

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW18A/0079

Register Reference: FW18A/0079

Date of Registration: 24 August, 2018

Correspondence: Stephen Hussey, mckenna & associates High Street,  
Trim, Co. Meath.

CONTRIBUTION	
Standard Levy:	€315,417
Open Space:	
Other:	€20,000 Art works
<b>SECURITY:</b>	
Bond:	AM
Cash:	
Other:	

**Development:** the construction of a single storey waste recovery/transfer building within the site of the existing Materials Recovery Facility. Permission is also sought for all associated site works and services. The proposed development relates to an activity covered by an existing Waste Licence No W0183-01 issued by the Environmental Protection Agency. The proposed development will not require a review of the Waste Licence.

**Location:** Greenstar Materials Recovery Facility, Millennium Business Park, Cappagh Road, Townland of Grange, Ballycoolin, Dublin 71

**Applicant:** David Tobin, Starrus Eco Holdings Ltd

**Application Type:** Permission

**Zoning:** 'GE' General Employment, the objective is to: *Provide opportunities for general enterprise and employment.*

Planning Officers Report:

LM/PK

Report of the Planning Officer dated 19th July, 2018

This is an application by Starrus Eco Holdings Ltd for PERMISSION for the construction of a single storey waste recovery/transfer building within the site of the existing Materials Recovery Facility.

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Permission is also sought for all associated site works and services at Greenstar Materials Recovery Facility, Millennium Business Park, Cappagh Road, Townland of Grange, Ballycoolin, Dublin 11.

Site Description:

The site is located within the Dublin Enterprise Zone. The site is accessed via the existing Greenstar access within Millennium Park, the main portion of the site is located north of the existing materials recovery facility on the overall landholding. To the north and east of the site is Huntstown quarry, to the west of the site is part of Millennium Park which accommodates small scale industrial units, to the south of the site is the existing Greenstar Materials Recovery Facility. A present the site accommodates some level of hard standing and skip and container storage. The eastern and part of the northern boundary are defined by a relatively mature hedgerow. The western boundary is defined by a palisade fence and 2.4m high timber screen fence.

Submissions/Observations:

A submission has been received from the DAA which recommends conditions regarding covering of materials to prevent bird attraction and details of crane use to be agreed with the DAA and IAA.

Reports:

Irish Water: Additional information requested.  
Water Services Report: Additional information requested.  
Transportation Report: Additional information requested.  
Environment: No objection.  
Parks: Additional information requested.  
EHO: Report received, no objection subject to conditions.  
NTA: No report received to date.  
Public Lighting: No report received to date.  
HSA: No report received to date.  
TII: No report received to date.  
EPA: No report received to date.

Pre-Planning:

Pre-planning was had with the area planners, the proposal was considered to be acceptable in principle.

Planning History:

F02A/1474: Planning permission was granted for a phased development of a proposed Waste Materials Recovery Facility and Biowaste Treatment facility including inter alia recovery and transfer

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building, biowaste treatment building, administration building/staff amenity and changing facility, two no. weighbridges and associated control rooms, biowaste office facility, plant and transformer rooms, vehicle maintenance facility, a moveable shed, all associated security and acoustic fencing to site boundaries, fuel tanks and bund walls, hard standings, skip storage, vehicle parking, vehicle wash area and all other associated site works. This project is the subject of an application to the Environmental Protection Agency, for a waste licence, to include activities consisting of 'waste segregation', 'waste recovery', 'waste storage', 'waste transfer into vehicles for removal off-site' and 'waste composting', all of which are described in detail in an accompanying Environmental Impact Statement. All of the relevant waste recovery and waste disposal activities are as per the third and fourth schedules of the Waste Management Act 1996 and The European Communities (Amendment of the Waste Management Act, 1996) Regulations, 1998, (S.I. No 166 of 1998), to which this application relates.

PL 06F.202468: There was a first party appeal regarding conditions, An Bord Pleanála granted permission. (4790sqm materials recovery facility & 6246sqm bio-waste treatment facility). Only the materials recovery facility was constructed on site.

F05A/1764: Permission was granted for the erection of 2 no. high level signs (5.1m X 2.9m X & 2.7m X 1.6M) at Greenstar Material Recovery Facility, Millennium Business Park, Cappagh Road, Townland of Grange, Ballycoolin, Dublin 11, (Ref. Pl. Reg. 02/1474). The proposed signage will be internally illuminated with 1 No. located on the west elevation of the MRF building and 1 No. located on the west elevation of the Administrative Building. The development relates to a site, which will be operated under a Waste Licence granted by the Environmental Protection Agency.

