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

Final Grant Order No.: PF/1770/19	Date of Final Grant : 03-Dec-2019
Decision Order No. : PB/0509/19	Date of Decision: 24-Oct-2019
Register Reference: FW19A/0145	Registration Date : 30-Aug-2019

Applicant: Starrus Eco Holdings Ltd

Development: An amendment to Permission Reg. Ref FW18A/0067 to remove Condition 2b that limits the extended operational hours to 1 year from the final grant of permission. The proposed development relates to an activity covered by an existing Industrial Emissions Licence (W0260-02) issued by the Environmental Protection Agency.

Area: Blanchardstown Mulhuddart

Location: Panda Materials Recovery Facility, Cappagh Road, Cappagh Townland, Finglas, Dublin 11

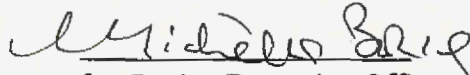
Submitted Floor Area: sq.m.

Time extension(s) up to and including

Additional Information Requested / Received 04-Sep-2019 /

Permission has been granted for the development described above, subject to the (8) condition(s) on the attached pages.

Signed on behalf of the Fingal County Council


for Senior Executive Officer

03-Dec-2019

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application 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. Notwithstanding the amendment to the hours of operation of the facility hereby permitted, the development shall be carried out, completed and operated in accordance with the terms and conditions of all planning permissions relating to this site, in particular FW18A/0067, FW13A/0135, F07A/0954 and F05A/1156 and any agreements entered into thereunder, insofar as these are applicable.

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

3. The following shall be complied with:

(a) The hours of operation of the facility as outlined in red on Drawing No. 18139-200 submitted to the Planning Authority on the 30th August 2019 shall be extended to 24 hours 7 days a week.

(b) This permission shall be for a temporary period of three years only from the final grant of permission, after which time the extended operational hours hereby approved shall cease and the facility shall operate within the operational hours approved under F05A/1156 and F07A/0954, unless before that date permission for the continuation of the extended operating hours is granted by the Planning Authority or by An Bord Pleanála on appeal.

REASON: To afford the Planning Authority an opportunity to review the operation of the facility at the end of the permitted period

4. The subject development shall be operated in compliance with the following requirements,

- a. An acoustic assessment shall be carried out by a competent qualified person should a noise nuisance complaint arise relating to the extended hours and suitable mitigation measures shall be put in place to abate any noise nuisance.
- b. Noise due to the normal operation of the proposed development shall not cause a noise nuisance to nearby noise sensitive locations and shall not exceed the

background level by 10dB(A) or more or exceed NG4 limits whichever is lesser.

Daytime (07:00 to 19:00 hrs) - 55dB

Evening (19:00 to 23:00 hrs) - 50dB

Night-time (23:00 to 07:00 hrs) - 45dB (measured from nearest noise sensitive location).

c. 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.

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

5. That all necessary measures 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 on the subject site.

REASON: To protect the amenities of the area.

6. That all public services to the proposed development, including electrical and telephone cables and associated equipment, be located underground throughout the entire site area.

REASON: In the interest of amenity.

7. No advertising, signage or other publicity material shall be posted in or around the front façade of this development including that which is exempted development under the Planning and Development Regulations 2001 (as amended) without the prior receipt of planning permission by the Planning Authority, or from An Bord Pleanála on appeal.

REASON: In the interests of visual amenity and the proper planning and sustainable development of the area

8. No materials to which the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006, S.I. No. 74 of 2006 (Seveso II) applies or any updated regulations shall be stored in the proposed premises without the prior grant of planning permission by the Planning Authority or An Bord Pleanála. This shall form a clause in any leasing or sale agreement for the development.

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

Note:

1. The developer 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.

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.



Information Note - Public Water and Waste Water Networks

Connections

On the 1st 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.