of use from a permitted bio-stabilisation / composting building to a building for purposes of construction and demolition (C&amp;D) fines washing operations, as well as minor internal and external building modifications.</p>	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
<b>1. Was a Screening Determination carried out by the PA?</b>	<b>No</b>	
<b>2. Has Schedule 7A information been submitted?</b>	<b>Yes</b>	
<b>3. Has an AA screening report or NIS been submitted?</b>	<b>No</b>	
<b>4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?</b>	<b>Yes</b>	The EPA has not commented on the need for an EIAR
<b>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried</b>	<b>No</b>	

out pursuant to other relevant Directives – for example SEA			
<b>B. EXAMINATION</b>	<b>Yes/ No/ Uncertain</b>	<b>Briefly describe the nature and extent and Mitigation Measures (where relevant)</b>  (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)  <b>Mitigation measures</b> –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	<b>Is this likely to result in significant effects on the environment?</b>  <b>Yes/ No/ Uncertain</b>
<b>This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith</b>			
<b>1. Characteristics of proposed development</b> (including demolition, construction, operation, or decommissioning)			
<b>1.1</b> Is the project significantly different in character or scale to the existing surrounding or environment?	<b>No</b>	<p>The project seeks a change of use from a permitted bio-stabilisation / composting building to a building for purposes of construction and demolition (C&amp;D) fines washing operations, as well as minor internal and external building modifications.</p> <p>The infrastructural elements will be entirely within the existing permitted building which is part of the development for which an EIA was completed (Ref. No. 303211)</p> <p>The recycling of C&amp;D fines is similar in nature and characteristics to the approved development at the</p>	<b>No</b>

		site (Reg. Ref. 303211), the quantum of which is already permitted for acceptance and processing at the landfill site, and all works are contained within the permitted building, within the site and the red line boundary.	
<b>1.2</b> Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	<b>No</b>	<p>The proposed use will occupy the same footprint of the permitted building, will have the same dimensions and will be constructed using the same materials. The composting tunnels will not be constructed and, as the C&amp;D wastes are not odorous, the odour control system (biofilter, wet scrubber and stack) and the ancillary vehicle wheel cleaning and floor wash downs are not required.</p> <p>The permitted rainwater harvesting tanks, pumped supply from the surface water lagoons and process wastewater holding tank will be installed. The C&amp;D processing plant will be entirely located inside the building.</p>	<b>No</b>
<b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	<b>Yes</b>	<p>The project will comprise a system similar to soil washing plants used to treat contaminated soils from brownfield development sites. It will comprise a feed hopper, screener, washing unit, conveyors and an integral water treatment system comprising a polyelectrolyte dosing unit, centrifuge thickener and a water recirculation tank.</p> <p>Harvested roof water will be used in the washing cycle, topped up as required by the mains supply. Small amounts of polyelectrolyte will be added to the wash water before it enters the thickener to</p>	<b>No</b>



		<p>enhance the settlement of the non-aggregates. The clear water in the top of the thickener will flow over a weir and into the recirculation tank.</p> <p>The washing plant will use between 10 and 15m<sup>3</sup> of water/hour that will be recycled in the plant. To maintain water quality there will be a continuous bleed of wash water (ca 1m<sup>3</sup> /hour) to a proprietary wastewater treatment plant located inside the building. The water will be treated to remove the solid particles, which will settle out as a sludge. The treated water will be returned to the washing process.</p> <p>The plant will operate between 07.30 and 18.30 Monday to Saturday and the annual processing capacity will be 25,000 tonnes.</p> <p>Electricity consumption is estimated to be in the region of 1000 MW/hrs, associated with the operation of the conveyors, washing plant and pumps.</p>	
<p><b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p><b>No</b></p>	<p>The C&amp;D fines are not odorous and odour control measures are not required. There will be no point emission source to atmosphere.</p> <p>Depending on the location where they are produced the C&amp;D fines can have a low moisture content and there is the potential for dust generation when they are off-loaded from the delivery vehicles and in the initial stage of the process.</p> <p>As is the case for the permitted biological treatment process all the delivery vehicles will be fully enclosed and will be off-loaded in a fully enclosed reception area. The processing area will</p>	<p><b>No</b></p>

