



Board Direction

Ref: 01. JA 0032

At a meeting held on 8th August, 2012, the Board considered

- (a) the objections made to the proposed development,
- (b) the report of the Inspector, and
- (c) the documents and submissions on file generally.

The Board decided to approve the continued operation of landfilling activities and increase in waste acceptances, subject to condition, generally in accordance with the following Draft Order.

Note: the Board did not include the Inspector's condition regarding the civic amenity site, as the on-going operation of these local recycling facilities was not a substantive issue in the determination of the Environmental Impact Assessment.

The Board did not agree with the Inspector that it was necessary to prohibit landfill associated HGV traffic from travelling along the County Road, L3045 between Garryhondon Crossroads to the east and the landfill facility, due to the level of traffic involved, as the Board considered that the majority of HGV traffic associated with the landfill used the motorway and national route network.

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,
- (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 planning 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, 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 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, to reduce the visual impact of the landfill as viewed from the motorway network

Board Member: _____

Mary Mac Mahon

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Date: 10th August, 2012

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