

Attachment B

General

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Attachment B.1 - Applicant Details

B.1.1. A Copy of the Certificate of Incorporation

A copy of the Certificate of Incorporation is attached to this section

B.1.2. Company's Registration Number

The Company Registration Number is 242643

B.1.3. List of Company Directors.

Name, address and position:	Clement Gavin, Managing Director, Blackhill, Kill, Co. Kildare
Name, address and position:	Joe Gavin, Director, Blackhill, Kill, Co. Kildare
Name, address and position:	Marie Gavin, Director, Blackhill, Kill, Co. Kildare
Name, address and position:	Michael Gavin, Director, Blackhill, Kill, Co. Kildare

B.1.4 Land Ownership Map

A copy of a map showing the Land Ownership of the lands on which the activity is situated is attached.

B.1.1. A Copy of the Certificate of Incorporation

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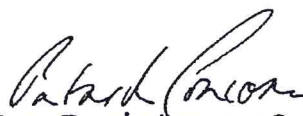
NUMBER
242643

Certificate of Incorporation

I hereby certify that
N & C ENTERPRISES LIMITED

is this day incorporated under
the Companies Acts 1963 to 1990
and that the company is limited.

Given under my hand at Dublin, this
Friday, the 29th day of December, 1995

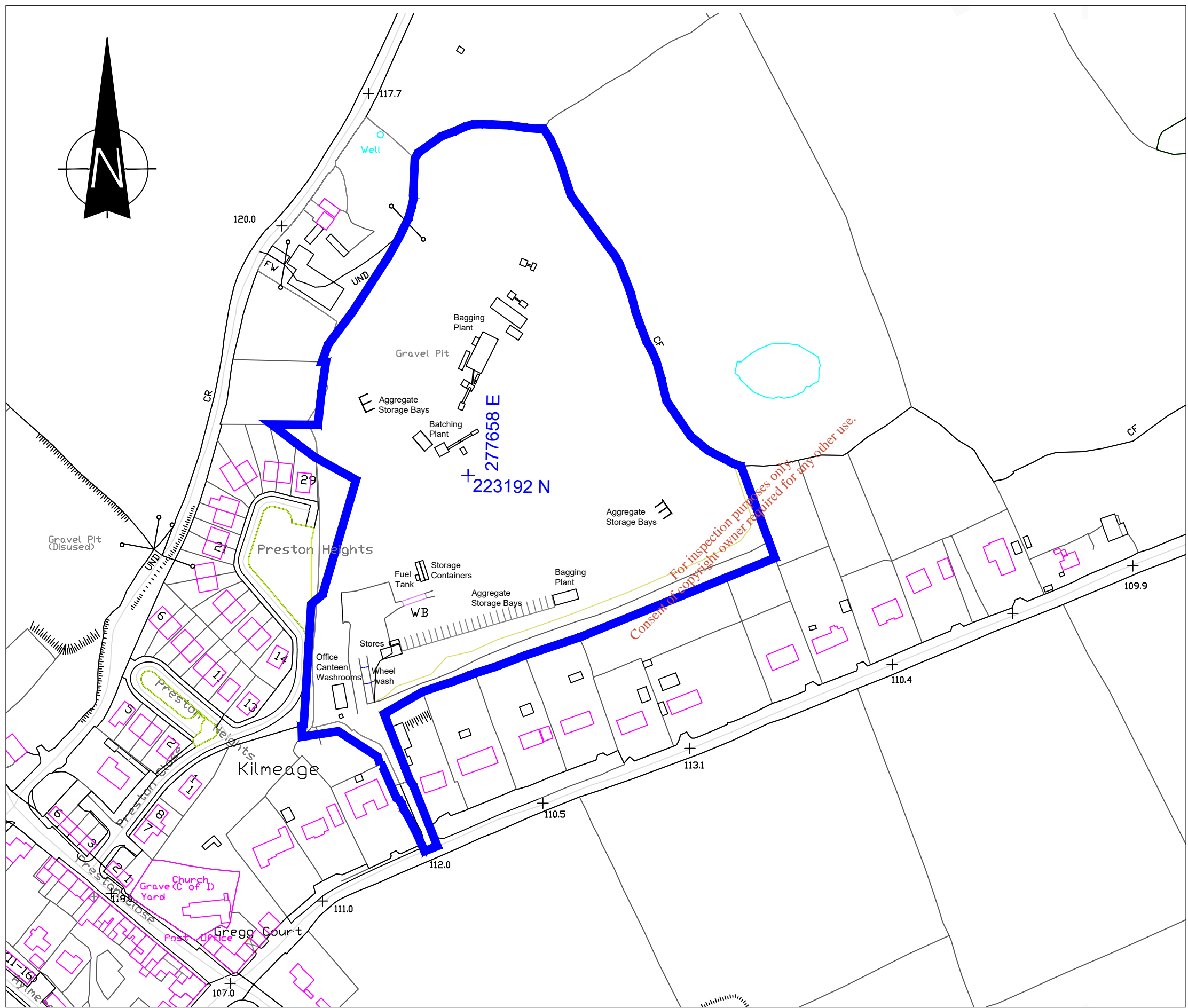

For Registrar of Companies

Fees and Deed Stamps	165.00
Stamp Duty on Capital	1.00

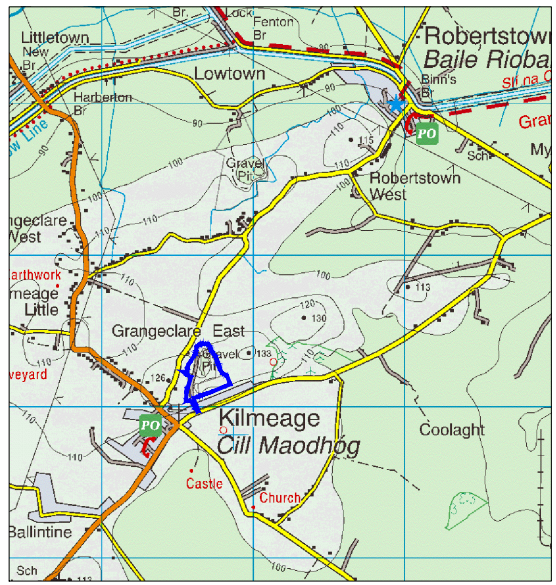
B.1.4 Land Ownership Map

The boundary showing the applicant's ownership is shown in blue.

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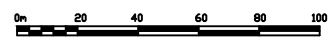
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1:50,000 OSI Discovery Mapping Sheet No. 49

OSi Map Series:
 =====
 1:2500
 3445-C
 REVISION DATE = 14-Feb-2014
 SURVEY DATE = 01-Jul-1996
 3445-D
 REVISION DATE = 14-Feb-2014
 SURVEY DATE = 02-Jan-1996
 3506-A
 REVISION DATE = 27-Mar-2015
 SURVEY DATE = 02-Jan-1996

Scale 1:2,500



Legend

- Applicants Ownership (c.6.6 ha)
- Residences



31 Athlumney Castle,
 Navan, Co Meath
 Phone: 046 9073997
 Email: johnsheils@jspe.ie
 Web: jspe.ie

J SHEILS PLANNING & ENVIRONMENTAL LTD

CLIENT	N&C Enterprises Ltd	
DRAWING	Ownership Plan	
LOCATION	Kilmeage, Naas, Co. Kildare.	

Drawn by John Sheils	Scale 1: 2500
Checked by John Sheils	Job No. JSPE 236
Date 19/05/16	Figure No. B.1.4
	Rev. 0

Attachment B.2 - Location of Activity

- B.2.1** **Site Plan – Existing (*Boundary of Waste Licence Application area in red*)**
- B.2.2** **Location Map (*Details within 500m of site boundary*)**
- B.2.3** **Services Plan (*Details within 250m of site boundary*)**

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B.2.1 Site Plan - Existing

The boundary to which the licence application relates marked in red

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Legend

- Applicants Ownership (c.6.6 ha)
- Waste Licence Application Area (c. 6.6 ha)
(Planning Permission Area (Ref. 03/1773 &12/373))
- Pit Area
- Scrubland
- Agricultural Land
- Residential Property (within 250m)
- Buildings/Structures
- Concrete Hardstanding
- Contours (mAOD)
- + 114.1 Spot Levels (mAOD)
- + 99.1 Water Levels (mAOD) (Top of Casing)
- Tree
- D1 Dust Monitoring Points
- N1 Noise Monitoring Points
- Groundwater Monitoring Points & Wells
- Asphalt Surface
- Grass Track
- Ponds
- Aggregate Storage
- Traffic In
- Traffic Out
- Fence
- Gate
- Sprinkler
- Hedgerow

- NOTES:**
1. All Dimensions in metres (m)
 2. Elevation Levels - metres Above Ordnance Datum (mAOD)
 3. For Planning Purposes Only. Do not scale for setting out.
 4. Survey derived from point-cloud survey (06/11/15)

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OSi Map Series:
1:2500
3445-C
REVISION DATE = 14-Feb-2014
SURVEY DATE = 01-Jul-1996
3445-D
REVISION DATE = 14-Feb-2014
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3506-A
REVISION DATE = 27-Mar-2015
SURVEY DATE = 02-Jan-1996

Scale 1:2,500



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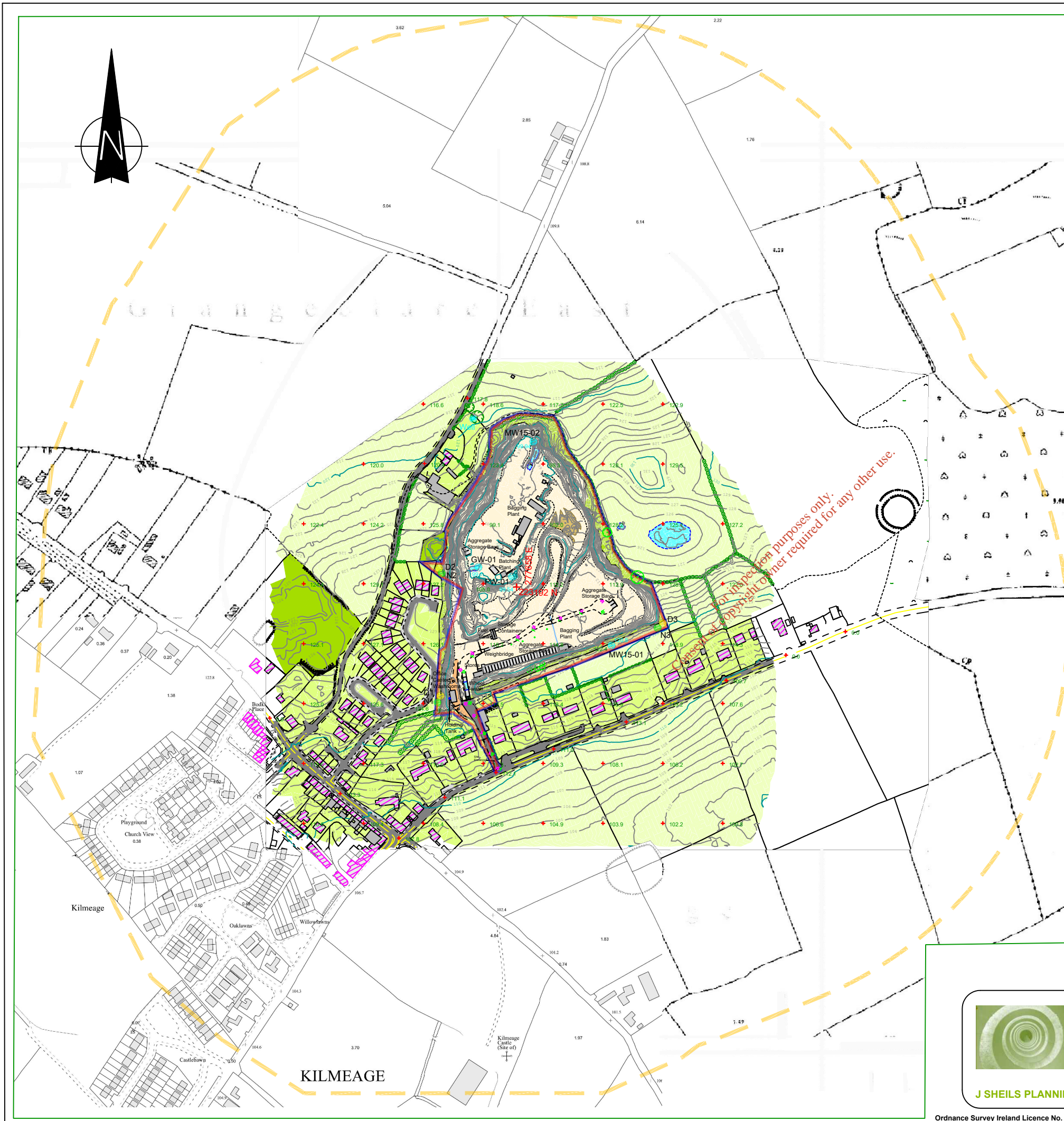
J SHEILS PLANNING & ENVIRONMENTAL LTD

CLIENT	N&C Enterprises Ltd		
DRAWING	Site Plan - Existing		
LOCATION	Killmeage, Naas, Co. Kildare.		

Drawn by John Sheils	Scale 1: 2500		
Checked by John Sheils	Job No. JSPE 236		
Date 19/05/16	Figure No. B.2.1	Rev. 0	

B.2.2 Location Map (*Details within 500m of site boundary*)

For inspection purposes only.
Consent of copyright owner required for any other use.



