



CONSULTANTS IN ENGINEERING,
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KILLYCRONAGHAN CLOSED LANDFILL REMEDIATION PROJECT

PLANNING AND ENVIRONMENTAL REPORT

Prepared for:
Monaghan County Council



Date: July 2023

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REVISION CONTROL TABLE, CLIENT, KEYWORDS AND ABSTRACT

User is responsible for Checking the Revision Status of This Document

Rev. No.	Description of Changes	Prepared by:	Checked by:	Approved by:	Date:
0	Final Issue	DM/AMW	BG	BG	07/07/2023

Client: Monaghan County Council

Keywords: Landfill, Remediation, Planning, Environment, Section 177AE

Abstract: This document consists of a Planning and Environmental Report and has been developed in support of a Section 177AE application to An Bord Pleanála for approval of the Killycronaghan Closed Landfill Remediation Works. The document reports on the Planning and Environmental considerations associated with the project.

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1. INTRODUCTION

1.1 Background

Fehily Timoney and Company (FT) have been engaged by Monaghan County Council (MCC) to prepare a Section 177AE Planning Application to An Bord Pleanála (APB) for the completion of Killycronaghan Closed Landfill Remediation Works. .

Tier 1, Tier 2 and Tier 3 Risk Assessments have been carried out on the closed landfill in accordance with the EPA's Code of Practice: Environmental Risk Assessment for Unregulated Waste Disposal. Monaghan County Council subsequently applied for a Closed Landfill Certificate of Authorisation (CoA) from the Environmental Protection Agency (EPA). A Certificate of Authorisation Ref: H0366-01 was issued for the site on 19th March 2021. Monaghan County Council propose carrying out the Killycronaghan Closed Landfill Remediation Works in compliance with this Certificate of Authorisation.

The purpose of certificates of authorisation is to specify control and remediation measures required at a closed landfill to ensure that waste disposed or recovered in the closed landfill is not causing, or is not likely to cause, environmental pollution. A Certificate of Authorisation is issued by the EPA to ensure compliance with the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations, 2008.

Screening for Appropriate Assessment by the Environmental Protection Agency (EPA) identified the potential for a likely significant effect or effects on three European sites; on the Upper Lough Erne NI Special Protection Area (SPA; site code: UK9020071), Upper Lough Erne NI Special Area of Conservation (SAC; site code: UK0016614) and Lough Oughter and Associated Loughs SAC (Site Code: 000007). A Stage 2 Appropriate Assessment (Natura Impact Statement) on the potential impact on the Upper Lough Erne NI SPA, Upper Lough Erne NI SAC and Lough Oughter and Associated Loughs SAC was required. The Stage 2 Report has been completed and is included in this application.

Given a Stage 2 Appropriate Assessment (Natura Impact Statement) is required for the project, planning consent for the project must be sought from An Bord Pleanála under Section 177AE of the Planning and Development Act, as amended. A Section 177AE application has therefore been prepared for the project. This document consists of a Planning and Environmental Report and has been developed in support of the Section 177AE application to An Bord Pleanála for approval of the Killycronaghan Closed Landfill Remediation Works. The document reports on the Planning and Environmental considerations associated with the project and has been laid out as follows:

- Section 2 - Project Description
- Section 3 - Planning Considerations
- Section 4 - Conclusions



1.2 Accompanying Documents

The following documents accompany this document and the Section 177AE application for the project:

1. An **EIA Screening Assessment Report** (Reference: P22-071 Killycronaghan EIA Screening) - This assessment was carried out to determine whether an Environmental Impact Assessment Report in accordance with Directive 2014/52/EU is required for the project. This document involved an examination and an assessment of potential environmental impacts having regard to proposed environmental mitigation measures. It was determined that neither a Mandatory EIAR nor Sub-threshold EIAR is required for the project.

The following relevant document is appended to the EIA Screening Assessment Report:

- Appendix 1: Certificate of Authorisation (Licence number: H0366-01) Killycronaghan Historical Landfill.
2. A **Natura Impact Statement** (Reference: P22-071 NIS) – This assessment was carried out to determine whether the project would have an adverse effect on the integrity of a European (Natura 2000) site, either individually or in combination with other plans or projects. This assessment concluded on the basis of objective scientific information, the proposed development will not, either alone nor in combination with other plans or projects, have an adverse effect on the integrity of a European (Natura 2000) site. The following relevant document is appended to the Natura Impact Statement:
 - Appendix 1: EPA Appropriate Assessment Screening Determination
 3. A **Construction Environmental Management Plan** (Reference: P22-071 Killycronaghan CEMP) – This document reports on the Environmental Management Plan (which defines development works environmental mitigation measures), Health and Safety Plan and Emergency Response Procedures to be adopted and implemented during the construction phase of the proposed development.

