



An
Bord
Pleanála

Record of Meeting

Case Reference	09.PC0204		
Description	Increase in non-hazardous waste to landfill, increase in volume of waste to composting facility and development of hazardous waste landfill at Drehid Waste Management Facility, Co. Kildare		
Case Type	Section 37B of Planning and Development Act 2000, amended		
Meeting No.	Meeting with Kildare County Council		
Date	26 th January 2017	Start Time	2.00 p.m.
Location	Offices of Kildare Co. Co. Áras Chill Dara, Devoy Park, Naas, Co. Kildare	End Time	3.30 p.m.
Chairperson	Philip Green, Assistant Director of Planning		

Attendees:
Representing An Bord Pleanála
Philip Green, Assistant Director of Planning
Pauline Fitzpatrick, Senior Planning Inspector
Sinéad McInerney, Executive Officer
Representing Kildare County Council
Peter Minnock, Director of Services, Planning
Michael Kenny, Senior Planner
Alaine Clarke, Senior Executive Planner
George Willoughby, Senior Executive Engineer - Roads
Brigette Rea, Municipal District Engineer Kildare and Newbridge
Evelyn Wright, Senior Executive Officer - Transport

Michael Holligan, Senior Engineer - Environment
Yvonne Murray, Executive Engineer - Environment
Barbara Begley, Administration - Planning
Ciara Sherry, Administration - Planning

Introduction

The representatives of An Bord Pleanála and Kildare County Council were introduced and the representatives of An Bord Pleanála thanked the planning authority for agreeing to meet with them in relation to the proposed development.

The representatives of An Bord Pleanála opened the meeting by giving a brief description of the pre-application consultation process being held with the prospective applicant, Bord na Móna Plc, further to a request received under section 37B of the Planning and Development Act 2000, as amended. The proposed development comprises an increase in non-hazardous waste to landfill, an increase in the volume of waste to the composting facility and development of a hazardous waste landfill at Drehid Waste Management Facility, Co. Kildare.

It was explained that the purpose of pre-application consultations is to determine if the proposed development is strategic infrastructure development (SID), to inform the prospective applicant on procedures involved in making an application and to advise on matters relating to proper planning and sustainable development or the environment, which may have a bearing on An Bord Pleanála's decision in respect of a future application. The representatives of An Bord Pleanála stated that it has held three pre-application consultation meetings with the prospective applicant to date and it has also met with the Eastern-Midlands Regional Waste Office and the Environmental Protection Agency. The representatives of An Bord Pleanála understand that the prospective applicant has also met with the planning authority in respect of the proposed development; the representatives of Kildare County Council confirmed this to be correct.

Section 37C(4) of the Act provides that An Bord Pleanála may consult with any person who it considers may have information which is relevant to consultations being held under section 37B. Such meetings are held as information gathering exercises, in this instance, to seek the views of the planning authority and to ascertain if it has any issues or comments in relation to the proposed development that it wishes the representatives of An Bord Pleanála to raise with the prospective applicant. The representatives of An Bord Pleanála will keep a record of this meeting which will issue to the planning authority and the prospective applicant. The pre-application consultation file, including the record of this meeting, will not become available to the public until the consultation process has concluded and An Bord Pleanála has made a formal decision on whether the proposed development is or is not SID. The representatives of Kildare County Council were also advised that the holding of consultations does not prejudice An Bord Pleanála in any way and cannot be relied upon in the formal planning process or in legal proceedings.

The representatives of An Bord Pleanála made reference to a current referral case in relation to compliance with conditions of An Bord Pleanála's decisions on case references PL.09.212059, 09.PA0004 and 09.PM0008 and advised that the subject of that referral will not be open for discussion at this meeting.

Proposed Development

The representatives of An Bord Pleanála described the three elements of the proposed development as follows:

- Composting – It is proposed to increase the current capacity of intake by 20,000 tonnes per annum (TPA) with no additional physical changes to the existing facility required and to remove the restriction on the operating life of this element of the facility. It is also proposed to accept an additional 45,000 TPA for composting which will require further development. In total, it is proposed to accept 90,000 TPA for composting at the facility.