Legend

- Applicants Ownership (c.6.6 ha)
- Waste Licence Application Area (c. 6.6 ha)
(Planning Permission Area (Ref. 03/1773 &12/373))
- - - 500m from Site Boundary
- Pit Area
- Scrubland
- Agricultural Land
- Residential Property (Within 250m)
- Buildings/Structures
- Asphalt Surface
- Ponds
- Aggregate Storage
- + 114.1 Spot Levels (mAOD)
- + 99.1 Water Levels (mAOD)
(Top of Casing)
- Tree
- D1 Dust Monitoring Points
- N1 Noise Monitoring Points
- GW/MW & Wells

Scale 1:5,000



NOTES:

1. All Dimensions in metres (m)
2. Elevation Levels - metres Above Ordnance Datum (mAOD)
3. For Planning Purposes Only. Do not scale for setting out.
4. Survey derived from point-cloud survey (06/11/15)

OSi Map Series:
=====

1:2500

3445-C
REVISION DATE = 14-Feb-2014
SURVEY DATE = 01-Jul-1996

3445-D
REVISION DATE = 14-Feb-2014
SURVEY DATE = 02-Jan-1996

3506-A
REVISION DATE = 27-Mar-2015
SURVEY DATE = 02-Jan-1996

CLIENT	N&C Enterprises Ltd
DRAWING	Location Map (500m)
LOCATION	Kilmeage, Naas, Co. Kildare.

31 Athlumney Castle,
Navan, Co Meath
Phone: 046 9073997
Email: johnsheils@jspe.ie
Web: jspe.ie

J SHEILS PLANNING & ENVIRONMENTAL LTD

Drawn by John Sheils	Scale 1: 5000	
Checked by John Sheils	Job No. JSPE 236	
Date 19/05/16	Figure No. B.2.2	Rev. 0

B.2.3 Services Plan (*Details within 250m of site boundary*)

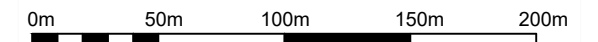
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Legend

- Applicants Ownership (c.6.6 ha)
- Waste Licence Application Area (c. 6.6 ha)
(Planning Permission Area (Ref. 03/1773 &12/373))
- - - 250m from Site Boundary
- Pit Area
- Scrubland
- Agricultural Land
- Residential Property (within 250m)
- Buildings/Structures
- Concrete Hardstanding
- Contours (mAOD)
- + 114.1 Spot Levels (mAOD)
- + 99.1 Water Levels (mAOD)
(Top of Casing)
- Tree
- D1 Dust Monitoring Points
- N1 Noise Monitoring Points
- Cross Sections (Refer to Drawings D.1.5 & D.1.6)
- Asphalt Surface
- Grass Track
- Ponds
- Aggregate Storage
- Traffic In
- Traffic Out
- Fence
- Gate
- Sprinkler
- Hedgerow
- Groundwater Monitoring Points & Wells
GW/MW

Scale 1:3,000



NOTES:

1. All Dimensions in metres (m)
2. Elevation Levels - metres Above Ordnance Datum (mAOD)
3. For Planning Purposes Only. Do not scale for setting out.
4. Survey derived from point-cloud survey (06/11/15)

OSI Map Series:
1:2500

3445-C
REVISION DATE = 14-Feb-2014
SURVEY DATE = 01-Jul-1996

3445-D
REVISION DATE = 14-Feb-2014
SURVEY DATE = 02-Jan-1996

3506-A
REVISION DATE = 27-Mar-2015
SURVEY DATE = 02-Jan-1996



JSPE

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J SHEILS PLANNING & ENVIRONMENTAL LTD

CLIENT	N&C Enterprises Ltd
DRAWING	Services Plan (250m)
LOCATION	Killmeage, Naas, Co. Kildare.

Drawn by John Sheils	Scale 1: 3000	
Checked by John Sheils	Job No. JSPE 236	
Date 19/05/16	Figure No. B.2.3	Rev. 0

Attachment B.3 Planning Authority

B.3.1 Copy of most recent EIS associated with planning permission (P.A.Reg. Ref. 03/177) for the site of the activity.

EIS and Non-Technical Summary attached as separate documents.

B.3.2 Copy of Planning Permission P.A. Reg. Ref. 03/1773 and associated planners report.

B.3.3 Copy of Planning Permission P.A. Reg. Ref. 12/373 and associated planners report.

B.3.4 Table of references to all licences and permits past and presently in force at the time of submission of this application.

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Attachment B.3.1

Copy of most recent EIS associated with planning permission (P.A.Reg. Ref. 03/177) for the site of the activity.

EIS and Non-Technical Summary attached as separate documents.

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Attachment B.3.2

Copy of Planning Permission P.A. Reg. Ref. 03/1773 and associated planners report

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Date: 23/07/2004
Pl Ref.: 03/1773

N & C Enterprises Ltd
Environment & Resource Mgmt Ltd.
3 Tara Court
Dublin Rd.
Naas
Co. Kildare

PLANNING REGISTER NUMBER: 03/1773
APPLICATION RECEIPT DATE: 04/09/2003

PERMISSION sought for importation and placement of materials in an existing sand & gravel pit to enable restoration of the ca. 6.5 ha. application site to a contoured landform that will be in keeping with the surrounding landscape & etc. at The Pigeonmeadow Naas

In pursuance of the powers conferred upon them by the Planning and Development Acts 1963 - 2000, Kildare County Council have by order granted PERMISSION to the above named, for the above development subject to the 41 conditions set out in the Schedule attached.

Date: 23/07/2004

Signed: _____
Senior Executive Officer Planning &
Public Safety
Kildare County Council

NOTE: The permission herein granted shall, on the expiration of the period of 5 years beginning on the date of the granting of permission, cease to have effect as regards:

- (1) In case the development to which the permission relates is not commenced during the period, the entire development, and
- (2) In case such development is so commenced, so much thereof as is not completed within that period.

It should be noted that outline permission will cease to have effect after a period of 3 years and also that such permission is subject to the subsequent grant of permission consequent on the grant of outline permission by the Planning Authority and that, until such permission has been obtained to detailed plans of the development proposed, the development is NOT AUTHORISED.

RE:/ Planning Permission is sought for a development at 'The Pit', Kilmeague, Naas, Co. Kildare. The development will be the importation and placement of materials in an existing sand and gravel pit to enable restoration of the ca.6.5ha application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads. The site will be assessed from the L-7081-1, An Environmental Impact Statement will be submitted to the planning authority with the planning application – N. & C. Enterprises Ltd – Planning Ref: 1773/03

Schedule 1:

Considerations

Having regard to the mitigation measures outlined in the Environmental Impact Statement and the other drawings and particulars submitted with this planning application, having regard to the Kildare Development Plan 1999 and other relevant requirements, and the fact that permission is sought for a temporary period only it is considered that subject to compliance with the conditions listed in Schedule 2 the development would be in accordance with the proper planning and development of the area.

Schedule 2:

Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on the 4th September 2003 and all mitigation measures outlined in the accompanying Environmental Impact Statement, as amended by the further information received by the Planning Authority on the 25th November 2003 as clarified by the information received on the 7th April 2004 except where altered or amended by conditions in this permission.

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

2. This permission is for a temporary period only and shall expire upon the cessation of in-filling operations and not later than the 28th June 2012, unless before that date a further permission is made.

Reason: In the interests of proper planning and development.

3. Prior to commencement of the development, a waste permit shall be obtained from the Local Authority, in accordance with the Waste Management (Permit) Regulations 1998.

Reason: In the interest of public health

4. Material used for in-filling shall be in accordance with that set out in the waste permit when granted by Kildare County Council

Reason: In the interests of public health

5. The on-site operations associated with the proposed development shall be carried out only between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours to 14.00 hours on Saturdays. No operations shall be carried out on Sundays or Bank Holidays.

REASON: In order to protect the amenities of the area and in the interests of proper planning and development.

6. Car parking space shall be provided for all vehicles associated with the running of the business, staff cars, trucks etc on a durable permanent macadam surface within the curtilage of the site. Each car space shall be marked in 2.5*5.0 metre bays in 100mm wide white lines with a durable permanent material. Circulation aisles shall be 6m wide.

Reason: In the interest of traffic safety.

7. Car parking shall be monitored and in the event of the Planning Authority deciding that a shortfall in car parking spaces exists, the developer shall provide such extra car parking as the Planning Authority may specify at an approved location adjacent to the site or within the curtilage of the site.

Reason: In the interest of traffic safety and to ensure that adequate car parking facilities are provided on site.

8. Before development is commenced the developer to arrange for the payment to Kildare County Council of contribution of €100,000 towards expenditure which the Council has or may incur in respect of the provision of road improvements services which facilitate the proposed development.

Reason: The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.

9. Before development is commenced the developer to arrange for the payment to Kildare County Council of contribution of €24,000 towards expenditure which the Council has or may incur in respect of the provision of footpath and public lighting which facilitate the proposed development.

Reason: The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.

10. The developer shall provide a concrete apron, minimum 200mm thick to the general shape shown on Drawing No. E1516/D attached but extending from the road edge to the access gates of the development.

Reason: In the interests of traffic safety.

11. The developer shall ensure that the wheels of all vehicles transporting all materials to or from the site shall, prior to the exit of such vehicles onto the public road be washed in an approved wheel washing facility.

Reason: In the interests of traffic safety and the amenities of the area.

12. The developer shall ensure that all public roadways in the vicinity of the site are swept clear of all loose material daily, and that all loose material is removed from the road verges.

Reason: In the interests of traffic safety and the amenities of the area.

13. Public lighting shall be provided throughout the site to the standards laid down by the E.S.B. and to the satisfaction of the Planning Authority.

Reason: In the interest of traffic safety.

14. Surface water shall be collected and road gullies shall be provided in accordance with Section 3.19 of the Recommendations for Site Development Works for Housing Areas by the Department of the Environment & Local Government. All gullies shall be fitted with suitable locking type covers or gratings.

Reason: In the interest of proper drainage and traffic safety.

15. Existing land and roadside drainage shall not be impaired and new entrance shall be designed and shaped to ensure the uninterrupted flow of existing roadside drainage.

Reason: To prevent interference with existing roadside drainage in the interest of proper development.

16. The developer shall keep a record of traffic movements in and out of the site. This record should contain details of all traffic movements (including origin and destination of vehicles, registration and type of vehicle) over the previous six months and should be available on site for inspection by the Planning Authority during working hours.

Reason: To assess the impact of the development on the existing road network and to ensure that levels of generated traffic are in accordance with the applicants submission.

17. The developer shall ensure that no vehicles which exceed the maximum legal axle weight shall use the public road.

Reason: To ensure that the road system serving the development is protected, in the interests of proper planning and development of the area.

18. Prior to the commencement of the development, the developer shall agree with the Planning Authority the traffic routes for both laden and unladen haulage trucks and shall install suitable signage at all junctions directing which roads are to be used and which roads are prohibited.

Reason: In the interest of traffic safety and road capacity.

19. Upon completion of the development, the developer shall provide a footpath from the public road at the entrance to the site to a point within the site to be agreed between the developer and the Planning Authority.

Reason: To ensure proper planning and development of the area.

20. The applicants shall take adequate precautions to prevent undue noise, fumes, dust, grit, untidiness, or other nuisance during the course of the works which would result in significant impairment of, or significant interference with the amenities of the environment beyond the site boundary.

REASON: In the interest of the protection of the amenities of the area and proper planning and development.

21. Before the acceptance of material commences, the floor of the pit shall be levelled and a 1m thick barrier of compacted silt/clay shall be installed. Another 1m layer of compacted silt / clay shall be placed over the surface of the restoration prior to top-soiling of the restored area. The restoration and design of the capping layer shall be based on the EPA landfill restoration manual.

REASON: In the interests of the protection of groundwater and the proper planning and development of the area.

22. All waste activities on the site shall be carried out in such a manner so as not to have an adverse effect on the drainage of adjacent lands, on watercourses, on field drains or any other drainage system including the public roadway.

REASON: In the interests of proper planning and development.

23. The noise level attributable to all on-site operations between the hours of 08:00-18:00 Monday to Friday inclusive (excluding bank holidays) and 08:00-14:00 Saturdays, from the development shall not exceed 55 dBA Leq(15min) , at any point along the boundary of the development site.

REASON: In the interests of proper planning and development, residential amenity and to prevent noise pollution.

24. In dry weather appropriate measures shall be taken to reduce/ eliminate airborne dust nuisance. The operator shall ensure that activities on the site shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the site boundary.

The total dust emission arising from the on-site operations associated with the proposed development shall not exceed 130 milligrams per square meter per day, averaged over a continuous period of 30 days, when measured as deposition of insoluble particulate matter at any position along the boundary of the site. No stripping of topsoil or overburden shall be carried out in periods of dry weather.

REASON: In the interests of proper planning and development and residential amenity.

25. A programme for regular monitoring and sampling of groundwater on the site is to be agreed with the Planning Authority in writing prior to commencement of development.

REASON: To ensure that groundwater resources are protected.

26. An emergency hydrocarbon spill kit shall be maintained on site at all times.

REASON: To ensure that groundwater resources are protected.

27. All hydrocarbons/ chemicals shall be stored in tanks bunded to hold 110% of the volume of the tank (whether mobile or fixed).

REASON: To ensure that groundwater resources are protected.

28. All water contaminated with hydrocarbons including storm water from bunded or refuelling areas shall be discharged via grit traps and oil interceptor to a soakaway area.

