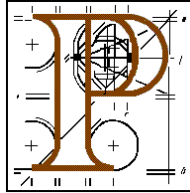


An Bord Pleanála



Inspector's Report

Development: Extension of operational hours and increase in material volumes accepted at an existing, material recovery facility. Sarsfield Court Industrial Estate, Glanmire County Cork

Planning Application

Planning Authority: Cork County Council
Planning Authority Reg. Ref.: 06/9718
Applicant: Glyntown Enterprises Ltd
Type of Application: Permission
Planning Authority Decision: Grant Permission + Conditions

Planning Appeal

Appellant(s): Same
Type of Appeal: First Party V Conditions
Observers: None
Date of Site Inspection: August 2007

Inspector: Keiron L Dunn

PROPOSAL SITE DESCRIPTION

The Sarsfieldcourt Industrial Estate is accessed off the R616 approximately 2km west of the N7 National Primary Route and 5 km north of Glanmire village. The main road to Cork does not pass through the village. It is a large industrial estate containing a number of businesses and the appeal site is in the middle of the estate. The application seeks an extension of operational hours from 07:00 to 19:00 to 24 hours per day and increase in material volumes accepted from 5,000 tonnes to 30,000 tonnes at an existing materials recovery facility.

PLANNING HISTORY

None

PLANNING POLICY

None relevant

DECISION OF PLANING AUTHORITY

On 4 April 2007 Cork County Council made the decision to grant permission in accordance with the plans and particulars submitted by the applicant on 11 August 2006 subject to 15 conditions including.

No deliveries to and from the site shall be via Glanmire Village.

There shall be no storage at any time within the open areas of the site.

Noise levels emanating from the proposed development when measured at the site boundaries shall not exceed 55 dB (15 minute Leq) between 08:00 hours and 20:00 hours, Monday to Saturday inclusive, and shall not exceed 45 dBA (15 minute Leq) at any other time.

If the noise contains a discrete, continuous note (whine, hiss, screech, hum, etc) or if there are distinct impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of +5 dBA shall be applied to the measured noise level and this increased level shall be used in assessing compliance with the specified levels.

GROUNDS OF APPEAL

The following conditions are under appeal

Condition 3: No deliveries to and from the site shall be via Glanmire Village

The facility accepts wastes collected by waste contractors and delivered by waste producers from the Cork City and County area including Glanmire village and

surrounding areas. Depending of the source of the materials, various routes are used to access the facility, with the main one being the R616 connecting to the N8 (which does not go through Glanmire Village).

The waste is delivered in average loads of 6 tonnes, equating to 12 daily delivery vehicles. The facility will consign materials in 20 tonne loads, which equates to 4 vehicles.

At present the vehicles carrying waste from the facility pass through Glanmire Village on route to Tivoli Docks in Cork city. In order to minimise the impact of traffic on the local road network it was proposed to discontinue this route and that, as an alternative, materials consigned from the facility will only use the main Cork – Dublin road (N8). Therefore no materials consigned from the Facility will travel through Glanmire Village. In order to ensure that this is implemented the applicant will require all haulage contractors to commit to this specified route in their individual contracts with the company.

The applicant also proposed to direct all waste from the east Cork area to travel via the Dunkettle roundabout and the N8 to the site, thereby avoiding Glanmire Village. This equates to approximately 20% of the proposed traffic volumes at maximum capacity.

Traffic from Cork City and the waste collectors serving the Glanmire and surrounding areas would continue to pass through Glanmire Village. This equates to approximately 10-11 vehicles daily. The prohibition of vehicles passing through Glanmire village will result in an additional 15-20 km on the trip.

It is requested that this Condition be revised to restrict the consignment of materials from the facility from passing through Glanmire Village only. Deliveries to the facility will continue to use Glanmire Village when required.

Condition 6: There shall be no storage at any time in the open areas of the site

The waste types accepted are controlled under the Waste Management Permit issued by Cork County Council. No putresible or hazardous materials of environmental significance are accepted or handled at the facility.

The proposed increase in materials accepted at the facility and the increase in operational hours will not alter the existing materials handling methodologies. The facility will accept pre-segregated and mixed dry recyclables. Materials that are already baled are off-loaded in a canopy area and stored either inside the building, under the canopy or in open paved areas. The external storage of these materials presents no potential negative risk of impacts on the vicinity.

There is no unloading or storage of unprocessed materials externally. It is requested that the Condition be revised to allow the continued external storage of processed dry recyclables.

Condition 9: Noise levels emanating from the proposed development when measured at the site boundary shall not exceed 55dBa (15 minute Leq) between 08:00 hours and

20:00 hours Monday to Saturday and shall not exceed 45 dBa (15 minute Leq) at any other time. Measurements shall be made in accordance with ISO Recommendations R1996/1 'Acoustics description and measurement of environmental noise Part 1 Basic quantities and procedures (Ref BS 4142 Section 7.2).'"

