

Comhairle Chontae Uíbh Fhailí

Tel: 057 9346800 • Fax: 057 9346868

Website: www.offaly.ie

email: secretar@offalycoco.ie

Offaly County Council

Áras an Chontae,
Charleville Road,
Tullamore,
Co. Offaly.



Ms. Bea Claydon,
Programme Officer,
Office of Climate, Licensing & Resource Use,
Environmental Protection Agency,
Headquarters, P.O. Box 3000,
Johnstown-Castle estate,
Co. Wexford.

Environmental Protection
Agency

02 AUG 2013

1st August 2013

Re W0282-01 – Waste Licence Application re Glanpower Ltd. at Derryclure Energy Centre, Derryclure, Tullamore, Co. Offaly

Dear Sir/Madam

I refer to your letter dated 17th July 2013.

Please note that this Council has no further comments to make on the additional information received by the EPA; however I am enclosing a copy of the Planners report in relation to planning application PL2/10/307, for your information.

Yours faithfully,

Administrative Officer.

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2.

OFFALY COUNTY COUNCIL

PLANNING REPORT

PL REF. NO: 10/307
APPLICANT: Glanpower Ltd.

LOCATION: Derryclure, Tullamore.

PROPOSAL: DEVELOPMENT WHICH COMPRISES OR IS FOR THE PURPOSES OF AN ACTIVITY REQUIRING AN INTEGRATED POLLUTION PREVENTION OR CONTROL LICENCE OR A WASTE LICENCE. THE DEVELOPMENT WILL BE AN INDUSTRIAL FACILITY TO ACCOMMODATE AN ADVANCED PYROLYSIS SYSTEM FOR THE RECOVERY OF ENERGY FROM BIOMASS AND WASTE. THE APPROXIMATE OUTPUT WILL BE 6 MEGAWATTS OF RENEWABLE ELECTRICITY FOR EXPORT TO THE NATIONAL GRID IN LINE WITH IRELAND'S CLIMATE CHANGE STRATEGY AND 5 MEGAWATTS OF HEAT. THE FACILITY WILL CONSIST OF AN ENCLOSED FUEL RECOVERY AREA, A RECEPTION AND PRE-TREATMENT AREA, PYROLYSIS AREA, ENGINE AREAS, OFFICE AND STAFF FACILITIES, ANCILLARY ACCOMMODATION AND MAINTENANCE AREAS ALL ENCLOSED IN ONE BUILDING. THE BUILDING WILL HAVE 19M AND 30M HIGH VENT STACKS. EXTERNALLY THE SITE WILL ACCOMMODATE VEHICLE MOVEMENT AREAS, STAFF AND VISITOR CARPARKING, OIL AND WATER STORAGE TANKS AND FLARE STACK. THE SITE WILL BE PROVIDED WITH AN EFFLUENT TREATMENT SYSTEM AND PERCOLATION AREA AND ALL ADDITIONAL LANDSCAPING AND ASSOCIATED SITE WORKS. THE SITE WILL BE ACCESSED VIA A NEW ENTRANCE ON TO THE OFFALY COUNTY COUNCIL ROAD TO DERRCLURE LANDFILL. THIS ROAD WILL BE UPGRADED ALONG WITH THE ACCESS TO THE N80 INCLUDING ALL ASSOCIATED SITE WORKS. A NEW SUBSTATION AND SWITCHROOM STRUCTURE WILL BE LOCATED ON THIS ACCESS ROAD. AN EIS WILL BE SUBMITTED TO THE PLANNING AUTHORITY WITH THE APPLICATION.

DECISION DUE DATE: 15/01/2011

RECOMMENDATION: Grant of Permission

APPROPRIATE ASSESSMENT SCREENING: See report attached- No likely significant effects on Natura 2000 sites. Natura Impact Assessment not required.

Please see also Appendix 7 of the EIS submitted with this planning application, which also states that there will be no likely significant effects on Natura 2000 sites.

BRIEF DEVELOPMENT DESCRIPTION:

The proposal is for an industrial plant which will be known as Derryclure Energy Centre. It will treat Mixed Municipal Waste (Household Waste) and Biomass fuel, (a renewable energy from woodchip or willow etc.) which will be burned under the Pyrolysis Process (Burning in the absence of oxygen), to convert to energy. Under the Pyrolysis process, burning in the absence of Oxygen reduces the amount toxins released/generated.

Circa 6 megawatts of renewable energy will be generated for export to the National Grid. The process will also generate heat, (5 megawatts) which will have the potential to be exported via a district heating system, to domestic or commercial users. This 'district heating' element is not included in the scope of this planning application.

Further, the application does not include infrastructure to connect to the 'grid network' and any proposals for same would be subject to a separate planning permission in a subsequent application process.

It is expected that the Derryclure Energy Centre will handle 75,000 tonnes of material annually. It is envisaged that there will be circa 18 truck deliveries per day, 5 days a week. The structure to accommodate the process will be circa 8600 m² building up to 4 storeys (15.9 m) in height with two vent stacks of 19 metres and 30 metres in height. It is estimated that the development will have a 12 month construction period and a 20 year life span.

There will be circa 40-50 employees in operation phase and circa 100 employees during construction phase.

DETAIL OF PROPOSAL:

Area of site: 4.57 ha.s

Gross floor area of Buildings: 8612m²

Stack Height: 1 x 19m & 1 x 30m

Car Parking Provision: 77 spaces.

