



An
Bord
Pleanála

Board Order
ABP-305201-19

Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/650

Appeal by Oliver Richardson of Environmental Efficiency, Parnell House, 19 Quinsboro Road, Bray, County Wicklow in relation to the application by Kildare County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 24 of its decision made on the 30th day of July, 2019.

Proposed Development: The raising and restoration of 3.8 hectares of land for agricultural benefit using inert topsoil and subsoil only at a site at Cappagh, Enfield, County Kildare.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had been properly applied in respect of condition number 24 and directs the said Council to ATTACH condition number 24 and the reasons therefor.

Reasons and Considerations

Having regard to:

- (a) the provisions of the Kildare County Development Contribution Scheme 2015 - 2022, and
- (b) the information submitted in support of this appeal,

the Board considered that, based on the evidence submitted, the proposed development constitutes the importation of inert waste material in accordance with the requirements of the Waste Facility Permit granted by Kildare County Council to carry out the waste activity under planning authority's Permit Reference: WFP-KE-18-0090-01. The permit is solely for the recovery of soil-based materials to restore the site for agricultural purposes and these works constitute the deposition of soil/stones on the land as described in Section 8(viii) of the Kildare County Development Contribution Scheme 2015-2022.

The Board, therefore, considers that the terms of the Development Contribution Scheme have been properly applied.

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.

Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019