



O'Callaghan Moran & Associates
Granary House
Rutland Street
Cork

**Notification of Grant of Permission
PLANNING & DEVELOPMENT ACTS 2000 - 2014 AND REGULATIONS MADE
THEREUNDER**

Final Grant Order No. PF/0524/14	Date of Final Grant 12-May-2014
Decision Order No. PB/0102/14	Date of Decision 08-Apr-2014
Register Reference FW13A/0135	Registration Date 21-Feb-2014

Applicant Nurendale Ltd

Development Permission for the construction of a new waste recovery building (2030 m²), 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 a 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.m.

Time extension(s) up to and including

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

A **Permission** has been granted for the development described above, subject to the **(18)** condition(s) on the attached pages.

Signed on behalf of the Fingal County Council


12th May, 2014
for **Senior Executive Officer**

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 m²), 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.

6. The hours of acceptance of waste and operation shall be 6am to 11pm for waste acceptance and operations between 7am and 9pm Monday to Saturday only.

REASON: In the interest of clarity.

7. That the proposed facility shall be not available for use directly by members of the general public.

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

8. Prior to the commencement of development details of the Odour Control Abatement System in Building A1 shall be submitted for the written agreement of the Planning Authority.

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

9.
 - i) The landscaping/tree planting indicated on drawing no. 6420 (A1) received on the 12/12/13 shall be completed in full no later than the first planting season after the final grant of planning permission.
 - ii) The tree pit design shall be as per the design indicated on the Sketch A submitted on the 21/02/14.

REASON: To the interest of visual amenity and ensure the landscaping is carried out within a reasonable timeframe.

10.
 - i) Prior to the commencement of development the applicants shall submit for the written agreement of the Planning Authority a location and height of an outdoor skip storage area (if any).
 - ii) This skip storage area (if any) and waste storage area shall not be visible from the Cappagh Road.
 - iii) Any skips currently stored externally on site shall be relocated internally within the existing building or off site until such time as the location and height of the skip storage area has been agreed in writing with the Planning Authority.

REASON: In the interest of visual amenity.

11. No advertising sign or structures shall be erected on the site without prior approval of the Planning Authority.

REASON: In the interests of visual amenity.

12. That all public services to the proposed structure, including electrical, telephone cables and equipment be located underground throughout the entire site.

REASON: In the interest of amenity.

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 Pleanála. 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, Tel. (01) 6021000.

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 and Development Act 2000.

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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.