

RE:/ Planning Permission is sought for development of the proposed Drehid Waste Management Facility in the townlands of Parsonstown, Loughnacush, Kilkeaskin, Timahoe West, Drummond, Coolcarrigan & Killinagh Lower & Killinagh Upper, Co. Kildare as described hereunder. The development will consist of an engineered landfill site (footprint 21.2 hectares (ha), comprising 8 no. phases, to accept up to 120,000 tonnes per annum of non-hazardous residual municipal waste for disposal; a composting facility with a capacity of 25,000 tonnes per annum; for an operational lifespan of 20 years. In addition to the waste acceptance period, permission is also sought for an additional 2 years to facilitate preliminary development works prior to waste acceptance and restoration of the site following cessation of waste acceptance. Permission is also sought for ancillary facilities including landscaping, provision of improved site entrance and access road (4,800 metres (m) from the R403 to the facility entrance, internal site haul roads (2,380m); clay borrow area (10ha) and sand & gravel borrow area (12.7ha) for the extraction of 212,300 cubic metres (cu m) of clay and 248,410 cu m of sand and gravel respectively, to be used for the construction of the proposed facility, composting building and biofilter (4,157 square metres (sqm); administration building (434sqm); parking (700sqm) for 17 no. cars, two delivery vans and one coach; 2 no. weighbridges (140sqm) and weighbridge reception kiosk (7.5sqm); maintenance facility (180sqm) bunded concrete hardstand for waste inspection and quarantine (585 sqm); bunded oil storage area (22.5sqm); on site water borehole; wheelwash (180sqm) surface water drainage system; oil interceptor and grit trap; 5 no. surface water settlement lagoons (total area 5.464sqm), 2 no. leachate holding tanks (combined capacity of 400cu m) and leachate pump sump at bunded concrete hardstand leachate management facility (1,000sq m); landfill gas collection compound and gas flare (35 sqm); security fencing and all other site development works above and below ground on a total site area of 139ha. An EIS accompanies this application – Bord Na Mona PLC – Planning Ref: 371/04

Schedule 1

Considerations

Having regard to:

- The provisions of the Regional Planning Guidelines,
- The Kildare County Development Plan,
- The Kildare Waste Management Strategy,
- The relative remoteness of the proposed site and the degree of separation between it and the nearest housing etc
- The degraded character of the site, namely a cut-over, blanket bog,
- The previous identification of the site as one suitable for a development of this kind

It is considered that the proposed site is appropriate for the development of an integrated waste management facility including residual landfill site.

Schedule 2

Conditions

1. The development shall be carried out in accordance with documentation submitted to the Planning Authority on 24/02/04, 12/08/04 and 29/10/04 except as altered or amended by conditions in this permission.

REASON: To enable the Planning Authority to check the proposed development when completed, by reference to approved particulars.

2. Prior to the commencement of the use of the development, the developer shall submit, for the written agreement of the council, a detailed restoration plan for the site as well as outline proposals for the future use of the overall property. This scheme shall incorporate the proposals contained in the further information submitted on 12/8/04 (Item 1) and shall also take into account Development Plan policies for Robertstown Countryside and for the future use of cut away boglands.

REASON: In the interest of visual amenity, to ensure the long-term protection of the amenities of the area and to comply with requirements of the County Development Plan.

3.
 - a. The applicant is required to employ a suitably qualified wetland archaeologist to monitor all ground works associated with the development.
 - b. Should archaeological material be found during the course of monitoring, the archaeologist may have work stopped on site, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Environment, Heritage and Local Government with regard to any necessary mitigating action (e.g. preservation in situ and/or excavation). The applicant shall facilitate the archaeologist in recording any material found.
 - c. The planning authority and the Heritage and Planning Division of the Department of Environment, Heritage and Local Government shall be furnished with a report describing the results of the monitoring.

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

4. Prior to the commencement of development, detailed proposals shall be submitted for the written agreement of the planning authority concerning the disposal of asbestos in the old rail tracks on the site. The submission shall include a detailed assessment of the presence and quantity of asbestos, the method for its removal and the proposed place and method of its disposal.

REASON: In the interest of public health.

5. Berms shall be provided on site in accordance with the details submitted with the application.

REASON: In the interest of visual amenity and to protect property in the vicinity.

6. The acceptance of waste for the landfill shall cease after a period of 20 years from the date of commencement of such landfill. Any continued landfilling after that date shall be the subject of a future planning application.

REASON: In the interest of development control and to protect the amenities of the area.

7. Surface water management infrastructure shall be installed prior to the commencement of any future works subject to the written agreement of the planning authority.

REASON: To prevent water pollution.

8. Access to the site is to be provided generally in accordance with drawing number 1131/01/469. Details of the entrance and turning lane are to be submitted for the written agreement of the planning authority before development commences.

REASON: In the interest of traffic safety.

9. Lines of sight at the entrance to the development are to be provided in accordance with figure 2/1 and Table 2/1 of section TD 41/95 of the Design Manual for Roads and Bridges (DMRB).