**Fingal Development Plan 2017-2023:**

The subject site is zoned 'GE' General Employment, the objective is to: *Provide opportunities for general enterprise and employment.*

The vision is as follows:

*'Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.'*

Waste disposal and recovery facility (excluding high impact) is a permitted use class within a GE zoning.

***Objective WM04***

*Facilitate the transition from a waste management economy to a green circular economy to enhance employment and increase the value recovery and recirculation of resources.*

***Objective WM09***

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*Promote increased recycling of waste in accordance with the Eastern Midlands Region Waste Management Plan 2015 -2021 (or any subsequent plan).*

#### ***Objective WM14***

*Promote the recovery (including recovery of energy) from waste in accordance with the Eastern Midlands Region Waste Management Plan 2015 -2021 (or any subsequent plan).*

#### **Assessment:**

Having visited the subject site, the drawings and particulars submitted and having regard to the Development Plan objectives I am of the opinion that the main issues to be assessed are as follows:

#### **Principle & EIAR Screening**

The site is zoned GE, Waste disposal and recovery facility (excluding high impact) is a permitted use class within a GE zoning. In my opinion such a facility will be used for the removal or re-use of waste which has a low potential for odour, dust, noise and other nuisance.

An Environmental Impact Statement Screening report has been submitted as part of the planning application. It outlines that the proposed facility will be used to process municipal solid waste and commercial and industrial waste to increase the recycling and recovery rates. All the waste is to be handled and processed inside the proposed building. The waste will be stored inside the building pending transfer. The same plant and equipment that is in the existing facility will process the proposed waste. Additionally, the proposed development will not facilitate an increase in the permitted tonnage of waste per annum on site which is 270,000 tonnes. The proposed development is for processing of dry recyclable materials and stored internally. Having regard to these details it is considered that the proposed development is a low impact waste recovery facility and therefore is considered to be acceptable under the GE zoning.

With regard to EIAR, as mentioned above, a screening report has been submitted as part of the application information. It is stated that the proposed development is to be located within the site of the previously approved 6,246sqm biowaste treatment facility and will not result in an increase in the authorised footprint of the building floor area. Furthermore, the proposed development will not facilitate an increase in the permitted tonnage of waste per annum on site which is 270,000 tonnes. I am satisfied that the proposed development is subthreshold and does not required and EIAR.

#### **Layout and Design:**

The site is accessed via the existing entrance into the Greenstar site. The proposed single storey structure is to be located centrally within the site. The structure will have a floor area of 4700sqm. The structure is to be surrounded by a concrete yard and an overspill car park is proposed along a

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portion of the western boundary. A gravel finished designated empty skip storage area is proposed on the eastern side of the concrete yard and a triangular green open area will be located in the northeastern. A green area is proposed in the north-western part of the site. Supplementary tree planting is proposed along the northwestern boundary of the site. The existing concrete yard area in the southeastern part of the site is to be retained. A 409sqm green space is proposed adjacent to the proposed internal roundabout to facilitate truck/HGV movements between the two buildings on site.

The building is set in a minimum of c.27m from the eastern boundary, c.32m from the western boundary, c.8m from the northern boundary and c.38m from the southern boundary of the application site. The structure is 13.22m in height with a pitched roof. It will be clad in a metal cladding system and the roof will be finished in a darker coloured metal, additionally solar panels will be placed on the roof. Roller shutter doors and pedestrian doors are proposed on each elevation. Internally the building will facilitate waste storage and input storage area. There is no indication of output storage location within the proposed building, this needs to be clarified.

From a visual perspective, the proposed structure is considered to be utilitarian and similar to other structures within the vicinity of the site. Given the location of the site and the existing screening (both natural and timber fencing) the proposed development will not be overly visible within the area. Additional tree planting (10m wide planted buffer) is proposed along part of the north western boundary. The proposed development is considered to be acceptable from a visual perspective.

Landscaping:

No landscape plan has been included as part of the application information. It is noted on the site layout plan that additional tree planting is proposed along part of the north western boundary of the site. A report has been received from the Parks/Operations Section of Fingal County Council requesting additional information. A detailed landscape plan will be requested by way of additional information.

Public Art

The following objective within the Fingal Development Plan 2017-2023 is relevant with regard to public art.