The facility is bound to the north by the industrial estate access road and a commercial operation and on the other three sides by other commercial/industrial operations. The nearest noise sensitive locations to the facility are a residential dwelling located approximately 350m north west and a recently constructed residential dwelling approximately 350m south west of the facility. Noise surveys and prediction modelling have established that the increase in waste volumes and extended hours of operation will not result in negative noise impacts at the nearest noise sensitive locations.

It is proposed to carry out annual day and night-time noise monitoring at the site boundary and at noise sensitive locations.

It is requested that the emission limits specified in Condition 9 be revised to apply to the noise sensitive locations and not at the site boundary.

COMMENTS BY LOCAL AUTHORITY

The critical issues herein relate to the local impacts from the operation and the wider impacts (primarily on traffic impacts on Glanmire Village).

It is proposed that 90% of all deliveries of waste to the site shall occur between the hours of 0700 and 1900, Monday to Saturday, with some limited capacity to cater for deliveries outside of these hours. Having regard to the nature of the business – bring sites, etc sometimes need to be emptied to facilitate use at peak times, this is acceptable, provided only limited deliveries are made outside of the stated hours. The operator shall be required to keep a delivery log of all deliveries to be made available to the Planning authority for inspection if required.

Other local issues such as noise are addressed in the applicant's submission and meet the accepted standard requirements for the Environmental Department. The mitigating measures identified in the consultant's report shall be implemented in full and included by condition – e.g. no plant operation in the yard area at night.

Subject to the following conditions, there is no planning objection.

ENVIRONMENT DEPARTMENT PLANNING REPORT

Recommend noise condition that is attached to decision. In addition they indicated that;

Noise monitoring including night time noise monitoring, shall be carried out following commissioning of the proposed development, annually, and at the nearest noise sensitive receptors.

Doors shall be kept closed during night time operations. In particular all doors on the western facades to be kept closed. Access to the building shall be provided via pedestrian doors only.

Waste Permit issued under The Waste Management Act 1996 to 2003

The permit holder shall take adequate steps to minimise noise from the development and shall have regard to BS 5228, 1997 Noise Control on construction and Open sites. During permitted operating hours noise levels shall not exceed 55 dBA (Leq) inclusive of 5dBA penalty for tone or impulse if appropriate.....Noise shall not exceed 45dBA at any other time.

The permit is subject to noise conditions similar to those on the permission.

OBSERVERS

None

ASSESSMENT AND RECOMMENDATION

The appeal concerns three conditions and I consider that there is no reason to consider the rest of the application.

Condition 3 regarding prohibiting traffic through Glanmire Village is not unduly onerous for most journeys given that it is easy to gain access to the N8 from the site via the R616. I consider that 10-11 daily lorry movements would be incompatible with a predominantly residential area and would harm residential amenity. It does not appear necessary to go through Glanmire Village for the majority of journeys. There will be some waste collected from Glanmire Village and I noted that there is a recycling facility on the edge of Glanmire Village. The Waste Management Permit includes a list of firms that currently deliver waste to the facility but none is from Glanmire village. A log is required to be kept of vehicle movements so it would be possible to track vehicle movements.

Notwithstanding the above my primary concern is that it would be very difficult to enforce a condition along the lines suggested by the appellants. Furthermore, even if a lorry can not pass through the village it would still be able to use the main road which by passes the village. Therefore, I can not see that there would be an additional 20km on the journey as a result of this condition. As such I consider that the wording of the condition is reasonable and the most suitable way of protecting residential amenity.

Condition 6 controls external storage and the applicants want to be able to store baled waste that is not harmful. The site is in the middle of an industrial estate away from the main road and any houses. Any external storage here would only be seen from inside the industrial estate. I consider that there is no good reason to prevent processed baled non hazardous waste being stored in the open provided it is not within vehicular areas.

Condition 9 is not unduly onerous and noise will only be an issue should complaints be received from residents of any houses in the vicinity. There is little likelihood that this would occur given that the nearest house is 350m away and there is no record of complaints. The site is in the middle of an industrial estate with other businesses generating noise around it. I do not think that it would be easy to pinpoint if any noise generated is from this site or another business. However the condition imposed is consistent with the Waste Permit issued under The Waste Management Act 1996 to 2003 and I can see no grounds to alter it.

Conclusions

I therefore recommend that the planning authority be directed to RETAIN conditions 3 and 9 and the reasons therefor without any changes. Condition 6 shall be modified to read *There shall be no storage at any time in the open areas of the site unless it is for baled processed dry recyclables. There shall be no storage whatsoever in any vehicular parking and servicing areas.*

REASONS AND CONSIDERATIONS

Having regard to the fact that conditions 3 and 9 are both necessary in order to ensure that, in accordance with the protection of the amenity of local residents, it is considered that the imposition of conditions 3 and 9 is reasonable

With the conditions retained, the proposed development would be in accordance with the proper planning and sustainable development of the area.

Having regard to the fact that the external storage baled processed dry recyclables would have no impact on local residents and be compatible with the immediate surroundings the external storage of these materials presents no potential negative risk of impacts on the vicinity. The modification of condition 6 to include limited external storage would be in the interests of the proper planning and development of the area.

KEIRON DUNN

Inspector

Aug 2007