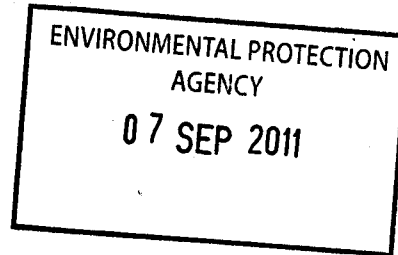


Sub. No. 50

Nevitt,  
Lusk,  
Co. Dublin.

6. 9. 2011



EPA  
P. O. Box 3000  
Johnstown Castle,  
Co. Wexford.

Re; Proposed Toxic Facility at Hollywood, Nags Head Naul  
Ref W 0129-03

Dear Sir,

Please find enclosed submission together with attachments as mentioned therein.

Yours faithfully,

A handwritten signature in black ink that reads "Brigid Lenehan". The signature is written in a cursive style.

Brigid Lenehan.

For inspection purposes only.  
Consent of copyright owner required for any other use.

Nevitt,  
Lusk,  
Co. Dublin

29<sup>th</sup> August, 2011

Re; Ref WO129-03 - Application MEHL for Hazardous Facility at Hollywood, Naul. Co. Dublin.

Dear Sir,

Further to our previous submission I would like to submit the following observations and requests regarding the above application :

1. In June, 2011 Bord Plenala granted permission for facility including new administration buildings, weighbridge new facility, entrance despite having refused previous application ( 18.2.09 ) on the grounds that the facility was situated in a high amenity area . Bord Plenala stated that it would be visually obstructive and out of character with high amenity location and contrary to proper planning, also refused on grounds of safety and free flow of traffic on public road. See refusal attached.
2. Similar application refused in November 07 – see attached refusal wherein it is stated that “ the development would be seriously injurious to residential amenity through negative impacts of noise, dust traffic - also “ prejudicial to public health “ - see attached refusal.
3. Similar refusal in August 08 “ seriously injurious to amenities of residential properties and contrary to proper planning “ - see attached refusal.

I would like to point out that the residents are still here, the residential properties are still here , the area is still zoned high amenity and it is beyond comprehension that such a permission was granted by Bord Plenala in June 2011.

I would also point out that there was no proper public consultation regarding this application with local residents as required by statute.

On Sunday 14<sup>th</sup> August last the annual Tullamore Agricultural Show took place. At that show the importance of our agricultural and horticultural industries was highlighted and how the Government was looking to the agricultural and food sector to take us out of recession. It is vital that our food and water source is protected not contaminated with toxic substances

The applicant in its application has purposely ignored and has not indicated in submissions to date that the proposed facility is situated in the midst of an intensive and highly productive horticultural, beef and dairy farming area - all of which activities are subject to stringent

operating guidelines which must be adhered to. In addition there are two industries operating in the vicinity of the proposed facility providing employment. We have a vibrant community living in the area who are now faced with the stress of possible loss of livelihood, total devaluation of their property and eventually total destruction of their community. Is this community required to forego its future and face ruin to enable the applicant plunder and damage the environment for the sake of profit? . Could the Inspector please let us have his comments regarding these issues and perhaps he could address the following technical issues regarding the application and furnish documentary evidence to support full compliance by the applicant, its directors or any sister company of the applicant and its directors with the following :-

1. Waste Management Acts 1996 – 2010- and specifically with Section 40. 2(b) (iv)of the 1996 Act
2. Waste Management Acts 1996 – 2010 and specifically Section 40 4(d) of the 1996 Act
3. Waste Management Acts 1996 – 2010 and specifically Section 40 7 (b) & 7 (c ) of the 1996 Act
4. Waste Management Acts 1996 -2010 and specifically Section 46 3(a) of the 1996 Act.

Please publish all relevant information regarding compliance by the applicant, its directors and any associated/sister company, and its directors with all the above acts and also please publish documentary proof regarding all investigations carried out by EPA in all agencies - to include financial , labour ,courts - to ensure compliance with every aspect of the above Acts.

I would urge EPA to listen to the voice of the people, read the submissions of the people living in the area - the people who know the locality , its features and where danger lurks, listen to the heartfelt concerns for their health, safety, and the health of their unborn children, also the welfare of their livestock. The duty of EPA is to protect the environment . In the Collins English dictionary environment is defined as “ the surroundings in which a person, animal or plant lives “ It is stated on your own website that “enterprise shares the environment with nature and such enterprise must accordingly have regard to its emissions land cover and resources use “ I would submit that if a waste licence is granted for this proposed facility EPA is failing in its fiduciary duty to this community.