Type of Raw Material:

Mixed Municipal Waste / Solid Recovered Fuel

Biomass – Wood chip, Willow & Miscanthus Derivatives.

Quantity: 75,000 Tonnes P.A.

PLEASE SEE PREVIOUS PLANNING REPORT DATED 20/10/2010

FURTHER INFORMATION WAS REQUESTED ON 22/10/10

1. a) Please note; there are lands at the junction of the proposed access road to serve the development and the N80, which are reserved for future road improvements.

The applicant is requested to clearly demonstrate the following on a 1:500 site layout plan;

- Lands which are in the ownership of the applicant
- Lands which are in the ownership of Offaly County Council
- The lands reserved for future road improvements at this junction.

Please note that the proposed surface water outfall should not be located in lands reserved for future junction improvements. Permission from the relevant section of Offaly County Council shall be required for proposed development on Council lands.

(b) The applicant is requested to demonstrate that the process proposed is categorised as 'Energy Recovery' in accordance with Directive 2008/98/EC.

c) *Table 2.2 on p.54 of the EIS refers to a full scale pyrolysis unit in Ireland. The applicant is requested to provide details of its capacity, throughput, and Waste License Number or other discharge license number.*

d) *The applicant is requested to address the issue of gas migration from the nearby Derryclure landfill site. The applicant is also requested to provide details of an analysis of the possible impacts of the development on gas migration and of gas migration on the development. Proposals for mitigation measures are required as appropriate.*

e) *The proximity of the landfill at Derryclure may have other impacts on the proposed development. The applicant is requested to demonstrate that these have been considered and describe any proposed mitigation measures.*

f) *The applicant is requested to submit any relevant correspondence with the EPA and the DEHLG concerning the proposed development.*

g) *The applicant should indicate the expected time required to obtain a connection to the National Grid.*

a) The submission addresses this request by way of drawing ref. (0906P09) Attachment 1. The submission is acceptable subject to conditions which may be attached in the instance of a grant.

b) Submission noted

c) Submission noted

d) Re: Land-fill gas migration – the Environment Section of OCC have reviewed the further information and have attached conditions in the instance of a grant of permission.

e) Other landfill impacts considered – submission acceptable in this regard.

f) The applicant has listed relevant correspondence with DoEHLG and EPA

g) The applicant has indicated that a grid connection decision will be made in early 2011

2. a) *Details on the numbers of workers to be employed on-site during operational phase are conflicting. The PM Group civil engineering report section 3.2 indicates 50 employees and the proposed effluent treatment*

manufactures design details indicates 20 employees. Please submit details to clarify this and include any changes in the design details.

b) It is requested that the wastewater loading rates be calculated in accordance with Table 3 of the EPA Manual 'Treatment Systems for Small Communities, Business, Leisure Centres and Hotels for an 'Office and/or factory with a canteen'. Please submit revised details to support this.

c) The applicant is requested to use the 'T' value recorded to size the proposed raised soil polishing filter to ensure the effluent is dispersed over a large enough area to allow the effluent to percolate through this less permeable layer therefore reducing the risk of ponding at ground level or bleeding of effluent through the side of the raised polishing filter.

d) Please submit a revised site layout plan with the dimensions of the proposed raised soil polishing filter and all the relevant set back distances indicated on it. A site specific longitudinal section drawing of the system is requested.

2. In relation to point 2 of the further information request the Environment Section of OCC have assessed the further information submissions and have attached conditions in the instance of a grant of permission.

3. a) *Please indicate the proposed high level overflow from the infiltration trench to the storm water drainage system on a revised drainage layout plan.*
- b) *The applicant is requested to submit site specific details of the proposed bypass and full retention petrol/oil interceptors to be installed on-site. These should include details of their capacity.*
- c) *The applicant is requested to submit details of the single throttle flow control device that will restrict run-off from the development to a maximum discharge of 8.6l l/s as proposed.*

3. In relation to point 3 of the further information request the Water Services Section of OCC have assessed the further information submissions and have attached conditions in the instance of a grant of permission.

4. a) *The existing drains crossing the site are required to be re-routed outside the building. The applicant is requested to submit a revised drainage layout.*
- b) *The applicant is requested to submit detailed design calculations for any existing drains which it is proposed to pipe.*
- c) *The existing drain adjacent to the N80 is currently piped with 750mm pipes. The applicant is requested to extend this drainage in minimum 750mm pipes.*
4. **In relation to point 3 of the further information request the Water Services Section of OCC have assessed the further information submissions and have attached conditions in the instance of a grant of permission.**
5. *The proposed site layout plans shows a proposed new left-turn deceleration lane at the proposed access off the N80 National Secondary route. This will result in an increase in surface water runoff on the N80. The applicant is requested to submit proposals for a surface water collection system that meets the requirements of the NRA Design Manual for Roads and Bridges.*
5. **In relation to point 5 of the further information request the Water Services Section of OCC have assessed the further information submissions and have attached conditions in the instance of a grant of permission.**
6. *Please provide information relating to where the expected 75,000 tonnes of raw material – Municipal Waste & Biomass is expected to come from. Please give details of any significant haul routes.*
6. **In relation to point 6 of the further information the submission is noted. The applicant has given calculations and estimates relating to sourcing of products and have indicated the main haul routes will be along the national road network which serve the region and site.**
7. a) *Please submit full annotated details for boundary treatment of the site; Details should include;*
- *Specification for proposed security fencing, planting and species type.*

b) Please submit details of proposed hard and soft landscaping

7. **The submission addresses this request by way of the submission of drawing ref. (0906P08) Attachment 4. The submission is acceptable subject to conditions which may be attached in the instance of a grant.**