- Non-hazardous Waste – It is proposed to accept 250,000 TPA of non-hazardous waste to landfill for a 25 year period which will require the development of additional cells. It is also proposed to accept 15,000 TPA of metals for recovery for a 25 year period which will require the development of a metals recovery facility. It noted that the existing area is approx. 30 Ha and an additional area of approx. 23 Ha would be required.
- Hazardous Waste – It is proposed to accept 85,000 TPA of hazardous waste to landfill for a 25 year period requiring the development of additional cells. Pre-treatment of hazardous waste for a 25 year period is also proposed which will require the development of a pre-treatment facility. An area of approx. 11 Ha would be required.
- Further development includes associated buildings, landscaping etc.

With regard to the non-hazardous landfill, the representatives of Kildare County Council queried if the proposed 250,000 TPA of waste to be accepted for a period of 25 years includes the 120,000 TPA of waste which is already permitted to be accepted at the waste facility until 2028 (currently 360,000 TPA are permitted to be accepted but this is to revert to 120,000 TPA of waste at the end of 2017). It is the view of the planning authority that the proposed 250,000 TPA of waste to the non-hazardous landfill will be in addition to the 120,000 TPA which is currently permitted to be accepted at the facility until 2028 and clarification in this regard is required. The representatives of An Bord Pleanála said that it would seek clarification on this point from the prospective applicant at a further meeting.

At the outset the representatives of the planning authority expressed concerns in relation to the extent of development which is existing, permitted and now proposed within the site. It noted that the mechanical biological treatment (MBT) facility, which has been granted a 10 year planning permission to accept 250,000 TPA of waste, has not been developed to date. The planning authority has queried Bord na Móna's intentions in this regard and has not been given a definitive answer as to when it

might be developed. It stated that, from its point of view and also that of the public, the prospective applicant should be required to clearly set out what the existing, permitted and proposed development at the facility is, in order for any assessment to be carried out. Reference should be made to existing development which includes the composting and non-hazardous waste facility, and also the MBT facility which is permitted but not yet developed.

Policy

The representatives of An Bord Pleanála stated a key consideration for the Board when considering such an application is relevant policy context of the proposed development. The applicant is required to clearly justify the need for the project, the tonnage of waste to be disposed of and where the waste streams are coming from. This will be an important consideration for An Bord Pleanála, along with other relevant planning issues e.g. impacts on the environment, transport and local amenities.

With regard to hazardous waste, the representatives of Kildare County Council commented that the volume of waste proposed to be accepted to the facility appears to be at national levels and not just county or regional figures. The planning authority must consider if this scale of development is appropriate for the county. The representatives of An Bord Pleanála commented that the Regional Waste Management Plans appear to accept that waste will travel beyond the regions. The representatives of the planning authority expressed concern in relation to this having regard to what is already permitted at the facility and the implications for the county given the extent of what is now proposed.

Roads and Transportation

The representatives of Kildare County Council expressed serious concerns in relation to the implications of existing, permitted and proposed development on the road network. Taking into consideration the permitted MBT facility it is calculated by

the planning authority that there is a six fold increase in vehicular movements. It referred to the annual environmental report that Bord na Móna must submit to the EPA which sets out the baseline for current truck movements and notes that it is not just trucks delivering waste to the facility but material also being deposited for other functions. The planning authority report on the original planning permission calculated a figure of 2.9 million tonnes of waste to be accepted at the facility over a 20 year period. Having regard to the volume of waste currently accepted, along with the volume of waste permitted to be disposed of at the MBT Facility and what is now proposed, it is predicted that 17.6 million tonnes of waste will be accepted at the facility over a 25 year period.

The representatives of the planning authority stated that in addition to a Traffic Impact Assessment, a Pavement Impact Assessment and Structural Assessment will be required for the haul routes. They are already under severe pressure and as the local roads are predominantly built on peat/clay, keeping the network maintained is an issue for the planning authority. Any new development will only increase HGV movements and exacerbate the existing problems.

It also referred specifically to certain locations where trucks travel to outside the operating hours of the facility and wait for it to open; it noted that these holding areas are not authorised.