1.3 Accompanying Drawings

The drawings that accompany this document and the Section 177AE application for the project are:

Drawing No.	Drawing Title
P22-071-1000-0001	Drawing List
P22-071-1000-0002	European Sites Within the Zone of Interest
P22-071-1100-0001	Site Location Map
P22-071-1100-0002	Aerial Photography Site Location
P22-071-1100-0003	Existing Site Survey
P22-071-1100-0004	Land Ownership Map
P22-071-1100-0005	Health And Safety
P22-071-1100-0006	Site Clearance Plan
P22-071-1100-0007	Existing And Proposed Monitoring Locations
P22-071-1100-0008	Proposed Site Layout
P22-071-1100-0009	Draft Planning Stage - Traffic Management Plan
P22-071-1300-0001	Proposed Formation Levels
P22-071-1300-0002	Proposed Final Cap Restoration Contours



Drawing No.	Drawing Title
P22-071-1300-0003	Proposed Cut / Fill Plan
P22-071-1300-0004	Proposed Cut / Fill Sections
P22-071-1300-0007	Proposed Under Liner Gas Collection
P22-071-1500-0001	Proposed Surface and Sub-Surface Drainage
P22-071-1500-0002	Drainage Details

1.4 Description of the Site

Killycronaghan Closed Landfill is located within the townland of Killycronaghan. This site is approximately 8km northeast of Clones town, 1.7km southwest of the village of Smithborough and 1km from the N54 national road. The site is accessed from local road L2151 which partially adjoins the eastern boundary of the site. The proposed landfill capping boundary is 74m from the L2151.

It was previously reported by MCC that the closed landfill accepted waste throughout the 1970s, ceasing in 1984. Waste deposited at the site comprised of municipal solid waste (MSW) to a maximum depth of 4.8m below ground level (BGL). The closed landfill is currently covered with topsoil which supports improved agricultural grassland.

The site is located within a primarily rural setting in an area of rolling topography dominated by drumlins. The site is at an elevation of between 50m and 55m above Ordnance Datum (aOD).

The site is surrounded by agricultural land with poultry buildings located within the eastern area of the site, close to the site entrance. The land use in the area is primarily agricultural with the site currently used for pasture.

The site is partially bounded to the north, east and southeast by the Kilgormly River. The Magheramey River partially adjoins the site to the northwest. Surface water ditches bound the site to the southwest. The site is located within the catchment of the River Erne, with all local surface water entering the Lough Erne lake system approximately 18km to the west.