8. *Please submit details of proposed finishes for proposed building / structures*
Details should include;
 - *Samples or brochures of external finishes.*

8. **The submission addresses this request by way of the submission of a table of materials and a copy of brochures in Attachment 5. The submission is acceptable subject to conditions, which may be attached in the instance of a grant.**

9. *Please submit detail of all contributors to the EIS including names, relevant sections and qualifications.*

9. **Submission noted and acceptable.**

10. *There is a discrepancy between the site boundary outlined in red on the 1:500 site layout plan submitted with the application, and the site boundary outlined in red, included in various chapters of the accompanying EIS. Please clarify this discrepancy and confirm that all the EIS chapters are relating to the same site.*

10. **Submission noted and acceptable.**

11. *The applicant is requested to demonstrate legal consent / right of way, to carry out all works relating to this proposal / facilitating the development, outside of the boundary of the applicant's landholding including;*
 - i) road construction / improvement works at the junction*
 - ii) surface water outfall*

11. **Submission noted. The environment section have included a condition to address this issue.**
12. *In order to fully appraise the visual impact of the proposed development, please submit accurate photomontage of views from North and South approaches, in particular Plate 6.2 view of the approach from Killeigh along the N80 is requested to be re-configured.*
12. **Submission noted and acceptable.**
13. *Please note there is a submission / objection on the file in relation to this development. The applicant is invited to comment on same.*
13. **Submission noted.**
14. *The applicant was requested to reflect on section 4.14 of the Governments waste management policy ' Waste Management, Taking Stock and Moving Forward' and invited to respond with observations on the possible application of community to the development proposed.*
14. **The applicant has responded with comments on community gain. They have indicated that they are generating jobs locally and would essentially be contributing to the local economy through rates to OCC- Submission noted. A condition in this regard is considered appropriate.**

The further information submission also makes comments on NRA submission to the planning file.

Submission noted.

DEVELOPMENT PLAN:

The proposal is generally in compliance and supported by the policies and objectives quoted above. The Development Plan is supportive of materials utilised to convert to energy as outlined in paragraph 8.2.4 quoted below.

The Relevant Standards/Policies are as follows:

The following is a list of policies / objectives / statements from the County Development Plan in relation to **electricity generation / renewable energy / alternative use of cut away bogs / reuse of antecedent sites / industry in rural areas.**

Paragraph 8.1: "Renewable energy can be defined as 'energy generated from resources that are unlimited, rapidly replenished or naturally renewable and not from the combustion of fossil fuels'. The development of alternative energy resources, including solar energy, wind, biomass, anaerobic digestion etc is a priority at international, national and local level primarily for environmental reasons"

Policy P08-01: 'It is Council policy to support national and international initiatives for limiting emissions of greenhouse gases and to encourage the development of renewable energy sources'.

Policy P10-06: 'It is Council policy to support the development of renewable energy in rural areas, where it is considered appropriate. Such development will be assessed on a case-by case basis'.

Policy P08-02: 'It is Council policy to facilitate the continual development of renewable energy sources having regard to the proper planning and sustainable development of the area concerned, having particular regard to amenities, landscape sensitivities and the protection of habitats and heritage, where such proposals comply with policy contained in the Co. Development Plan, in the interests of proper planning and sustainable development.'

Objective O08-05: 'it is an objective of the Council to support and facilitate the generation of electrical power within the county and the provision of high-voltage electricity infrastructure to cater for natural growth, new and existing large customers'.

Paragraph 10.3: 'Certain industries are more suited to rural environments rather than urban environments. Such developments will be considered in rural areas.'

Objective O10-03: 'It is an objective of the Council to support rural employment initiatives across the county.'

Table 8.1 identifies biomass as one of the main renewable energy sources in Ireland. It includes wood, waste, energy, crops.

Paragraph 10.9 states: 'Energy production from biomass can reduce greenhouse gas emissions, provide a secure native fuel source and provide some diversification out of traditional farm enterprises...The Council will support the development of the bio-energy industry in the county, including rural areas where appropriate.'

Paragraph 8.2.4 states: 'Methods utilised to convert energy from biomass fuels include:

- gasification or combustion of fuels (e.g. wood, short rotation wood coppice, municipal sold waste).
- Anaerobic digestion (of animal slurries, wastewater, abattoir waste etc)

In general terms, these renewable energy sources are considered positively, how ever any such proposals will be considered on individual merit, having regard to national, regional and local policy, including in particular, the Midlands waste Management Plan.'

Zoning: The zoning of the site is 'White Lands'- As per the Zoning Matrix, the following land uses are open for consideration; Industrial Uses, Landfill, Material recoveries facility / Composting / Waste Transfer Station. Therefore the proposed development is open for consideration at this location.

The proposal is generally in compliance and supported by the policies and objectives quoted above. The Development Plan is supportive of materials utilised to convert to energy as outlined in paragraph 8.2.4 quoted above.

