

OFFALY COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS 2000 - 2011
PLANNING AND DEVELOPMENT REGULATIONS 2001 - 2012

NOTIFICATION OF GRANT

Planning Section
Áras an Chontae
Charleville Road
Tullamore
Co. Offaly

TO: KMK METALS RECYCLING LIMITED
C/O NIALL NALLY,
NALLY ENVIRONMENTAL,
DRUMCREE,
COLLINSTOWN
CO. WESTMEATH

Planning Register Number: 12/250
Application Receipt Date: 05/10/2012
Further Information Received Date: 21/12/2012

Notice is hereby given that in pursuance of the powers conferred upon them by the above-mentioned Acts, Offaly County Council has by order dated 22/02/2013 GRANTED PERMISSION to the above named, for the development of land, in accordance with the documents lodged, namely:-

A CHANGE OF USE OF 7 NO. PERMITTED INDUSTRIAL BUILDINGS FROM WAREHOUSE STORAGE USE TO USE FOR THE PROCESSING OF WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE), WASTE METALS AND METALLIC BASED MATERIALS, AS FOLLOWS: BUILDING A, TOTAL GROSS FLOOR AREA 473 SQ M, BUILDING B, TOTAL EXISTING GROSS FLOOR AREA 473 SQ M; BUILDING C, TOTAL GROSS FLOOR AREA 473 SQ M; BUILDING D (HANGER) TOTAL GROSS FLOOR AREA 927 SQ M; BUILDING D (WEEE) TOTAL GROSS FLOOR AREA 1,841 SQ M; BUILDING D 4 TOTAL GROSS FLOOR AREA 920 SQ M (COMPRISING CENTRAL AREA 391 SQ M, D4-R AREA 318 SQ M AND D4-L AREA 211 SQ M); AND; BUILDING E TOTAL GROSS FLOOR AREA 1,120 SQ M. OTHER WORKS ARE PROPOSED TO BUILDING E INCLUDING A NEW ESB SUBSTATION (24.5 SQ M), AN ESB SWITCH ROOM (14.4 SQ M), ANCILLARY ACCOMMODATION (33.1 SQ M) ON THE GROUND FLOOR AND FIRST FLOOR OPEN PLAN OFFICES (82 SQ M). THE UPGRADING OF THE EFFLUENT TREATMENT SYSTEM INVOLVES THE PROPOSED INSTALLATION OF AN ADDITIONAL WASTE WATER TREATMENT TANK WITH A SUBSEQUENT SAND FILTER UNIT COVERING AN AREA OF 95 SQ M. THE PROPOSED DEVELOPMENT INCLUDING THE INCREASE IN THE ANNUAL WASTE INTAKE TO 35,000 TONNES IS THE SUBJECT OF A CURRENT EPA WASTE LICENCE REVIEW APPLICATION REF. W0113-04. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) AND A NATURA IMPACT STATEMENT (N.I.S.) HAVE BEEN SUBMITTED WITH THIS PLANNING APPLICATION. AT CAPPINCUR INDUSTRIAL ESTATE, TULLAMORE, CO. OFFALY

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File Reference: PL2/12/250

Subject to the 6 conditions set out in the Schedule attached.

In deciding the planning application, the Planning Authority had regard to submissions or observations received in accordance with the Regulations.

Signed on behalf of said Council

Date: 3/4/2013


ADMINISTRATIVE OFFICER

OUTLINE PERMISSION is subject to the permission consequent on the grant of outline permission of the Planning Authority. Until such permission has been obtained to the detailed plans, the proposed development is not authorised.

NOTE: The permission herein granted shall, on the expiration of the period of **FIVE YEARS** beginning on the date of the granting of permission, cease to have effect as regards:-

- 1 In case of the development to which the permission relates is not commenced during the period, the entire development
- and
- 2 In case such development is so commenced, so much thereof as is not completed within that period.

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File Reference: PL2/12/250

Application for permission for a change of use of 7 no. permitted industrial buildings from warehouse storage use to use for the processing of waste electrical and electronic equipment (WEEE), waste metals and metallic based materials, as follows: Building A, total gross floor area 473 sq m, Building B, total existing gross floor area 473 sq m; Building C, total gross floor area 473 sq m; Building D (Hanger) total gross floor area 927 sq m; Building D (WEEE) total gross floor area 1,841 sq m; Building D 4 total gross floor area 920 sq m (comprising Central Area 391 sq m, D4-R Area 318 sq m and D4-L Area 211 sq m); and; Building E total gross floor area 1,120 sq m. Other works are proposed to Building E including a new ESB Substation (24.5 sq m), an ESB Switch Room (14.4 sq m), ancillary accommodation (33.1 sq m) on the ground floor and first floor open plan offices (82 sq m). The upgrading of the effluent treatment system involves the proposed installation of an additional waste water treatment tank with a subsequent sand filter unit covering an area of 95 sq m. The proposed development including the increase in the annual waste intake to 35,000 tonnes is the subject of a current EPA Waste Licence Review Application Ref. W0113-04. An Environmental Impact Statement (E.I.S.) and a Natura Impact Statement (N.I.S.) have been submitted with this planning application at Cappincur Industrial Estate, Tullamore, Co. Offaly - KMK Metals Recycling Limited.