*Objective DMS05*

*Require new residential developments in excess of 100 units and large commercial/retail developments in excess of 2000 sq m to provide for a piece of public art to be agreed with the Council.*

In the event of a favourable decision a condition will be attached to the permission requiring a piece of public art or an appropriate financial contribution in lieu of same.

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Transportation

A report from the Transportation Engineers of Fingal County Council which has stated the following,

*'General*

*The proposed development is located in a 50km/hr speed limit. The proposed 4,700sq.m waste transfer building development would be a less intensive development than the previously approved Bio Waste Treatment facility of 6,246s.sqm in 2003. There would be no increase to the amount of waste (270,000tonnes/year) previously approved.*

*Parking*

*The existing site has good segregation of staff and visitor spaces from the internal HGV movements. The proposed development has an area indicated as overspill car parking the applicant has not given any justification for additional parking. However, based on the GFA of the development additional parking would be allowable. The parking quantum and layout should be defined.*

*Access*

*The development would be accessed via the existing access off the internal roundabout. The existing access has a number of hedgerows adjacent the footpath and the access road. The height of the hedgerow in the vicinity of the pedestrian crossing point across the access would obstruct visibility of pedestrian and should be reduced and maintained at a height not exceeding 900mm.*

*Conclusion*

*The Transportation Planning Section requires the following additional information.'*

This report is noted and additional information in this regard will be sought.

Water Services

A report has been received from Irish Water with additional information requested. Additional information in this regard will be sought.

A report has been received from the Water Services Section of Fingal County Council commenting that insufficient information was submitted with the application regarding surface water. Additional information in this regard will be sought.

Noise & Air:

A report from the Environment Section of Fingal County Council has been received with no objection to the proposed development subject to conditions.

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It is proposed that the facility operates on a 24/7 basis.

A report from the EHO's of Fingal County Council has been received with no objection to the proposed development subject to conditions.

**Appropriate Assessment:**

The site is not in or adjacent to any Natura 200 sites. The nearest Natura 2000 sites are South Dublin Bay and River Tolka SPA, and the Rye Water Valley/Carton Sac, both of which are over 9km to the south and southwest respectively.

Having regard to the nature of the proposed development and distance to the nearest European site, no appropriate assessment issues arise and it is not considered that the development is likely to have a significant effect individually or in combination with other plans or projects on a European site.

**Conclusion:**

There are some outstanding issues which need to be addressed by way of additional information. The following will be sought.

HMCL/PK

Subsequent report of the Planning Officer dated 18th September 2018.

Additional information was requested on 20th July 2018 and a response was received on 24th August 2018. The response was not considered to be Significant Additional Information. The response and assessment is as follows:

1. Please clarify by way of revised ground floor plan where the processed materials are to be stored within a dedicated output storage area internally within the building.

**Applicants' Response:** A revised ground floor plan is submitted showing where the processed materials are to be stored within a dedicated output storage area internally within the building.

**Planners Appraisal:** The revised ground floor plan clearly shows input storage area, and waste processing area. It is noted that all processed materials are to be stored in a dedicated output storage area within the building. The arrangements are considered to be acceptable. It is recommended that a condition be attached to any permission forthcoming that no storage of

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materials, pre-processed or post processed, or processing itself are undertaken outside of the building.

2. i) The applicant is requested to submit a landscape plan prepared by a suitable qualified Landscape Architect. The plan is to include the following:
  - a) All existing trees and hedges to be removed or retained on site shall be clearly marked on the plan.
  - b) Enhancement of the site with additional planting with emphasis on entrances and pedestrian circulation areas.
  - c) Details of hard landscape design (where applicable) for boundaries, (walls, fences, screens), lighting, seating, kerbing, edging and surfacing.
  - d) Details of soft landscape design to include a detailed Planting Plan and Planting Schedule - as appropriate - stating species/varieties, quantities, sizes, and spacings.
- ii) The applicant is requested to submit a landscape management plan including management responsibilities and maintenance schedules for all landscaped areas within the development.

**Applicants' Response:** A Landscape Plan and Landscape Maintenance and Management prepared by Microworks Registered landscape Architect has been prepared to address the above issues.

**Planners Appraisal:** The Parks Division has raised no objection to the details submitted. Having regard to the details submitted it is considered that the proposals contained in the revised landscaping plan and documentation submitted are acceptable subject to condition to secure the implementation and maintenance of same. The requirement of the laurel hedge to be reduced to a height of 900mm above ground level and maintained as such is noted and will be conditioned appropriately.

