

PF, 0642/22

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

<b>CONTRIBUTION</b>	
Standard Levy:	
	€439,124
Open Space:	
Other:	
<b>SECURITY:</b>	
Bond:	
Cash:	
Other:	

Register Reference: FW22A/0016

Area: Blanchardstown Mulhuddart

Date of Registration: 4 February, 2022

Correspondence: ORS Marlinstown Office Park, Marlinstown, Mullingar, Co. Westmeath.

Development: The development for which retention permission is sought consists of the retention of a single storey waste recovery/transfer building. The floor area of the building is 4226 sq.m and the height of the building at its highest from the finished floor level is 13.211m. The retention permission is also required for all associated site works and services.

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

Applicant: Starrus Eco Holdings Ltd.

Application Type: Retention

Zoning: 'GE' - The objective of which is to 'Provide Opportunities for general enterprise and employment'

Planning Officers Report:

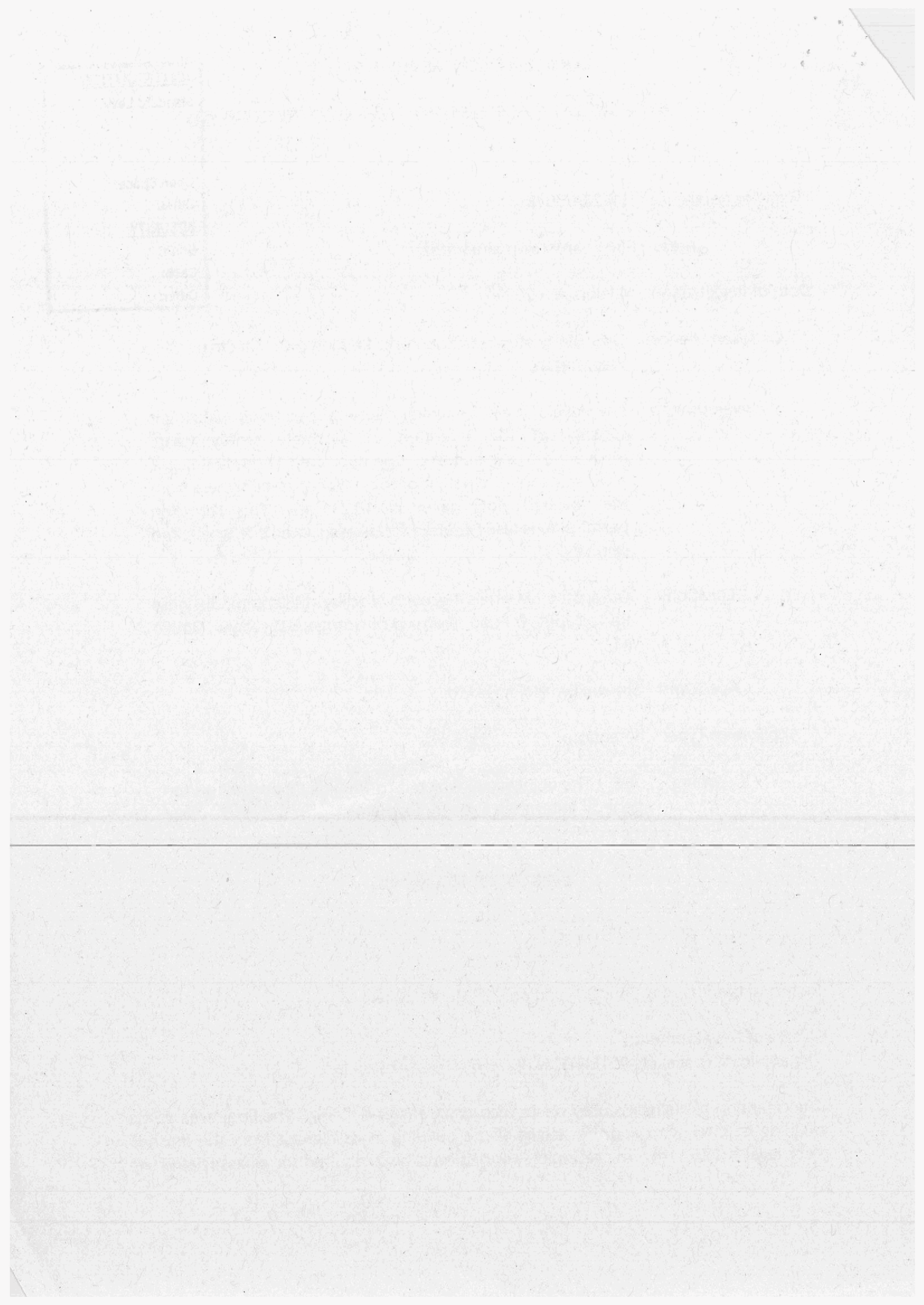
JC/AF

Report of the Planning Officer typed on 25<sup>th</sup> March 2022.

