

File With _____

SECTION 131 FORM

Appeal NO: ABP 321387-24Defer Re O/H ☐Having considered the contents of the submission dated/ received 20/12/24
fromPA I recommend that section 131 of the Planning and Development Act, 2000
be/not be invoked at this stage for the following reason(s): No new planning issuesE.O.: Daniel O ConnorDate: 16/1/25

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 321387-24

M _____

Please treat correspondence received on 20/12/24 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 203. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

PA's response to appeal

4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐Screening drawer

EO:

Daniel & ConnorsPlans Date Stamped ☐Date Stamped Filled in ☐

AA:

C. Flynn

Date:

24/12/24

Date:

7-1-25.

Lisa Quinn

From: Appeals <Appeals@kildarecoco.ie>
Sent: Friday, December 20, 2024 3:54 PM
To: Appeals2
Subject: 20.12.24 KCC Submission to ABP re 1st Party Appeal KCC2460265 ABP-321387-24
Attachments: 20.12.24 KCC Submission to ABP re 1st Party Appeal KCC2460265
ABP-321387-24.pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Hello,

Please find attached Kildare County Council submission to ABP Appeal Ref No 2460265 ABP-321387-24

Thanks and regards,
Catherine
Asst Staff Officer,
Planning Department,
Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co.Kildare.
W91 X77F
Contact: 045 980467: cehoward@kildarecoco.ie



Tá an ríomhphost seo príobháideach agus ní ceadmhach úsáid an ríomhphoist seo d'éinne ach don té ar seoladh chuige é. D'fhéadfadh go mbeadh eolas ann atá faoi phribhléid agus rúnda de réir an dlí. Munar duit an ríomhphost seo, déan teagmháil leis an seoltóir chomh luath agus is féidir. D'fhéadfadh nach iad tuairimí Chomhairle Contae Chill Dara na tuairimí atá curtha in iúl sa ríomhphost seo. Déanann Comhairle Contae Chill Dara iarracht ríomhphoist a chosaint ó víris. Mar sin féin, moltar duit gach ríomhphost a scanadh, mar ní ghlacann an Chomhairle aon dliteanas i leith damáiste do do chórais. Le haghaidh eolas ar do chearta príobháideachta agus ar conas a bhainistímid sonraí pearsanta, logáil isteach ar <https://kildarecoco.ie/YourCouncil/GovernanceandCompliance/DataProtection/> Chun do chuid sonraí pearsanta a nuashonrú cuir ríomhphost chugainn ag customercare@kildarecoco.ie Caithfidh tú deis a thógáil don Chomhairle cé thú féin a chinntiú trí cruthúnas céannachta agus/nó seoladh a sholáthar, sula ndéanaimid aon athruithe.

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Planning Department
045-980845

Date: 20th December 2024
Our ref: 24/60265
ABP Ref: ABP-321387-24

EMAIL ONLY

appeals@pleanala.ie

Re: Planning Ref No: 24/60265

Planning Permission: for (i) an increase in the total permitted intake of soil and stone and broken rock to the existing licensed soil recovery facility at Halverstown, Kilcullen, Co. Kildare (Planning Ref: 18/453), from 1.2 million tonnes to 2.06 million tonnes and (ii) an extension to the life of the existing facility of 3 years (to December 2029) in order to accommodate the additional soil and stone intake. These works, which are required to implement a revised backfilling and restoration scheme for the former sand and gravel pit will also provide for (i) continued shared use of existing, co-located site facilities, structures and infrastructure (including the site office, staff welfare facilities, weighbridge (with dedicated office), wheelwash, hardstand areas, fuel storage tanks and site access road); (ii) continued soil and stone intake at a rate of up to 300,000 tonnes per annum, of which no more than 95,000 tonnes (per annum) will be managed as waste; (iii) continued separation of any construction and demolition waste (principally concrete, metal, timber, PVC pipework and plastic) inadvertently imported to the facility, prior to removal off-site to authorised waste disposal or recovery facilities; (iv) continued use of a section of the existing concrete block curing shed as a waste inspection and quarantine facility; (v) continued environmental monitoring of noise, dust and groundwater for the duration of the site recovery and restoration activities and for a short period thereafter (and in accordance with current EPA waste licence requirements); (vi) continued temporary stockpiling of topsoil pending its re-use as cover material for final restoration of the site; and (vii) ultimate restoration of the modified final landform to native woodland and grassland habitats. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of this Planning Application. The proposed development requires a waste licence review from the Environmental Protection Agency

Development Address: Halverstown Townland, Kilcullen Co. Kildare R56 DD21



Dear Sir/Madam,

I refer to your letter dated **06th December 2024** in connection with the above 1st Party Appeal.

Kildare County Council issued a decision to grant permission on 7th November 2024 for the above named development. An Bord Pleanála has since received a first-party appeal against Condition 37. The Planning Authority notes the content of the appeal, and please find set out below the Planning Authority's observation on same.

The Kildare County Council Transport, Mobility & Open Spaces Department as outlined in the roads report revision A dated 30th October 2024 has highlighted the following in relation to the requirement for the roads financial condition 37:

"In the interest of Collision Reduction for the additional 860,000 tonnes of material. The maximum laden weight of a four-axle rigid truck with twin tyres and least detrimental suspension is 32 tonnes. This would lead to a minimum increase of 26,875 additional heavy truck journeys on the roads around this development."

The additional HGV traffic generated by the development would have an impact on the structural integrity of the existing local and regional road pavements and the additional HGV turning movements will have an impact at the existing local and regional road junctions including the Thompson Cross Regional Road Junction.

It should be noted that the Kildare County Council Transport, Mobility & Open Spaces Department have received an options report from the Consultant in relation to the Thompson Cross Regional Road Junction Upgrade Project, however further work is required in order to progress this to construction stage. This is a project that Kildare County Council will be aiming to deliver in the near future which will benefit the HGV traffic using this development.

The special contribution amounts of €100,000 towards the Thompson Cross Regional Road Junction Upgrade Project is a relatively small percentage of the overall project costs and the €150,000 is a reasonable contribution towards the future roads maintenance costs over the timeline of the proposed development where the loading of additional HGV traffic has an impact on the structural integrity of the existing local and regional road pavements.

The Kildare County Council Transport, Mobility & Open Spaces Department have no further comments to make on this appeal and recommends that the **roads financial condition 37 remains in place** which will help to assist the Kildare Newbridge Municipal

Comhairle Contae Chill Dara
Kildare County Council



District Office in dealing with the ongoing road maintenance issues on the approach roads and local road junctions in the vicinity of the development and will help to deliver the Thompson Cross Regional Road Junction Upgrade Project which will benefit the HGV traffic using this development.

The Planning Authority confirms its decision and asks that you please refer to the above comments, the Planners' Report and internal department reports in relation to the assessment of this planning application.

Yours faithfully,

BY Catherine Ward
Senior Executive Officer