		<p>also be fully enclosed. While these measures were designed to control odours they are equally effective in preventing the release of dusts to the atmosphere. Following washing the sands will be damp, which will prevent dust emissions when the products are removed from the building.</p> <p>The outputs will be sands of different particle sizes and a non-hazardous sludge with a solids content of &gt;15%.</p> <p>Currently there are no beneficial reuses for the sludge and, pending the future development of these, the sludge will be disposed of in the landfill.</p> <p>The vehicles delivering the C&amp;D fines to the permitted building and removing the products have the same potential to generate vehicle exhaust gases and dusts as the vehicles that would have delivered the MSW fines to the permitted biological treatment process.</p> <p>The proposed alternative use will not result in any change to the permitted HGV traffic to and from the Knockharley Landfill and there will be no additional vehicles exhaust emissions. The same mitigation measures that would have been applied during the operation of the permitted biological treatment process to mitigate the impacts of dust emissions in dry weather are equally appropriate for the proposed alternative use.</p>	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	C&D fines, unlike Municipal Solid Waste (MSW) fines, are not particularly odorous and are not a	No

		<p>source of odour emissions that have the potential to cause off-site odour nuisance.</p> <p>The off-loading from the delivery vehicles and loading into the treatment plant feed hopper plant are potential sources of dust emissions to air. The diesel fuelled delivery vehicle movements are a source of exhaust gas emissions to air. Vehicles delivering the wastes and removing the product and the treatment plant are sources of noise emissions. There is the potential for water seeps to occur from the sand stockpiles. The washing process will generate a process wastewater that requires treatment and a sludge that must be disposed of.</p>	<p>The EPA licence sets out the control measures that must be applied to ensure these emissions do not cause pollution.</p>
<p><b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p><b>No</b></p>	<p>The proposed alternative treatment process will be completely enclosed, thereby avoiding the generation of contaminated storm water. There will be no change to either volume or quantity of roof water run-off to the surface water drainage system.</p> <p>As is the case for the permitted biological treatment process harvested rainwater, augmented by water from the surface water storage lagoons, will be used to supply the washing plant. Similar to the permitted biological treatment process, the washing plant is designed to fully recycle the washwater. As a precaution in the event of a malfunction of the wash water treatment plant the washwater will be diverted to the holding tank from where it will be pumped to the leachate lagoons.</p>	<p><b>No</b></p>

		<p>Given the nature of the C&amp;D waste, which will contain little or no putrescible materials, the washwater will have a much lower organic and inorganic loading compared to the effluents generated by the permitted biological treatment process and will have no perceptible effect on either the permitted leachate storage capacity (ca 50,000m<sup>3</sup> ), or the quality of the leachate that is currently tankered off-site.</p> <p>The permitted building floor has impermeable paving and, as is the case for the permitted biological treatment process, the floor will be subject to regular inspection and repair as required by the IE licence. As is the case for the permitted biological treatment process, oils used in the alternative process will be stored in appropriately contained areas, and the same spill response procedures will be applied to ensure a rapid and proportionate response to any accidental spills and leaks to prevent any impact on groundwater.</p> <p>The proposed alternative use will have an imperceptible impact on Water.</p> <p>The EPA licence requires KLL to monitor surface water, groundwater, dust deposition and noise emissions at specified monitoring locations and sets emission limits that must not be exceeded. The EPA also conducts its own compliance assessment monitoring and regulatory compliance audits.</p>	
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<p><b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p><b>Yes</b></p>	<p>The proposed C&amp;D processing plant will be located inside a fully enclosed building and noise emissions will only occur when the plant is operating. The sound power level of the various components of the process plant will range from 74.6 to 90.8 decibels, which are similar to the permitted process. The permitted noise mitigation and control measures apply equally to the proposed end use and will ensure the noise emission will not be a source of nuisance outside the KLL boundary.</p>	<p><b>No</b></p>
<p><b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p><b>No</b></p>	<p>The dust and vehicle exhaust emissions will have an imperceptible impact on air quality.</p> <p>The proposed alternative treatment process will be completely enclosed, thereby avoiding the generation of contaminated storm water. There will be no change to either volume or quantity of roof water run-off to the surface water drainage system.</p> <p>Given the nature of the C&amp;D waste, which will contain little or no putrescible materials, the washwater will have a much lower organic and inorganic loading compared to the effluents generated by the permitted biological treatment process and will have no perceptible effect on either the permitted leachate storage capacity (ca 50,000m<sup>3</sup>), or the quality of the leachate that is currently tankered off-site.</p> <p>The permitted building floor has impermeable paving and, as is the case for the permitted biological treatment process, the floor will be subject to regular inspection and repair as</p>	<p><b>No</b></p>