3. i) The surface water design must comply with the principles of Sustainable Drainage Systems (SuDS) and be in compliance with the GSDSDS (Greater Dublin Strategic Drainage Study) Regional Drainage Policies, Aug 2005. The applicant is requested to demonstrate compliance with design criterion 1 to 4 in this regard.
- ii) There are conflicting references to the site area, i.e. the planning application form (2.5537ha) the planning statement (4.5ha) the engineering report (1.4528ha). The applicant is requested to clarify the site area, with specific reference to the calculation of the greenfield runoff rate used in the surface water design.
- iii) The applicant is requested to submit details of the proposed drainage network, including pipe size, levels, gradient and diameter, up to and including the connection point. All levels must be to Malin Head datum.

**Applicants' Response:**

- i) A letter is submitted from Gordon Mitchell Consulting Engineers confirming that the overall SuDS design was designed with the principles of the GSDSDS design policies.



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- ii) The planning statement referred to the site area of the existing entire development which is 4.5ha. The application site is the Northern part of the existing 4.5 ha facility. The proposed development relates to 2.5537 ha as indicated on the application form and illustrated on the site plan. The total impermeable area of this 2.5537 ha site is 1.4528 ha. The applicant refers to attached surface water calculations prepared by Gordon Mitchell Consulting Engineers.
- iii) A Civils Site layout plan showing full detail of the proposed drainage network has been submitted.

**Planners Appraisal:** The Council's Water Services Engineer has assessed the additional information received and reported that subject to a number of requirements being met no objection is raised. Requirements include the allowable site discharge shall be a maximum of  $Q_{bar}$  or 2 l/s/ha, whichever is the greatest. The developer will be required to submit a detailed calculation in this regard. In addition the portion of the existing site to be developed under this current application needs to be delineated from the remainder of the site for surface water calculation purposes. Overlapping areas shall be clearly indicated and adjusted for in calculations. Furthermore detailed breakdown of the areas contributing to runoff shall be submitted. All areas shall be accounted for and runoff coefficients will be required to be clearly listed and substantiated. In addressing the above the surface water design must comply with the principles of Sustainable Drainage Systems (SuDS) and be in compliance with the GSDS (Greater Dublin Strategic Drainage Study) Regional Drainage Policies, Aug 2005; and the developer must clearly demonstrate compliance with design criterion 1 to 4 in this regard. Also details of the proposed petrol interceptor; and details of the proposed silt trap are required. Finally the rainwater harvesting units should be designed in accordance with BS8515:2009+A1:2013 Rainwater Harvesting Systems – Code of Practice. Note the requirement of the AA type valve for top-up purposes (BS EN 130876). Having regard to the aforementioned, while a number of these matters could have been submitted as part of the Additional Information request it is considered at this stage the requirements can be adequately secured by appropriate conditions.

- 4.
  - i) You are requested to submit water supply layout drawings and details. Irish Water standard details document IW-CDS-5020-01 and Irish Water Code of Practice IW-CDS-5020-03 apply where applicable.
  - ii) You are requested to submit details of the proposed water consumption associated with the operation of the proposed development.
  - iii) You are requested to submit foul drainage layout and details including pipe size, gradient and levels (all levels to AOD Malin). Irish Water standard details document IW-CDS-5030-01 and Irish Water Code of Practice IW-CDS-5030-03 apply where applicable.
  - ii) You are requested to submit detail of the proposed foul discharge associated with the operation of the proposed development.

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**Applicants' Response:** Detail of the proposed water consumption associated with the operation of the proposed development is submitted. The drainage layout and details are contained in the Civils Site layout and the Civils Surface Water & foul Longitudinal Sections submitted.

**Planners Appraisal:** The Additional Information submitted has been assessed and subject to standard conditions Irish Water have raised no objection. In light of the foregoing it is considered that the requirements of Irish water be attached to and grant of permission that may be forthcoming.

5. You are requested to submit:
- i) Details for the additional parking demand.
  - ii) A revised parking layout that provides good segregation of staff and visitor spaces from the internal HGV movements of the development.
  - iii) A drawing detailing the works required to provide pedestrian visibility at the existing main access for HGV's.

The applicant is advised to consult with Niamh O Connor of the Transportation Planning Section at [niamh.oconnor@fingal.ie](mailto:niamh.oconnor@fingal.ie) prior to the submission of additional information.

**Applicants' Response:** The gross floor area (GFA) of the building is 4700m<sup>2</sup>.

i) A warehouse with a GFA of 4700m<sup>2</sup> would generate a requirement to provide 47 parking spaces. We note that this can be reduced by 50 per cent in certain situations.