REASON: To ensure that groundwater resources are protected.

29. Discharge from the wheelwash shall be directed into an oil interceptor via a silt trap. Disposal methods for silt/ sludge shall be agreed with the Planning Authority in writing prior to commencement of development.

REASON: To ensure that groundwater resources are protected.

30. All areas on site over which loading and unloading of hydrocarbons takes place or where maintenance of vehicles takes place or where there is any risk of spillage shall be paved with an impermeable surface such as concrete and drainage channels shall be provided. All joints shall be sealed using a proprietary water bar or approved sealing joint. Drainage from these areas shall be through an oil interceptor.

REASON: To ensure that groundwater resources are protected.

31. A maintenance agreement for the proposed portaloo toilets shall be entered into with the supplier of the system.

REASON: To ensure that groundwater resources are protected.

32. Prior to commencement of development a detailed scheme for the landscaping indicated on Drawing 12 Rev. A shall be submitted to the Planning Authority for its written agreement. The proposal shall include full details of proposed species and densities, and a timetable for the completion of the work.

REASON: In the interests of visual amenity and to screen the development within an appropriate period of time.

33. As soon as is practicable following completion of the in-filling activities, the site shall be seeded with grass.

Prior to seeding, topsoil shall be spread evenly over the site to a minimum depth, after firming, of 150 – 200 mm. The topsoil shall be good quality, and shall comply with BS 3882 : 1991. The topsoil shall not be spread in wet conditions. The topsoil shall be adequately prepared for seeding by raking or harrowing and by rolling. Seed shall be spread at a minimum rate of 30 grams per square metre.

REASON: In the interests of proper planning and development

34. Where development ancillary to the in-filling operations (such as service roadways etc) is to take place on previously undeveloped land the Heritage Section of the Department of the Environment, Heritage and Local Government shall be consulted prior to commencement of works.

REASON: To ensure the continued preservation (either in situ or by record), of places, caves, sites, features or other objects of archaeological interest

35. Within 2 months of the cessation of restoration operations on the site a topographic survey shall be carried out in order to confirm that the site has been restored in accordance with that proposed in the planning application and accompanying Environmental Impact Statement. Within one month of the survey plans and sections shall be submitted to the Planning Authority showing the final restored landform. The sections at an interval of not less than 20 metres shall show the restored landform and that proposed within the planning application and Environmental Impact Statement.

REASON: In the interests of proper planning and development.

36. All existing trees and hedgerows along the boundaries of the site shall be retained and any gaps carefully replanted.

REASON: To protect the visual amenities of the area.

37. Prior to commencement of development the developer is to consult with the Kildare County Council Heritage Officer and mitigation measures agreed in writing with regard to the sand martins currently nesting within the existing pit. Any mitigation measures required by the Heritage Officer shall be adhered to by the developer.

REASON: In the interests of nature conservation and the proper planning and development of the area.

38. The quantity of material accepted into the site shall be limited to 50 truck loads per day.

REASON: In the interests of protection of amenities and the proper planning and development of the area.

39. Prior to commencement of development the developer shall provide proposals for the written agreement of the Planning Authority for the provision of landscaping and access pathway to the site in order to reintegrate the site with the village.

REASON: In order that the site is reintegrated with the village upon cessation of restoration operations and in the interests of proper planning and development.

40. The applicants shall lodge with the Planning Authority a cash deposit, a bond of an insurance company or other security to the value of amount to be agreed to secure the reinstatement, final restoration and making safe of the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory completion of the development and restoration of the site. The form of the security and the amount shall be agreed in writing with the Planning Authority.

REASON: To safeguard the amenities of the area.

41. Before any development commences the applicant shall submit an Agreement in accordance with Section 47 of the Planning and Development Act 2000 transferring the ownership to Kildare County Council of the lands outlined in green as shown on Drawing 20 Rev. A submitted to the Planning Authority on the 7th April 2004 as agreed in letter submitted to the Planning Authority on the same date.

REASON: In the interests of the proper planning and development of the area.

23rd July 2004

Senior Executive Officer

Due 19/11
CFI

Reg. Ref: 03/1773

Refer to previous report on this file, in which the following further information was sought:

1. Indicate the nature of all fill material, daily volumes, vehicular movements and hours of operation.

A Statutory Declaration has been submitted, which indicates the nature of the fill, which appears to be inert subsoil, topsoil, sand gravel clay and marls etc. It is proposed that there will be a maximum of 50 trucks per day, resulting in a total of 900 t of material being accepted on a daily basis. The hours of operation will be in accordance with the conditions of the Waste Permit.

2. Schedule and timescale for completion of operation and landscaping of entire site

The operation will be complete within 6 years from the date of commencement. Landscaping works will be completed within 8 years from the date of commencement of works.

3. Indicate future use and ownership in addition to a covenant. Proposal for community gain

The applicant has indicated that future uses of the site are detailed in the EIS. However it is envisaged that the use could include pitches, walking trails and for private use. In relation to the ownership of the site, it has been suggested that the ownership could be community or private. The applicant as requested has not submitted a covenant.

4. Proposals to reintegrate restored area in the village proper by means of landscaping, access etc

The applicant is willing to provide or fund the provision of a footpath on public lands from the village to the site, and into the site. It has been stated that the landscaping details will be dependent on the final use.

5. Proposal for certified monitoring reports

Consultants will undertake environmental monitoring of the site and will prepare annual reports.

6. Proposals for reducing the ultimate ground level so as to insure capacity for road drainage.

The applicant has indicated that as backfilling operations continue the elevation of the site will increase with time. As the landform begins to rise above existing levels adjoining the site, it is proposed that appropriate drainage measures will be provided.

7. Comment on letters of objection.

The applicant has commented on the contents of the letter of objection on the file.

8. Time for the proposed development.

The applicant has estimated that the filling period will range between five and seven years.

9. Estimated total volume of imported materials

The total estimated volume of material required to fill the pit is 1.5 million tonnes.

10. Daily volume of heavy vehicle movements and hours of operation.

The number of daily heavy vehicle movements will range between 40 and 56 per day.

11. Indicate if applicant owns sufficient land at the entrance to alter the entrance if required.

The applicant owns lands at the existing entrance, which will allow the widening of the entrance should it be required.

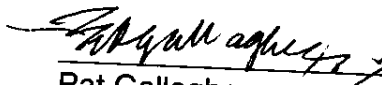
12. Origin of materials, routes of travel

The sources of materials and the routes intended for travel are detailed in the EIS.

Recommendation:

It is recommended that Clarification of Further Information is sought as follows:

1. Arising from your response to item No. 3 of the Further Information Request dated 11/11/03, you should note that covenant was to be submitted in relation to the future use of the site and ownership. While it is noted from the submission that a number of suggested uses have been included, no covenant has been submitted. Please therefore detail the precise intended future use of the site, and how such a use would be of benefit in terms of the community gain to the village of Kilmeague. In this regard you may wish to submit an indicative site layout plan, and specific details regarding the use. Please also confirm the applicant's willingness to enter an agreement with the Planning Authority pursuant to Section 47 of the Planning and Development Act 2000, providing for the reservation of the lands for such a use.


Pat Gallagher
Senior Planner

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Consent of copyright owner required for any other use.

AO:
Please include any other relevant Clarification as may be appropriate.

ENB, NEMO &
Road Design has no obj
& do not require any P.I.
A Aspell
16.01.04

The following further information shall be requested as

can be

together with daily volume, particular movements and hours of operation

1. Indicate the precise nature of all fill material to be deposited. Said proposals to be countersigned by a Commissioner or 2 Bars or Practicing Solicitors.
2. Indicate likely schedule + time scale for completion of operation and landscaping of entire site total volume of imported materials.
3. Indicate future use and ownership together with appropriate covenants that regard. In particular submit proposals for community green.
- ~~4. Indicate impact on ground water.~~
5. Indicate proposals to be integrated restored area in the village proper by means of landscaping, access network etc. together with evidence of sufficient control over land to create a access acceptable to Planning Authority. Certified
6. Submit proposals for provision of Monitoring Reports to the PA on a 600 annual basis regarding nature of fill deposited, compliance with environmental criteria, compliance with terms of waste licence/permit if granted, and other conditions as may be imposed.
7. Indicate proposals for the Reducing ultimate ground level so as to have capacity for road clean-up and minimization of traffic impact to provide service roadways etc.
8. Submit comments on letters of objection.

PA

From: Pat Gallagher
Simon Danner
to: Fanelle Aspel A/O.

Re File Ref No. 03/1773.

I refer ^{to} the response to our clarification
Request received on the 29th January 2004
and I wish to advise that said response
is not deemed to be satisfactory in
that it did not deal with the
matters raised by the ~~Planning~~ Authority in
our letter dated 16th January 2004.
It is not clear what Community benefits
are envisaged for the ~~community~~ ^{village} of Kilmeague
and no indicative site layout map detailing
specific uses has been included.
The willingness of the applicants to enter
into a S47 Agreement is noted and a
draft agreement is requested.

Pat Gallagher SP. 26/3/04

Attachment B.3.3

Copy of Planning Permission P.A. Reg. Ref. 12/373 and associated planners report.

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Date: 20/08/2012
Pl. Ref.: 03/1773 & 12/373

REGISTERED POST

N & C Enterprises Ltd
Clement Gavin,
Blackhill
Kill
Co. Kildare.

Notification of the Decision made pursuant to Section 42 of the Planning and Development Act., 2000 as substituted by Section 28 of the Planning and Development (Amendment) Act, 2010.

Planning Register Number: 03/1773 & 12/373
Application Received Date: 10/05/2012

In pursuance of the powers conferred upon it by the above-mentioned Acts, Kildare County Council has by Order dated 20/08/2012 decided to **EXTEND THE APPROPRIATE PERIOD** of planning permission register reference 03/1773 comprising of importation and placement of materials in an existing sand and gravel pit to enable restoration of the c. 6.5 hectare application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads. At 'The Pit', Kilmeague, Co. Kildare.

Date: 20/08/2012


Senior Executive Officer, Planning
Kildare County Council

Re: Application to extend the appropriate period of planning register reference 03/1773 comprising of importation and placement of materials in an existing sand and gravel pit to enable restoration of the c. 6.5 hectare application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads. At 'The Pit', Kilmeague, Co. Kildare – N & C Enterprises Ltd. – 12/373

In accordance with the provisions of Section 42 of the Planning and Development Act, 2000 as amended by Section 28 of the Planning and Development (Amendment) Act, 2010 Kildare County Council hereby extends the appropriate period of planning permission register reference 03/1773 by an additional 5 years. The permission will therefore expire on 28th June 2017.

The development shall be carried out and completed fully in accordance with the terms and conditions of planning register reference 03/1773.

Date: 20/08/2012

Signed:


Senior Executive Officer

20/8

Grant

Due : 20/8

KILDARE COUNTY COUNCIL
PLANNING DEPARTMENT

Planning Report 2



Planning Ref – 12/0373

Name of Applicant N & C Enterprises Ltd.
Address of Development 'The Pit', Kilmeague
Type of Development Extension of Duration for development permitted under 03/1773.

The development consists of importation and placement of materials in an existing sand and gravel pit to enable restoration of the c. 6.5 hectare application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads.

Date inspected: 22.08.2012

Due Date 20.08.2012

Description of Proposed Development

Extension of duration of time sought by N & C Enterprises Ltd. for the development as outlined above.

Site Location / Context

The quarry site is located in the eastern part of the village of Kilmeague (notwithstanding the fact that the site has not been included within the zoned boundary of the village in the County Development Plan 2011) and well inside the speed limits. Access is off the local road along the south. There are detached dwellings to both sides of the existing entrance. This entrance opens to a two-storey prefabricated type office building in the south west corner of the quarry. The southern area is largely flat with bays separating different types of stones, storage and circulation areas (including a weighbridge and wheelwash). The northern part of the site still appears to be in use as a quarry with ground levels significantly below the southern part. There are substantial quarry faces along the site boundaries to the north with some buildings on the quarry floor. The area to the south and west (Preston

Heights) is residential and the area to the east is agricultural in nature. There is another local road to the north. The areas outside the site to east and west are substantially higher in terms of ground level than the quarry levels.



Relevant Planning History

The only recent valid planning application on site is:

03/1773 – N & C Enterprises Ltd – Permission – Importation and placement of materials in an existing sand and gravel pit to enable restoration of the c. 6.5 hectare application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads – Granted. A third party application for leave to appeal this decision was refused by An Bord (09.LV.2286).

UD 4781 – This refers to an application for a “waste water permit” on site. Nothing seems to have happened with this enforcement file since July 2010.

Internal Reports

The following internal reports have been received. Please see the reports on file should additional detail be required:

1. Environment: No report received.
2. Compliance: Report received. UD 4781.

Legislation

The procedure to extend the life of an existing permission is mandatory i.e. applicants shall strictly comply with the criteria specified in either section 42 (1) (a) (i) or (ii) as amended by section 28 of the Planning & Development Act, 2010 plus some other subsections relating to the date of the application etc.

The applicants have not specifically identified the subsection under which this extension of duration application is being made. They have filled in the area below both (i) and (ii). Having regard to the legislation and to the content of the application form it is considered that the appropriate subsection under which the application should be assessed is subsection (i), i.e. substantial works. It is also noted that, under Q.13, the applicants have indicated that an 8 year extension is sought but yet Q.14 states that the development is expected to be completed by 28.06.2017. Notwithstanding, 5 years is the maximum extension of duration permitted.