		<p>required by the IE licence. As is the case for the permitted biological treatment process, oils used in the alternative process will be stored in appropriately contained areas, and the same spill response procedures will be applied to ensure a rapid and proportionate response to any accidental spills and leaks to prevent any impact on groundwater.</p> <p>The proposed alternative use will generate direct and indirect greenhouse gas associated with the energy use to transport and processing of the C&amp;D fines. The estimated annual electricity demand is approximately 1000 MW hours/year. However, the process itself will not be a source of greenhouse gas emissions. The proposed use will not result in any increase in the permitted heavy goods vehicle movements to and from Knockharley Landfill and therefore there will be no additional greenhouse gas emissions.</p> <p>Recycling construction wastes reduces the demand for new raw materials and means avoiding the greenhouse gas emissions associated with the energy consumption involved in extracting and processing raw aggregates.</p> <p>The proposed alternative use will have an imperceptible impact on Air or Climate.</p>	
<p><b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?</p>	<p><b>No</b></p>	<p>The proposed alternative use will generate traffic but it will not result in any change to the permitted traffic movements to and from the Knockharley Landfill.</p>	<p><b>No</b></p>

		The recycled aggregates will be transported from the site in the heavy goods vehicles that deliver the C&D fines to the facility. There will be no significant change to the estimated electricity and water consumption rates associated with the permitted biological treatment process. The process will generate a wash water that under normal circumstances will be fully recycled. The process will also generate a non-hazardous sludge that will be landfilled on-site.	
<b>1.10</b> Will the project affect the social environment (population, employment)	<b>No</b>	The C&D fines are not odorous and are not attractive to insects and vermin. The proposed process will be a source of dust and vehicle exhaust gas emissions and noise. The dust and vehicle exhaust emissions will have an imperceptible impact on air quality. The proposed use will not result in an increase to the permitted traffic movements. The proposed C&D processing plant will be located inside a fully enclosed building and noise emissions will only occur when the plant is operating. The sound power level of the various components of the process plant will range from 74.6 to 90.8 decibels, which are similar to the permitted process. The permitted noise mitigation and control measures apply equally to the proposed end use and will ensure the noise emission will not be a source of nuisance outside the KLL boundary.	<b>No</b>
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	<b>No</b>	The change of use / replacement of the bio-stabilisation / composting operations use with recycling of materials of construction and demolition (C&D) fines, is similar in nature and characteristics to the approved development, the	<b>No</b>

		<p>quantum of which is already permitted for acceptance and processing at the landfill site, and all works are contained within the permitted building, within the site and the red line boundary.</p> <p>Given the nature of the proposed development there will be no interactions between the factors assessed.</p> <p>The assessment of the impacts of the proposed development considered the cumulative effects of the operation of the entire KLL installation.</p>	
<b>2. Location of proposed development</b>			
<p><b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> <li>- European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>- NHA/ pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</li> </ul>	<b>No</b>	<p>The proposed development is located within an existing permitted landfill facility.</p> <p>Having considered the nature, scale, and location of the amendment, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:</p> <ul style="list-style-type: none"> <li>• Scale and nature of the development.</li> <li>• Location-distance from nearest European site and lack of connections.</li> <li>• The Stage 1 Screening Report for Appropriate Assessment (AA) and Natura Impact Statement (NIS) carried out in respect of 303211-18, the parent SID application, which was granted planning permission.</li> </ul> <p>On the basis of objective information, it is concluded that the proposed development would not have a likely significant effect on any</p>	<b>No</b>