The proposed development will require large amounts of storage space for input recycling materials and large volumes of output materials and it requires less manual handling than typical Warehouse and distribution development. We therefore submit that a reduced car parking provision of 1 space per 200m<sup>2</sup> is suitable.

1 parking space per 200m<sup>2</sup> of GFA  $4700m^2/200=24$  parking spaces.

The applicant proposes to provide in excess of the 24 parking spaces. The existing facility also has existing visitor parking spaces and accessible parking spaces at the public entrance to the facility and these are fully separate from the HGV entrance

ii) a revised parking layout is submitted.

iii) The works required to provide pedestrian visibility at the existing main entrance access for HGV's is illustrated on the Site layout Plan and landscaping Plan. The existing laurel hedge shall be cut back and lowered to 1m in height.

**Planners Appraisal:** The Additional Information submitted has been assessed by the Transportation Planning Section who has raised no objection subject to conditions. This report is noted and it is considered that the conditions relating to the location and details of the proposed staff crossing; and the reduction in height of the laurel hedge to 900mm (rather than the 1m in height proposed) can be adequately secured by appropriate conditions.

**Updated Reports:**

Transportation: No objection subject to condition.

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Parks: No objection.

Irish Water: No objection subject to condition.

Water Services: No objection subject to conditions.

Schedule of Amendments following consideration of Additional Information.

- Clarification of water and drainage arrangements, vehicular circulation, and landscaping.
- Details of internal floor layout. The overall floor area of the proposed building has not changed as a result of the submission of Additional Information.

### Conclusion

The proposed development is in keeping with the existing development on site and it is considered that it will not detract significantly from the character or amenity of the immediate or wider area. The proposed development is therefore considered to be in accordance with the proper planning and sustainable development of the area.

### RECOMMENDATION

I recommend that a decision to **GRANT PERMISSION** be made under the **PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED** subject to the following (19) condition(s):-

### 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 8th June 2018 and additional information received on 24th August 2018 save as may be required by the other conditions attached thereto.

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

2. Prior to commencement of development a plan and specifications shall be submitted to the Planning Authority for agreement in writing showing the location of the proposed staff crossing point.

Reason: In the interest of proper planning and safety of road users.

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3. All external finishes of the building shall be as specified on the submitted plans and match the existing premises on site unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of visual amenity.

4. The entire premises shall be used for the purposes as detailed in the application and public notices.

Reason: To clarify the extent of the permission.

5. This permission permits the actual amounts of waste to be accepted to the overall premises at an overall limit of 270,000 tonnes per annum which shall not be exceeded. No hazardous waste or liquid wastes shall be permitted.

Reason: To clarify the extent of the permission.

6. The applicant shall comply with the following requirements of the Planning Authority:

i) The landscaping shall be implemented in full as detailed in the Landscape Plan and landscape management Plan and maintenance Schedule submitted.

ii) The height of the laurel boundary hedge shall be reduced and maintained at 900mm in height in the vicinity of the pedestrian crossing of the entrance to the development.

Reason: In the interests of amenity.

7. Prior to the commencement of construction the developer shall submit the following information to the writtensatisfaction of the water services department:

i) The allowable site discharge shall be a maximum of  $Q_{bar}$  or 2 l/s/ha, whichever is the greatest. The developer shall submit a detailed calculation in this regard.

ii) The portion of the existing site to be developed under this current application shall be delineated from the remainder of the site for surface water calculation purposes. Overlapping areas shall be clearly indicated and adjusted for in calculations.

iii) A detailed breakdown of the areas contributing to runoff shall be submitted. All areas shall be accounted for and runoff coefficients shall be clearly listed and substantiated.

iv) The surface water design must comply with the principles of Sustainable Drainage Systems (SuDS) and be in compliance with the GSDS (Greater Dublin Strategic Drainage Study) Regional Drainage Policies, Aug 2005. The developer shall clearly demonstrate compliance with design criterion 1 to 4 in this regard.

v) Details of the proposed petrol interceptor.

vi) Details of the proposed silt trap.

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Reason: In the interest of proper planning and sustainable development.

8. Rainwater harvesting units shall be designed in accordance with BS8515:2009+A1:2013 Rainwater Harvesting Systems – Code of Practice. Note the requirement of the AA type valve for top-up purposes (BS EN 130876).

Reason: In the interest of proper planning and sustainable development.