REASON: In the interest of traffic safety.

10. Parking spaces shall be provided for all vehicles associated with the running of the business, staff cars, trucks etc on a durable permanent surface within the curtilage of the site. Each car space shall be marked in 2.5 by 5.0 metre bays in 100mm wide white lines with a durable permanent material.

REASON: In the interest of traffic safety.

11. All materials being imported to the site either in the construction or the operational phase are to be transported via one of the haul routes identified on Figure TR1 (Rev A). Any proposals to import materials from any other source must be subject to a separate planning permission.

REASON; In the interest of traffic safety and to enable the planning authority to assess the potential impact on the road network should material be imported to the site by any other route.

12. The applicant is to keep a record of all 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). This record should be available on site for inspection by the planning authority during working hours.

REASON: To ensure that the actual number of traffic movements is consistent with those predicted in the E.I.S. and to assess the impact of the development on the existing road network.

13. The hours of operation of the proposed development shall be as specified in the EIS submitted.

Reason: In the interest of proper planning and development.

14. During the initial construction phase of the proposed development noise levels at the site when measured at noise sensitive locations in the vicinity shall not exceed 55dB(A) for daytime and 45dB(A) for night-time.

Reason: In the interest of proper planning and development.

15. Prior to commencement of development, the developer shall put in place monitoring arrangements for the measurement of noise emissions, dust deposition and suspended solids in surface water run-off associated with the initial construction phase of the development. During the construction phase of the development, the developer shall submit to the Planning Authority, on a frequency to be determined by the planning authority, the results of the monitoring programme. Monitoring locations for the above shall be agreed in writing with the Planning Authority prior to commencement of development.

REASON: To protect the amenities of the area and the interests of the proper planning and sustainable development of the area.

16. Public lighting shall be provided at the entrance and throughout the site to the standards laid down by the ESB and to the satisfaction of the planning authority.

REASON: In the interest of traffic safety.

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

REASON: In the interests of proper drainage and traffic safety.

18. Before development is commenced the developer is to arrange for the payment to Kildare County Council a special contribution of amount to be agreed which is required for the provision of road improvements, traffic calming and public lighting which will benefit the proposed development.

REASON: The provisions 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.

19. The site shall be landscaped in accordance with the plans and particulars submitted with the application and, in particular, with plans and details in Section 4.5 of the Environmental Impact Statement.

REASON: In the interest of visual amenity.

20. All buildings and structures shall be finished in a uniform neutral colour. Roofs shall be blue black, grey or brown.

REASON: In the interest of visual amenity.

21. No development shall be commenced until security has been given for the re-instatement of the site in accordance with the plans and details submitted with the application. This security is required by the Council for application at its absolute discretion if the foregoing is not duly completed to the Council's satisfaction. The security shall be given by the lodgement with the Council of an approved Insurance Company Bond in the amount to be agreed or lodgement with the Council of a sum of amount to be agreed provided always and

if the development has not commenced within one calendar year from the date of the grant of this Permission or is carried out on a phased or staged basis the Council may at its discretion require an increase in the amount of foregoing Bond or lodgement corresponding with the increase or estimated increase in the cost of the re-instatement described and in the manner provided for and which may have occurred since the aforesaid date.

REASON: To ensure that a ready sanction may be available to the Council to induce provision of services and prevent disamenity in the development.

22. Before development commences the applicant/developer shall pay to Kildare County Council the sum of **€238,283** for the provision of services being the appropriate contribution to be applied to this development in accordance with the Development Contributions Scheme adopted by Kildare County Council on 23rd February 2004 in accordance with Section 48 of the Planning and Development Act 2000. The amount payable under this condition shall be fully index-linked from the date of grant of permission.

Reason: It is considered reasonable that the development should make a contribution in respect of public infrastructure and facilities benefiting the proposed development

23. A Community Liaison Committee shall be established for the purpose of general monitoring of the development, identification of environmental works and community facilities which may be funded under condition 24 of this permission and other matters of a community nature relevant to the operation of the facility. The composition of the committee and any variation thereof shall be subject to the prior agreement of the Planning Authority.

REASON: To monitor the overall impact of the proposed development and to identify projects which will mitigate the impact of the landfill facility on the local community in accordance with Government policy as set out in 'Changing Our Ways' published by the Department of the Environment and Local Government in September, 1998.

24. The developer shall pay a sum of money to the Planning Authority, either annually or in such frequency or manner as may be agreed, for the purpose of establishing a fund sufficient to defray expenditure on works or services of an environmental or community nature identified as necessary by the planning authority and/or the Committee established under condition number 23 of this permission. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the Planning Authority or, in default of agreement, shall be determined by An Bord Pleanála. Such sum of money will be index-linked in the event of periodic payments.

REASON: It is considered reasonable that the developer should contribute towards the expenditure proposed to be incurred by the Planning Authority in respect of environmental improvement and community works for the area in which the proposed landfill is situated.

13 April 2005

Senior Executive Officer