		European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.	
<b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	<b>No</b>	<p>Impacts on <b>biodiversity</b> within the site would not be significant, are capable of effective mitigation by the implementation of the measures set out in the Environmental Impact Assessment Report (EIAR) and the Natura Impact Statement submitted with 303211-18, the parent SID permission.</p> <p>The habitats that would be impacted are of low ecological value with no rare or protected plants species recorded. The Kentstown &amp; Knockharley streams suffers from poor water quality with low fisheries potential.</p> <p>Faunal species such as Otter and Badger use the site for transient foraging but are not breeding on the site. The majority of the birds recorded are not of conservation concern and no protected birds/species of conservation interest are breeding on the site. No bat roosts were recorded. The amphibian records identified Frogspawn, which if encountered during construction will be relocated to similar habitat.</p>	<b>No</b>
<b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	<b>No</b>	The proposed amendment / change of use does not include any new works. It is proposed to omit the permitted composting tunnels and associated works, odour control system and associated flue stack, and the internal baled waste storage areas	<b>No</b>

		<p>that form part of the permitted layout. It is proposed to treat the C&amp;D fines to recover sand and aggregates that can be returned to the economy. The treatment process will involve washing and screening inside the permitted Bale Storage Building.</p> <p>There are no Recorded Monuments within the study area. The closest (RMP ME026-0300 is located c 1.3 km to the west of the landfill site boundary and takes the form of a possible ringfort (Fig 14.1).</p> <p>There are no National Monuments in State Care, or sites with Preservation Orders/Temporary Preservation Orders within the development area or within the 1km study area. There are no World Heritage Sites or Candidate World Heritage Sites within the development area or the 1km study area.</p> <p>In terms of the architectural resource, there are no Protected Structures within the proposed development area or within the 1km study area. There is one Architectural Conservation Area which falls within the 1km study area at Somerville Demesne c 600m to the south-east of the landfill. Somerville House is included in the National Inventory of Architectural Heritage (NIAH).</p> <p>There will be no residual impacts on the archaeological, architectural or cultural heritage resource.</p>	
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<p><b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p><b>No</b></p>	<p>As stated above and throughout this assessment the proposed development is located within an existing permitted landfill facility and accordingly, impacts on forestry, agriculture, water/coastal, fisheries, minerals are not predicted. Any potential dis-amenities is assessed as of a short-term nature.</p>	<p><b>No</b></p>
<p><b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p><b>No</b></p>	<p>As stated above, the proposed use will occupy the same footprint of the permitted building, will have the same dimensions and will be constructed using the same materials. The composting tunnels will not be constructed and, as the C&amp;D wastes are not odorous, the odour control system (biofilter, wet scrubber and stack) and the ancillary vehicle wheel cleaning and floor wash downs are not required.</p> <p>The permitted rainwater harvesting tanks, pumped supply from the surface water lagoons and process wastewater holding tank will be installed. The C&amp;D processing plant will be entirely located inside the building.</p> <p>The hydrological study contained in Appendix 12-6 of ABP 303211-18 (the parent SID permission), concluded that the current course of the Knockharley Stream can cater for a 1 in 100-year flood event without overtopping the bank. The 1 in 1000-year flood will exceed the stream banks in the vicinity of the proposed development area, but compensatory flood zone storage in the event of a 1 in 1000-year flood event is proposed as part of the overall development. The current landfill development avoids flood Zone A areas.</p>	<p><b>No</b></p>

