



Date: 14/09/2011  
Pl. Ref.: 11/537

**REGISTERED POST**

Bord na Mona  
Golder Associates Ireland Ltd  
Town Centre House  
Dublin Road  
Naas  
Co. Kildare

**Notification of a decision under Section 34 of the Planning & Development Act 2000-2010**

Planning Register Number: 11/537  
Application Received Date: 25/05/2011  
Further Information Received Date: 18/08/2011

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kildare County Council have by Order dated 14/09/2011 decided to **GRANT PERMISSION** to the above named for the development of land in accordance with the documents submitted namely:- for a development of a landfill gas utilisation plant which will be phased and will generate up to 4.99MW of electricity for input into the national grid. The proposed development will consist of: i) Four separate purpose built and environmentally controlled containers (each circa 2.5 x 12.2m x 2.6m high) enclosing a landfill gas engine generating approximately 1.4MW of power each, with one combined 12.0m high stack; ii) Four separate purpose built and environmentally controlled containers (each 3.0m x 3.0m x 3.0m high) enclosing a transformer; iii) ESB Substation (ca. 6.0m x 9.7m x 4.5m high); iv) 2 no. bunded oil tanks (each 5m<sup>3</sup> capacity); and v) Ancillary concrete foundation slabs; earthworks and site grading; palisade fencing (2.4m high ca. 220m long); double gates; ducting and services; above ground piping and all associated works. The proposed development relates to an activity covered by Waste Licence No. W0201-03 issued by the Environmental Protection Agency. The proposed development will not require a review of the Waste Licence. **at Drenid Waste Management Facility located in the townlands of Parsonstown, Loughnacush, Kilkeaskin, Drummond, Timahoe West, Coolcarrigan, Killinagh Lower and Killinagh Upper, Carbury Co. Kildare** subject to 9 conditions set out in the schedule attached.

The reason for the imposition of the said conditions are also included. The Planning Authority have had regard to any submissions or representations made on this file. If there is no appeal against the said decision a **grant of permission** in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala (see footnote). It should be noted that until a grant of permission has been issued the development in question is NOT AUTHORISED and work should not commence.

Date: 14/09/2011

  
Senior Executive Officer, Planning  
Kildare County Council

**PLEASE ARRANGE TO REMOVE SITE NOTICE**

Any appeal against the decision of a Planning Authority under Section 37 of the Planning and Development Act 2000-2010 may be made to An Bord Pleanala, 64 Marlborough Street, Dublin 1. First and third party objections must be received by the Bord within 4 weeks beginning on the day of making the decision by the Planning Authority. The appeal must be fully complete from the start - you are not permitted to submit any part of it later, even within the time limit.

Any appeal made within the statutory appeal period to An Bord Pleanála will be invalid unless accompanied by

- 1 Confirmation of submission to Planning Authority
- 2 The correct statutory fee, (Fees payable to the Bord on or after 5<sup>th</sup> September, 2011)
  - (i) Appeal by 1<sup>st</sup> party relating to commercial development where the application included the retention of development - €4,500 or €9,000 if an EIS or NIS involved.
  - (ii) Appeal by 1<sup>st</sup> party relating to commercial development (no retention element in application) - €1,500 or €3,000 if EIS or NIS involved.
  - (iii) Appeal by 1<sup>st</sup> party non-commercial development where the application included the retention of development - €660
  - (iv) Appeal by 1<sup>st</sup> Party solely against contribution condition(s) – (2000 Act and amendments Section 48 or 49) - €220
  - (v) Appeal following grant of leave to appeal
  - (vi) An Appeal other than referred to in (i) to (v) above - €220

This guide does not purport to be a legal interpretation of the fees payable to the Bord. Please contact the Bord for further information.