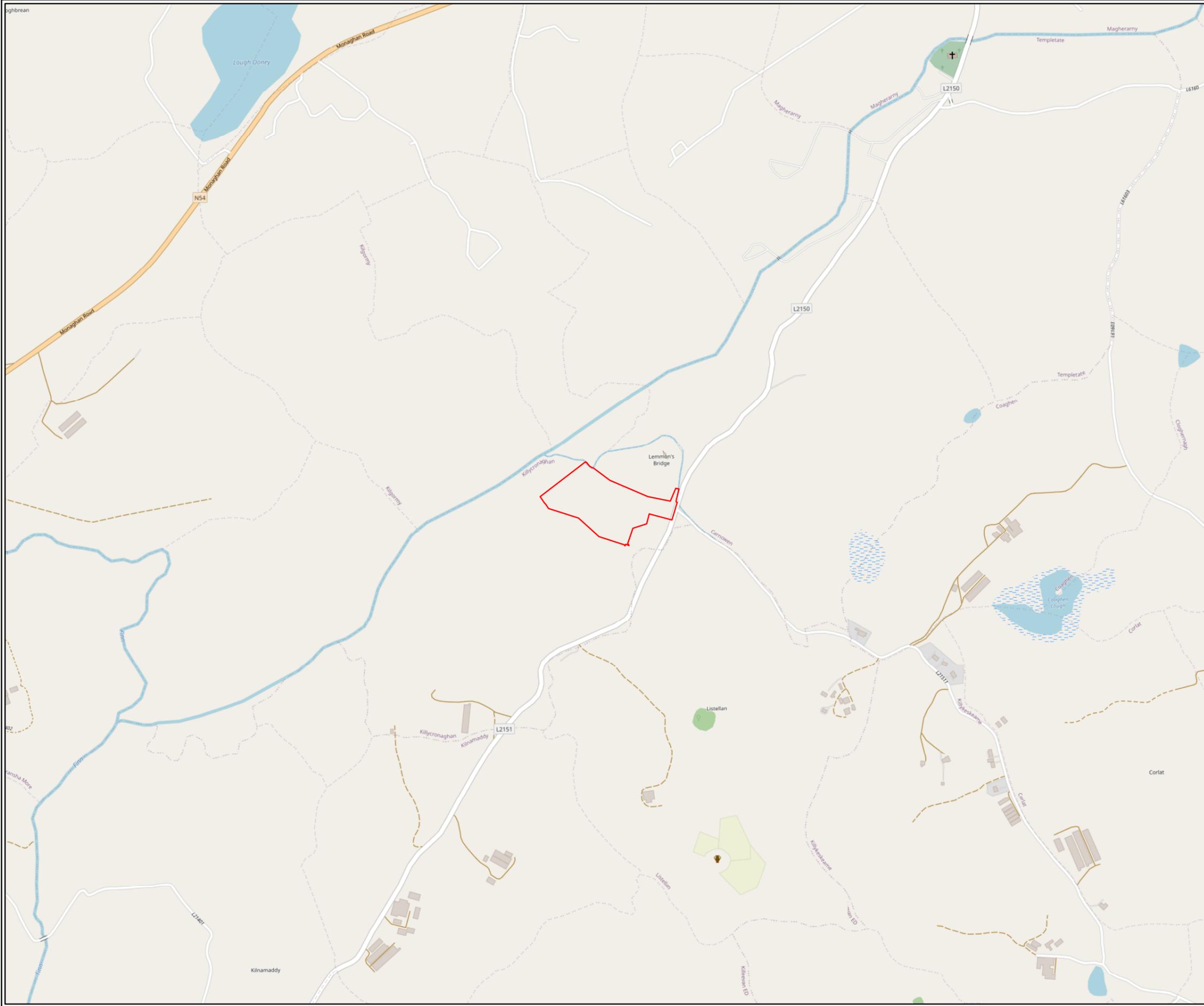
There are several small lakes located in the vicinity of the site. Coaghen Lough is located approximately 0.9km to the east of the site. Two smaller unnamed lakes are located approximately 0.5km and 0.7km east of the site, while Lough Oony is located approximately 1.2km northwest of the site.

There are no dwelling houses located within 100m of the site although there is poultry housing approximately 80m north of the east boundary.

A ring fort (MO012-022---) is located on top of a drumlin approximately 80m southwest of the site at an elevation of approximately 76m aOD.

A Site Location Map drawing showing the site and its immediate environs is enclosed with this planning application (Drawing Reference: P21-071-1100-0001).

A GIS Figure showing the Site Location is shown in Figure 1-1.



Legend
 Site Boundary

TITLE:	Site Location		
PROJECT:	Killycrosheen Historic Landfill		
FIGURE NO:	1-1		
CLIENT:	Monaghan County Council		
SCALE:	1:10000	REVISION:	0
DATE:	07/07/2023	PAGE SIZE:	A3





1.5 Site Ownership

FT understands that since the closure of the historic landfill in 1984, the site reverted to private ownership, with the lands presently used for agriculture.

A Land Ownership Map with the boundary of the application site accompanies this planning application (Drawing Ref: P22-071-1100-0004).

Part of the Ulster Canal was historically within the closed landfill planning boundary, but this part of the canal was infilled approximately 100 years ago. Following the closure of this part of the canal, the site was used as a quarry and subsequently the closed landfill which was operated by Monaghan County Council under lease agreement with the landowners. As outlined in planning drawing P22-071-1100-0004, this part of the canal dissects Folio MN2865. This part of the canal is not registered and the company that previously operated the canal has been out of business since the 1920s.

A letter of consent for this part of the planning boundary cannot be obtained. The landowners have farmed this part of the canal for approximately 100 years.

An Bord Pleanála have advised Monaghan County Council to include this detail within the planning application. A Monaghan County Council headed letter outlining ownership within the application site boundary is included in this planning application.



2. PROJECT DESCRIPTION

2.1.1 Overview Description of the Project

Monaghan County Council proposes to seek the approval of An Bord Pleanála for the completion of Closed Landfill Remediation Works at a Closed Landfill site in Killycronaghan, New Bliss, County Monaghan.

The application site, as defined by the red line boundary in the accompanying drawings, is 3.75ha in size. The proposed capping area within the application site is 2.6ha in size.