Please reject this application and allow the people of Hollywood and adjacent townlands go about their daily lives in a healthy , safe and toxic free environment. Our faith in government agencies has been greatly diminished as a result of lack of regulation in strategic areas in recent years and I trust that you will not be found wanting when it comes to your duty to the people of Ireland.

Yours faithfully,

---

Brigid Lenehan .

**PLANNING DIVISION**  
Development Control Section  
P.O. Box 174  
County Hall  
Swords  
Fingal,  
Co. Dublin

**AN BORD PLEANÁLA**  
Rannóg Rialú Forbartha  
Bosca 174  
Áras an Chontae  
Sord  
Fine Gall,  
Contae Átha Cliath

Telephone  
(01) 890 5670  
Facsimile  
(01) 890 6779  
Email  
planning@fingalcoco.ie  
www.fingalcoco.ie



**Fingal County Council**  
Comhairle Contae Fhine Gall

Patrick & Barbara Jone  
Kinoud Lodge  
Hollywood Road  
Ballyboughal  
Co Dublin

**Date:** 28 November, 2007

**Register Ref.:** F07A/1241

**Development:** Relocate the primary entrance to its facility. It is proposed to create a new entrance from the County Road LP01080 Walshestown Road and to provide a new boundary treatment, new internal site access road, with new weighbridge, wheel wash, single storey administrative office building of 98.28 sq.m., served by proprietary waste water treatment system and percolation area together with carparking. The existing entrance on the Local Road LP01090 will be used as an emergency access only.

**Location:** Hollywood Great, Naul, Co. Dublin

**Applicant:** Murphy Environmental

**App. Type:** Permission

**Date Recd:** 4 October, 2007

Dear Sir/Madam,

I wish to inform you that a **DECISION to REFUSE PERMISSION** was made by Order dated **27 November, 2007** for the above proposal. A copy of the Planning Authority's decision is attached and is recorded in the Planning Register kept at this office in accordance with Section 7 of the Planning and Development Act 2000 -2007.

It should be noted that only a valid objector, applicant or prescribed body may appeal to An Bord Pleanala against the decision or any conditions attached to the Council's decision **within four weeks** beginning on the date of the Council's decision.

Interested parties are advised to consult An Bord Pleanala to ascertain if an appeal has been lodged by the applicant.

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough

**PLANNING PERMIT 07A/1241**  
Development Control Section  
P.O. Box 174  
County Hall  
Swords  
Fingal,  
Co. Dublin

**AN RANNÁN PLEANÁLA**  
Rannóg Rialú Forbartha  
Bosca 174  
Áras an Chontae  
Sord  
Fine Gall,  
Contae Átha Cliath

Telephone  
(01) 890 5670  
Facsimile  
(01) 890 6779  
Email  
planning@fingalcoco.ie  
www.fingalcoco.ie




**Fingal County Council**  
Comhairle Contae Fhine Gall

Street, Dublin 1. (Tel.01-8588100). Any appeal made to An Bord Pleanála will be invalid unless it is fully complete and the correct fee is received by An Bord Pleanála within the statutory appeal period.

The fee in respect of a first party appeal relating to commercial development is €630; any other appeal (except in the case of unauthorised development) is €210. Please refer to 'Making a Planning Appeal under the 2000 Planning Act' and 'Guide to Fees payable to the Board'.

Submissions or observations made to An Bord Pleanála by or on behalf of a person other than the applicant must be accompanied by a fee of €50 and must be received within **four weeks** from the receipt of the appeal by An Bord Pleanála.

Yours faithfully,

  
for Senior Executive Officer

**PLEASE NOTE:**

Should you wish to appeal this decision to An Bord Pleanála you must submit the acknowledgement of submission/objection letter as proof of a valid submission and not this document.

For inspection purposes only.  
Copyright of copyright owner required for any other use.

**PLANNING PERMISSION 07A/1241**  
Development Control Section  
P.O. Box 174  
County Hall  
Swords  
Fingal,  
Co. Dublin

**AN RANNÁN PLEANÁLA**  
Rannóg Rialú Forbartha  
Bosca 174  
Áras an Chontae  
Sord  
Fine Gall,  
Contae Átha Cliath

**Telephone**  
(01) 890 5670  
**Facsimile**  
(01) 890 6779  
**Email**  
planning@fingalcoco.ie  
www.fingalcoco.ie



**Fingal County Council**  
Comhairle Contae Fhine Gall

Details of Conditions attached to Decision to REFUSE PERMISSION

#### NOTIFICATION OF DECISION TO REFUSE PERMISSION

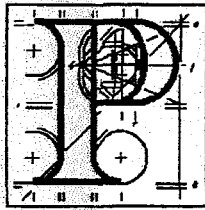
In pursuance of its function under the Planning & Development Act 2000 -2007 a **DECISION to REFUSE PERMISSION** was made by Order dated 27 November, 2007 for the above proposal.