REPORTS RECEIVED IN RESPONSE TO FURTHER INFORMATION

HSE: The HSE have no further comments and have referred to their original report dated 08/10/10. (Report received 22/12/10)

Area Engineer, OCC– No further comments to previous report dated 21/09/2010. (Report received 12/01/11)

Roads Section OCC- No objections; Details required relating to wheel wash facilities, public lighting provision and additional manhole. These matters can be addressed by condition. (Report received 11/01/11)

Environment Section, OCC – This report outlines conditions to be attached in the instance of a grant of permission. (Report received 13/01/11)

Sanitary Services Section, OCC. This report outlines conditions to be attached in the instance of a grant of permission. (Report received 4/01/11)

ISSUES FOR FURTHER CONSIDERATION:

Public Health and Services

Planning and Development Act 2000

Traffic Safety

Car parking

Visual Impact & Signage

Residential Amenity.

Contribution

PUBLIC HEALTH AND SERVICES:

As outlined above this application will be subject to IPPC licensing which will be dealt with by the EPA who are the responsible authority in this regard.

The Planning Authority however, has had regard to the IPCC licensing issues of the proposed development as is provided for in the relevant legislation.

The Water Services Sections & the Environment Section of OCC have reported on the proposed development and have attached conditions. See reports attached.

PLANNING AND DEVELOPMENT ACT 2000:

The following sections from the Planning and Development Act 2000 relate to the Planning Authorities role in IPCC Licensing, EPA Act & Waste Management Act.

S. 34, 2 (c) Subject to section 98 (as amended by *section 256* of this Act) of the Environmental Protection Agency Act, 1992, and section 54 (as amended by *section 257* of this Act) of the Waste Management Act, 1996, where an application under this section relates to development which comprises or is for the purposes of an activity for which an integrated pollution control licence or a waste licence is required, a planning authority shall take into consideration that the control of emissions arising from the activity is a function of the Environmental Protection Agency.

S. 34 4 (c) conditions for requiring the taking of measures to reduce to prevent—

(i) the emission of any noise or vibration from any structure or site comprised in the development authorized by the permission which might give reasonable cause for annoyance either to persons in any premises in the neighbourhood of the development or to persons lawfully using any public place in that neighbourhood,

or

(ii) the intrusion of any noise or vibration which might give reasonable cause for annoyance to any person lawfully occupying any such structure or site;

S. 256. The Environmental Protection Agency Act, 1992, is hereby amended in section 98—

(a) by the substitution for subsection (1) of the following subsections—

“(1) Notwithstanding *section 34* of the *Planning and Development Act, 2000*, or any other provision of that Act, where a licence or revised licence under this Part has been granted or is or will be required in relation to an activity, a planning authority or An Bord Pleanala shall not, where it decides to grant a permission under *section 34* of that Act in respect of any development comprising the activity or for the purposes of the activity, subject the permission to conditions which are for the

purposes of— (a) controlling emissions from the operation of the activity, including the prevention, limitation, elimination, abatement or reduction of those emissions, or

(b) controlling emissions related to or following the cessation of the operation of the activity.

S. 257. The Waste Management Act, 1996, is hereby amended in section 54—

(a) by the substitution for subsection (3) of the following subsections: “(3) Notwithstanding *section 34* of the *Planning and Development Act, 2000*, or any other provision of that Act, where a waste licence has been granted or is or will be required in relation to an activity, a planning authority or An Bord Pleanala shall not, where it decides to grant a permission under *section 34* of that Act in respect of any

development comprising the activity or for the purposes of the activity, subject the permission to conditions which are for the purposes of—

(a) controlling emissions from the operation of the activity, including the prevention, limitation, elimination, abatement or reduction of those emissions, or

(b) controlling emissions related to or following the cessation of the operation of the activity.

TRAFFIC SAFETY:

In relation to traffic safety issues, the Roads Section of OCC are satisfied with the proposal following receipt of further information.

It is noted that the NRA have an objection to this proposal submitted on the 17/09/10, which is noted.

It is noteworthy also that there have been road improvements at this junction in recent years, and the provisions for a deceleration lane are acceptable to the Roads Section.

CARPARKING:

Any future additional car parking requirements shall be accommodated on site. A condition shall be attached with regard to this.

VISUAL IMPACT:

The site is outside any high Amenity Designations / Protected Views as per the County Development Plan.

It is accepted that there would be an impact on the visual amenity of the immediate area, in the vicinity of the site. The buildings involved are of a scale which are difficult to mitigate against in the immediate area. The main view which will be impacted upon would be from passing traffic along the N80 which runs along the western boundary of the site. This would be over a relatively short section of the N80.

The further information submitted on the 10/12/10 relating to screen planting, and details of proposed finishes to be used and proposed mitigation measures are deemed acceptable in this instance, subject to conditions to be attached.

The site shall be sufficiently screened to limit distraction of traffic on the N80

There is little detail relating to signage associated with the proposed development. Any signage associated with the proposed development shall be subject to a separate planning application. Any floodlighting shall be so designed to avoid glare and distraction to road users.

RESIDENTIAL AMENITY:

The nearest dwelling house to the site is circa 400 metres to the north. There are a no. of dwelling houses in the 3 km area of the site. There is an objection on the file from local residents which raises concerns with the proposal on a number of grounds, including residential amenity.

The applicants have commented on this submission in their submission of 10/12/10.

Conditions shall be attached relating to hours of operation / deliveries to protect the residential amenities of the local residents.

CONTRIBUTION:

A contribution shall be applied as per the current development contribution scheme of OCC.