The proposed development will consist of the following:

- The development of a site access.
- The development of a temporary site compound and office area.
- Site clearance, including the removal of an existing gate, existing timber post and wire fencing and clearance of existing vegetation.
- Grading/profiling of the existing site area.
- Installation of an engineered landfill capping system covering an area of 2.6 hectares.
- Installation of surface and subsurface surface water drainage infrastructures.
- Installation of passive landfill gas management infrastructure.
- The installation of stock proof fencing, and a new access gate on-site.
- Landscaping of the final formation of the capping area using a proprietary grass cover mix suited for pasture.

Post completion of the remediation works ongoing environmental monitoring and maintenance of the engineered cap and onsite drainage system will be required.

The works will take place in accordance with a Construction Environmental Management Plan (CEMP).

The construction period for the proposed development will be 6-8 months.

2.1.2 Detailed Description of the Project

A detailed description of the proposed project is contained in Section 2 of the Environmental Impact Assessment Screening Report which accompanies this Section 177AE Planning Application to the Board. To avoid reiteration, the reader is advised to refer to the aforementioned section/report to develop an understanding of the project. The Planning and Environmental Assessment undertaken and reported upon in this document has had regard to this project description.



3. PLANNING CONSIDERATIONS

3.1 Relevant Planning History

The closed landfill has not been subject to any planning process, application or grant of planning permission. The landfill commenced operations in the 1970's and early 1980's until operations ceased in 1984.

No other Planning Applications or Grants of Planning Permission exist at the application site.

3.2 Planning Policy Context and Project Compliance with Planning Policy

3.2.1 Monaghan County Development Plan 2019 – 2025

The Monaghan County Development Plan 2019 – 2025 is the relevant statutory plan which guides the use and development of the subject site. Under the current Plan, it is the policy of the County Council to support a high standard of physical and social infrastructure necessary for their respective communities.

The Plan has eight strategic objectives for the future development of the County. Objective 5 of the Plan aims to 'protect and nurture the County's rich natural resources, heritage, tourism assets and amenities along with the environmental quality of the natural and built environment in both the urban and rural areas'. The Plan also outlines six integrated Strategies that have a common aim of achieving the goals of the Plan. Each Strategy includes a policy to assist in achieving the goals of the Plan, and supporting objectives to achieve that policy.

This Plan sets out to contribute towards the protection of designated ecological sites including SACs and SPAs.

The following Policies/Objectives are defined in the current Monaghan County Development Plan:

- HCLSO 1 - To promote and encourage the conservation and preservation of the County's natural environment, cultural heritage and amenities in accordance with legislation, plans and policies developed to specifically address these areas and to ensure a rich cultural landscape, healthy environment and the full provision of ecosystems services in the county.
- HLP 3 - To contribute as appropriate towards the protection of designated sites in compliance with relevant EU Directives and applicable National Legislation.
- GIP 6 - To contribute towards the protection and enhancement of biodiversity and ecological connectivity, including woodlands, trees, hedgerows, wetlands, rivers, streams, other landscape features and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones in the context of Article 10 of the Habitats Directive.
- WPP 1 – In assessing applications for developments, the Council will consider the impact on the quality of surface waters and will have regard to targets and measures set out in the River Basin Management Plan for Ireland 2018 – 2021 and any subsequent local or regional plans.
- WPP 17 - To contribute towards the protection of existing and potential water resources, and their use by humans and wildlife, including rivers, streams, groundwater and associated habitats and species.
- ISP 1 - To ensure that development proposals do not lead to the spread of invasive species and to ensure that landscaping proposals do not include invasive species.



- ISP 2 - To support, as appropriate, the National Parks and Wildlife Service's efforts to seek to control and manage the spread of non-native invasive species on land and water. Where the presence of non-native invasive species is identified at the site of any proposed development or where the proposed activity has an elevated risk of resulting in the presence of these species, details of how these species will be managed and controlled will be required.
- WMP 1 - To implement and support the strategic objectives of the Connaught-Ulster Regional Waste Management Plan 2015-2021 and any subsequent Waste Management Plan adopted during the current plan period.

It is considered that the proposed remediation works will aid in achieving the above objectives through the overall enhancement of water quality and significant improvement on the visual amenity of the immediately surrounding area given the ground clearance and the more aesthetically appealing site grading/profiling and landscaping that will be carried out as part of the development. It is therefore considered that the proposed development complies with the plan.

3.2.2 Connacht Ulster Regional Waste Management Plan

The local authorities recognize the need to address legacy, historic and closed licensed landfill in the region for the plan period (2015-2021). The risk to environmental receptors, such as ground and surface water, from waste buried at these sites needs to be tackled and minimized. A clear process to remediate sites has been discussed with the Department of the Environment, Community and Local Government (DECLG). These communications have shaped the policy and implications actions in the plan. The local authorities are committed to targeting and addressing the highest risk sites as soon as possible, subject to funding from the DECLG being made available.

