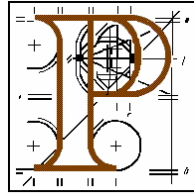


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2013

Kildare County

An Bord Pleanála Reference Number: 09.PM0003

(Associated Reference Number 09.PA0004)

REQUEST received by An Bord Pleanála on the 21st day of June, 2013 from Bord na Móna Plc, care of AOS Planning, 2nd Floor, The Courtyard, 25 Great Strand Street, Dublin under section 146B of the Planning and Development Act, 2000, as amended, in respect of a strategic infrastructure development described as the extension and intensification of the Drehid Waste Management Facility to accommodate an additional 240,000 tonnes per annum for disposal for 7 years of non-hazardous residual municipal waste [over and above the permitted disposal of 120,000 tonnes per annum of non-hazardous residual waste permitted for a 20 year period] located at Killinagh Upper, Carbury, in the townlands of Parsonstown, Loughnacush, Kilkeaskin, Timahoe West, Drummond, Coolcarrigan, Killinagh Lower and Killinagh Upper, County Kildare.

PROPOSED ALTERATION: Alteration to the Drehid Waste Management Facility comprising:

Alteration to Condition Number 1 of Board Order 09.PA0004, which reads as follows:

1. The landfill footprint extension shall be as proposed in the documentation submitted to the Board on the 30th day of April, 2008. Waste to be accepted at the facility for disposal shall be restricted to 360,000 tonnes per annum until 1st of December 2013. Thereafter waste for landfill disposal at the facility shall be restricted to a maximum of 120,000 tonnes per annum, in accordance with the conditions attached to the original permission, PL 09.212059, unless a further permission in this respect is granted.

Reason: The Board considers it appropriate that the increased rate of waste deposition hereby permitted should be reviewed after five years, in the light of waste policy and capacity pertaining at that time.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 31st day of October, 2008,

AND WHEREAS the Board has received a request to alter the terms of the development, the subject of the permission,

AND WHEREAS the Board considered that the alteration of Condition Number 1 would result in a material alteration to the terms of the development, the subject of the permission,

AND WHEREAS having regard to the nature of the issues involved, the Board decided to invoke the provisions of section 146B(8)(a) of the Planning and Development Act, 2000, as amended, to invite submissions or observations in relation to the matter from members of the public,

AND WHEREAS having considered all of the submissions/observations and documents on file and the Inspector's report the Board considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that Condition Number 1 of its order shall be as set out below and the permitted development shall be otherwise altered in accordance with the plans and particulars received by An Bord Pleanála on the 21st day of June, 2013:

ALTERATION TO CONDITION NUMBER 1

1. The landfill footprint extension shall be as proposed in the documentation submitted to the Board on the 30th day of April, 2008 under register reference number PA0004. Waste to be accepted at the facility for disposal shall be restricted to 360,000 tonnes per annum until the 1st day of December, 2015. Thereafter waste for landfill disposal at the facility shall be restricted to a maximum of 120,000 tonnes per annum, in accordance with the conditions attached to the original permission, PL09.212059, unless a further permission in this respect is granted.

Reason: The Board considers it appropriate, in the light of waste policy and capacity pertaining at this time, that the increased rate of waste deposition shall only be authorised until the 1st day of December 2015, in accordance with the application made under PL09.212059 and the accompanying environmental impact statement.

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 the submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

In coming to its decision in relation to the proposed alteration, the Board had regard to the following:

- (a) the provisions of the document “A Resource Opportunity – Waste Management Policy in Ireland”, issued by the Minister for the Environment, Community and Local Government (2012), which has extended the duration of the waste management plans that were applicable when An Bord Pleanála granted permission under application reference number 09.PA0004,
- (b) the absence of certain facilities envisaged in the Waste Management Plan for the Dublin Region 2005 - 2010,
- (c) the likely waste arisings and capacity issues in the Greater Dublin Area in 2014 and 2015,
- (d) the terms of the waste licence that governs activity on the site, issued by the Environmental Protection Agency under License Register Number W0201-03,
- (e) the nature of the development applied for under PL09.212059, which was for a period of operation of seven years, and which was accompanied by an environmental impact statement,
- (f) the purpose of the development permitted under PL09.212059, which was principally to serve the Greater Dublin Area,
- (g) the nature and limited duration of the alteration sought,
- (h) the environmental impact assessment already undertaken by the Board in respect of the seven-year operation of the development under PL09.212059, whereby the Board concluded that the development would be acceptable, and

- (i) the submissions on file, including the submissions received in response to the Board's request and submissions pertaining to the current site operations and conditions, and the reports of the Inspector,
- (j) the screening for appropriate assessment carried out by the Inspector, the conclusions of which the Board concurred with.

It is considered that the making of the proposed alteration would be in accordance with the waste management policies of the State and its obligations under European legislation, and that the proposed alteration would not be likely to have significant effects on the environment or on any European site. The proposed alteration would, therefore, be in accordance with the proper planning and sustainable development of the area.

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

Dated this day of 2013.