9. Prior to commencement of development a construction and waste management plan shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interest of proper planning and sustainable development.

10. i) No heavy construction/machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the construction site before 8.00 a.m. to 7.00 p.m., Monday to Friday, and 8.00 a.m. to 1.00 p.m. on Saturdays. No activities shall take place on site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, shall take place on site between the hours of 7.00 p.m. and 8.00 a.m. No deliveries of materials, plant or machinery shall take place before 8.00 a.m. in the morning or after 7.00 p.m. in the evening.
- ii) During construction operations developers shall have regard to B.S.5228: Part 1:1997 'Noise and Vibration control on construction and open sites – Code of practice for basic information and procedures for noise and vibration control'. All equipment used on site shall be fitted with effective silencers and/or sealed acoustic covers. Construction noise levels shall have a threshold value of 65dB LAeq, 1 hr free-field at residential noise sensitive locations in the vicinity of the development.
- iii) If there is any occasion when construction work must be carried out on outside daytime hours, this department, local residents and businesses in areas which are likely to be effected by noise from the proposed works should be notified in advance e.g. in letter or leaflet or advertisement form, of:
- Name, address and telephone number of company carrying out works
  - Nature of and reason for works
  - Likely duration and times of work
- iv) Noise due to the normal operation of the proposed development shall not cause a noise nuisance to nearby noise sensitive locations i.e. shall not exceed the background level by 10dB(A) or more shall not exceed the limits within the Guidance notes for Noise NG4 (whichever is the lesser). Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level
- iv) The development shall be so operated that there will be no emissions of malodours, gas, dust,

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fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity. There should be no noise or vibration emissions breaking through from the unit to any other unit or residence.

Reason: To protect the amenities of the area.

11. No later than six weeks prior to the commencement of development the developer shall submit in writing with the Dublin Airport Authority and Irish Aviation Authority details of proposals for crane operations.

Reason: In the interest of public safety.

12. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of works.

Reason: To protect the amenities of the area.

13. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays unless otherwise agreed in writing with the Planning Authority.

Reason: In order to protect the amenities of the area.

14. All service cables associated with the proposed development (such as electrical, public lighting cables etc.) shall be run underground within the site.

Reason: In the interest of orderly development and visual amenities of the area.

15. No outdoor storage of materials, pre and post processing stages, is permitted. All storage and processing is to be wholly contained within the building.

Reason: In the interest of public health and to deter bird attraction.

16. Any organic or putrescible waste that may come to be present on the site, whether intentionally or otherwise, even for a short period of time, should be stored under cover in an area inaccessible to birds, pending removal from the site.

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Reason: In the interest of aircraft safety.

17. Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicants shall sign a connection agreement with Irish Water prior to the commencement of the development.

REASON: In the interest of proper planning and sustainable development.

18. Prior to operation of the proposed development the applicant shall agree to install a piece of public art at or within the vicinity of the site, full details of which shall be agreed in writing with the Planning Authority; or alternatively a contribution of €60,000 be lodged with the Planning Authority as a contribution in lieu for art works to be undertaken within the vicinity of the site.

Reason: To comply with the provisions of the Fingal Development Plan.

19. The developer shall pay the sum of € 315,417 (updated at date of commencement of development, in accordance with changes in the Tender Price Index) 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 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.

Notes:

The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

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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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COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW18A/0079

Harry McLaughlin  
Senior Executive Planner  
19/09/18

Endorsed: [Signature]  
Administrative Officer 19.09.18

Order: A decision pursuant to Section 34 of the PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED to GRANT PERMISSION for the above proposal subject to the (10) condition(s) set out above is hereby made.

19/09/18

Noted: Noel Cooney  
Senior Planner 20.09.18

Dated 20 September, 2018

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[Signature]  
Director of Services

14/9/2018  
Thereunto empowered by order of the Chief Executive, Fingal County Council C.E. No. 7277.  
delegating to me all his powers, functions & duties in relation to the council of the County of Fingal in respect of this matter.



Stephen Hussey,  
McKenna & Associates  
High Street, Trim  
Co. Meath

Notification of Grant of Permission  
PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED

Final Grant Order No.: PF/1677/18	Date of Final Grant : 31-Oct-2018
Decision Order No. : PB/0454/18	Date of Decision: 20-Sep-2018
Register Reference: FW18A/0079	Registration Date : 24-Aug-2018

Applicant: David Tobin, Starrus Eco Holdings Ltd

Development: the construction of a single storey waste recovery/transfer building within the site of the existing Materials Recovery Facility. Permission is also sought for all associated site works and services. The proposed development relates to an activity covered by an existing Waste Licence No W0183-01 issued by the Environmental Protection Agency. The proposed development will not require a review of the Waste Licence.

