



**Planning and Development Acts 2000, as amended**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: ED/1166**

**Referral** by Keegan Quarries Limited asking whether the requirement for the importation of subsoil and topsoil under the Article 27 process, to enable the restoration to be completed, at Ballyonan, Broadford, County Kildare, is or is not development and is or is not exempted development.

### **Decision**

**DISMISS the said appeal under subsection (1) (b) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.**

## Reasons and Considerations

The sand and gravel pit at Clonard, Ballyonan, County Kildare is subject to Quarry registration Number 45 and was registered pursuant to Section 261 of the Planning and Development Act, 2000, as amended, which included for the imposition of Condition No. 33 in relation to landscaping and restoration.

Condition number 33 (d) of that decision requires details of the material to be imported to the site for restoration purposes to be submitted to and agreed in writing with the planning authority. Having regard to the nature of the submission made in relation to this referral, it is considered that the referral is in fact a dispute on a point of detail in relation to this condition and should more properly be considered under Section 34(5) of the Planning and Development Act, 2000, as amended. The Commission is satisfied that this referral should be dismissed under Section 138 of the Planning and Development Act, 2000, as amended.



Emer Maughan

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 28<sup>th</sup> day of January 2026.