LOCATION: Hollywood Great, Naul, Co. Dublin

#### 4 CONDITIONS(S) AND REASON(S) FOR REFUSE PERMISSION

1. The proposed development, by virtue of the removal of existing hedgerow and the insertion of a new vehicular entrance with significant stonewalls, is not in keeping with the rural character of the area, is essentially suburban in nature and is not consistent with the pattern of development in the vicinity of the site with regard to boundary treatments along the public road. The proposed development would be visually obtrusive and would be injurious to the rural amenity of the area and thus would materially contravene the HA Zoning Objective applicable to the proposed development which seeks 'To protect and improve high amenity areas'.
2. Having regard to, (i) the subordinate character of the existing County Road containing the established site entrance, (ii) the substantial existing width of this County Road at this established site entrance, (iii) the lack of any significant non quarry related traffic movements on this County Road containing the established site entrance, (iv) the lack of an effective and coherent overall proper planning and sustainable development rationale for the proposed development (notwithstanding considerations regarding the programme/ location/ movement of on-site landfilling operations during the lifetime of the approved facility), the Planning Authority is not satisfied that the proposed development is necessary or desirable or that it would not have significant adverse impacts on the landscape and boundary character of the area.
3. The proposed development, if permitted, would be seriously injurious to the residential amenity of the adjacent dwellings through the negative impacts of noise, dust and traffic generation associated with the proposed entrance and the proposed operational centre (haul road, wheelwash, weighbridge, office and parking facility).
4. The applicant has submitted unacceptable proposals for the treatment of foul sewer associated with the proposed development and insufficient information in relation to the proposed surface water arrangements. In the absence of acceptable proposals and sufficient information, it is considered that the proposed development would be prejudicial to public health.

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2007

**Fingal County**

**Planning Register Reference Number: F08A/0749**

**An Bord Pleanála Reference Number: PL 06F.230763**

**APPEAL** by Murphy Environmental care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 7<sup>th</sup> day of August, 2008 by Fingal County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Development comprising relocation of primary entrance to facility, provision of new entrance from the County Road LP01080 Walshestown Road and provision of a new boundary treatment, new internal site access road, with new weighbridge, wheel wash, single storey administrative office building of 98.28 square metres served by proprietary wastewater treatment system and percolation area together with staff and visitor parking. The existing entrance on the Local Road LP01090 will be used as an emergency access only. The existing offices at that location will be demolished and the wheel wash and weighbridge will be decommissioned, all at Hollywood Great, Naul, County Dublin.

## DECISION

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## MATTERS CONSIDERED

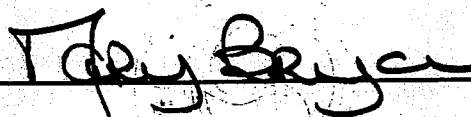
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

TB

## REASONS AND CONSIDERATIONS

1. The site is location within an area zoned "HA" in the current development plan for the area, where the objective is, 'to protect and improve high amenity areas'. This objective is considered to be reasonable. It is considered that the proposed new access and associated infrastructure would be visually obtrusive and out of character within the high amenity location and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proposed entrance accessing on to the busy regional road R108, and to the existing entrance which is accessed from a county road with adequate width, the Board is not satisfied, notwithstanding the submissions made in connection with the application and the appeal, that the applicant has demonstrated that there is a need for the proposed new access or that the proposed entrance would not interfere with the safety and free flow of traffic on the public road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

For inspection purposes only.  
Consent of copyright owner required for any other use.



**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 18<sup>th</sup> day of Feb 2009.



**PLANNING DIVISION**  
Development Control Section  
P.O. Box 174  
County Hall  
Swords  
Fingal,  
Co. Dublin

**AN RANNÁN PLEANÁLA**  
Rannóg Rialú Forbartha  
Bosca 174  
Áras an Chontae  
Sord  
Fine Gall,  
Contae Átha Cliath

**Telephone**  
(01) 890 5670  
**Facsimile**  
(01) 890 6779  
**Email**  
planning@fingalcoco.ie  
www.fingalcoco.ie



**Fingal County Council**  
Comhairle Contae Fhine Gall

Patrick & Barbara Jones  
Kinoud Lodge  
Hollywood Road  
Ballyboughal  
Co. Dublin.