Location: Greenstar Materials Recovery Facility, Millennium Business Park, Cappagh Road, Townland of Grange, Ballycoolin, Dublin 11

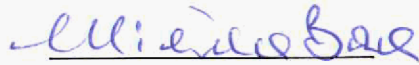
Submitted Floor Area: 4700 sq.m.

Time extension(s) up to and including

Additional Information Requested / Received 20-Jul-2018 / 24-Aug-2018

Permission has been granted for the development described above, subject to the (19) condition(s) on the attached pages.

Signed on behalf of the Fingal County Council

  
for Senior Executive Officer

31-Oct-2018

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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 8th June 2018 and additional information received on 24th August 2018 save as may be required by the other conditions attached thereto.

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

2. Prior to commencement of development a plan and specifications shall be submitted to the Planning Authority for agreement in writing showing the location of the proposed staff crossing point.

Reason: In the interest of proper planning and safety of road users.

3. All external finishes of the building shall be as specified on the submitted plans and match the existing premises on site unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of visual amenity.

4. The entire premises shall be used for the purposes as detailed in the application and public notices.

Reason: To clarify the extent of the permission.

5. This permission permits the actual amounts of waste to be accepted to the overall premises at an overall limit of 270,000 tonnes per annum which shall not be exceeded. No hazardous waste or liquid wastes shall be permitted.

Reason: To clarify the extent of the permission.

6. The applicant shall comply with the following requirements of the Planning Authority:
  - i) The landscaping shall be implemented in full as detailed in the Landscape Plan and landscape management Plan and maintenance Schedule submitted.

- ii) The height of the laurel boundary hedge shall be reduced and maintained at 900mm in height in the vicinity of the pedestrian crossing of the entrance to the development.

Reason: In the interests of amenity.

7. Prior to the commencement of construction the developer shall submit the following information to the written satisfaction of the water services department:
- i) The allowable site discharge shall be a maximum of  $Q_{bar}$  or 2 l/s/ha, whichever is the greatest. The developer shall submit a detailed calculation in this regard.
  - ii) The portion of the existing site to be developed under this current application shall be delineated from the remainder of the site for surface water calculation purposes. Overlapping areas shall be clearly indicated and adjusted for in calculations.
  - iii) A detailed breakdown of the areas contributing to runoff shall be submitted. All areas shall be accounted for and runoff coefficients shall be clearly listed and substantiated.
  - iv) The surface water design must comply with the principles of Sustainable Drainage Systems (SuDS) and be in compliance with the GDSDS (Greater Dublin Strategic Drainage Study) Regional Drainage Policies, Aug 2005. The developer shall clearly demonstrate compliance with design criterion 1 to 4 in this regard.
  - v) Details of the proposed petrol interceptor.
  - vi) Details of the proposed silt trap.

Reason: In the interest of proper planning and sustainable development.

8. Rainwater harvesting units shall be designed in accordance with BS8515:2009+A1:2013 Rainwater Harvesting Systems – Code of Practice. Note the requirement of the AA type valve for top-up purposes (BS EN 130876).

Reason: In the interest of proper planning and sustainable development.

9. Prior to commencement of development a construction and waste management plan shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interest of proper planning and sustainable development.

10. i) No heavy construction/machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the construction site before 8.00 a.m. to 7.00 p.m., Monday to Friday, and 8.00 a.m. to 1.00 p.m. on Saturdays. No activities shall take place on site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, shall take place on site between the hours of 7.00 p.m. and 8.00 a.m. No deliveries of materials, plant or machinery shall take place before 8.00 a.m. in the morning or after 7.00 p.m. in the evening.
- ii) During construction operations developers shall have regard to B.S.5228: Part 1:1997 'Noise and Vibration control on construction and open sites – Code of practice

for basic information and procedures for noise and vibration control'. All equipment used on site shall be fitted with effective silencers and/or sealed acoustic covers. Construction noise levels shall have a threshold value of 65dB LAeq, 1 hr free-field at residential noise sensitive locations in the vicinity of the development.

iii) If there is any occasion when construction work must be carried out on outside daytime hours, this department, local residents and businesses in areas which are likely to be effected by noise from the proposed works should be notified in advance e.g. in letter or leaflet or advertisement form, of:

- Name, address and telephone number of company carrying out works
- Nature of and reason for works
- Likely duration and times of work

iv) Noise due to the normal operation of the proposed development shall not cause a noise nuisance to nearby noise sensitive locations i.e. shall not exceed the background level by 10dB(A) or more shall not exceed the limits within the Guidance notes for Noise NG4 (whichever is the lesser). Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level

iv) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity. There should be no noise or vibration emissions breaking through from the unit to any other unit or residence.

