



CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE &
PLANNING

KILLYCARD CLOSED LANDFILL REMEDIATION PROJECT

Planning and Environmental Report

Prepared for:
Monaghan County Council



Date: April 2024

Unit 3/4, Northwood House, Northwood Crescent,
Northwood, Dublin, D09 X899, Ireland

T: +353 59 9723800 | E: info@ftco.ie

CORK | DUBLIN | CARLOW

www.fehilytimoney.ie

Planning and Environmental Report

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:
A	Final Issue	DM/KB	JON	BG	09/04/2024

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 Killicard Closed Landfill Remediation project. The document reports on the Planning and Environmental considerations associated with the project.

TABLE OF CONTENTS

1. INTRODUCTION	1
1.1 Background	1
1.2 Accompanying Documents	2
1.3 Accompanying Drawings.....	3
1.4 Description of the Site	4
1.5 Site Ownership	6
2. PROJECT DESCRIPTION.....	7
2.1.1 Overview Description of the Project	7
2.1.2 Detailed Description of the Project	7
3. PLANNING CONSIDERATIONS.....	8
3.1 Relevant Planning History.....	8
3.2 Planning Policy Context and Project Compliance with Planning Policy.....	8
3.2.1 Monaghan County Development Plan 2019 – 2025.....	8
3.2.2 Connacht Ulster Regional Waste Management Plan	9
3.2.3 River Basin Management Plan 2018–21 / Draft River Basin Management Plan 2022–27	10
3.3 Justification for the Project.....	10
4. CONCLUSIONS	11

LIST OF FIGURES

	<u>Page</u>
Figure 1-1: Site Location Plan	5



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 Killycard Closed Landfill Remediation Works.

Tier 1, Tier 2 and Tier 3 Risk Assessments have been carried out in accordance with the Environmental Protection Agency's (EPA's) Code of Practice: Environmental Risk Assessment for Unregulated Waste Disposal. Monaghan County Council subsequently applied for a Certificate of Authorisation (CoA) from the EPA and Certificate of Authorisation Ref: H0364-01 was issued for the site (Appendix 1). Monaghan County Council propose carrying out the Killycard Closed Landfill Closed Landfill Remediation Works in compliance with this Certificate of Authorisation.

The purpose of Certificate of Authorisation is to specify control and remediation measures required at a closed landfill to ensure that waste disposed 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 two European sites; on the Dundalk Bay Special Area of Conservation (SAC; site code: 000455) and Dundalk Bay Special Protection Area (SPA; site code: 004026). A Stage 2 Appropriate Assessment (Natura Impact Statement) of the potential impact on the Dundalk Bay SAC and Dundalk Bay SPA was therefore required. This Stage 2 Report has been completed and is included with 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 Killycard Closed Landfill Remediation project. 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 generally:

1. An **EIA Screening Assessment Report** (Reference: P22-071 Killycard 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: H0364-01) Killycard Closed Landfill
2. A **Natura Impact Statement** (Reference: P22-071 Killycard 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.
 - Appendix 1: EPA Appropriate Assessment Screening Determination
 - Appendix 2: Planning Search
 3. A **Construction Environmental Management Plan** (Reference: P22-071 Killycard 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. The following relevant documents are appended to the Construction Environmental Management Plan:
 - Appendix 1: Invasive Species Management Plan



1.3 Accompanying Drawings

The following drawings accompany this document and the Section 177AE application for the project. These drawings have been enclosed with the Section 177AE Planning Application.

Drawing No.	Drawing Title
P22-071-0000-0001	Drawing List
P22-071-0100-0001	Site Location Map
P22-071-0100-0002	Existing Site Survey
P22-071-0100-0003	Land Ownership Map
P22-071-0100-0004	Site Clearance
P22-071-0100-0005	Existing And Proposed Monitoring Locations
P22-071-0100-0006	Proposed Site Layout - Construction Stage
P22-071-0100-0007	Planning Stage Construction Traffic Management Plan
P22-071-0100-0008	Japanese Knotweed Management Plan
P22-071-0300-0001	Proposed Formation Contours
P22-071-0300-0002	Proposed Final Cap Restoration Contours
P22-071-0300-0003	Proposed Cut / Fill Plan Restoration or Formation
P22-071-0300-0004	Proposed Cut / Fill Sections
P22-071-0500-0001	Proposed Surface and Sub-Surface Drainage
P22-071-0500-0002	Drainage Details - Sheet 1 of 2
P22-071-0500-0003	Drainage Details- Sheet 2 of 2
P22-071-0700-0001	Proposed Under Liner Gas Collection
P22-071-0900-0001	European Sites Within the Zone Of Interest



1.4 Description of the Site

Killycard Closed Landfill is in the townland of Killycard, approximately 1.7km to the northwest of Castleblayney town on the R183 Castleblayney to Ballybay Regional Road. The closed landfill capping area footprint is 1.15 ha. It was previously reported by MCC that the landfill accepted waste from approximately 1980 to 1987. Since its closure the site has been covered with a soil cap, no other remediation works have been carried out. Waste deposited at the site is understood to comprise of municipal solid waste (MSW) to a maximum depth of 4.4m below ground level (BGL). An interred volume of waste deposited at the site is estimated at approximately 29,700 m³.