		<p>Drainage from the existing landfill is via an operating drainage system from the landfill facility which is directed towards a stormwater attenuation pond and to a constructed wetland before being discharged into the local drainage network and finally to the Kentstown Stream. The storm water attenuation pond is sized to receive all surface water run-off from the existing development and to allow suspended solids to settle and to control the rate of discharge from the site.</p> <p>Surface water quality is currently monitored for a range of parameters on a quarterly basis at 8 locations around the landfill site under the conditions of the existing IE licence. These are shown on Drawing No LW14-821-01-P-050-001 in appendix 4 of the EIAR. The monitoring programme which has been carried out at the facility since 2001 and before waste was accepted, establishes baseline water quality and identified seasonal variations. There is a continuous monitoring programme in place at the surface water pond and at the discharge point for the wetland (SW9).</p> <p>Surface water samples are analysed for a range of parameters. The results over the past 5 years were assessed and compared to the baseline. The results indicate that the levels of various parameters remained relatively stable and within the baseline range. The results of surface water monitoring indicate no significant impact from the landfill development.</p>	
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<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	<b>No</b>	The greatest potential for impacts on soil, geology and hydrogeology will occur during the construction phase, which creates the potential for increased soil erosion, surface water run-off and potential contamination of groundwater. The impacts are identical to any construction site. Subject to the implementation of the mitigation measures proposed, I do not consider that the proposed development will result in significant adverse effects.	<b>No</b>
<b>2.7</b> Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	<b>No</b>	The site is located on the west side of the N2, approximately 6km south of Slane and approximately 7km east of Duleek.  The site has dedicated access directly off the N2. The proposed alternative use will generate traffic, but will not result in any change to the permitted traffic movements to and from the Knockharley Landfill. The recycled aggregates will be transported from the site in the heavy goods vehicles that deliver the C&D fines to the facility.	
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	<b>No</b>	The nearest private residence to the permitted baled waste storage building is 340m to the east. The proposed development is located within an existing landfill facility and accordingly, impacts on property values are not predicted. Any potential dis-amenities and corresponding property devaluation is assessed as of a short-term nature.	<b>No</b>
<b>3. Any other factors that should be considered which could lead to environmental impacts</b>			

<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	<b>No</b>	The assessment of the impacts of the proposed development considered the cumulative effects of the operation of the entire KLL installation.	<b>No</b>
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	<b>No</b>	The proposed development will have no transboundary effects.	<b>No</b>
<b>3.3</b> Are there any other relevant considerations?	<b>No</b>	There is no risk of major accidents and or natural disasters at the proposed development.	<b>No</b>

## C. CONCLUSION

<b>No real likelihood of significant effects on the environment.</b>	<input checked="" type="checkbox"/>	EIAR Not Required
<b>Real likelihood of significant effects on the environment.</b>	<input type="checkbox"/>	EIAR Required

## D. MAIN REASONS AND CONSIDERATIONS

### ***EG - EIAR not Required***

Having regard to: -

1. the criteria set out in Schedule 7, in particular:

- (a) the nature and scale of the proposed change of use, to replace the bio-stabilisation / composting operations use with recycling of materials of construction and demolition (C&D) fines, in an established landfill site, being a previously approved facility for the disposal, treatment and recovery of waste.
- (b) the recycling of C&D fines is similar in nature and characteristics to the approved development (ABP-303211-18), the quantum of which is already permitted for acceptance and processing at the landfill site, and all works are contained within the permitted building, within the site and the red line boundary.

(c) the absence of any significant environmental sensitivity in the vicinity, the development characteristics, potential impacts and the scale and nature of the alterations proposed in relation to the consented development.

(d) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)

2. the results of other relevant assessments of the effects on the environment submitted by the applicant including the Environmental Impact Assessment Screening Report, prepared by OCM & Associates, January 2025 and the EIAR, AA and NIS submitted with the permitted SID permission ABP-303211-18
3. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the mitigation measures specified in the EIAR, NIS and CEMP and control measures specified in the EPA licence.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

**Inspector** \_\_\_\_\_

**Date** \_\_\_\_\_

**Approved (DP/ADP)** \_\_\_\_\_

**Date** \_\_\_\_\_