

Written Statement of Decision Maker/Chief Executive

RE: Planning Application 19/949

Dunlavin land Restoration, Usk, Kilcullen, Co. Kildare

It is noted that the Environmental Impact Assessment (EIA) carried out by the Senior Executive Planner dated 17th July 2020, and approved by the Senior Planner, has been carried out giving full consideration to the Environmental Impact Assessment Report (EIAR) and all plans and other particulars, including a Natura Impact Statement, received by the Planning Authority on 21st August 2019 (and further information received on 29th April 2020), all County Council internal department reports, and all statutory submissions and third party observations received in relation to the environmental effects of the proposed development.

It is considered that the EIAR is complete, has been prepared by suitably qualified professionals and is based on current data and research.

The EIAR adequately outlines the likely significant environmental effects of the proposed development and thereby complies with the requirements of Article 5(1) of EIA Directive 2014/52/EU and the potential impacts on Population and Human Health; Biodiversity.

A thorough assessment of the proposed development has been undertaken by the Planning Authority and the significant direct and indirect effects of the proposed development on the environment are:

- No likely significant or permanent effects on human health during the construction, operational and post-operational stages of the proposed development.
- Biodiversity impacts, which will be mitigated by site management plan / measures, protection of habitat features i.e. hedgerows and trees, invasive species management and measures for the protection of bats, badgers and other small mammals.
- Land, soil and geology impacts which will be mitigated by measures such as monitoring of imported soil to be used as restoration materials and the adherence to the Environmental Management Plan during the operational phase. The operations on site will be the subject of a Waste Licence which will be the subject of a separate application to the Environmental Protection Agency.
- Hydrology and Hydrogeology: Impacts to be mitigated by the carrying out of works in accordance with the condition of the Waste Facility Permit and in accordance with relevant industry standards.

- Noise impacts which will be mitigated by measures identified in BS 5228-1: A1:2014 Code of Practice for noise and vibration control on construction and open sites- Part 1.
- Air Quality & Climate which will be mitigated by site management plan, protection from wind, retention of hedgerow, retention of hedgerows etc. It is envisaged that given the mitigation measures to be implemented and the separation distance between the subject site and the sensitive receptors as identified in the EIAR, the design measures proposed will render any potential residential Air Quality impact 'insignificant' or 'acceptable'.
- A positive impact expected with regard to the material asset, due to the restoration and improvement of disturbed landform, created by previous extraction activity.
- Roads & Traffic: It is considered that the impact of the proposed development on traffic has been adequately assessed and that the identified haul route can be sufficiently upgraded by the developer to accommodate traffic generated by the proposed development.
- Archaeology & Cultural Heritage: Archaeological monitoring of soil-stripping within of the application site is not considered to be required as the development comprises infilling and restoring of a previous quarry site.
- Landscape given the nature of the proposed development, i.e. the restoration of a disused quarry to backfill the void and improve lands for agriculture or forestry use, it is considered that the proposed development would give rise to positive impacts on the landscape and visual amenity as well as the enhancement of local ecological habitats.
- Risk Management: the EIAR states that the proposed design has considered the potential for flooding, road accidents, invasive species and fire within the design methodology and concludes that the vulnerability of the proposed development to major accidents and / or disasters is not considered significant.
- Interaction of the foregoing, potential for significant interaction with other disciplines is identified, identified interactions are considered acceptable with no unacceptable negative impacts expected to arise as a result of interactions between different environmental disciplines. I am satisfied that the reasoned conclusions of the Environmental Impact Assessment are up to date.

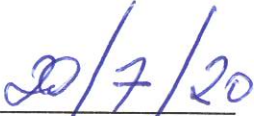
It is considered that the likely significant environmental effects arising as a consequence of the proposed development have been satisfactorily identified, described and assessed. They do not require or justify refusing permission for the proposed development or requiring substantial amendments.

I also note the Conclusion Statement of the Appropriate Assessment Screening process which is that the proposed development, will not adversely affect, either directly or indirectly, the integrity of any European site, either alone or in combination with other plans or projects.

In these circumstances I am satisfied that planning permission be granted for the reasons as set out in the attached Planner's Report and subject to the conditions outlined in same report.



Chief Executive
Kildare County Council



Date