

DEPUTY PLANNING OFFICER

APPLICATION NO.	2826/20
PROPOSAL	Permission for the development of a small-scale Healthcare Waste Management Facility. The applicant intends on accepting its own waste bins on-site which they supply to domestic customers for processing and sterilization. A maximum of 20 tonnes of these waste bins will be accepted on-site per annum. Sharps waste (contained in the bins) will be temporarily stored on-site in regulated containers before being dispatched to an appropriate third-party waste treatment facility. The empty bins will be put through a sterilization process on-site. A small processing area consisting of wash room and a clean room will be developed at the existing premises for the purposes of carrying out this activity. Cleaned bins will then be reused by the applicant in the course of their business. A small waste storage area will be contained within the wash room. The proposed development constitutes a waste activity under the waste management act. Thus, a waste licence application will be required for the proposed activity. An application for a waste licence will be made to the EPA in conjunction with the submission of a planning application to the planning authority.
LOCATION	Unit 18, Naas Road Business Park, Muirfield Drive, Naas Road, Dublin 12 (Eircode D12 PF63)
APPLICANT	HealthBeacon Limited
DATE LODGED	29-Sep-2020
ZONING	
APPLICATION TYPE	Permission

GF/CS**Site Notice:**

Site notice(s) in order on the 29h June 2020

Pre Planning Meeting(s):

No pre-planning advice took place in relation to this application.

Zoning & Policy:

The subject site has the Land Use Zoning Objective Z14, Strategic Development and Regeneration Areas (SDRAs) 'To seek the social, economic and physical development and/or rejuvenation of an area with mixed use, of which residential and 'Z6' would be the predominant uses.'

The site is located within Strategic Development and Regeneration Area 5 (SDRA)- Naas Road and is also located within the boundary of the Naas Road LAP 2013.

Site Description:

The subject site is a two storey end of terrace light industrial/commercial unit located within the Naas Road Business Park. The site is situated to the south of the Naas Road and the Luas Red Line and is surrounded by other similar commercial/warehouse units.

Proposed Development:

Planning permission sought for the development of a small-scale Healthcare Waste Management Facility. The applicant intends on accepting its own waste bins on-site which they supply to domestic customers for processing and sterilization. A maximum of 20 tonnes of these waste bins will be accepted on-site per annum. Sharps waste (contained in the bins) will be temporarily stored on-site in regulated containers before being dispatched to an appropriate third-party waste treatment facility. The empty bins will be put through a sterilization process on-site. A small processing area consisting of wash room and a clean room will be developed at the existing

premises for the purposes of carrying out this activity. Cleaned bins will then be reused by the applicant in the course of their business. A small waste storage area will be contained within the wash room. The proposed development constitutes a waste activity under the waste management act. Thus, a waste licence application will be required for the proposed activity. An application for a waste licence will be made to the EPA in conjunction with the submission of a planning application to the planning authority.

Planning History:

The following planning history relates to the subject site:

1876/97 Permission granted to extend first floor of previously granted block.

Observations/Submissions:

Final date for observations was the 13th July 2020. No submissions were received in relation to this application.

Interdepartmental Report(s):

Drainage Division: Report dated 8th July 2020. No objection subject to conditions.

Roads & Traffic Planning Division: Report date 20th July 2020. Additional Information requested.

Environmental Health: Comments received noting that the development requires a waste licence permit from the EPA.

Consultee's /Interested Parties:

Irish Water: No report to date.

TII: Comments dated 7th July 2020. No observations to make.

Planning Assessment:

The applicant proposes to provide a small-scale Healthcare Waste Management Facility on the site. The applicant intends on accepting its own waste bins on-site which they supply to domestic customers for processing and sterilization.

The applicant states that a maximum of 20 tonnes of these waste bins will be accepted on-site per annum. Sharps waste (contained in the bins) will be temporarily stored on-site in regulated containers before being dispatched to an appropriate third-party waste treatment facility. The empty bins will be put through a sterilization process on-site.

In order to carry out this activity a processing clean room and separate wash room are proposed within the existing unit. Cleaned bins will then be reused by the applicant in the course of their business. A small waste storage area will be contained within the wash room.

The proposed development constitutes a waste activity under the Waste Management Act. It is noted that the Environmental Health Officer states that a waste licence permit from the EPA is required for the development. In this regard, the applicant states that an application for a waste licence will be made to the EPA in conjunction with the submission of a planning application.

