

**LOUTH COUNTY COUNCIL**

Planning Section, Town Hall, Crowe Street, Dundalk, County Louth A91 W20C  
Tel:042/9335457 Fax:042/9320080

**PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

**NOTIFICATION OF GRANT OF PERMISSION**

**TO:** Oxigen Environmental  
Merrywell Industrial Estate  
Ballymount Road Lower  
Dublin 22

20/06/2016

**Register Reference Number:** 16210

**Date Application Received:** 07/04/2016

**Description of Development:** Permission for the following development consisting of: a) Lean-to extension of 95m<sup>2</sup> to the front of the existing Waste Recycling Building; b) Installation of Odour Abatement Plant to the existing Waste Recycling Building to include a 20m high stack; c) Associated site services all at the Existing Oxigen Waste Recycling Facility, Coe's Road, Dundalk, Co. Louth. The existing Waste Recycling Facility operates under an EPA Waste Licence Ref: WO144-01.

**Application Type:** PERMISSION

**Name of Applicant:**  
Oxigen Environmental

**Location Address:**  
Coes Road  
Dundalk  
Co. Louth

Permission is hereby granted for the development described above, subject to the 10 conditions set out in the Schedule attached.

*PP J. McUery*  
**Anne D. Callan,**  
**Administrative Officer**

**NOTES**

1. Unless otherwise specified in this decision and subject to certain exceptions, a permission will, on the expiration of a period of five years beginning on the date of grant, cease to have effect as regards:  
(a) in case the development is not commenced during that period, the entire development, and  
(b) in case the development is commenced during that period, so much of the development as is not completed within that period.
2. A grant of Outline Permission will cease to have effect on the expiration of a period of three years beginning on the date of grant, unless a subsequent application for permission has been made within that period.
3. A grant of Outline Permission does not authorise the carrying out of any development. A subsequent grant of Permission must be obtained before development commences.

## LOUTH COUNTY COUNCIL

REFERENCE NO. 16/210

### CONDITIONS

(1) The works shall be carried out in strict accordance with the documents, plans and details lodged with the Planning Authority on 7<sup>th</sup> April 2016, save for the conditions attached below.

**Reason:** In order to regulate the development.

(2) Prior to the commencement of the development hereby permitted, the applicant/developer shall submit details of all external materials, colours and finishes, for the written approval of the Planning Authority. Details shall include manufacturers name, material name and colour type.

**Reason:** In the interests of visual amenities.

#### ***Infrastructure:***

(3) Within 6 months of the grant of this permission, the following shall be agreed with the Planning Authority:

- Details of all proposed mitigatory flood resilience measures e.g. internal floors to have a waterproof finish applied to provide protection to the floor itself and allow for ease of cleaning after a flood event, any proposed surface water outfall manholes to be fitted with a non-return valve etc.

**Reason:** In the interests of protecting property from flooding and in the interests of orderly development.

(4) The applicant/developer shall make all necessary arrangements to apply for and obtain a Road Opening License(s) from Louth County Council in respect of all openings in public areas and shall pay Road Opening License Fees and road restoration costs. The applicant shall abide by the conditions as set out in the said license(s).

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

(5) The applicant/developer shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road/footpath arising from the construction work and shall either make good any such damage forthwith to the satisfaction of Louth County Council or pay to the Council the cost of making good any such damage on a demand thereof being issued by the Council.

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

(6) All necessary measures, as may be determined by the Planning Authority, shall be taken by the developer/contractor/servants/agents to prevent the spillage or deposit of clay, rubble or other debris on adjoining public roads or footpaths during the course of the development works. The developer shall

**REFERENCE NO:16/210**

ensure that all vehicles leaving the development are free from any material that would be likely to deposit on the road and in the event of any such deposition; immediate steps shall be taken to remove the material from the road surface. The developer shall be responsible for the full cost of carrying out of road/footpath cleaning work.

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

***Environment:***

(7) Prior to the commencement of development, the developer shall submit a formal Project Construction and Demolition Waste Management Plan to the local authority for written agreement prior to Commencement Notice stage. This plan shall, inter alia, include the information recommended in sections 3.2, 3.3 and 3.4 of the document titled "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" published by the Department of the Environment, Heritage and Local Government.

**Reason:** In the interests of public health.

(8) On-site construction works shall be limited to the hours of 08:00-20:00 hours Monday-Friday and 08:00- 16:00 on Saturday, and shall exclude Sundays and Bank Holidays. Cognisance should be taken of the requirements of BS 5228 Part 1 1997 (Noise and Vibration control on construction and open sites).

**Reason:** In the interests of public health.

(9) (a) The developers shall, if directed by the Planning Authority, monitor and record noise levels – Leq's and any other levels which may be requested by the Planning Authority (L max etc) during construction stage.

(b) The developer shall if directed by the Planning Authority, monitor and record the total dust emissions arising from all on site operations associated with the proposed development during construction stage.

(c) The number and locations of the monitoring and recording stations for sound and dust deposition necessary to comply with the requirements of Part (a) and (b) of this condition shall be in accordance with the requirements of the Planning Authority for such monitoring of sound and dust deposition.

(d) The Planning Authority shall be afforded access at all reasonable times in order to inspect, examine and check or to have inspected, examined and checked, all apparatus and equipment used or required to carry out monitoring of noise.

**REFERENCE NO:16/210**

(e) The developers shall pay a sum of money to Louth County Council, if demanded, as a contribution towards the costs incurred by the said Council in carrying out, or in having carried out, check monitoring and recording of any, or all, of the matters required to be monitored and recorded by part (a) and (b) of this condition. The amount of contribution and the arrangements for payment of such contribution shall be as agreed between the developers and the Planning Authority.

**Reason:** In the interests of public health.

(10) In accordance with the Council's Development Contribution Scheme 2010 made under the provisions of section 48 of the Planning and Development Act 2000 the developer shall pay a contribution to the Planning Authority, in the amounts specified below (or such increased amount in accordance with the changes on an annual basis to the Wholesale Price Index for building and construction published by the Central Statistics Office ) towards the costs already incurred or to be incurred by the Planning Authority on the provision of each of the public facilities listed below, which will benefit development in the area of the Planning Authority. Unless otherwise agreed in writing with the Planning Authority before development is commenced the said contribution shall be paid in full before such commencement.

(a) Public Piped Services -	€ 1405.05
(b) Roads-	€ 2850.00
(c) Recreation & Amenity	€ 920.55
<b>Total -</b>	<b>€5,175.60</b>

**(Five thousand, one hundred and seventy five euro and sixty cent)**

**Reason:** The provision of these facilities in the area will facilitate the proposed development and it is considered reasonable that the developer should contribute towards their cost.

**Important Notes for Applicants**

1. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes of legislation affecting the proposal.
2. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
3. A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.

**Irish Water Standard Notes**

1. Where the applicant proposes to connect to a public water/wastewater network operated by IW, the applicant must sign a connection agreement with IW prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
  
2. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

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