The following Policy/Objective is defined in the Plan:

- Policy G2: Roll-out the plan for remediation historic closed landfill prioritizing actions to those sites which are the highest risk to the environment and human health.

The progression and completion of the Killycronaghan Closed Land Remediation Project will accord with and support the Policy and Policy Actions defined above in the Connacht-Ulster Regional Waste Management Plan. The Remediation Plan will be in accordance with the EPA's Closed Landfill Certificate of Authorisation for the landfill. Based on the rationale for the remediation of the site, and the policies outlined above, it is considered that the project therefore complies with this plan.

3.2.3 River Basin Management Plan 2018–21 / Draft River Basin Management Plan 2022–27

The River Basin Management Plan 2018 – 2021 / Draft River Basin Management Plan 2022 – 2027 both set out the measures necessary to protect and improve the quality of Ireland's waters. Good water quality contributes to protecting human health by improving the quality of drinking water sources and bathing waters.

The River Basin Management Plans from Ireland stem from the EU Water Framework Directive. The Directive is linked to, and reinforces, other EU environmental directives including directives relating to the protection of biodiversity.



Strong and targeted action is now needed to protect water from further decline and to restore water quality where past activities have caused damage. The remediation of the site will help to achieve this as the proposed engineered cap will prevent rainwater ingress and the generation of landfill leachate on-site. This in turn will ensure greater levels of protection of the receiving environment including underlying groundwater and receiving downstream surface waters and therefore is complementary of the Plan.

Many of the measures needed to protect and improve water quality can also deliver benefits for nature, air quality and climate change as the proposed remedial works will result in the management of landfill gas emissions on site and will also significantly improve the visual amenity of the immediately surrounding area given the ground clearance and the more aesthetically appealing site grading/profiling and landscaping that will be carried out as part of the development.

3.3 Justification for the Project

The Proposed Development will reduce environmental risk associated with the historic closed landfill site and will have a positive impact on the receiving environment.

The development of an engineered cap above the body of deposited waste will prevent rainwater ingress and the generation of landfill leachate on-site. This in turn will ensure greater levels of protection of the receiving environment including underlying ground and groundwater, receiving downstream surface waters (Upper Lough Erne NI SPA, Upper Lough Erne NI SAC and Lough Oughter and Associated Loughs SAC) which are protected under the Water Framework Directive, and receiving European (Natura 2000) sites.

The current water quality of the Kilgormly River which bounds the site to the southeast, east and north and Magherarny River which bounds the site to the northwest lie northeast of the site are defined as 'moderate' by the EPA for the latest monitoring period of 2013-2018. The prevention of landfill leachate from entering these water bodies will help to improve the water quality status of these water bodies and therefore the proposed remediation works on site will be supportive of the objectives set out in the Water Frameworks Directive and the River Basin Management Plan.

The proposed development will also result in the controlled management of landfill gas emissions and will prevent the release of uncontrolled landfill gas emissions, thereby contributing to improved ambient air quality in the vicinity of the landfill site.

The proposed development will reduce environmental risk on-site and support enhancing the amenity value of the site in accordance with the Monaghan County Development Plan 2019 – 2025. The management and reduction of environmental risk at this historic closed landfill will also accord with and support policy regarding landfill remediation defined in the Connacht Ulster Region Waste Management Plan.

It can therefore be seen that there is robust justification for the proposed development.



4. CONCLUSIONS

The proposed development aligns with and supports planning policy defined in the Monaghan County Development Plan 2019-2025 and Connacht Ulster Regional Waste Management Plan 2019-2025. It is likely that the proposed development will result in significant positive environmental impacts, namely improved ground and groundwater quality underlying the site, improved water quality at receiving surface water bodies and improved ambient air quality in the vicinity of the site.

The EIA Screening Report has concluded that no element of the proposed development is likely to have a significant adverse impact on the receiving environment (with the adoption of proposed mitigation measures). A Construction Environmental Management Plan will be in place to ensure environmental protection during development works.

The Natura Impact Statement has concluded on the basis of objective scientific information, the proposed development will not, either alone nor in combination with other plans or projects, effect the integrity of any European (Natura 2000) site.

Given all the above, the proposed development is considered to adhere to principles of proper planning and sustainable development. Therefore, the proposed development should be granted approval by An Bord Pleanála.



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