There appears to be an issue as to whether a temporary permission can be extended. Condition 2 of 03/1773 states:

2. This permission is for a temporary period only and shall expire upon the cessation of in-filling operations and not later than the 28th June 2012, unless before that date a further permission is made.

Reason: In the interests of proper planning and development

The Planning & Development Act 2000 – 2010 does not appear to indicate that an application for an extension of duration cannot be made for a 'temporary' permission. The majority of planning applications are given for a 5 year period. It appears that the nature of the subject development required a longer period than 5 years and the planning authority inserted the 10 year period in the interests of giving a final date and not an open-ended length. It is unclear as to why the word 'temporary' was inserted into the condition as it does not appear to be relevant.

The Planning & Development Act 2010 only requires that certain requirements are complied with in order for an extension to be completed. It is not considered that the presence of Condition 2 of 03/1773 interferes with this. The in-filling has not ceased to date and the application has been made prior to 28.06.2012. A "further permission" has been made prior to that date, i.e. this application for an extension of duration. The planning authority had a similar issue with 98/608 (an extension of duration granted on 09.01.2009 for the continued extraction from a sand and gravel pit). This effectively stated that the planning authority "has no residual discretion as to whether or not to extend the duration of the planning permission ... providing that the relevant statutory criteria under section 42 have been fulfilled".

It is therefore considered that this application can be assessed like any other extension of duration application. As noted above it is unclear as to which subsection the application is being made under and it is therefore considered that subsection 42 (1) (a) (i) as amended by section 28 of the 2010 Act is the relevant subsection. This is based on the fact that it is considered that 'substantial' works have been carried out. It is stated that works have taken place on 4.43 hectares of the 6.5 hectare site and there is an estimated void of 706,000m³ left to fill. The detail in 03/1773 indicated c.1,500,000 tonnes were required to fill the site and the submitted site location map indicates that c.1,060,000 tonnes remain to be imported. The claimed importation of 440,000 tonnes of material is considered substantial in the context of the overall development.

The three criteria to be met under section 42 (1) (a) (i) as amended by section 28 of the Planning & Development Act, 2010 are set out under 'Assessment', below.

Assessment

As per previous report on file by Anthony Kelly (Executive Planner), which was drafted on the 26/06/2012; It was adjudicated that Section 42 (1) (a) (i) of section 28 of the amended 2010 Act is the relevant subsection regarding this application. This subsection requires three items to be met before the planning authority shall extend the appropriate period. It was considered that this application met the first two items of the relevant subsection (please see planner's report). However it was considered that additional information was required from the applicant to demonstrate that item (III) can be satisfactorily met. Item (III) requires that the planning authority is satisfied that *"the development will be completed within a reasonable time."*

The following additional information was sought;

The extension of duration application form allows the applicants to indicate the specific subsection that the application is being made under, i.e. either section 42 (1) (a) (i) or (ii) as amended by section 28 of the Planning & Development Act, 2010. The applicants did not indicate under which specific subsection the current application was being made. On foot of the detail received in the application, the content of the original planning permission (03/1773) and a site inspection, the decision has been made by the planning authority to assess the application under section 42 (1) (a) (i) as amended by section 28 of the 2010 Act.

It is considered that items (I) and (II) of section 42 (1) (a) (i) have been complied with. However, item (III) requires that the planning authority is satisfied that the development will be completed within a reasonable time. A maximum five year extension of duration can only be permitted. This means that any grant would expire on 27.06.2017. A further extension after that is not provided for in legislation. The applicants have indicated on the application form that an EPA licence is required, that they have none at the moment, and that it may take up to two years to obtain a licence. Therefore, effectively, the

applicants may only have a three year period in which to complete the permitted development, i.e. 2014 – 27.06.2017. Having regard to the vast extent of work to be carried out and the current and projected condition of the construction industry (which, the application form states, is the industry that the applicants are most dependant upon) it appears to the planning authority that the proposed development will not be completed by 27.06.2017.

Therefore it appears that the applicants cannot comply with the requirements of section 42 (1) (a) (i) (III) as amended by section 28 of the Planning & Development Act, 2010 and the planning authority should refuse extend the appropriate period. The applicants are invited to comment, in writing.

Reply; Response states *"In relation to waste soil and stone materials. Articles 27 and 28 of the European Communities (Waste Directive) Regulations 2011 provides for by-product and end-of-waste status. The Agency is at present considering their proposed approach for the notification process for by-products as referred to in Article 27 of the 2011 Regulations. Part of the consideration given to by-product status specifically for soil and stone material is whether or not the destination site (including sites relating to fill and back fill of disused mines and quarries) will include the regulation of environmental aspects relating to the activity which would otherwise be provided by a waste management permit or licence.....With this in mind, it is likely that no requirement will exist for a waste permit/licence for acceptance of compliant non-hazardous soil and stone materials which are not classified as waste, and which have been notified to the EPA and agreed by them as a by-product. According to the EPA, this may occur where planning permission has been granted subject to environmental conditions (as is the case at this facility). This greatly broadens the scope of material which may be acceptable for use at this facility.....It is our view that with new European Communities (waste Directive) Regulations in place since 2011 it now looks likely that more material which is not subject to waste regulation will become available to the market. There is potential for this site to accept material approved as notified to the EPA as by-product and accepted by the EPA as same which will allow much earlier commencement of fill....Notwithstanding the above, it is still the company's intention to apply for an EPA licence in order to also be able to accept material which remains classified as waste. By doing this they will increase the sources of suitable material available to them...The company has explained that the downturn in the economic climate and particularly in the construction sector had a significant effect on the commercial viability of applying for a waste licence. However, with new European Communities (Waste Directive) Regulations in place since 2011 it now looks likely that more material which is not subject to waste regulation will become available to the market. There is also reason to believe that the construction industry is likely to undergo an upturn, particularly in the area of strategic infrastructure projects, especially in view of the government's recent investment stimulus into such projects."*

From the information submitted, it is considered the applicant has put forward a valid argument, which suggests that the proposed development will be completed by 27.06.2017. The new European Communities (Waste Directive) Regulations in place since 2011 should mean that a greater quantity of

material, which is not subject to waste regulation will become available to the market and specifically the proposed development. There is also reason to believe that the construction industry will make a recovery between now and 2017, particularly in the area of strategic infrastructure projects.

Conclusion

Although this application is for a 'temporary' permission according to Condition 2 of 03/1773, it is considered that the application can be assessed under the normal legislation.

The applicant has not indicated which particular subsection the application is being made under. The decision has been taken, on foot of the documentation submitted, the content of 03/1773 and a site inspection, to assess it under subsection (i).

The applicant has submitted a detailed additional information response, which demonstrates that that item (III) of section 42 (1) (a) (i) can be complied with.

I am satisfied that the applicant has made a reasonable case for an extension of the duration of planning permission as required under Section 42(1)(a) (i) of the Planning & Development Act 2000-2010.

Accordingly, it is recommended that an extension of duration be permitted for a period of **five years** from the date on which the planning permission expires.

Recommendation:


In accordance with Section 42 of the Planning and Development Act., 2000 as substituted by Section 28 of the Planning and Development (Amendment) Act, 2010, Kildare County Council hereby grants an Extension of Duration on planning ref: **03/1773** for a period of 5 years from the 28/06/2012. *ME*

The applicant should be advised that the development shall be carried out and completed fully in accordance with the terms and conditions of the planning permission relating to the site, namely Pl. Ref. **03/1773** and any agreements entered into thereunder, insofar as these are applicable.


Martin Ryan
Executive Planner
16.08.2012

new expiry date = 28/6/17

Note to Planning Administration: Please forward this application to Building Control for comment on the necessity to attach a condition requiring the giving of adequate security for the satisfactory completion of the subject development.


17/8/12.

27/6

5
due
4/7

KILDARE COUNTY COUNCIL
PLANNING DEPARTMENT

Planning Report 1



Planning Ref – 12/0373

Name of Applicant

N & C Enterprises Ltd.

Address of Development

'The Pit', Kilmeague

Type of Development

Extension of Duration for development permitted under 03/1773.

The development consists of importation and placement of materials in an existing sand and gravel pit to enable restoration of the c. 6.5 hectare application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads.

Date inspected:

22.06.2012

Due Date

04.07.2012

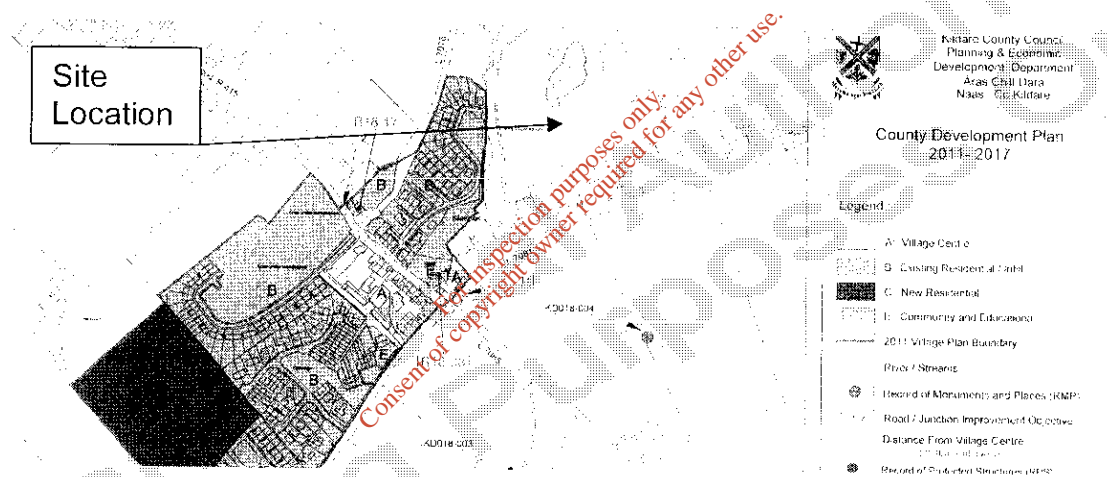
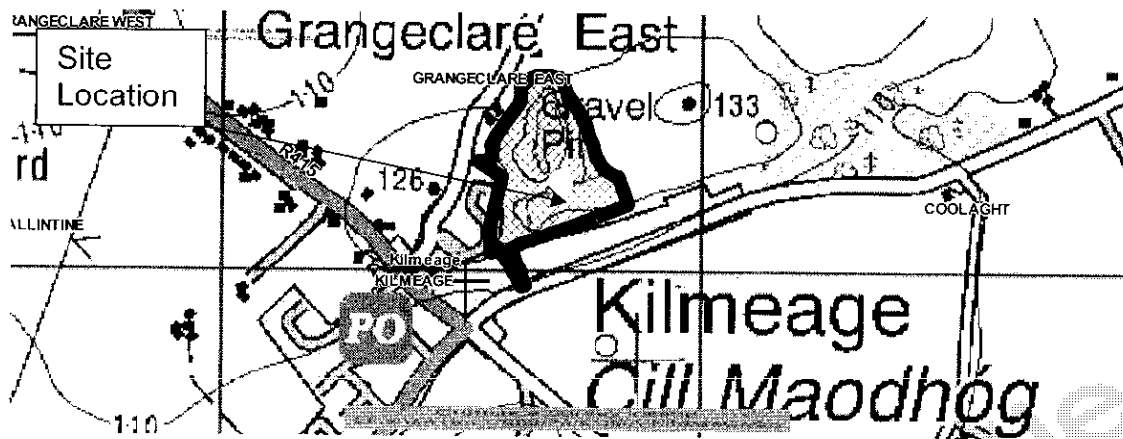
Description of Proposed Development

Extension of duration of time sought by N & C Enterprises Ltd. for the development as outlined above.

Site Location / Context

The quarry site is located in the eastern part of the village of Kilmeague (notwithstanding the fact that the site has not been included within the zoned boundary of the village in the County Development Plan 2011) and well inside the speed limits. Access is off the local road along the south. There are detached dwellings to both sides of the existing entrance. This entrance opens to a two-storey prefabricated type office building in the south west corner of the quarry. The southern area is largely flat with bays separating different types of stones, storage and circulation areas (including a weighbridge and wheelwash). The northern part of the site still appears to be in use as a quarry with ground levels significantly below the southern part. There are substantial quarry faces along the site boundaries to the north with

some buildings on the quarry floor. The area to the south and west (Preston Heights) is residential and the area to the east is agricultural in nature. There is another local road to the north. The areas outside the site to east and west are substantially higher in terms of ground level than the quarry levels.



Relevant Planning History

The only recent valid planning application on site is:

03/1773 – N & C Enterprises Ltd – Permission – Importation and placement of materials in an existing sand and gravel pit to enable restoration of the c. 6.5 hectare application site to a contoured landform that will be in keeping with the surrounding landscape. The development will include boundary landscaping and ancillary site roads – Granted. A third party application for leave to appeal this decision was refused by An Bord (09.LV.2286).

UD 4781 – This refers to an application for a “waste water permit” on site. Nothing seems to have happened with this enforcement file since July 2010.

Internal Reports

The following internal reports have been received. Please see the reports on file should additional detail be required:

1. Environment: No report received.
2. Compliance: Report received. UD 4781.

Legislation

The procedure to extend the life of an existing permission is mandatory i.e. applicants shall strictly comply with the criteria specified in either section 42 (1) (a) (i) or (ii) as amended by section 28 of the Planning & Development Act, 2010 plus some other subsections relating to the date of the application etc.