Following discussions with SE. Roads Section of OCC it was deemed that a special development contribution was not required.

RECOMMENDATION:

Having regard to all of the above, I recommend that permission be granted subject to the following conditions:

Note that conditions relating to environmental emissions etc. fall within the remit of the EPA in the case if IP(P)C licensable developments by virtue of the provisions of S. 99(f) of the protection of the Environment Act 2003

SCHEDULE 1

Having regard to the provisions of the County Development Plan, 2009, the provisions of the Midlands Waste Management Plan, the proposals contained in the developers submissions as part of this application, and the legislative requirement to have in place an Integrated Pollution (Prevention and) Control Licence, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would be in accordance with the proper planning and sustainable development of the area.

SCHEDULE 2

1: The proposed development shall be carried out in accordance with the details submitted on 1st of September 2010 as amended by the details ^{submitted} ~~and the~~ 10th December 2010 except where conditions hereunder specify otherwise. EK

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

2: This permission is for an industrial facility to accommodate an advanced pyrolysis system for the recovery of energy from biomass and municipal solid waste, only. No further change of use or intensification of use from that permitted under this permission shall take place without the granting of planning permission by the Planning Authority or An Bord Pleanala on appeal.

Reason: To clarify the extent of the permission which was assessed by Offaly County Council, in the interests of the proper planning and sustainable development of the area.

3: A record of each road delivery of Municipal Solid Waste and Wood Biomass shall be kept on the premises and shall include the following details:

Unique Tracking reference number

Container Number

Vehicle Registration number

Description of Material

Confirmation that the Material is in accordance with the materials permitted under this permission

Dispatch date

Delivery date

Producer Name and Place of Origin of Material

Name and address of carrier

Weight delivered

The records shall be maintained on the premises and shall be made available for inspection by the Planning Authority if requested.

Reason: To ensure a record is kept of the delivery / acceptance of the proposed fuels, in the interests of the proper planning and sustainable development of the area.

4. This permission is for a **maximum** of 75,000 tonnes per annum. The materials utilised shall be Wood Biomass / Municipal Solid Waste as described in Section 2 of the EIS, *Description of Project*, to be delivered to the site by road. No more than 18 HGV deliveries of Wood Biomass / Municipal Waste shall take place **per day**.

Reason: To limit the transport of Wood Biomass / Municipal Solid Waste by road to that which has been proposed by the developer and which was assessed by Offaly County Council, in the interests of traffic safety, amenities and the proper planning and sustainable development of the area, and to define ~~of~~ the scope of the permission and to ensure any changes will be assessed.

5. During construction, all works and operations shall be carried out in such a manner so as to avoid the generation of any nuisance by way of noise, dust fumes, odour or any other emission or discharge.

Reason: In the interests of the amenities of the area, to prevent pollution and in the interests of the proper planning and sustainable development of the area.

6. During construction noise levels at any noise-sensitive off-site locations shall not exceed the following sound pressure limits (Leq, 15 minutes):

Daytime	55 dB(A)
Night-time	45 dB(A).

Reason: To prevent disturbance and to protect the amenities of this rural area, in the interests of the proper planning and sustainable development of the area.

7. All Wood Biomass / Municipal Solid Waste which is delivered to the site by road shall be delivered in covered containers.

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

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

omit etc.

8. The developer shall provide extra car parking on site to accommodate an increase in future demand, in the event that the permitted car parking as per layout drawing no. P02 revision 1, submitted on 10/12/10 being insufficient. Details of this additional car parking provision shall be submitted to the planning authority for written agreement, as appropriate prior to any construction taking place. The development shall be constructed in accordance with these agreed particulars.

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

9 (a) The deceleration lane at the junction with the N80 to the site, shall be constructed as per the documents submitted on the 10th December 2010, except where otherwise specified hereunder.

(b) Details of an additional manhole, which shall be located at the radius bend of the entrance to allow a linear alignment for the filter drain shall be submitted, to the planning authority for written agreement prior to the commencement of development on site. The works shall be carried out in accordance with the agreed details.

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

10. The developer shall submit details of a certified public lighting design to the Planning Authority at the detailed design stage, for written approval, prior to installation. The works shall be carried out in accordance with the agreed details. Any flood lighting and signage shall be cowelled and screened to minimise light spill and glare, and distraction to road users.

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

11. Prior to commencement of development, the developer shall submit for the written agreement and consent of the Planning Authority a proposal to apply the concept of community gain to this development having regard to Section 4.14 of the governments waste management policy "Waste Management: Taking Stock and Moving Forward (2004)".

Reason: In the interest of the ²²presentation of the quality and character of the rural area.
preservation

12. The developer shall install a wheel wash facility during the construction phase to avoid the generation of dust on the public road. Details of this wheel wash facility shall be submitted to the planning authority for written agreement prior to the commencement of development. The works shall be carried out in accordance with the agreed details.

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

13. a) All development work shall be carried out in accordance with "Recommendations for Site Development Works in Housing Areas" (Department of the Environment, Heritage and Local Government).

b) "Guidelines for the Opening, Backfilling and Reinstating of Trenches in Public Roads, DOELG 2002" (Purple Book) shall be used for specification for trench backfill / reinstatement.

c) The developer shall be required to have an in date Road Opening Licence prior to any excavation works in any public space, including road carriageway, footpaths and grass verges. Applicant is required to apply to Tullamore area office for a road opening licence.