The closed landfill is in a low-lying valley within a predominantly rural setting. The site is generally flat with a hill rising from the northern boundary of the site. The site is at an elevation of between 93m and 95m above Ordnance Datum (OD).

The site is bordered by Corrinshigo Lough to the west and by drains to the south and the north. The northern drain runs along the border of the Killycard townland and drains into the Drumillard Lough which is to the north-east of the site and at an in-stream distance of ca. 1.5 km. Commercial developments have been constructed on site including mushroom grow houses (now derelict) and an operational industrial building in the eastern portion of the site. The land use in the area is primarily agricultural with the covered landfill area currently used for silage production. There are dwelling houses within 50m of the site boundary.

The site is located within the Newry, Fane, Glyde and Dee catchments and the sub-catchment of River Fane. The site is bounded to the southwest by the source stream for Corrinshigo Lough, to the west by Corrinshigo Lough itself and to the north by the lake outlet stream. Carrickaslane Lough stream and Devlin stream lie northeast of the site and are tributaries of the river Fane. The in-stream distance between the Killycard Closed Landfill and the Dundalk Bay SAC is ca. 44.5 km and to the Dundalk Bay SPA is ca. 44 km.

There are several small lakes located in the vicinity of the site. Drumillard Lough is located approximately 0.6km to the northeast of the site while an unnamed surface water area located approximately 0.5km to the east of the site. Killygola Lough and Lough Smiley are located approximately 1km northeast of the site.

Japanese knotweed (*Fallopia japonica*) is present along the western boundary of the closed landfill/Corrinshigo Lough shore. An Invasive Species Management and Treatment Plan to address the required works for invasive species in the site has been developed and is included in the Construction Environmental Management Plan (CEMP). The CEMP is submitted as part of this application.

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



Legend

 Site Boundary

TITLE:
Site Location

PROJECT:
Killicard Historic Landfill

FIGURE NO: 1-1

CLIENT: Monaghan County Council

SCALE: 1:15000 REVISION: 0

DATE: 18/01/2023 PAGE SIZE: A3

 **FEHILY
TIMONEY** Cork | Dublin | Carlow
www.fehilytimoney.ie





1.5 Site Ownership

The application site, as defined by the Red Line Boundary, is in private ownership.

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



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 Killycard, County Monaghan.

The application site, as defined by the red line boundary in the accompanying drawings, is 2.25ha in size. The proposed capping area within the application site is 1.34ha in size.

The remediation works will include:

- The development of a site access.
- The development of a temporary site compound and office area for the duration of the works.
- Invasive species management.
- 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 1.34 ha.
- 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 high value multi species grass cover.

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 and the possibility of conflicting information being presented within the application, 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 1980 and ceased in 1987.

Existing development in the eastern portion of Killycard Closed Landfill was subject to planning permission. Commercial developments have been constructed at the Closed Landfill site including mushroom houses (now derelict) and an operational industrial building in the eastern portion of the site. Planning permission (Ref No. 001252) was approved for the industrial units in July 2001. In September 2022, an application for retention permission (Ref No. 22420) was submitted for an existing commercial yard, silos, maintenance shed, widening of vehicular entrance onto public road, boundary treatments and all associated site works. The application received a grant of planning on 1st February 2023.

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 ecosystem 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 proposal do not lead to the spread of invasive species and to ensure that landscaping proposal 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. The control and management of invasive species on site also accords with the objects of the plan. 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 Killycard 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 Authorization 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 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 (Dundalk Bay SAC and Dundalk Bay SPA) which are protected under the Water Framework Directive, and receiving European (Natura 2000) sites.

The Carrickaslane Lough stream and Devlin stream lie northeast of the site and are tributaries the River Fane. The current water quality of the downstream River Fane is defined as 'poor' by the EPA for the latest monitoring period of 2016-2021. The prevention of landfill leachate from entering these water bodies will help to improve the water quality status of the river Fane 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 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 2015-2021. 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.



**CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE
& PLANNING**

www.fehilytimoney.ie

 **Cork**

 **Dublin**

 **Carlow**