The applicants have not specifically identified the subsection under which this extension of duration application is being made. They have filled in the area below both (i) and (ii). Having regard to the legislation and to the content of the application form it is considered that the appropriate subsection under which the application should be assessed is subsection (i), i.e. substantial works. It is also noted that, under Q.13, the applicants have indicated that an 8 year extension is sought but yet Q.14 states that the development is expected to be completed by 28.06.2017. Notwithstanding, 5 years is the maximum extension of duration permitted.

There appears to be an issue as to whether a temporary permission can be extended. Condition 2 of 03/1773 states:

2. This permission is for a temporary period only and shall expire upon the cessation of in-filling operations and not later than the 28th June 2012, unless before that date a further permission is made.

Reason: In the interests of proper planning and development

The Planning & Development Act 2000 – 2010 does not appear to indicate that an application for an extension of duration cannot be made for a 'temporary' permission. The majority of planning applications are given for a 5 year period. It appears that the nature of the subject development required a longer period than 5 years and the planning authority inserted the 10 year period in the interests of giving a final date and not an open-ended length. It is unclear as to why the word 'temporary' was inserted into the condition as it does not appear to be relevant.

The Planning & Development Act 2010 only requires that certain requirements are complied with in order for an extension to be completed. It is not considered that the presence of Condition 2 of 03/1773 interferes with this. The in-filling has not ceased to date and the application has been made prior to 28.06.2012. A "further permission" has been made prior to that date, i.e. this application for an extension of duration. The planning authority had a similar issue with 98/608 (an extension of duration granted on 09.01.2009 for the continued extraction from a sand and gravel pit). This effectively stated that the planning authority "has no residual discretion as to whether or not to

extend the duration of the planning permission ... providing that the relevant statutory criteria under section 42 have been fulfilled”.

It is therefore considered that this application can be assessed like any other extension of duration application. As noted above it is unclear as to which subsection the application is being made under and it is therefore considered that subsection 42 (1) (a) (i) as amended by section 28 of the 2010 Act is the relevant subsection. This is based on the fact that it is considered that 'substantial' works have been carried out. It is stated that works have taken place on 4.43 hectares of the 6.5 hectare site and there is an estimated void of 706,000m³ left to fill. The detail in 03/1773 indicated c.1,500,000 tonnes tonnes were required to fill the site and the submitted site location map indicates that c.1,060,000 tonnes remain to be imported. The claimed importation of 440,000 tonnes of material is considered substantial in the context of the overall development.

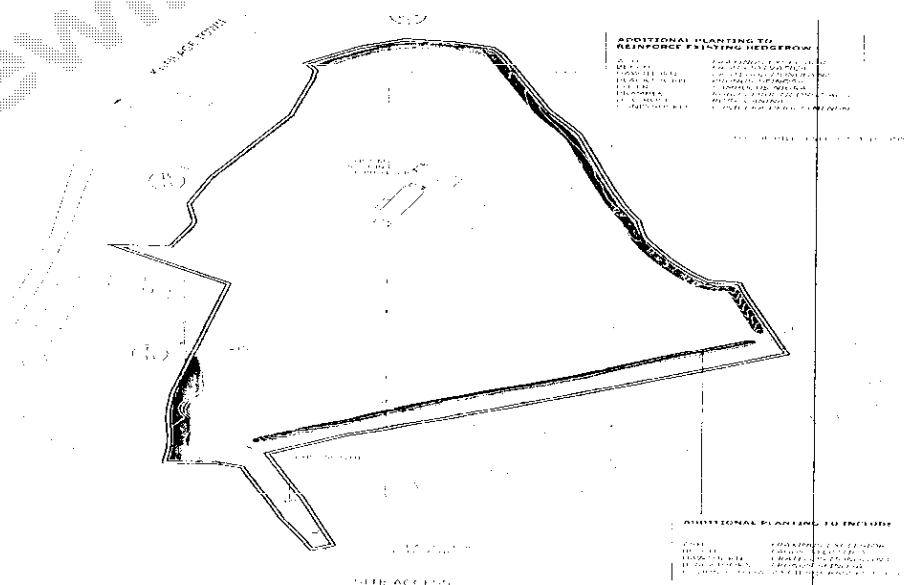
The three criteria to be met under section 42 (1) (a) (i) as amended by section 28 of the Planning & Development Act, 2010 are set out under 'Assessment', below.

Assessment

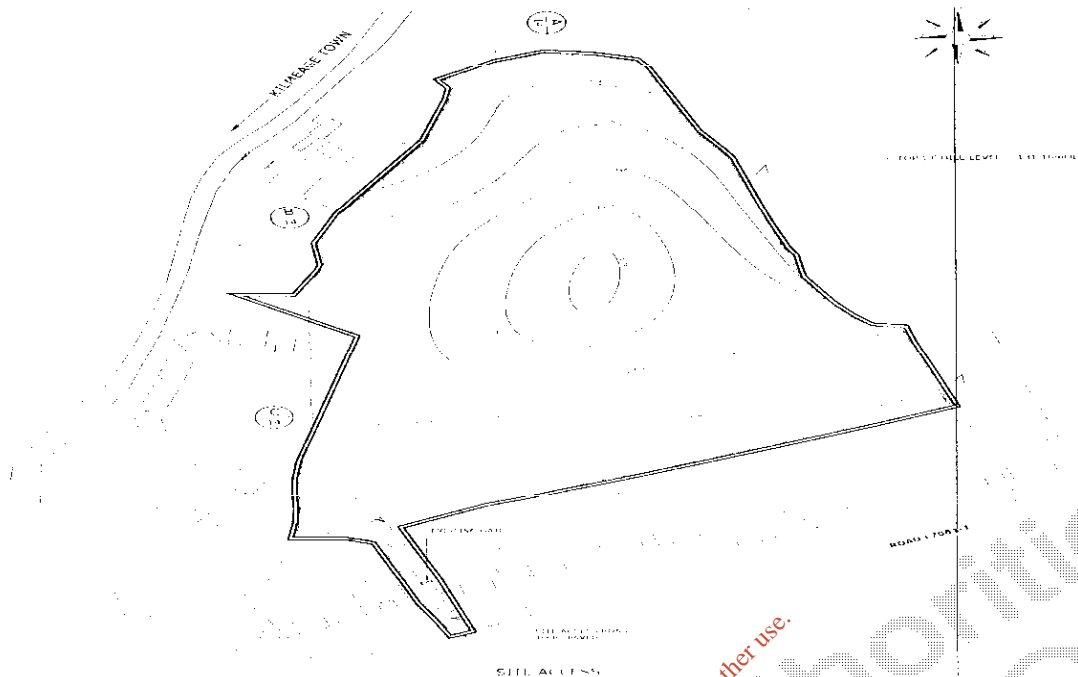
Section 42 (1) (a) (i) of section 28 of the amended 2010 Act is the relevant subsection regarding this application. This subsection requires three items to be met before the planning authority shall extend the appropriate period. The planning authority must be satisfied that:

- I. The development to which the permission relates was commenced before the expiration of the appropriate period sought to be extended.

The applicants submitted a contour layout of the site at the time of the planning application on 04.09.2003 (03/1773). This was:



A finished contour layout was also submitted:

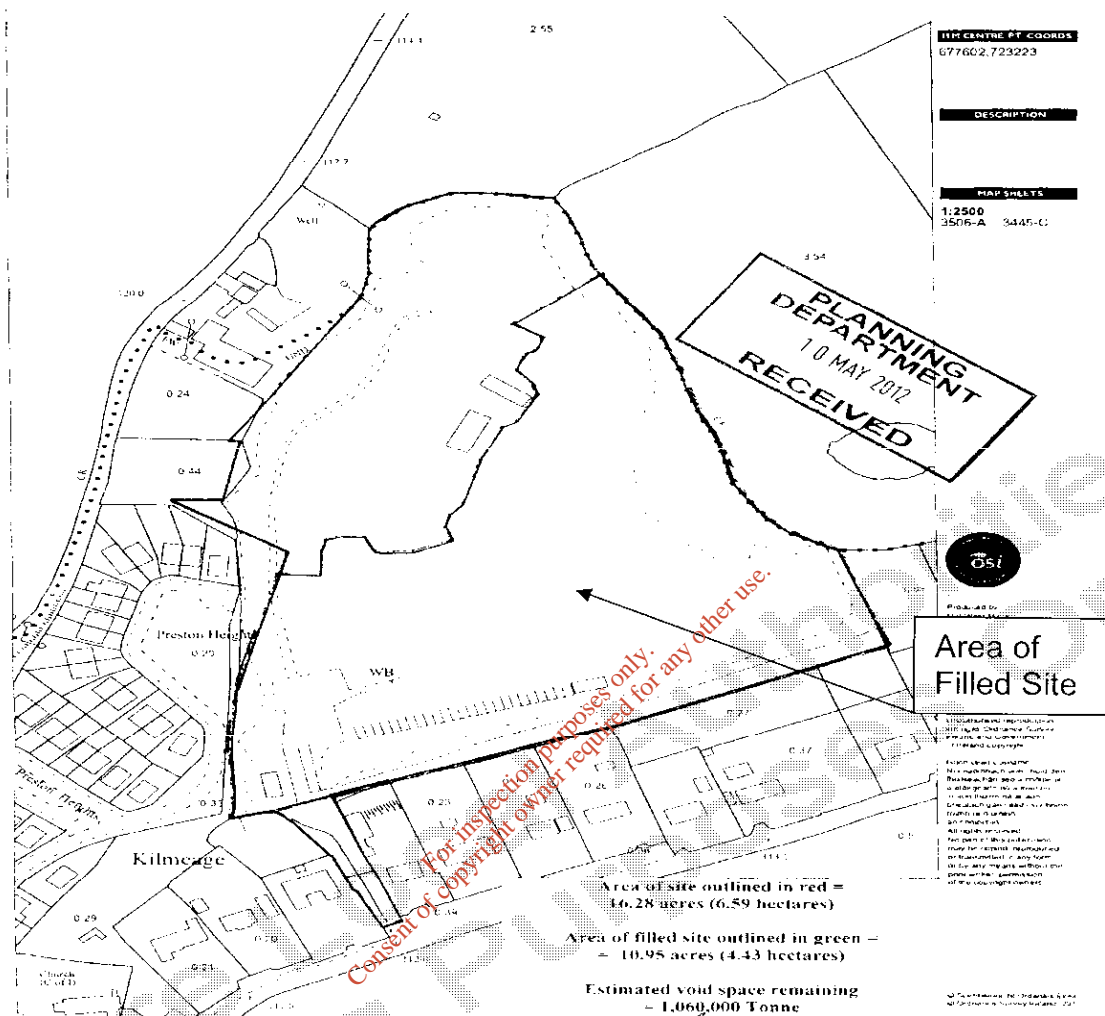


It is therefore clear that a huge amount of infilling was/is required to bring the site levels from original to proposed. This issue is whether the development to which the permission relates was commenced before the expiration of appropriate period and, from a site inspection (photographs attached to this report) it has been; particularly in the southern section of the site which is quite level as can be seen from the photographs.

II. Substantial works were carried out pursuant to the permission during that period

The definition of substantial works is not very clear and obviously depends of the context of the development which is being referred to. The applicants originally claimed that c.1.5 million tonnes of fill was required for the development and, on the extension of duration application form, indicated that there remained a void space of 706,000m³. The site location map accompanying the application states that the "estimated void space remaining is 1,060,000 tonnes". Therefore less than 1/3 of the importation has been carried out (c.29%). A comparison of the original contour layout and the levels on a site inspection indicate that importing of fill has occurred as a large portion of the southern area is consistently flat and therefore inconsistent with the contour layout of 04.09.2003. The applicants have submitted a location map with an area of land outlined that they claim work has been carried out on. It is obviously difficult to compare original contour maps and proposed finished contour maps with a site inspection and an absence of any contemporaneous maps. Nonetheless it is considered that it is possible to assess the application notwithstanding the paucity of information submitted,

by means of the site inspection. The location map showing the area work has been carried out on is reproduced below:



It cannot be argued against the claim that work has been carried out on the area outlined though any work towards the northern part of 'Area of Filled Site' is quite limited.

Therefore, to comply with this subsection substantial works must have been carried out pursuant to the permission during the period. The applicants indicate that c.440,000 tonnes of material has been imported with c.1,060,000 remaining. This is c.29% of the overall required amount. From a site inspection it appears that this may be an exaggerated figure as there remains a hugely substantial amount of importing to be done, particularly in the northern area of the quarry. Nonetheless, it is considered that work has been carried out and that 440,000 tonnes of material comprises a substantial amount of work in the context of this planning application.

III. The development will be completed within a reasonable time

As noted above, although the applicants state an 8 year extension is sought the date upon which it is expected the development will be completed is 28.06.2017 so there is a discrepancy in the applicants' application. Notwithstanding, the maximum period that it can be extended is five years which would be 27.06.2017.

The third subsection is that the planning authority must be satisfied that the development will be completed in a reasonable time. As noted above, it is considered that the claim that 29% of the fill has been imported may be exaggerated. The applicants claim, on the application form, that the site initially operated on a waste management permit until it expired. In the interim the regulatory requirement changed requiring the site to operate under an EPA licence. It was not "economically viable" to apply for an EPA licence due to the major decline in the construction industry which the applicants were most heavily dependant on. An EPA licence has not been made to date and it is hoped this will be done in the near future. This process can take up to two years. This EPA licence will allow the development to be continued and completed as per the original application.

