

An
Bord
Pleanála

Board Order
ABP-319226-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23894

Appeal by Green Generation Ireland Limited care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare 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 9 of its decision made on the 15th day of February 2024.

Proposed Development: New ancillary structures relating to the operating of the existing biogas facility as follows: 1. Biofilter and Air Scrubber (including exhaust stack affixed to existing reception building at maximum height of 14 metres above ground level). 2. LPG Tanks Compound. 3. Enclosed Flare. 4. Provision of three number Storage Digestors with gas storage domes (max. height circa 13 metres). 5. Biogas Upgrader (including Absorption Column 15.257 metres and a Stripper Column 12.8 metres). 6. Compressor. 7. Additional standby CHP 2 Enclosure. 8. LPG Boilers. 9. Carbon Filters. 10. Abstraction Sump. 11. Switch Room. 12. Vertical biofilter. 13. Co2 liquefaction plant (maximum height 11.3 metres). 14. New bund wall around the perimeter of the site (max. 0.5m above ground level. 15. Attenuation Tank and all associated site works including decommissioning of existing lagoons and new surface water arrangements, at Gorteen Lower, Nurney, County Kildare. The

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proposed development was revised by further public notices received by the planning authority on the 30th day of January 2024.

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 9 and directs the said Council to ATTACH condition number 9 and the reason therefor.

Reasons and Considerations

The Board concurred with the planning authority that the proposed development is commercial in nature, being part of the biogas facility, and therefore the level of contribution set out in section 8.2 of the Kildare County Council Development Contribution Scheme 2023-2029, Non-Residential Development (that is, Commercial, Retail Development, Warehouse) is the appropriate rate for the development contribution. The Board did not concur with the Inspectors recommendation as it noted that section 8.5 of the Development Contribution Scheme refers to 'all other development not covered elsewhere in the scheme'; the Board's commercial assessment is covered under 8.2 of the same Development Contribution Scheme.



Mary Henchy

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

Dated this 18th day of November 2024.