

Board Order PL 09.248848

Planning and Development Acts 2000 to 2017

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/423

Appeal by McKenna Haulage Limited care of Williams Planning and Environmental of St. Roch, Windmill Hill, Rathcoole, County Dublin against the decision made on the 12th day of June, 2017 by Kildare County Council to refuse permission to the said McKenna Haulage Limited.

Proposed Development: Operation of a construction and demolition (C& D) wastewater recycling facility within an area of a sand and gravel pit previously granted permission for the manufacture of concrete products. The application covers an area of approximately 2.3 hectares. The facility will recycle up to 50,000 tonnes per annum of construction and demolition waste. The application provides for:- provision of a modular type building to include an office, canteen/amenity/toilets, provision of a wastewater treatment system with percolation area, provision of oil interceptor, silt interceptor and surface water infiltration trenches, provision of a quarantine area with covered skips, provision of a wheel cleaning system and renovation/upgrading of an existing wheel wash, provision of fuel tanks, provision of truck and car parking on existing hard standing area, all ancillary facilities and operations including crushing and screening on an existing concrete yard, and the provision of waste and aggregate storage bays, all at site at Sand and Gravel Pit in the townlands of Kilglass and Balrinnet, Carbury, County Kildare.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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 subject facility is located on a 2.3 hectare site, within an extensive established sand and gravel pit. Notwithstanding the limited physical works proposed and having regard to the following:-

- (a) the planning and development history of the site and overall landholding of which the site forms part,
- (b) the submissions on file,
- (c) the characteristics of the development, the absorption capacity of the environment, the characteristics of the potential impacts arising from the development proposed, and additional specific concerns in relation to:-
 - (i) inadequate consideration of alternatives and alternative sites,
 - (ii) lack of detail relating to the waste types and processes proposed including appropriate environmental safeguards,

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- (iii) open storage and processing of mixed construction and demolition wastes and the related treatment of surface water from contaminated areas of hardstanding,
- (iv) lack of detailed assessment of cumulative and combined impacts from existing and permitted development in the vicinity,
- (v) the risk to native flora and fauna arising from the possible spread of invasive alien species,
- (vi) traffic safety arising from the proposed development, as detailed in the Road Safety Audit – Stage 1, and the absence of reasonable explanations for the non-acceptance of recommendations 2.2.1, 2.2.2 and 2.2.3 of the audit, and
- (vii) contextual detail in terms of how the proposed development might operate to complement the adjacent sand and gravel quarry, including the phased restoration of the overall site,

the Board is not satisfied, based on the submissions made in connection with the application and the appeal, that impacts arising have been adequately considered and appropriately mitigated. The Board, therefore, considered that the proposed development would seriously injure the amenities of the area, would pose an unacceptable risk of environmental pollution and would be contrary to 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

2018

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