Therefore, the applicants have not been carrying out the development for an unspecified period of time because the cost of an EPA licence is excessive. This licence has still not been applied for and this process could take two years leaving only a three year period at the end of the extension of duration period. This appears to be a hugely substantial amount of work to be carried out in a three year period (2014-2017). It would therefore appear that the development will not be completed within a reasonable time as, after receipt of the EPA licence and given the current and projected condition of the construction industry, it would appear that the development permitted under 03/1773 will remain unfinished on the expiration of this extension of duration; a situation not acceptable under the legislation.

It is considered that subsections (b), (c) and (d) have been addressed.

Conclusion

- Although this application is for a 'temporary' permission according to Condition 2 of 03/1773 it is considered that the application can be considered under the normal legislation.
- The applicant has not indicated which particular subsection the application is being made under. The decision has been taken, on foot of the documentation submitted, the content of 03/1773 and a site inspection, to assess it under subsection (i).
- While subsections (i) (I) and (II) are considered to have been complied with it there are major reservations about the ability to comply with item (III).

Recommendation

Further information is recommended.

1. The extension of duration application form allows the applicants to indicate the specific subsection that the application is being made under, i.e. either section 42 (1) (a) (i) or (ii) as amended by section 28 of the Planning & Development Act, 2010. The applicants did not indicate under which specific subsection the current application was being made. On foot of the detail received in the application, the content of the original planning permission (03/1773) and a site inspection, the decision has been made by the planning authority to assess the application under section 42 (1) (a) (i) as amended by section 28 of the 2010 Act.

It is considered that items (I) and (II) of section 42 (1) (a) (i) have been complied with. However, item (III) requires that the planning authority is satisfied that the development will be completed within a reasonable time. A maximum five year extension of duration can only be permitted. This means that any grant would expire on 27.06.2017. A further extension after that is not provided for in legislation. The applicants have indicated on the application form that an EPA licence is required, that they have none at the moment, and that it may take up to two years to obtain a licence. Therefore, effectively, the applicants may only have a three year period in which to complete the permitted development, i.e. 2014 – 27.06.2017. Having regard to the vast extent of work to be carried out and the current and projected condition of the construction industry (which, the application form states, is the industry that the applicants are most dependant upon) it appears to the planning authority that the proposed development will not be completed by 27.06.2017.

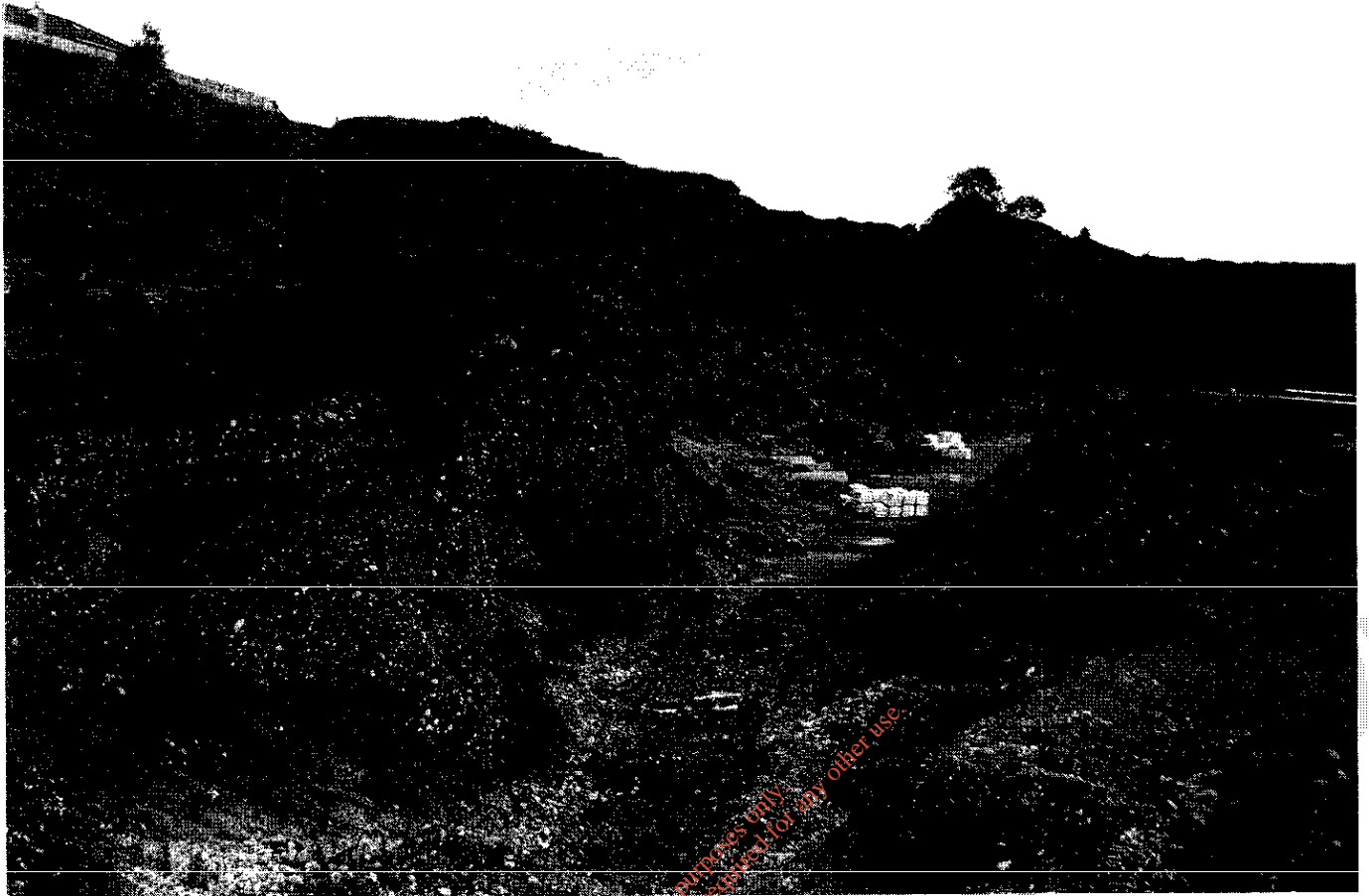
Therefore it appears that the applicants cannot comply with the requirements of section 42 (1) (a) (i) (III) as amended by section 28 of the Planning & Development Act, 2010 and the planning authority should refuse extend the appropriate period. The applicants are invited to comment, in writing.

Note to Planning Administration: Please forward this application to Building Control for comment on the necessity to attach a condition requiring the giving of adequate security for the satisfactory completion of the subject development.


Anthony Kelly
Executive Planner
26.06.2012

A. Brangan
SEP
22.6.12

FI
Planner
extn of dur



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Attachment B.3.4

Table of references to all licences and permits past and presently in force at the time of submission of this application.

Licence/Permit reference number	Brief Description	Date granted	Currently in force? (Yes/No)
WMP No. 126/2003	The recovery of waste (other than hazardous waste) including EWC Codes 170504, 170101, 170102, 170103 for the purpose of restoration of a sand & gravel pit at Kilmeage	25/06/2004	No

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ATTACHMENT B.6

Notices and Advertisements

B.6.1 Copy of the site notice

B.6.2 Location of Site Notice

B.6.3 Copy of Newspaper Notice

B.6.4 Copy of Written Notification to Planning Authority of Application to the Environmental Protection Agency for a Waste Licence

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ATTACHMENT B.6.1

Copy of Site Notice

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SITE NOTICE

APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY FOR A WASTE LICENCE

N&C Enterprises Ltd., Blackhill, Kill, Co. Kildare intends to apply to the Environmental Protection Agency for a waste licence for the operation of a waste recovery facility on lands at The Pit, Kilmeage, Naas, Co. Kildare (National Grid Reference N 7766 2319).

The nature of the development is the importation of inert soils, stone, and recovery of inert construction and demolition waste for the continued phased restoration of a sand and gravel pit to a contoured landform that will be in keeping with the surrounding landscape. It is proposed that up to circa 345,000 tonnes per annum of inert materials, subject to market demand, will be accepted to site. The site has the benefit of existing planning permission (P.A. Reg. Ref. 03/1773 & 12/373) for the above development.

The principal activity is Class R 5 of the Fourth Schedule of the Waste Management Act 1996, as amended (recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials). Other activities include Class R 13 of the Fourth Schedule (Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced)).

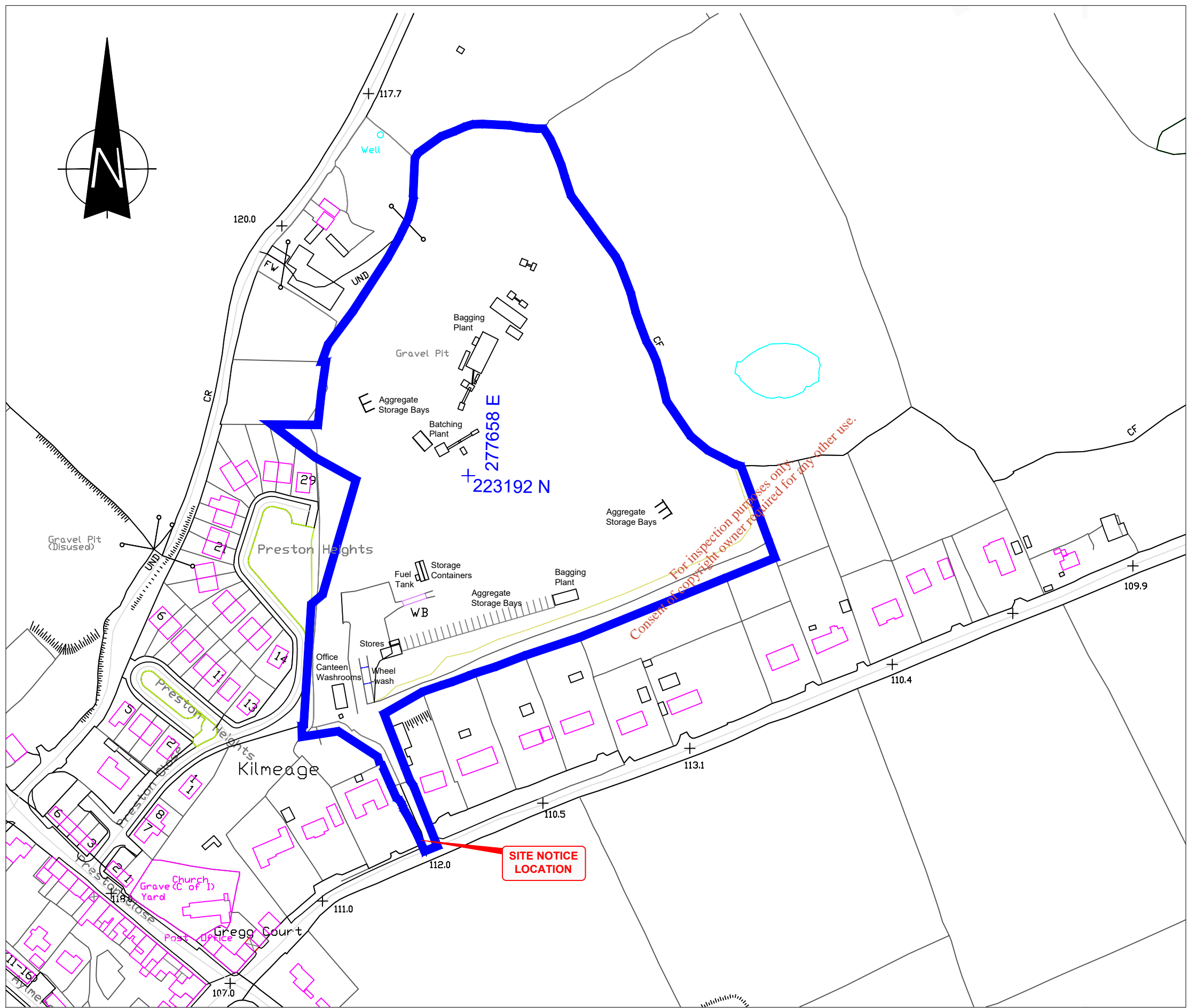
A copy of the Environmental Impact Statement will be submitted to the Agency with the Waste Licence Application.

A copy of the application for a waste licence, the environmental impact statement and such further information relating to the application as may be furnished to the Agency in the course of the Agency's consideration of the application, will, as soon as practicable after receipt by the Agency, be available for inspection or purchase, at the headquarters of the Agency.

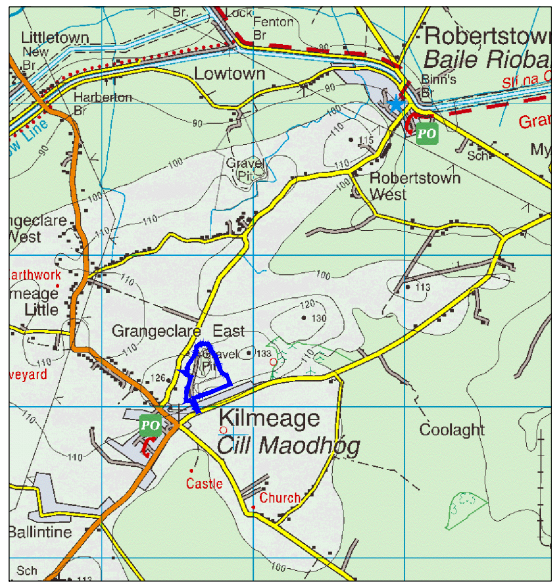
ATTACHMENT B.6.2

Location of Site Notice

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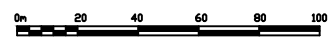
Ordnance Survey Ireland Licence No. AR 0071916 © Ordnance Survey Ireland and Government of Ireland



1:50,000 OSI Discovery Mapping Sheet No. 49

OSi Map Series:
 =====
 1:2500
 3445-C
 REVISION DATE = 14-Feb-2014
 SURVEY DATE = 01-Jul-1996
 3445-D
 REVISION DATE = 14-Feb-2014
 SURVEY DATE = 02-Jan-1996
 3506-A
 REVISION DATE = 27-Mar-2015
 SURVEY DATE = 02-Jan-1996

Scale 1:2,500



Legend

- ▬ Applicants Ownership (c.6.6 ha)
- ▭ Residences



31 Athlumney Castle,
 Navan, Co Meath
 Phone: 046 9073997
 Email: johnsheils@jspe.ie
 Web: jspe.ie

J SHEILS PLANNING & ENVIRONMENTAL LTD

CLIENT	N&C Enterprises Ltd
DRAWING	Location of Site Notice
LOCATION	Kilmeage, Naas, Co. Kildare.