The report from the Transportation Planning Division notes that insufficient information has been submitted to enable a proper assessment of the proposed development from a transportation point of view. The applicant has not submitted any information in relation to the vehicular movements associated with the proposed use. In order to assess the application, the Division requires further information including the type and frequency of vehicular movements and associated auto tracking.

The uses of the other units are not set out in the documentation received. It is considered that the applicant should be requested to submit information regarding these uses and the compatibility of the proposed use with those existing. The applicant should also consider what impact from a transport perspective that they would have on these units.

Having regard to the above it is considered that the following additional information should be sought in relation to the development.

Flood Risk Assessment

The subject site is located in Flood Zone C. It is noted that the Drainage Division has no objection to the development subject to conditions.

Appropriate Assessment:

The development has been screened for AA. It has been found that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

Environmental Impact Assessment Report (EIAR) Screening

Having regard to the relevant thresholds set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended) regarding mandatory EIAR provision for this form of development, it is considered that the subject proposal comprises a subthreshold development.

Development which is below the threshold of requiring an EIAR as set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended) may still require an EIA, which would be documented in an Environmental Impact Assessment Report (EIAR).

The stated key issue for the competent/consent authorities in the context of the possible need for an EIAR regarding sub-threshold developments is 'whether or not such development is likely to have significant effects on the environment'. The stated criteria for determining whether a development would or would not be likely to have significant effects on the environment are:

- Characteristics of the Proposed Development;
- Location of the Proposed Development, and;
- Characteristics of Potential Impacts.

It is considered that a sub threshold EIAR is not required for the proposed development as there are no "significant effects" associated with the proposed development, primarily due to its characteristics (being significantly below all of the appropriate thresholds) and location (substantially within the existing built context of a well-established industrial area).

ADDITIONAL INFORMATION REQUEST AND RESPONSE

The following AI was requested and a response was submitted on 29nd September 2020 (AI request is highlighted in bold):

Interdepartmental Reports

Transportation Planning Division: Report dated 19th October 2020. No objection subject to conditions.

Additional Information Assessment

1. Insufficient information has been submitted with the application to enable a proper assessment of the proposed development from a transportation point of view. The applicant is therefore requested to submit the following information:

- **Type of vehicles that will serve the proposed use and frequency of vehicular movements;**
- **Auto tracking of vehicular movements for each type of vehicle;**
- **A description of uses of the existing units within the Business Park and the vehicular activity that they generate. The applicant should indicate if the proposed use would have any transport impact on the existing uses and therefore whether this use is compatible with the existing.**

The Transportation Planning Division has reviewed the additional information provided by the applicant and notes that the frequency of deliveries/ collection at the site is twice weekly using a small commercial vehicle during normal business hours. The vehicle will enter the premises through a roller shutter and will be unloaded and then will exit. There is no requirement for parking. The volume of each delivery is estimated as 300kilos. The applicant does not envisage any impact on existing staff parking or other deliveries within the Business Park. The information provided addresses the AI request satisfactorily and it is considered that the proposed use is acceptable in terms of transportation issues.

Conclusion:

It is considered that the additional information submitted addresses the concerns raised. Subject to compliance to conditions the proposal is deemed acceptable and accords with the development standards of the Dublin City Development Plan 2016-2022 and thus the proper planning and sustainable development of the area.

Recommendation:

I recommend that permission be granted subject to the following conditions:

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made there under are concerned the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, as amended by the Further Information received on 29th September 2020, save as may be required by the conditions attached hereto.

For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The developer shall comply with the following requirements of the Transportation Planning Division of Dublin City Council;

- a) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer.
- b) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: To ensure a satisfactory standard of development.

3. The developer shall comply with the following requirements of the Drainage Division of Dublin City Council;

- a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads).
- b) There shall be no discharge of trade effluent public sewers except under and in accordance with a licence granted by Sanitary Authority as required by the Local Government (Water Pollution) Acts, 1977 and 1990.

Reason: To ensure a satisfactory standard of development.

4. Prior to the commencement of the development the applicant shall submit a waste licence permit from the EPA for the written agreement of the Environmental Health Officer.

Reason: To ensure a satisfactory standard of development

5. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

6. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00a.m. to 6.00p.m.

Saturday - 8.00a.m. to 2.00p.m.

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

7. Noise Levels

(a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

8. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

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