The significant effect on the local community as a result of the truck movements was noted and the representatives of the planning authority referred to complaints received in relation to litter, noise pollution, and the frequency of truck movements. These are small rural communities and the towns and villages are not by-passed e.g. Allenwood, Prosperous, Caragh and Johnstown Bridge. Reference was made to the Sallins By-pass which has been the subject of approval by An Bord Pleanála but has yet to be constructed. Concern was also expressed in relation to driver behaviour in relation to pedestrians, cyclists and other road users and impact on normal village

ambiance, and it was noted that the roads department is regularly approached with regard to installing traffic calming measures in towns and villages along the haul routes. The community gain scheme focuses on a 9km radius around the facility. The communities affected by the haul routes outside this zone see no benefit. It is considered that funding to date from Bord na Mona towards roads is very low.

County Kildare has a significant number of bridges due to the canals and railway lines that are routed through the county and it was noted that the majority of these are narrow and may be single lane and can cause traffic hazards. In particular, reference was made to the safe transport of hazardous waste along these routes which may pose a danger.

The representatives of the planning authority consider that significant analysis is required with respect to carrying out a Traffic Impact Assessment, and the make-up and structure of the roads. A funding structure in relation to road maintenance is also required noting that there is no rate per tonne for maintenance of roads set out in the Development Contribution Scheme.

Environment

With regard to potential impacts on the environment, the representatives of the planning authority expressed concern in relation to potential negative impacts on the status of surface and ground water. It said that run-off from peatland, which has naturally high ammonia levels, could be an issue and that the doubling of the footprint of the facility would give rise to additional pressure. This could give rise to issues in terms of meeting the requirements of the Water Framework Directive. An odour problem also existed in the past, however, it is considered that this has now been addressed.

Other Matters

The draft Kildare County Development Plan 2017-2023 is currently at material alteration stage and is due to be adopted in the coming months. It is therefore considered that the new plan will be in place at the time that the proposed development is being considered. The representatives of An Bord Pleanála were advised that there are no site specific policies relating to the Drehid Waste Management Facility. Changes referred to by the representatives of the planning authority relate to proposed uses of bogland to include for renewable energy, recreation and amenity facilities. It noted that Bord na Móna has made a submission in relation accepting waste to Drehid at a national level and the future use of cutaway bogs to include waste management.

The representatives of Kildare County Council noted that the Drehid Facility was first permitted in the early 2000s and expressed concerns on whether it is appropriate to continue to develop it to the scale now proposed. With regard to development of a hazardous waste facility it noted that it was not clear if hazardous waste might come from Northern Ireland or elsewhere through the Irish ports, noting that there is no restriction on waste being imported in national policy. It noted that the midlands area may become industrialised e.g. the development of the Mount Lucas Wind Farm, the recent application for the Maighne Wind Farm and the current application for the Cloncreen Wind Farm, solar farms and the Drehid Waste Management Facility, and it is considered that more focus is required in relation to it being a centre for attracting foreign direct investment, providing for an increasing population and the resulting increase in recreational demands. The representatives of the planning authority referred to national policies including the National Peatland Strategy and the National Landscape Strategy and advised that the chapter relating to Landscape Character Assessment has been revised.

The representatives of the planning authority consider that other matters of importance to be addressed in any application are:

- A Landscape Impact Assessment.
- Assessment of the natural and built heritage in the area and along the haul routes and potential impact on protected structures.
- Potential impacts on the equine industry.

In terms of prescribed bodies it is recommended that An Bord Pleanála advises the prospective applicant to include the following bodies of the application:

- Department of Defence - the area is used as a training ground by the Air Corps.
- Health and Safety Authority - a Seveso site is located to the north of the Drehid Waste Facility.
- Irish Water - the preferred route for the transmission pipeline of the Water Supply Project for the Eastern and Midlands Region traverses part of the site.

Procedures

The draft record of this meeting will be forwarded to the planning authority following which the representatives of An Bord Pleanála will speak to the Strategic Infrastructure Division of the Board in respect of the proposed development. A further meeting will then be held with the prospective applicant, following which, it is likely that the prospective applicant will request closure of the pre-application consultation. The report will then be completed and the file will be forwarded to the Board for determination. A letter will issue to the prospective applicant, the planning authority and others advising if the proposed development is or is not strategic infrastructure development. The pre-application consultation file will become available for public inspection at this stage. If determined to be strategic infrastructure development, the application will be made directly to An Bord Pleanála.

Conclusion

The record of this meeting will be forwarded to Kildare County Council in due course.

Philip Green

Assistant Director of Planning

March 2017