Drawn by John Sheils	Scale 1: 2500
Checked by John Sheils	Job No. JSPE 236
Date 19/05/16	Figure No. B.6.2
	Rev. 0

ATTACHMENT B.6.3

Copy of Newspaper Notice

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Legal Notices Public Notices Acknowledgments Acknowledgments Death Notices Death Notices Death Notices Death Notices

Modlux Developments has never traded, having its registered office at 35 Ingledown Crescent, Clonsilla with no assets exceeding €150 and having no liabilities exceeding €150 has resolved to notify the Registrar of Companies that the company is not carrying on business and to request the Registrar on that basis to exercise her powers pursuant to section 311 of the Companies Act 1963 to strike the company name off the Register.

SPRINGMOUNT ESTATES LIMITED
having ceased to trade and having its registered office and its principal place of business at 3 Castlecourt, St. Joseph's Road, Mallow, Co. Cork, and having no assets exceeding €150 and having no liabilities exceeding €150, has resolved to notify the Registrar of Companies that the company is not carrying on business and to request the Registrar on that basis to exercise his powers pursuant to section 733(2) of the Companies Act 2014 to strike the company off the register. By Order of the Board, Pauline O'Regan, Company Director.

PLANNING NOTICES
KERRY COUNTY COUNCIL: We, Declan Noonan and Associates, Upper Main Street, Dingle, Tel. 9150847 intend to apply to Kerry County Council for planning permission to construct a terraced building forming a streetscape fronting onto the new Dingle Relief Road, (previously granted under planning permission 06-559 & 06-9559) This terraced building will consist of 10 no. terraced dwelling houses, 1 no. first floor apartment & 1 no. ground floor retail unit, all to include associated site works at The Grove, Dingle, Co. Kerry for Tim O'Sullivan. The planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the Planning Authority during its public opening hours and that a submission or observation in relation to the application may be made to the Authority in writing on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application.

APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY FOR A WASTE LICENCE
N&G Enterprises Ltd., Blackhill, Kill, Co. Kildare intends to apply to the Environmental Protection Agency for a waste licence for the operation of a waste recovery facility on lands at The Pit, Kilmagee, Naas, Co. Kildare (National Grid Reference N 7766 2319).
The nature of the development is the importation of inert soils, stone, and recovery of inert construction and demolition waste for the continued phased restoration of a sand and gravel pit to a contoured landscape that will be in keeping with the surrounding landscape. It is proposed that up to circa 345,000 tonnes per annum of inert materials, subject to market demand, will be accepted to site. The site has the benefit of existing planning permission (P.A. Reg. Ref. 03/1773 & 12/373) for the above development.
The principal activity is Class R 5 of the Fourth Schedule of the Waste Management Act 1996, as amended (recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials). Other activities include Class R 13 of the Fourth Schedule (Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced)).
A copy of the Environmental Impact Statement will be submitted to the Agency with the Waste Licence Application. A copy of the application for a waste licence, the environmental impact statement and such further information relating to the application as may be furnished to the Agency in the course of the Agency's consideration of the application, will, as soon as practicable after receipt by the Agency, be available for inspection or purchase, at the headquarters of the Agency.

Carol O'Connor
DIED 1/06/2015
On Carol's first anniversary, her mother, sisters and brother, would like to express our sincere gratitude to those who sympathised with us on our loss. Thank you to everyone who attended the removal and/or funeral, sent Mass cards, letters of sympathy and kind words. A special thanks to the staff at Marymount Hospice for their kindness and care and to the staff and management of TFW Graphics, Kinsale, for their understanding and support. As it would be impossible to mention everyone, please accept this acknowledgement as a token of our sincere thanks and appreciation. The Holy Sacrifice of the Mass will be offered for your intentions.
"We miss your smile, your loving laugh and your loving care, but most of all we miss having you here."

In Memoriam
Matt Killeen
LEASELANDS, MALLOWS
THIRD ANNIVERSARY
JUNE 1, 2015
In loving memory of MATT. Always in our thoughts and prayers.
(Mary and family)

In Memoriam
Murphy
THIRD ANNIVERSARY
In loving memory of JOHN NOEL MURPHY, Sleaven East, Macroom who died on June 1st, 2013.
Those who think of him today
A little prayer to Jesus say.
(Sadly missed by his wife Ina and family)

William (Bill) O'Flynn
In loving memory of BILL, late of Barley-Hill, Newmarket, who died on June 1, 2007.
Our Lady of Knock pray for him.
(Always remembered by his wife Julia, family and grandchildren)

Spillane
SIXTH ANNIVERSARY
In loving memory of CARMEL late of Shanlyne Whitechurch who died on June 1, 2010.
Will those who think of Carmel today
A little prayer to Jesus say.
(Always remembered by her loving family)

Walsh
Treasured memories of my dear father JACKIE, Ballylough, Mitchelstown, on his Eighth Anniversary. Like falling leaves the years slip by, But love and memories never die.
(Lovingly remembered by Billy, Joe and family)

O'DONOVAN: In loving memory of SEAMUS late of Mill Road Bandon whose anniversary occurs today. (Always remembered by Dan and family)

O'FLYNN (Ninth Anniversary): In loving memory of BILL, Barley-Hill, Newmarket. (Missed and remembered by his daughter Geraldine, son-in-law Dominic and grandchildren Lia and Paul).

BRODERICK (Killeagh and Youghal): On May 31, 2016, peacefully, in the loving care of the doctors and nurses at The Mercy University Hospital, Cork, Fr. JOHN, beloved elder son of the late Joe and Mamie Broderick. Deeply regretted by his loving brother Oliver, his sister-in-law Theresa, his nieces Naomi (O'Donovan), Olive, Susanna, Sarah and Rebecca, nephew-in-law Mick, grandnephew Michael, grandnieces Mary and Grace and also by Bishop Crean and his fellow priests of the Cloyne Diocese, as well as a wide circle of relations, neighbours and friends. R.L.P. Reposing at Egan's Funeral Home, Greenocloyne Youghal on today (Wednesday) from 5.30pm, followed by Rosary and removal at 7pm to St. Mary's Parish Church, Youghal. Requiem Mass on tomorrow (Thursday) at 12 noon. Private cremation will take place later.

CALNAN (Clonakilty): On May 30, 2016, suddenly, at Cork University Hospital, MARY (nee O'Donovan), beloved wife of John, Middle Ring, much loved mother of Eileen (Geraghty), Patricia (McCarthy), Paddy, Marie and Kieran. Lovingly remembered by her husband, family, sons-in-law Matt and Kevin, daughters-in-law Noreen and Aine, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, nephews, nieces, relatives and friends. Reposing at O'Sullivan's Funeral Home, Clonakilty on this (Wednesday) evening from 7pm, followed by Rosary at 9pm. Removal on tomorrow (Thursday) at 12.30pm to Darragh Church, followed by Requiem Mass at 2pm. Funeral afterwards to the adjoining cemetery. Rest in peace.

CAREY (Carrigrohilly): On May 31, 2016, peacefully, surrounded by his loving family, at his home, DANNY, Westend, Carrigrohilly (and late of Irish Distillers, Middleton), much loved husband of Mary (nee Keating) and dear father of Rory, Con, Sandra, Jacinta, Esther and Susan, brother of Sheila, Val, Brenda and the late Sean, Henry, Esther and Madeline. Sadly missed by his loving wife, sons, daughters, grandchildren, brother, sisters, sons-in-law, daughters-in-law, brothers-in-law, sisters-in-law, nephews, nieces, relatives and a large circle of friends. May he rest in peace. Reposing at his home on this (Wednesday) evening from 5pm, with Rosary at 8pm. Removal on tomorrow (Thursday) at 11.15am to St Mary's Church, Carrigrohilly for 12 noon Requiem Mass, followed by burial in St Mary's Cemetery.

JAMES (Castlemartyr and formerly of Canada): On May 31, 2016, peacefully, in the exceptional care of the staff at Marymount and in the presence of his loving family, ROBIN, much loved husband of Claire (nee Lynam) and loving father of Kieran, Daniel and Sinead. Sadly missed by his loving wife and family, brothers, sisters, relatives and friends. May he rest in peace. Cremation to take place on Friday, June 3, at 2.00pm at The Island Crematorium, Ringaskiddy. All welcome. No flowers, please. Donations in lieu, to Marymount.

JONES (Cobh): On May 31, 2016, peacefully, surrounded by his loving family, in the exceptional care of all at Cobh Community Hospital, THOMAS J, 1 St Colman's Square, beloved husband of the late Mary and dear father of Dominic, Liz, Michael and Damian and brother of Monica, Kevin, Josephine and the late Michael. Sadly missed by his loving daughter, sons, grandchildren Leah, Daniel, Peter, Maria, Emma, Anna and Michelle, great-grandchild Bailey, brother, sisters, brother-in-law, sister-in-law, nephews, nieces, relatives, close friends Liam O'Sullivan and Kay Byrne and a large circle of friends. May he rest in peace. Reposing at Cobh Community Hospital Mortuary on this (Wednesday) evening from 6pm, with Rosary at 7pm. Removal on tomorrow (Thursday) at 1.15pm to St Colman's Cathedral for 2pm Requiem Mass, followed by burial in Oldchurch Cemetery. Family flowers only. Donations, in lieu, if desired to Cobh Community Hospital.

LEAHY (Jamesbrook, Middleton): On May 30, 2016, peacefully, in the loving care of the staff at Oaklodge Nursing Home, CISS (JOHANNA), sister of the late Frances and David. Sadly missed by her relatives, staff and residents at Oaklodge and friends. Reposing at the Church of the Mother of God, Saleen. Requiem Mass on tomorrow (Thursday) at 12 noon, followed by burial in Garrauldindefake Cemetery, Jamesbrook. May she rest in peace.

CONDON (nee Whelan) (Carrigane, Killebenny, Mitchelstown and formerly of Knockamane): On May 30, 2016, peacefully, at her residence, CATHERINE (CAIT), in her 91st year, beloved wife of the late James. Sadly missed by her loving daughters Ann, Nora, Mary, Catherine and Elizabeth, sons John, James, Christy, Ned, David and Patrick, grandchildren Brian, Eoin, Niamh, Grace, Sinead, Aoife and Adrian, great-grandchildren Aidan and Cian, sister Nellie, sons-in-law, daughter-in-law, sisters-in-law, nieces, nephews, relatives, neighbours and friends. Reposing at her residence, in Carrigane, on today (Wednesday) from 4pm to 8pm. Arriving to Killebenny Church on tomorrow (Thursday) for 11.30am Requiem Mass. Burial afterwards in the Church Grounds. House private tomorrow (Thursday) morning please. May she rest in peace.

FAHY (Passage West, Cork): On May 27, 2016, peacefully, surrounded by his loving family and fiancée, BRIAN, Pembroke Woods (Tesco Ireland, Mahon and W.L.T.), darling son of Celeste Corrigan and Gerard Fahy, beloved brother of David, Sarah and Emmet and loving fiancé of Joanne Walsh. Sadly missed by his heartbroken parents, brothers, sister, fiancée, grandfather Joe, uncles, aunts, relatives and a wide circle of friends. Requiem Mass on today (Wednesday) at 12 noon in St Patrick's Church, Rochestown. Funeral afterwards to the Island Crematorium, Ringaskiddy. May he rest in peace.

HOLLAND (Grange, Douglas): On May 27, 2016, peacefully, in the tender care of the staff at Marymount, SYLVIA (nee Moss), loving sister of the late Pat, John and the recently deceased Eileen. Sadly missed by her loving niece Nuala, nephews Brian and Billy, relatives, neighbours and friends. May she rest in peace. Reposing at Sullivan's Funeral Home, Turners Cross. Removal on tomorrow (Thursday) at 6.30pm to Church of the Immaculate Conception, Watergrasshill at 7pm. Requiem Mass on tomorrow (Thursday) at 3pm. Cremation will take place privately afterwards. Family flowers only. Donations, in lieu, to Marymount Hospice. May she rest in peace.