Reason: To protect the amenities of the area.

11. No later than six weeks prior to the commencement of development the developer shall submit in writing with the Dublin Airport Authority and Irish Aviation Authority details of proposals for crane operations.

Reason: In the interest of public safety.

12. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of works.

Reason: To protect the amenities of the area.

13. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays unless otherwise agreed in writing with the Planning Authority.

Reason: In order to protect the amenities of the area.

14. All service cables associated with the proposed development (such as electrical, public lighting cables etc.) shall be run underground within the site.

Reason: In the interest of orderly development and visual amenities of the area.

15. No outdoor storage of materials, pre and post processing stages, is permitted. All storage and processing is to be wholly contained within the building.

Reason: In the interest of public health and to deter bird attraction.

16. Any organic or putrescible waste that may come to be present on the site, whether intentionally or otherwise, even for a short period of time, should be stored under cover in an area inaccessible to birds, pending removal from the site.

Reason: In the interest of aircraft safety.

17. Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicants shall sign a connection agreement with Irish Water prior to the commencement of the development.

REASON: In the interest of proper planning and sustainable development.

18. Prior to operation of the proposed development the applicant shall agree to install a piece of public art at or within the vicinity of the site, full details of which shall be agreed in writing with the Planning Authority; or alternatively a contribution of €60,000 be lodged with the Planning Authority as a contribution in lieu for art works to be undertaken within the vicinity of the site.

Reason: To comply with the provisions of the Fingal Development Plan.

19. The developer shall pay the sum of € 315,417 (updated at date of commencement of development, in accordance with changes in the Tender Price Index) 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 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.

Notes:

The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

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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**NOTE:**

All buildings must now be designed and constructed in accordance with the Building Regulations. The Building Control (Amendment) Regulations, 2009 came into effect on 1st October 2009.

With the exception of houses and certain agricultural buildings, a Fire Safety Certificate/Revised FSC (please refer to Regs) is required for all buildings (including apartments and flats), extensions and alterations and changes of use which are covered by the Building Regulations.

A Commencement Notice (Building Control Regulations 1997 to 2009) must be submitted to the Building Control Authority (not less than 14 days and not more than 28 days before development commences) in respect of all buildings other than

- Buildings which require a Fire Safety Certificate under the Regulations and where a person intends to commence work on the construction of a building before grant of the relevant Fire Safety Certificate. (See 7 Day Notice below)
- Exempted development for the purposes of the Planning and Development Act 2000 and the Regulations made thereunder.



**Disability Access Certificates/Revised Disability Access Certificates:-**from the 1st of January 2010, a certificate of compliance with respect to Part M of the Second Schedule of the Building Regulations (Disability Access Certificate) shall be required in respect of all works or a building to which Part III (Fire Safety Certificates) refers.

A 7 Day Notice is required where a person intends to commence work on the construction of a building before grant of the relevant Fire Safety Certificate. The Notice must be submitted not less than 7 days in advance of commencement of work and must be in accordance with the requirements of Article 20A(2) of the Regulations.

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Please submit 5 copies of all documentation in relation to compliance submissions. Failure to comply with a condition of the planning permission is an offence under Section 151 of the PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED.

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## Information Note - Public Water and Waste Water Networks

### Connections

On the 1<sup>st</sup> of January 2014 Irish Water became the statutory body with the responsibility for all water services, both water and waste water. The provision of a water services connection will be carried out by Irish Water in partnership with each Local Authority.

Any persons seeking a connection to any of Irish Water's networks should make an application in the first instance to their Local Authority who will act on behalf of Irish Water in processing the application.

A Connection Agreement between Irish Water and the applicant will be required, prior to any connection being agreed, and will set out the conditions and charges to be applied to the connection. Details, including availability of application forms, are to be found on each Local Authority website.

It should be noted that Planning Authorities can no longer levy water and wastewater development charges and that these will now be incurred as part of the connection charge, if applicable.

Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network, either directly or indirectly, or to otherwise take a water supply without the agreement of Irish Water.

Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Irish Water.