**Date:** 8 August, 2008

**Register Ref.:** F08A/0749

**Development:** Relocate the primary entrance to its facility. It is proposed to create a new entrance from the County Road LP01080 Walshestown Road and to provide a new boundary treatment, new internal site access road, with new weighbridge, wheel wash, single storey administrative office building of 98.28sq.m., served by proprietary waste water treatment system and percolation area together with staff and visitor parking. The existing entrance on the Local Road LP 01090 will be used as an emergency access only. The existing offices at that location will be demolished and the wheel wash and weighbridge will be decommissioned.

**Location:** Hollywood Great, Naul, Co. Dublin

**Applicant:** Murphy Environmental

**App. Type:** Permission

**Date Recd:** 16 June, 2008

Dear Sir/Madam,

I wish to inform you that a **DECISION to REFUSE PERMISSION** was made by Order dated 7 August, 2008 for the above proposal. A copy of the Planning Authority's decision is attached and is recorded in the Planning Register kept at this office in accordance with Section 7 of the Planning and Development Act 2000 -2007.

It should be noted that only a valid objector, applicant or prescribed body may appeal to An Bord Pleanala against the decision or any conditions attached to the Council's decision **within four weeks** beginning on the date of the Council's decision.

Interested parties are advised to consult An Bord Pleanala to ascertain if an appeal has been lodged by the applicant.

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. (Tel.01-8588100). Any appeal made to An Bord Pleanala will be invalid unless

**PLANNING DIVISION**  
Development Control Section  
P.O. Box 174  
County Hall  
Swords  
Fingal,  
Co. Dublin

**AN RANNÁN PLEANÁLA**  
Rannóg Rialú Forbartha  
Bosca 174  
Áras an Chontae  
Sord  
Fine Gall,  
Contae Átha Cliath

**Telephone**  
(01) 890 5670  
**Facsimile**  
(01) 890 6779  
**Email**  
planning@fingalcoco.ie  
www.fingalcoco.ie

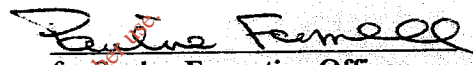


it is fully complete and the correct fee is received by An Bord Pleanala within the statutory appeal period.

Any appeal (except in the case of unauthorised development) is €220. Please refer to 'Making a Planning Appeal under the 2000 Planning Act' and 'Guide to Fees payable to the Board'.

Submissions or observations made to An Bord Pleanala by or on behalf of a person other than the applicant must be accompanied by a fee of €50 and must be received within **four weeks** from the receipt of the appeal by An Bord Pleanala.

Yours faithfully,

  
for Senior Executive Officer

**PLEASE NOTE:**

Should you wish to appeal this decision to An Bord Pleanala you must submit the acknowledgement of submission/objection letter as proof of a valid submission and not this document.

For inspection purposes only.  
Consent of copyright owner required for any other use.

Reg. Ref. F08A/0749

**PLANNING DIVISION**  
Development Control Section  
P.O. Box 174  
County Hall  
Swords  
Fingal,  
Co. Dublin

**AN RANNÁN PLEANÁLA**  
Rannóg Rialú Forbartha  
Bosca 174  
Áras an Chontae  
Sord  
Fine Gall,  
Contae Átha Cliath

**Telephone**  
(01) 890 5670  
**Facsimile**  
(01) 890 6779  
**Email**  
planning@fingalcoco.ie  
www.fingalcoco.ie



## Details of Conditions attached to Decision to REFUSE PERMISSION

### NOTIFICATION OF DECISION TO REFUSE PERMISSION

In pursuance of its function under the Planning & Development Act 2000 -2007 a **DECISION to REFUSE PERMISSION** was made by Order dated **7 August, 2008** for the above proposal.

LOCATION: Hollywood Great, Naul, Co. Dublin

### 3 CONDITIONS(S) AND REASON(S) FOR REFUSE PERMISSION

1. The site is located in an area zoned with the objective 'To protect and improve high amenity areas' in the Development Plan. The proposed new vehicular entrance with the associated high levels of commercial traffic would be visually obtrusive and out of character in high amenity location.
2. The proposed new entrance is adjacent to a number of existing residential properties. The proposed development would be seriously injurious to the amenities of these residential properties and would thus be contrary to the proper planning and development of the area.
3. The applicant has not submitted satisfactory proposals for foul or surface water drainage arrangements or for a Watermain layout. The proposal would thus be contrary to the proper planning and development of the area and would be prejudicial to public health.

For inspection purposes only for applicant use  
Consent of copyright owner required for any other use

Reg. Ref. F08A/0749