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**RE:/ Planning Permission is sought for a development of a landfill gas utilisation plant which will be phased and will generate up to 4.99MW of electricity for input into the national grid. The proposed development will consist of: i) Four separate purpose built and environmentally controlled containers (each circa 2.5 x 12.2m x 2.6m high) enclosing a landfill gas engine generating approximately 1.4MW of power each, with one combined 12.0m high stack; ii) Four separate purpose built and environmentally controlled containers (each 3.0m x 3.0m x 3.0m high) enclosing a transformer; iii) ESB Substation (ca. 6.0m x 9.7m x 4.5m high); iv) 2 no. bunded oil tanks (each 5m<sup>3</sup> capacity); and v) Ancillary concrete foundation slabs; earthworks and site grading; palisade fencing (2.4m high ca. 220m long); double gates; ducting and services; above ground piping and all associated works. The proposed development relates to an activity covered by Waste Licence No. W0201-03 issued by the Environmental Protection Agency. The proposed development will not require a review of the Waste Licence at Drehid Waste Management Facility, located in the townlands of Parsonstown, Loughnacush, Kilkeaskin, Drummond, Timahoe West, Coolcarrigan, Killinagh Lower and Killinagh Upper, Carbury, Co. Kildare.  
Bord na Mona PLC 11/537**

#### **Schedule 1: Reasons and Considerations:**

Having regard to the nature, scale and extent of the development and having regard to the parent planning permission it is considered that subject to compliance with the conditions attached, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not materially alter the character of the area and would be in accordance with the proper planning and sustainable development of the area.

#### **Schedule 2: Conditions.**

1. The development shall be carried out in its entirety, in accordance with the drawings and details submitted to the planning authority on the 25/05/2011, and as amended on the 18/08/2011, 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 authorises the proposed development and does not include the connection to the ESB grid or any associated grid connection infrastructure.

**Reason:** To avoid any misunderstanding as to the proper construction of this permission.

3. The development hereby permitted shall cease on the same date as the deposition of waste ceases as permitted under Condition 2 of permission 04/371 (PL 09.212059), unless before that date a further planning permission has been obtained to permit the continuance of the proposed development beyond that date. Within 12 months of the development ceasing the structures hereby permitted shall be removed and the site reinstated.

**Reason:** To avoid the complexity of different end dates regarding the overall developments on the lands, in order to allow the matter to be reassessed at the end of a reasonable period of time in the light of the circumstances, including technological advances, existing at that time, and in the interest of the proper planning and sustainable development of the area.

4. Apart from the development authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of previous overall permission relating to this site, in particular permission Ref. No. 04/371 (PL 09.212059), and any agreements entered into thereunder, insofar as these are applicable.

**Reason:** In the interest of the proper planning and development of the area.

5. Only clean uncontaminated surface water from the development shall be discharged to the surface water system.

**Reason:** To avoid pollution and to ensure proper development.

6. All surface water shall be collected and disposed of to a surface water system or soakways designed and constructed in accordance with B.S. 8301:1985 and BRE Digest 365.

**Reason:** To ensure proper servicing of the development.

7. Any public water supply to be metered.

**Reason:** To ensure proper servicing of the development.

8. (a) The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.

(b) The archaeologist should carry out any relevant documentary research and inspect the site. Test trenches may be excavated at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930 – 2004), having consulted the site drawings and the National Monuments Service of Department of Arts, Heritage and the Gaeltacht.

(c) Having completed the work, the archaeologist should submit a written report to the Planning Authority and to this office. Where archaeological material/features are shown to be present, preservation *in situ*, preservation by record (excavation) or monitoring may be required.

**Reason:** In the interests of heritage protection, and the proper planning and sustainable development of the area.

9. The applicant/developer to pay to Kildare County Council the sum of €12,972 being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare County Council on 7<sup>th</sup> September 2011 in accordance with Section 48 of the Planning and Development Act 2000 as amended. The amount payable under this condition shall be fully index-linked from the date of grant of permission. Payments of contributions are strictly in accordance with Paragraph 17 of Development Contribution Scheme adopted by Kildare County Council on 7<sup>th</sup> September 2011.

**Reason:** It is considered reasonable that the developer should make a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

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