Reason: In the interests of traffic safety, public health and the proper planning and sustainable development of the area.

14. a) All watermains shall be a minimum of 100mm in diameter.
- b) Hydrants shall be screw down type to B.S. 750 with 2.5" round thread screwed outlets. Fire Hydrant marker plates should be marked in accordance with BS 3251: 1976. Fire Hydrant marker plates shall show the diameter of the watermain in millimeters on the upper part of the plate and the distance from the hydrant on the lower part of the plate, in accordance with "Recommendations for Site Development Works in Housing Areas" (Department of the Environment, Heritage and Local Government).
- c) On site storage shall be provided for at least 24 hours water consumption and all water used on site except drinking water shall be drawn through storage.
- d) Watermain within the site shall be pressure tested and sterilized ^{and} to Local Authority's satisfaction and in the presence of a Water Services Water Inspector prior to connection to the Local Authority watermain. The watermain shall have a minimum nominal pressure rating of 1.5 times working pressure with saddles fitted. No drop in pressure shall be recorded over a two-hour period. The watermain shall be sterilized using a chlorine solution. Dosing shall continue until the main is full and at least 50 mg/l of free chlorine have been made available. The treated water shall be left in the main for a period as directed but not exceeding 24 hours. The sterilization process shall be repeated until the chlorine residual is not less than 10 mg/l at the end of the main furthest from the point of injection. On completion the chlorinated water shall be flushed out and the pipes filled with drinking water. The waste chlorine solution shall be disposed of in a manner that will avoid pollution of natural waters, reservoirs and water courses.
- e) The Watermain shall be laid under a footpath or between the kerb and footpath and have a minimum cover of 0.9m measured from the top of the pipe barrel to the finished footpath surface. No other services shall be laid within 300 mm or directly over watermain.
- f) Four days notice shall be given to the waterworks caretaker prior to a connection taken place.

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

Sk.

15a) All underground services shall be overlaid at a depth of 300 mm from the surface with a marker tape containing a corrosion resistant metallic strip capable of detection from ground level.

b) Stainless steel bolts shall be used on all saddles.

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

16a) A suitably sized Electro magnetic water meter with radio transmitter suitable for linking to Local Authorities Telemetry System shall be installed on watermain near take-off point at a location to be approved by the Water Services Authority. Chamber with minimum internal dimensions to be submitted to the planning authority for written agreement, and shall be constructed to facility, the meter and installation to be in accordance with Planning Authority requirements. The meter must be connected and commissioned prior to work commencing on the development.

- b) All Toilets on site shall be dual flush units with the maximum flush to be of 6 litres.
- c) All Showers shall be single showers operated by push button.
- d) All Wash hand basins shall have push button taps.
- e) All urinals shall be controlled by motion sensors to limit unnecessary flushing while building is not in use.

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

(a)

17) Only clean uncontaminated surface water shall be discharged to the surface water system. No foul sewage, Grease or fats, harmful chemicals and non-biodegradables shall be discharged to the surface water sewerage system.

- f) Lockable type gully traps shall be utilised on all surface water drains to the satisfaction of the Planning Authority.

- ~~h~~ h) The existing open drain adjoining the site entrance shall be piped with concrete pipes of minimum 750mm diameter.
- d d) All existing open drains crossing the site shall be re-routed outside the proposed building.
- e e) Manhole covers and frames shall comply with Offaly County Council's "Code of Practice for Ironworks on Chamber & Gully Top Installations".
- f f) Storm Sewers shall be laid in roadway where possible.
- g g) A suitably sized and sited silt trap to Local Authority's specification shall be installed prior to attenuation tank. The silt in trap shall be removed at regular intervals and disposed of to the appropriate skip.
- h h) The minimum diameter of storm water pipes shall be 225 mm

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

- 18 15. The development shall be carried out in accordance with the EIS. In particular the developer shall ensure that all proposed environmental mitigation measures are implemented unless otherwise specified in the planning conditions.

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

- 19 16. a) The effluent treatment system and raised soil polishing filter shall be revised for the proposed development using the description for an Office and/or Factory with a Canteen, in Table 3, of the EPA Manual 'Treatment Systems for Small Communities, Business, Leisure Centres and Hotels to calculate the wastewater loading rates. The applicant shall submit revised details to support this for the written agreement of the planning authority prior to commencement of work on-site.

- b) The developer shall submit a revised site layout plan and site specific longitudinal section drawing which shall indicate all the necessary revisions to the design of the effluent treatment system and raised soil polishing filter for the approval of the planning authority prior to commencement of work on-site.

- c) The trench invert level shall be set at a minimum of 0.5m above ground level as recommended in the site characterisation report. This shall be indicated on the revised longitudinal section drawing.
- d) The applicant shall submit a copy of an agreement for the maintenance of the effluent treatment system signed by the applicant prior to commencement of works on-site.
- e) The raised soil 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)'
- f) The wastewater treatment system shall be installed in accordance with the manufacturers' guidelines and the details provided.
- g) All work ^{shall} be supervised and certified by a qualified and indemnified engineer.
- h) At all times ~~that~~ the maintenance of the effluent treatment system shall be covered by contract.
- i) The local authority shall be notified ^{in writing} when the raised soil polishing filter is complete.

