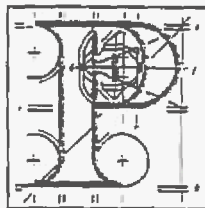


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Carlow County Council

APPLICATION by Carlow County Council for approval under section 175 of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an environmental impact statement, lodged with the Board on the 20th day of February, 2012.

PROPOSED DEVELOPMENT: Continued operation of landfilling activities which will allow filling of the remaining constructed void space at the existing non-hazardous waste landfill. Other infrastructure on-site includes a civic amenity facility, site offices, leachate and gas management systems, weighbridge and ancillary structures. The application is also for increasing the maximum annual waste input from 40,000 tonnes per annum to 50,000 tonnes per annum. It is not proposed to create extra cells or to create extra landfill capacity. The proposed development is located in the townland of Powerstown, County Carlow.

DECISION

APPROVE, subject to conditions, the proposed development based on the reasons and considerations set out under.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

The Board had regard to:

- (a) national policy in relation to waste management, including policy documents “Waste Management: Taking Stock and Moving Forward” (April 2004) and “A Resource Opportunity: Waste Management Policy in Ireland” (July 2012);
- (b) the provisions of the County Carlow Development Plan 2009-2015 in relation to waste management;
- (c) the Joint Waste Management Plan for the South East Region 2006;
- (d) the planning history of the site and the nature of the proposed development, which consists of the filling of existing landfill cells;
- (e) the character of the landscape and the pattern of development in the surrounding area;
- (f) the requirement to obtain and maintain in place a waste licence from the Environmental Protection Agency for the operation of the facility;
- (g) the environmental impact statement submitted with the application and the mitigation measures set out in this statement;
- (h) the natura impact statement submitted with the application, which found that no mitigation measures, additional to those already in place, are necessary, and
- (i) the submissions and observations received in connection with the proposed development, and the report of the Board’s Inspector.

The Board considered the environmental impact statement submitted with the application, the submissions on file, and the Inspector’s assessment of environmental impacts. The Board completed an environmental impact assessment and concluded that the proposed development would not have a significant adverse effect on the environment.

The Board had regard to the nature, scale and location of the proposed development, the natura impact statement submitted with the application, and the Inspector’s assessment of same. The Board completed an Appropriate Assessment and concluded that the proposed development would not, by itself or in combination with other projects, significantly affect the conservation objectives of the nearby European site.

It is considered that, subject to compliance with the conditions set out below and to the facility being constructed and operated in accordance with a waste licence from the Environmental Protection Agency, the continued operation of the existing landfill for a further temporary period and an increase in annual waste acceptance at the

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facility would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, would not be likely to have significant adverse effects on the environment or any designated site and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application on the 20th day of February 2012, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. This approval relates to the continued filling of Phase 3 of the facility only. Landfilling operations shall cease within six years of the date of this order or when cells numbers 15, 16, 17 and 18 are filled, whichever is the sooner, and the site shall be reinstated in accordance with the requirements of the waste licence.

Reason: In order to clarify the period to which the approval relates and to enable a reassessment of the development in the light of circumstances then prevailing, including the implementation of an integrated waste management strategy for the region, which implementation is considered to be in the interest of the amenities of the area, orderly development and proper planning and sustainable development of the area.

3. The operators shall ensure that an appropriate waste licence from the Environmental Protection Agency for the operation of the facility is maintained in place at all times.

Reason: To ensure that the proposed development is operated in such a manner which would not adversely impact on the surrounding environment.

4. In the next planting season, semi-mature trees shall be planted along the north-western profile of the landfill site.

Reason: In the interest of visual amenity and to reduce the visual impact of the landfill as viewed from the motorway network.



Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 13th day of August, 2012.