



An
Bord
Pleanála

Oral Hearing Assessment ABP-317292-23

Development

Proposed development of an extension to the existing Drehid Waste Management Facility to provide for acceptance of up to 440,00 TPA of non-hazardous waste material

Location

In the townlands of Timahoe West, Coolcarrigan, Killinagh Upper, Killinagh Lower, Drummond, Drehid, Kilkeaskin, Loughnacush, and Parsonstown, County Kildare.

Planning Authority

Kildare County Council

Applicant(s)

Bord na Mona Plc.

Type of Application

S37E – Strategic Infrastructure.

Observer(s)

Lorraine Quinn
Sheila O'Brien
Cllr. Brendan Wyse
Cllr. Padraig McEvoy.

Inspector

Auriol Considine

1.0 Introduction

- 1.1. This is an application made by Bord na Mona Plc for strategic infrastructure under section 37E of the Planning and Development Act, 2000, as amended. The application is made pursuant to formal notice issued by the Board dated 8th May 2023, where it determined under section 37B(4)(a) of the Planning and Development Act, as amended that the proposed development falls within the scope of paragraphs 37A(2) (a),(b) and (c), requiring that the application be made directly to the Board.

2.0 Site Location and Description

- 2.1. The subject site lies within Co. Kildare and across a number of townlands including Timahoe West, Coolcarrigan, Killinagh Upper, Killinagh Lower, Drummond, Drehid, Kilkeaskin, Loughnacush, and Parsonstown. The site is currently occupied by the Drehid Waste Management Facility which includes a landfill and waste processing centre which is served by a single access, approximately 5km in length from the R403 regional road.

3.0 Proposed Development

- 3.1. Bord na Móna Plc. has applied for permission for development in respect of an extension to the existing Drehid Waste Management Facility (WMF). This application is submitted under Section 37E of the Planning and Development Act 2000 (as amended). The development will consist of an extension of the existing Drehid Waste Management Facility (WMF) (developed pursuant to a grant of permission from Kildare County Council (Ref. 04/371) and An Bord Pleanála (Ref. PL09.212059)) to provide for the acceptance of up to 440,000 tonnes per annum (TPA) of non-hazardous waste material, including:
- Changes to the duration and volume of waste acceptance at the landfill facility;
 - Development of additional landfill capacity to provide for the landfilling of non-hazardous waste for a period of 25 years;

- Development of new processing facilities for certain waste types prior to use within the facility boundary for engineering purposes, landfilling or export from the Drehid WMF for further processing off-site;
- Increase in acceptance of waste at the existing Composting Facility and removal of the restriction on the operating life of the Composting Facility contained in Condition 2(2) of ABP Ref. No. PL.09.212059; and
- Development of associated buildings, plant, infrastructure and landscaping.

As provided for in Section 41 of the Planning and Development Act 2000, as amended, planning permission is sought for a period of 10-years.

An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and accompany the planning application.

This application relates to a development which will require a review of the existing Industrial Emissions (IE) Licence from the Environmental Protection Agency (EPA).

4.0 Planning History

- 4.1. While there is an extensive planning history associated with this site, in the context of this oral hearing assessment, I consider the most recent decision **ABP ref: ABP-300506-17** to be most relevant. Permission was refused for a Strategic Infrastructure Development at the Drehid Waste Management Facility comprising a new landfill to accept 250,000 tonnes per annum of non-hazardous waste, on site recovery of approx. 15,000 TPA of metals and a metals recovery facility, inert material storage area, new landfill area for 85,000 TPA of hazardous wastes, pre-treatment facility, hazardous waste handling building, hazardous waste storage and quarantine, increase by 20,000 TPA for composting facility and removal of restriction on operating life, extension to existing composting facility, leachate treatment facility and additional surface water, parking and ancillary infrastructure.
- 4.2. As part of the Board's deliberations on the above application, an oral hearing was held over a four-day period in September 2018 (1 day) and March 2019 (3 days).
- 4.3. There were 4 reasons for refusal of the above application relating to the following:

- The Board was not satisfied that the development would not adversely affect the integrity of European Site River Barrow and River Nore SAC (Site Code: 002162), in view of the site's conservation objectives, precluding the Board from granting permission.
- Limited investigation and potentially inadequate mitigation measures proposed with regard to ongoing excess ammonia concentrations in ground water and local watercourses, including SAC.
- Due to the high groundwater levels and uncertainty regarding the nature of the subsurface, the Board was not satisfied that the site was suitable for the safe disposal of hazardous waste material.
- Roads and traffic issues relating to significant additional volume of traffic and the restricted width and capacity of the R402, R403, R407 and R409.

5.0 Oral Hearing Request

- 5.1. The Board will note that this application has resulted in requests for an oral hearing to be held.
- 5.2. The primary issues raised in the third-party submissions are summarised as follows:
 - Roads and traffic impacts
 - Environmental impacts
 - Impacts on residential amenity

6.0 Conclusion:

- 6.1. The current proposed development application documents have sought to address the previous reasons for refusal and the Board will note the submission to the file from Mr. Emmet Smyth, Scientist (received via email on Monday 27th November 2023) and Dr. Maeve Flynn, Ecologist (received via email on the 5th December 2023) in terms of the information on the file as it relates to ecology, biodiversity and impacts on the SAC as well as the effects on the hydrological, hydrogeological and subsurface geological conditions of the site. Both Mr. Smyth and Dr. Flynn are satisfied that the application documentation includes sufficient information and that

there is, on initial examination, no outstanding information that would warrant the need for an Oral Hearing to be held.

2. Having considered all of the relevant information on the file, I am satisfied that the applicant has sought provide the information in order to address the roads and traffic issues previously identified. I am satisfied that there is adequate information on the file for a recommendation on the proposed development to be made and for the Board to make a decision on this case.
- 6.3. Having regard to the level of information provided as part of the planning application and the observations / submissions made to An Bord Pleanala, I am satisfied that the Board has sufficient information available to it to make a full and informed decision in relation to this appeal without the requirement of an Oral Hearing.
- 6.4. As such, I do not consider it necessary to hold an oral hearing in this case, and do not recommend that the request for same be approved.



A. Considine
Planning Inspector
5th December 2023