

**Eve O'Sullivan**

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**Subject:** Application for Licence Nurendale, Cappagh Road, Finglas (W0261-01)  
**Attachments:** Notification of Decision to Grant Permission.pdf

**From:** Jim O'Callaghan [<mailto:jim@ocallaghanmoran.com>]  
**Sent:** 24 April 2014 16:41  
**To:** Ana Bolger  
**Cc:** David Naughton  
**Subject:** Application for Licence Nurendale, Cappagh Road, Finglas (W0261-01)

Dear Ms Bolger,

In the application form we incorrectly indicated that planning permission has been granted for the proposed changes at the site. The planning authority has issued a Notification of Decision to Grant Permission for the changes and a copy of the Notification is attached. The Notice was signed on 9<sup>th</sup> April 2014 and the appeal period is still open. My apologies for the confusion.

○  
Regards,

Jim O'Callaghan

**O'Callaghan Moran & Associates**  
**Environmental & Hydrogeological Consultants**

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O'Callaghan Moran & Associates  
Granary House  
Rutland Street  
Cork

## NOTIFICATION OF DECISION TO GRANT PERMISSION

### PLANNING & DEVELOPMENT ACTS 2000 - 2014 AND REGULATIONS MADE THEREUNDER

<b>Decision Order No.</b> PB/0102/14	<b>Decision Date</b> 8 April, 2014
<b>Register Ref.</b> FW13A/0135	<b>Registered</b> 21 February, 2014

**Applicant** Nurendale Ltd

**Development** Permission for the construction of a new waste recovery building (2030 m<sup>2</sup>), an increase in the amount of waste accepted annually from 200,000 tonnes to 250,000 tonnes, and a change of use to allow the acceptance of municipal solid waste including baling station, relocate weighbridge, portacabin offices, canteen and toilets. The development will require a revision of the Waste Licence granted by the Environmental Protection Agency. The application will be accompanied by an Environmental Impact Statement (EIS).

**Location** Materials Recovery Facility, Cappagh Road, Cappogue, Finglas, Dublin 11

**Floor Area** 2030 Sq Metres

**Time extension(s)** up to and including

**Additional Information Requested / Received** 13-Feb-2014 / 21-Feb-2014

In pursuance of its functions under the above mentioned Act, as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

Bosca 174, Áras an Chontae, Sord, Fine Gall. Co. Bhaile Átha Cliath / P.O. Box 174, County Hall, Swords, Fingal, Co. Dublin  
Swords Office t: Registry (01) 890 5541 Decisions (01) 890 5670 Appeals (01) 890 5724 f: (01) 890 6779  
e: [planning@fingal.ie](mailto:planning@fingal.ie) [www.fingal.ie](http://www.fingal.ie)

Bóthar an Gharráin, Baile Bhlainséir, Átha Cliath 15 / Grove Road, Blanchardstown, Dublin 15  
Blanchardstown Office t: (01) 870 8436 f: (01) 890 5832 e: [blanch.planning@fingal.ie](mailto:blanch.planning@fingal.ie)

## Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application on the 12/12/13 and by further information received on the 21/02/14 save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. This permission authorises the construction of a new waste recovery building (2030 m<sup>2</sup>), an increase in the amount of waste accepted annually from 200,000 tonnes to 250,000 tonnes, and allow the acceptance of municipal solid waste, a baling station, and the relocation of weighbridge, portacabin offices, canteen and toilets.

REASON: in the interest of clarity.

3. The finishes of the proposed structure shall match that of the existing structure on site.

REASON: In the interest of visual amenity.

4. All residual and food waste shall be offloaded, processed, balled and stored internally within a building and no processing or storage of residual or food waste shall take place outside.

REASON: In the interest of amenity of the site and the site surrounds.