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

- 20 17. The proposed high level overflow from the infiltration trench on the East boundary shall discharge to the proposed storm water sewer network. The applicant shall indicate this on a revised drainage layout plan for the approval of the planning authority prior to commencement of work on-site.

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

- 21 18. 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.

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

- 22 19. ^{Commencement of} Prior to the development, the developer shall submit a formal "Project Construction and Demolition Waste Management Plan" to the Local Authority for agreement prior to Commencement Notice Stage.

"This report shall include the following as a minimum:

Demolition works - details of waste types arising and estimated, proposed waste segregation, waste contractor to be engaged for each waste stream and final destination for each waste stream.

Construction Works - details of waste management practices to be implemented on the site including proposed segregation levels, if any, waste receptacles to be used, waste contractor to be engaged for each waste stream and final destination for each waste stream."

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

- 23 20. 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 07.00am to 06.30pm Monday to Friday and 08.00am to 01.30pm Saturday.

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

- 24 21. In dry weather conditions dust abatement measures during construction shall be applied to all loads leaving the site, dampening the load, covering the load or other appropriate measures. Water spraying of roads, shall be carried out as necessary.

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

25 24. a) Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001 shall not be carried out within the curtilage of the site without a prior grant of planning permission.

b) Any signage associated with the proposed development shall be subject to separate planning permissions

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

26 25. The developer shall give the Planning Authority two weeks notice in writing of his intention to commence development on the site..

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

27 26. Prior to commencement of development, the developer shall submit to and agree with the planning authority a revised landscape scheme. This scheme shall include:

(a) a plan to scale of not less than 1:500 showing-

(i) the species and setting of all new planting, including planting of native species in woodland groups in the parts of the site not affected by development works,

(ii) proposals for additional screen planting on the boundary with the proposed N80 road;

(b) All planting, seeding and earthworks on the agreed landscaping scheme shall be completed in the first planting season following completion of the development.

(c) The proposed security fencing, hard and soft landscaping, and boundary treatment as per details submitted on the 10th December 2010, shall be incorporated into revised landscape plan.

Reason: In the interest of visual amenity and to integrate the proposed development in its rural setting

28 21. Prior to commencement of development on this site, 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:-

Floor area as stated for the development sq.m. = 8612

Class of Infrastructure	Amount of Contribution
A (Amenities)	€6.25 per sq.m.
B (Roads)	€6.25 per sq.m.
C (Waste Water)	(N/A)
D (Water Mains)	€15.00 per sq.m.
Total	€27.50 per sq.m.

€27.50 per sq.m. x 8612 sq.m. = €236830

Total for development €236,830

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.

29 28. Prior to the commencement of development the developer shall lodge with the Planning Authority a cash deposit or a bond for an insurance company or such other security as may be acceptable to the Planning Authority in the sum of ~~€(50,000)~~ ^{€110,200 EK} to secure the provision, satisfactory completion and maintenance of road entrance and junction and lighting works on the N80 and any other services required with the development. In the event of the non-completion or maintenance of the services the Planning Authority shall be empowered to apply the said funds or part thereof for the satisfactory completion of and maintenance as aforesaid of any part of the development.

The bond shall remain in full force and effect until discharged by the Council.

Reason: In the interest of orderly development and to ensure satisfactory completion of the development.

30 29. Prior to commencement of the development the developer shall submit for the written agreement and consent of the Planning Authority details of all colours of all external finishes of the building. The development shall be constructed in accordance with the aforementioned particulars.


Reason: In the interest of visual amenity.



D. Meehan
Executive Planner

14/01/2011




 14/1/11 PP

APPROPRIATE ASSESSMENT SCREENING REPORT FOR PLANNING APPLICATIONS



Screening is used to determine if an AA is necessary by examining:

- If the plan / project is directly connected with / necessary to the management of the Natura 2000 site.
- If the effects will be significant on a Natura 2000 site in view of its conservation objectives, either alone / in combination with other plans / projects.

Planning Authority : OCC

Planning Application Ref. No.: 10-307

Proposed development:	AN INDUSTRIAL FACILITY TO ACCOMMODATE AN ADVANCED PYROLYSIS SYSTEM FOR THE RECOVERY OF ENERGY FROM BIOMASS AND WASTE. THE APPROXIMATE OUTPUT WILL BE 6 MEGAWATTS OF RENEWABLE ELECTRICITY FOR EXPORT TO THE NATIONAL GRID IN LINE WITH IRELAND'S CLIMATE CHANGE STRATEGY AND 5 MEGAWATTS OF HEAT.		
Site location:	Derryclurre, Tullamore.		
Site size:	4.6 ha.s.	Floor Area of Proposed Development:	
Identification of nearby Natura 2000 Site(s):	2000 site(s): SAC 000571- Charleville Wood SAC		
Distance to Natura 2000 Site(s):	4 km		
The characteristics of existing, proposed or other approved plans / projects which may cause interactive / cumulative impacts with the project being assessed and which may affect the Natura 2000 site:	None		
Is the application accompanied by an EIS?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	
IDENTIFICATION OF THE REASONS FOR THE DESIGNATION			
The reasons for the designation of the Natura 2000 site(s):	Charleville Wood is considered to be one of the very few ancient woodlands remaining in Ireland, with some parts undisturbed for at least 200 years. 'Old Oak woodland is a habitat listed on Annex I of the EU Habitats Directive, while the rare snail species, <i>Vertigomoulin siana</i> , is listed on Annex II of this directive. The wetland areas, with their associated bird populations, the rare insect and Myxomycete species contribute further to the conservation significance of the site.		
The conservation objectives / qualifying interests of the site and the factors that contributes to the conservation value of the site: (which are taken from the Natura 2000 site synopses and, if applicable, a Conservation Management Plan; all available on www.npws.ie) (ATTACH INFO.)	PLEASE SEE SITE SYNOPSIS SHEET ATTACHED		
NPWS ADVICE			
Advice received from NPWS over phone:	None received		
Summary of advice received from NPWS in written form (ATTACH SAME):	None received		