NEILAND (Watergrasshill, Co. Cork): On May 31, 2016, peacefully, after an illness, bravely borne, at Marymount University Hospital and Hospice, KAREN (nee Barry), late of Palmgrove, Glanmire and Shanballymore, dearly loved wife of Tony and much loved mother of Kevin and Kenneth. Sadly missed by her loving husband and family, father, brothers, sisters, mother-in-law, brothers-in-law, sisters-in-law, nephews, nieces, relatives and a wide circle of friends. Rosary, followed by removal at 6pm on this (Wednesday) evening from Barry Bros Funeral Home, Hazelwood, Glanmire to arrive in the Church of the Immaculate Conception, Watergrasshill at 7pm. Requiem Mass on tomorrow (Thursday) at 3pm. Cremation will take place privately afterwards. Family flowers only. Donations, in lieu, to Marymount Hospice. May she rest in peace.

MURPHY (Kanturk): On May 29, 2016, peacefully, in the presence of his loving family and in the excellent care of doctors, nurses and staff of Mercy University Hospital, Cork, PATRICK JOSEPH (PAT), Ballymacmurragh and formerly of Glen North, Banteer and late staff of Inisicurry Centre and OLIJ, adored and cherished, best friend and husband of Eileen (nee Murphy). Deeply regretted by his loving wife, brothers Jerry and John, sisters Joan (Kearney) and Eileen (Crawley), uncles Fr Joe and Dan, aunt Mary, brothers-in-law, sisters-in-law, nephews, nieces, grandnephew, godfather, godchildren, nieces-in-law, nephews-in-law, especially John, grandnephews-in-law, grandnieces-in-law, cousins, work colleagues, wonderful neighbours, especially the Sweeney and Buckley families, relatives and friends. Reposing at McCarthy's Funeral Home, Banteer on today (Wednesday) from 6.00pm to 8.00pm. Reception into St Fursey's Church, Banteer on tomorrow (Thursday) at 12.30pm for 1.00pm Mass. Burial afterwards in St Fursey's Cemetery. Fresh flowers only. May he rest in peace.

O'CONNELL MAURICE (Glenacollis, Ballydesmond): On May 31, 2016, peacefully, in the excellent care of the nurses and staff of Mount Abernethy, Mallow. Deeply regretted by his loving brother Tim Joe, sisters Theresa (Banteer), Kathleen and Brielle (England), sister-in-law Sheila, nephews, nieces, relatives and friends. Reposing at Tarrant's Funeral Home, Ballydesmond on today (Wednesday) from 6pm to 8pm, followed by removal to St Patrick's Church, Ballydesmond. Requiem Mass on tomorrow (Thursday) at 11am. Burial afterwards in the adjoining cemetery. May he rest in peace.

O'NEILL PAT (Lahard, Whitegate): On May 30, 2016, suddenly, at home, beloved husband of Katie, much loved father of John, Pádraig, Stobhán, Marie and Cait, loving granda of Rowan, Cian and Oran, brother of the late Bridie, Seán and Lily. Sadly missed also by son-in-law Andy, daughter-in-law Rachel, also Almed and Brendan, brothers Maurice and Mike, sisters Kathleen and Mary, extended family, relatives, neighbours and many friends. Reposing at his home in Lahard on tomorrow (Thursday) with all welcome to call from 4pm until Prayers at 8pm. Reception into St. Mary's Church, Ballinrosg on Friday for 12 noon Requiem Mass. Burial afterwards in Inch Cemetery. As always *Deo in subsidio a namus amicus.*

O'SHEA (Slevemish Park, Cork): On May 29, 2016, after a short illness, in her 92nd year, JOSEPHINE (JO) (nee Walkins), dear wife of the late Michael and loving mother of Patrick, William, Mary (Fitton) and Michael. Sadly missed by her loving family, grandchildren David, Niamh, Daniel, Eoin, Ronan and Rory, son-in-law Noel, daughters-in-law Miriam (Synth) and Claire (Walsh), relatives and friends. May she rest in peace. Reposing at Sullivan's Funeral Home, Turners Cross. Removal on this (Wednesday) evening at 7.00pm to Christ King Church, Turners Cross. Requiem Mass on tomorrow (Thursday) at 12 noon. Funeral afterwards to Douglas Cemetery.

BANTEER/LYRE JUNIOR AND JUVENILE GAA CLUBS, BANTEER COMMUNITY CENTRE/ASTRO/ GYM, BANTEER SPORTSFIELD/PARK AND COMMUNITIES OF BANTEER LYRE AND NADD.
As a mark of respect to our Lyre Junior GAA club Chairman, community volunteer and dear friend,
PAT MURPHY, R.I.P.
All activities for the above community groups are CANCELLED for today (Wednesday), June 1 and tomorrow (Thursday), June 2.
Our sympathy to his wife Eileen, brothers Jerry and John, sisters Joan and Eileen and his extended family.
May he rest in peace.

As a mark of respect to
PAT MURPHY, RIP
Past Captain
Kanturk Golf Club
will remain closed tomorrow (Thursday) until 3pm
Deepest sympathies extended to his wife Eileen and the Murphy family

- Irish Association of Funeral Directors**
IAFD Members in Cork City & County
- Allens Funeral Home, Rockhill, Co. Cork Tel: 029-69011
 - Barry Bros Funeral Directors Hazelwood, Glanmire, Co. Cork Ph: 021-4507711
 - Walter Barry & Sons Funeral Directors, 12-13 Parnass Square, Cobh, Co. Cork Tel: 021-4811356.
 - Henry Black Funeral Director Rushbrooks, Cobh, Co. Cork Ph: 021-4811630
 - James Cahill Funeral Director Cobh, Co. Cork Ph: 087-8618252
 - Cassey Funeral Directors, Inchigeela and Goochford, Co. Cork Ph: 026-890808
 - Canvays of Kinsaman Funeral Directors Eiskinn, Co. Cork. Tel: 029-76605
 - Coughlins Funeral Home 89 Shanadoon Street, Cork Ph: 021 4300003
 - Crowley Funeral Directors Ballincollig, Co. Cork Ph: 021-4874777
 - Michael J Doolin & Sons Funeral Directors Brixton, Co. Cork Ph: 028-30108 | 087-2341168
 - Brows Funeral Directors Boharave Co. Cork. Tel: 029-76061
 - Ford's Funeral Homes South Gate Bridge Cork and Carrigrohilly, Co. Cork Ph: 021-4318222 Carrigrohilly 0214372800
 - Henry Fraser & Family Funeral Directors 062-37916 mskathl@fraser@yahoo.ie
 - FitzGerald's Funeral Home Macroom, Co. Cork Ph: 026-41006
 - Gabriel & O'Donovan's Funeral Homes Bandon & Kinsale, Co. Cork Ph: 023-8841587
 - Grace's Undertakers Strand Street, Kanturk Tel: 029-59102 Mobile 087-2604432
 - Harringtons Funeral Home, Castlethorpe, Co. Cork. Tel: 027-70011
 - J. Hanson & Sons Funeral Directors, Turinpike, Doneraile Co. Cork Ph: 022-24111
 - J & M Howe Funeral Directors Ltd, Charleville, Co. Cork Ph: 043-89280
 - Michael J Harley Funeral Director, Shilburne, Co. Cork. Tel: 028-22255.
 - J A Hydo Ltd, Middleton, Co. Cork Ph: 021-4631233
 - McCarthy's Funeral Home Banteer, Co. Cork Ph: 029-56044
 - Martin Nelligan & Sons Fermoy, Ph: 025-31697.
 - JJ O'Brien and Son Funeral Directors Mitchelstown, Co. Cork Ph: 025 24274
 - O'Callaghan's Funeral Parlour Kanturk & Ballylough Co. Cork Ph: 029-50147
 - O'Connell Funeral Directors Ltd, Mallow, Co. Cork Ph: 022-21550
 - Jerh. O'Connor Funeral Homes Coburg Street, Wilton and Boreenanna Road, Cork Ph: 021-4607711
 - O'Connor Bros Funeral Homes Ltd, North Gate Bridge, Cork Ph: 021-4304444 Fax: 021-4309161
 - Terence O'Connor Ltd, North Gate Bridge, Cork. Tel: 021-4304444.
 - John O'Farrell & Sons Funeral Directors Midleton, Co. Cork Ph: 021-4631194
 - O'Keefe Funeral Directors Bowling Green, Mallow and Bottevant, Co. Cork Ph: 022-23238
 - O'Learys Funeral Directors Knocknagree, Co. Cork Ph: 064-7756008
 - John O'Malley Funeral Director, Charleville, Co. Cork Ph: 063-81763
 - O'Mahony's Funeral Home Eniskinn, Co. Cork Ph: 023-8847123/8847101
 - Michael O'Reilly & Son Newmarket, Co. Cork Ph: 029-60142
 - Pat O'Sullivan & Sons Funeral Directors Clonakilty, Co. Cork Ph: 023-8833176
 - James B. Rooney 75 Lower Patrick Street, Fermoy Ph: 025 34217
 - Sullivan's Funeral Home Turners Cross, Cork Ph: 021-4316316
 - Tarrant's Funeral Directors Millstreet, Co. Cork Ph: 029-70176
 - T. Wallis and Sons Ltd, Midleton, Co. Cork Ph: 043-81155
 - Tarrant Brothers Funeral Directors Ballydesmond Co. Cork Ph: 064-7751225

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In the event of the publication of an advertisement, or a series of advertisements, containing an inaccuracy or error caused by IEL, its servants or agents, the limit of liability of IEL shall extend only to the printing of one corrected insertion. No reprinting shall occur where the error is of a minor or typographical nature only. IEL reserve the right to cancel, at any time, an advertisement or a series of advertisements planned for publication and, in such circumstances, IEL shall only repay to the advertiser such portion of monies as is attributable to the unpublished advertisements and nothing further.

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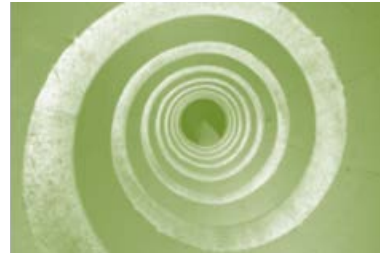
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ATTACHMENT B.6.4

Copy of Written Notification to Planning Authority of Application to the Environmental Protection Agency for a Waste Licence

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Kildare County Council,
Planning Department,
Head Office,
Áras Chill Dara,
Devoy Park,
Naas,
Co Kildare.
W91 X77F



JSPE

J Sheils Planning & Environmental Ltd

31 Athlumney Castle, Navan, Co Meath

Phone/Fax: Ireland +353 46 9073997

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Email: johnsheils@jspe.ie

Date: 9th June, 2016
Our Ref: JSPE 236_L09

Re: Waste Licence Application by N&C ENTERPRISES LTD for the operation of a waste recovery facility on lands at The Pit, Kilmeage, Naas, Co. Kildare (National Grid Reference N 7766 2319).

To whom it may concern:

In accordance with Article 9 (1) of the Waste Management (Licensing) Regulations 2004, as amended, we hereby give written notice of the following application for a Waste License Application to the Environmental Protection Agency, on behalf of N&C Enterprises Ltd., Blackhill, Kill, Co. Kildare. i.e.

APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY FOR A WASTE LICENCE

N&C Enterprises Ltd., Blackhill, Kill, Co. Kildare intends to apply to the Environmental Protection Agency for a waste licence for the operation of waste recovery facility on lands at The Pit, Kilmeage, Naas, Co. Kildare (National Grid Reference N 7766 2319).

The nature of the development is the importation of inert soils, stone, and recovery of inert construction and demolition waste for the continued phased restoration of a sand and gravel pit to a contoured landform that will be in keeping with the surrounding landscape. It is proposed that up to circa 345,000 tonnes per annum of inert materials, subject to market demand, will be accepted to site. The site has the benefit of existing planning permission (P.A. Reg, Ref. 03/1773 & 12/373) for the above development.

The principal activity is Class R 5 of the Fourth Schedule of the Waste Management Act 1996, as amended (recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials). Other activities include Class R 13 of the Fourth Schedule (Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced)).

A copy of the Environmental Impact Statement will be submitted to the Agency with the Waste Licence Application.

A copy of the application for a waste licence, the environmental impact statement and such further information relating to the application as may be furnished to the Agency in the course of the Agency's consideration of the application, will, as soon as practicable after receipt by the Agency, be available for inspection or purchase, at the headquarters of the Agency.

Yours Sincerely,

For J Sheils Planning & Environmental Ltd,

John Sheils MSCSI MRICS

ATTACHMENT B.7 – Type of Waste Activity

B.7.1 Type of Waste Activity

The following sections detail the classes of activity for the site, which are in accordance with the Fourth Schedule of the Waste Management Act 1996, as amended to which the application relates and includes a brief technical description of each of the activities specified.

B.7.2 Principal Activity

Class R 5 Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.

The nature of the development is the importation of inert soils, stone, and recovery of inert construction and demolition waste for the continued phased restoration of a sand and gravel pit to a contoured landform that will be in keeping with the surrounding landscape.

Only inert soils, stone and clean construction and demolition waste will be accepted at the site. Further details with respect to the type of materials including European Waste Catalogue code references are provided in Table H.4(ii). No other waste types shall be accepted or recovered at this facility.

B.7.3 Other Waste Recovery Activities - Fourth Schedule of WMA

Class R 13 Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).

Construction and demolition waste may be stored in stockpiles prior to processing, recovery and re-use for engineering purposes on the site or offsite (See Fourth Schedule - Waste Recovery Activity Class R 5). Similarly, topsoil/subsoil may be stored in temporary storage mounds awaiting placement as part of the restoration scheme.

Occasionally a load will contain minor contaminants (e.g. plastics, rebar, wood and paper). These items will be removed on inspection by a site operative and stored in covered skips in a designated quarantine area pending removal offsite by a licensed waste disposal contractor to an appropriate disposal facility.