5.
  - i) The hours of construction shall be from 8am-7pm Monday to Friday and 8am-1pm Saturdays.
  - ii) No construction activities shall take place on the Sunday
  - iii) In the event where works are necessary to be carried outside the permitted hours of construction Fingal County Council, local residences and business in the area which are likely to be affected by noise shall be notified in advance e.g. in letter or leaflet or advertisement of:
    - Name, address and telephone number of company carrying out works
    - Nature of an reason for works
    - Likely duration and times of work.
  - iv) No outdoor burning shall occur on site.
  - v) During the construction phase all necessary steps shall be taken to contain dust and airborne pollutants arising from the site and to prevent nuisance to persons in the locality. This shall include
    - Covering skips
    - Covering slack heaps
    - Use of water spray to suppress dust
    - Proper paved or hardstand access for trucks and vehicles to and from the site

REASON: In order to prevent air pollution and noise nuisance.

13. No materials to which the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2000, S.I. No.476 of 2000 (Seveso II) applies shall be stored in the proposed premises without the prior grant of planning permission by the Planning Authority or An Bord Pleanala. This shall form a clause in any leasing or sale agreement for the development.

REASON: In the interests of the proper planning and development of the area.

14. That all necessary measures including the provision of wheel wash facilities be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

REASON: To protect the amenities of the area.

15. i) The applicant shall submit a Construction and Demolition Waste Management Plan to the Environment Department for the written agreement prior to the commencement of development at this site. The plan shall be prepared with reference to "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" – Department of the Environment, Heritage & Local Government (2006) and provide information on the management of all construction and demolition waste arising on-site and provide details on the provision for re-use of said material and/or recovery/disposal of this waste using authorised facilities and authorised collectors.
- ii) The applicant shall ensure that all hauliers of waste hold a valid Waste Collection Permit for the waste material collected from the site and that the waste material is delivered to authorised waste recovery/disposal facilities.
- iii) The applicant comply with the requirements of the Waste Management Act 1996 as amended in relation to waste generated as a result of any activity at this site.
- iv) The acceptance and processing of Municipal Solid Waste shall not commence in advance of the applicant holding a valid Waste Licence/revised Waste Licence (W0261-01) for the operation of this activity and the applicant shall comply with all conditions attached to that licence or revised licence.

REASON: In the interest of proper planning and sustainable development

16. Prior to commencement of development the developer shall apply for and sign a connection agreement with Irish Water, where it is proposed to connect to a public water/wastewater network operated by Irish Water. The developer shall adhere to the standards and conditions set out in said agreement.

REASON: In the interests of public health and in order to ensure adequate drainage provision.

17. i) Prior to commencement of development the applicant shall submit for the written agreement of the Planning Authority the exact capacity of the attenuation tank.
- ii) No surface water/rainwater shall discharge into the foul sewer system under any circumstances.
- iii) The surface water drainage shall be in compliance with the "Greater Dublin Regional Code of Practice for Drainage Works Version 6.0" FCC April 2006.

**REASON:** In the interests of public health and in order to ensure adequate drainage provision.

- 18.** The developer shall pay the sum of € 120,466 to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the Contribution Scheme for Fingal County made by the Council. The phasing of payments and the provision of security to ensure payment shall be agreed in writing with the planning authority prior to the commencement of development.

**REASON:** It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting development in the area of the Planning Authority and which is provided, or which is intended to be provided by, or on behalf of the Local Authority.

Note on above Condition:

Please note that with effect from 1st January 2014, Irish Water are now the Statutory Body responsible for both water and waste water services (excluding surface water). Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. A separate charge will be levied by Irish Water in relation to the provision of water and/or wastewater treatment infrastructure and connections to same. Further details are available on the Irish Water website [www.water.ie](http://www.water.ie), Tel. (01) 6021000.

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Signed on behalf of the Fingal County Council

  
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for Senior Executive Officer

9 April, 2014

**NOTES:**

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000. Copies of each compliance submission should be made in triplicate.

The applicant is required to remove Site Notice on receipt of Notification from Planning Authority of decision.

Please note all observations/submissions have been taken into consideration when making this decision.

Please also note that consent under the above Planning legislation does not imply consent under the Building Control Regulations. The onus is on all practitioners to ensure full compliance with the Building Control Regulations (In certain circumstances design changes may require planning permission).

It should be further noted that planning permission is required in respect of changes to a Protected Structure or the exterior of a building in an Architectural Conservation Area which materially affects the character of the building/ structure.

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