(The purpose of this is to identify if the effects identified could be significant - if uncertain assume the effects are significant)

If the answer is 'Yes' to any of the questions below, then the effect is significant. (Please justify your answer. 'Yes' / 'No' alone is insufficient)

<p>Would there be...</p> <p>... any impact on an Annex 1 habitat? (Annex 1 habitats are listed in Appendix 1 of AA Guidance).</p>	<p>Not likely due to the location and type of development</p> <p>The site is sufficient distance from the Natura site.</p>
<p>... a reduction in habitat area on a Natura 2000 site?</p>	<p>There will be no reduction in the habitat area.</p> <p>The site is sufficient distance from the Natura site.</p>
<p>... direct / indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site?</p>	<p>Not likely due to the location and type of development</p> <p>The site is sufficient distance from the Natura site.</p>
<p>... serious / ongoing disturbance to species / habitats for which the Natura 2000 site is selected (e.g. because of increased noise, illumination and human activity)?</p>	<p>Not likely due to the location and type of development</p> <p>The site is sufficient distance from the Natura site.</p>
<p>... direct / indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site?</p>	<p>None likely due to the location and type of development</p> <p>The site is sufficient distance from the Natura site</p>
<p>Would the project interfere with mitigation measures put in place for other plans / projects. [Look at <i>in-combination effects</i> with completed, approved but not completed, and proposed plans / projects. Look at projects / plans within and adjacent to Natura 2000 sites and identify them]. Simply stating that there are no cumulative impacts' is insufficient.</p>	<p>No other plans known of in the vicinity of the site.</p> <p>The site is sufficient distance from the Natura site.</p>

Screening can result in:

1. AA is not required because the project is directly connected with / necessary to the nature conservation management of the site.
2. No potential for significant effects / AA is not required.
3. Significant effects are certain, likely or uncertain. (In this situation seek a Natura Impact Statement from the applicant, or reject the project. Reject if too potentially damaging / inappropriate.

Therefore, does the project fall into category 1, 2 or 3 above? **Category 2**

Justify why it falls into relevant category above: **There would be no likely significant impact on Natura site from the proposed development.**

D. Meehan
Exec. Planner

DM

14/1/11

SITE SYNOPSIS

SITE NAME: CHARLEVILLE WOOD

SITE CODE: 000571

Charleville Wood is a large Oak woodland surrounded by estate parkland and agricultural grassland located about 3 km south-west of Tullamore. The site, which is underlain by deep glacial deposits, includes a small lake with a wooded island, and a stream runs along the western perimeter. The woodland is considered to be one of very few ancient woodlands remaining in Ireland, with some parts undisturbed for at least 200 years.

Some 10% of the woodland has been underplanted with conifers and other exotic trees, but the rest of the area is dominated by Pedunculate Oak (*Quercus robur*). Apart from Oak, there is much Ash (*Fraxinus excelsior*) and scattered Wych Elm (*Ulmus glabra*), while Birch (*Betula* spp.) is a feature of the boggy margins. The shrub layer is composed largely of Hazel (*Corylus avellana*), Hawthorn (*Crataegus monogyna*) and Blackthorn (*Prunus spinosa*). The ground layer is varied, including damp flushed slopes with Ramsons (*Allium ursinum*) and drier, more open areas with a moss sward composed largely of *Rhytidiadelphus triquetris*. The fungal flora of the woodland is notable for the presence of several rare Myxomycete species, namely *Hemitrichia calyculata*, *Perichaena depressa*, *Amaurochaete atra*, *Collaria arcyronema*, *Stemonitis nigrescens* and *Diderma deplanata*. A number of unusual insects have also been recorded in Charleville Wood, notably *Mycetobia obscura* (Diptera), a species known from only one other site in Ireland. The site is also notable for the presence of a large population of the rare snail species, *Vertigo moulinsiana*.

Extensive swamps of Bulrush (*Typha latifolia*) and Bottle Sedge (*Carex rostrata*) have developed in the lake shallows. The lake is an important wildfowl habitat – it supports populations of Mute and Whooper Swan and a number of duck species, including Teal, Wigeon, Shoveler, Pochard and Tufted Duck. The wooded island at its centre is famed for its long history of non-disturbance. Hazel, Spindle (*Euonymus europaeus*) and Ivy (*Hedera helix*) reach remarkable sizes here.

Charleville Wood is one of the most important ancient woodland sites in Ireland. The woodland has a varied age structure and is relatively intact with both areas of closed canopy and open areas with regenerating saplings present. The understorey and ground layers are also well represented. Old Oak woodland is a habitat listed on Annex I of the EU Habitats Directive, while the rare snail species, *Vertigo moulinsiana*, is listed on Annex II of this directive. The wetland areas, with their associated bird populations, the rare insect and Myxomycete species contribute further to the conservation significance of the site.

6.12.1999