FIRST SCHEDULE

Having regard to the nature and scale and intended use of the development, the application documents including the EIS, the issues raised in the planning assessments, third party submission, referral reports, site inspection, existing pattern of development in the vicinity, and the current Development Plan, it is considered that, subject to the conditions in the Second Schedule, that the development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would otherwise accord with the proper planning and sustainable development of the area.

SECOND SCHEDULE

1. The development shall be in accordance with plans and particulars including the EIS submitted on 5/10/2012 and amended by revised details submitted 21/12/2012 except where conditions hereunder specify otherwise.

Reason: In the interests of proper planning and sustainable development of the area.

2. The proposed parking and signage on the site access road as indicated in drawing 12-022-P10 shall be carried out and completed within three months of the granting of this permission.

Reason: In the interests of traffic safety and orderly development.

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File Reference: PL2/12/250

3. All mitigation measures as specified in the Environmental Impact Statement shall be carried out unless otherwise stated by conditions of this planning permission.

Reason: In the interests of environmental protection and orderly development.

4. (a) Any surface water discharged to a storm sewer or surface water course from trafficked areas within the site shall be via a silt trap and class 1 petrol interceptor. The petrol/oil interceptor shall be designed in accordance with BS EN 858-1:2002. The type and size shall in accordance with BS EN 858-2:2003 and the SEPA 2006 Pollution Prevention Guidelines PPG3. The developer shall submit to the Planning Authority for written agreement details for each of the three existing petrol interceptors installed on-site to support this within three months of the granting of this permission. If any of the existing interceptors are not in accordance with these standards and guidelines, the developer shall submit a proposal to upgrade where necessary for the written approval of the Planning Authority within three months of the granting of this permission. Required works shall be carried out within six months of the granting of this permission.
- (b) Within three months of the granting of this permission, the developer shall submit a site layout plan with GW1 and GW2 wells indicated.
- (c) The developer shall submit a copy of an agreement for the maintenance of the effluent treatment system, signed by the developer, within three months of the granting of this permission.
- (d) The sand polishing filter shall be sited and installed in accordance with the recommendations of the 2009 EPA Code of Practice 'Wastewater Treatment and Disposal System Serving Single Houses (P.E. <10)'.
- (e) The wastewater treatment system shall be installed in accordance with the manufacturers' guidelines and the details provided.
- (f) All work shall be supervised and certified by a qualified and indemnified engineer. A completion certificate shall be submitted to the Planning Authority upon installation and commissioning of the wastewater treatment system and the raised soil polishing filter. Photographic evidence of each stage of the works shall be included in the completion certificate submission.
- (g) At all times, the maintenance of the effluent treatment system shall be covered by contract.
- (h) All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.
- (i) Any environmental nuisance i.e. excessive noise, dust, construction traffic, caused during construction of the development shall be contained at an acceptable level. Construction shall take place during working hours 7.00am to 6.30pm Monday to Friday and 8.00am to 1.30pm Saturday only.

Reason: In the interests of public health and proper development.

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File Reference: PL2/12/250

5. (a) The developer shall provide on-site storage for 24 hours water consumption and all water used except drinking water shall be drawn through the storage.
- (b) The following water conservation measures shall be provided:
 - i. Dual flush toilets maximum flush of 6 litres.
 - ii. Single showers operated by push button.
 - iii. Wash hand basins with push button taps.
 - iv. Urinals controlled by motion sensors to limit unnecessary flushing while building is not in use.
- (c) The developer shall ensure that the car wash shall have a water recycling system with a maximum 5% of water in each wash cycle directly from the water mains.

Reason: In the interests of public health and orderly development.

6. Prior to commencement of development, a contribution shall be payable to Offaly County Council, in accordance with the Council's Development Contribution Scheme, in respect of public infrastructure and facilities benefiting development in Offaly County Council area, that is provided or that is intended will be provided by, or on behalf of, the Council.

The contribution payable will be based on the contribution rate applicable at the time of payment and not the rate in existence when permission is granted. The amount of the development contribution is set out below and is subject to annual revision with reference to the Wholesale Price Index (Building and Construction), and interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Class of Infrastructure		Amount of Contribution
Class of Infrastructure		€ per m² of floor area industrial / commercial development
A	Open Spaces, cultural, recreational and community facilities, playgrounds, arts, amenities and landscaping works, town improvement, sports facilities – including land acquisition.	€6.25
B	Roads, car parking, public lighting, footpaths, traffic management, infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures, drainage – including land acquisition.	€6.25
TOTAL per sq.m.		€12.50 per sq.m

Total	6227 sq.m.	x	€12.50 per sq.m	€77,837.00
Less Previously Paid				€74,272.00
(Table 1, Note C of Development Contribution Scheme 2010- 2014)				
Total Due:				€3,565.00

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Offaly County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the Planning Authority.