**Nature of Development:**

The applicant is seeking **RETENTION PLANNING** permission for;

The retention of a single storey waste recovery/transfer building. The floor area of the building is 4226 sq.m and the height of the building at its highest from the finished floor level is 13.211m. The retention permission is also required for all associated site



COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg.Ref.: FW22A/0016

works and services at Greenstar Materials Recovery Facility, Millennium Business Park, Cappagh Road, Ballycoolin, Dublin 11 for Starrus Eco Holding Ltd.

**Site Location and 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. In the northern section of the site is the 13m high waste recovery/transfer building- which is the subject of this application. 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.

**Proposed Development**

The proposed development provides for;

The retention of a single storey waste recovery/transfer building. The floor area of the building is 4226 sq.m and the height of the building at its highest from the finished floor level is 13.211m. The retention permission is also required for all associated site works and services.

**Fingal Development Plan 2017 – 2023:**

Zoning:

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

The vision is as follows:

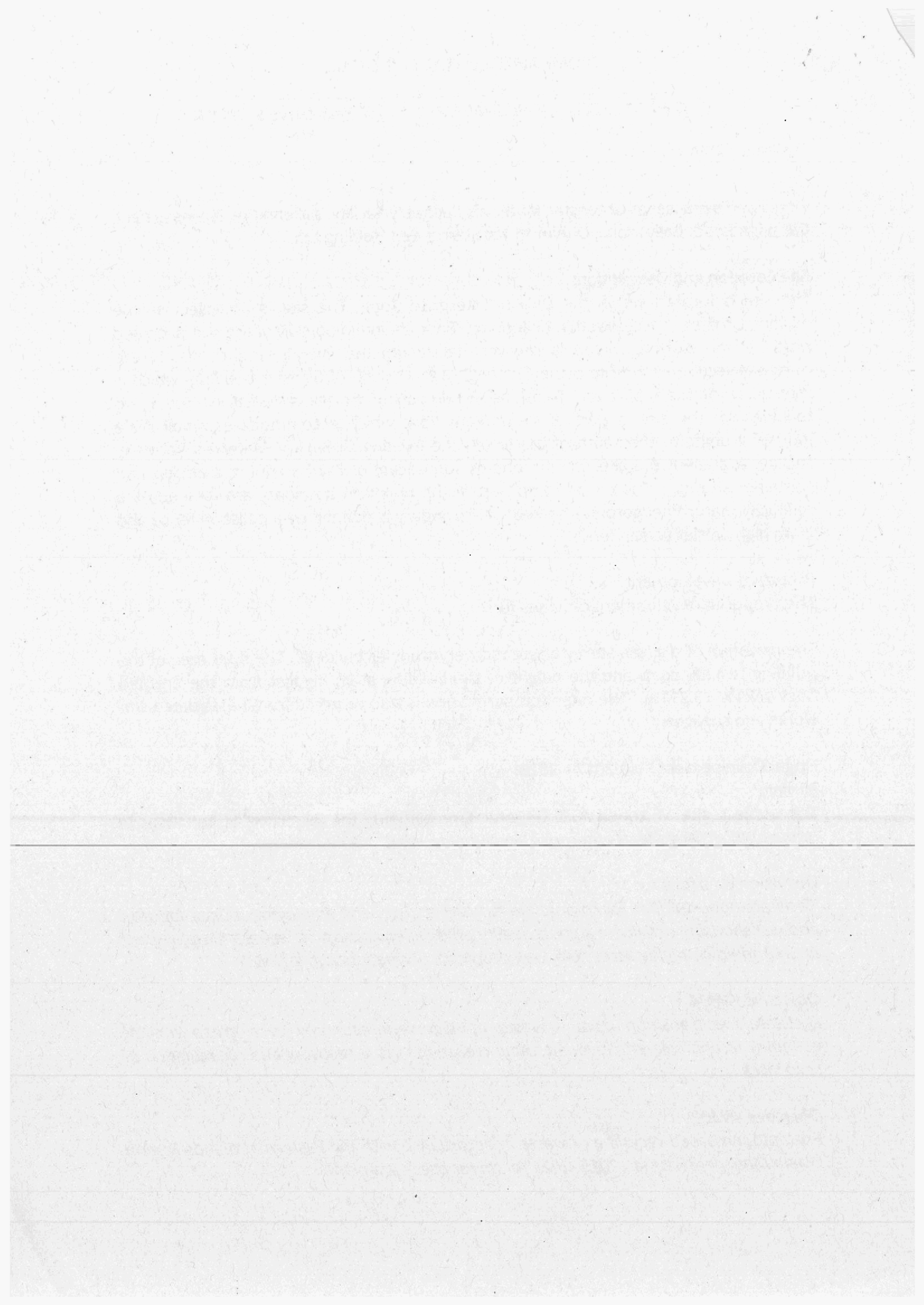
*'Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.'*

**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**

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



## COMHAIRLE CONTAE FHINE GALL

### RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg.Ref.: FW22A/0016

#### **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).*

Full regard has been had to Chapter 12 – Development Management Standards and Section 12.0 - Enterprise and Employment.

#### PLANNING HISTORY:

##### **FW21A/0064**

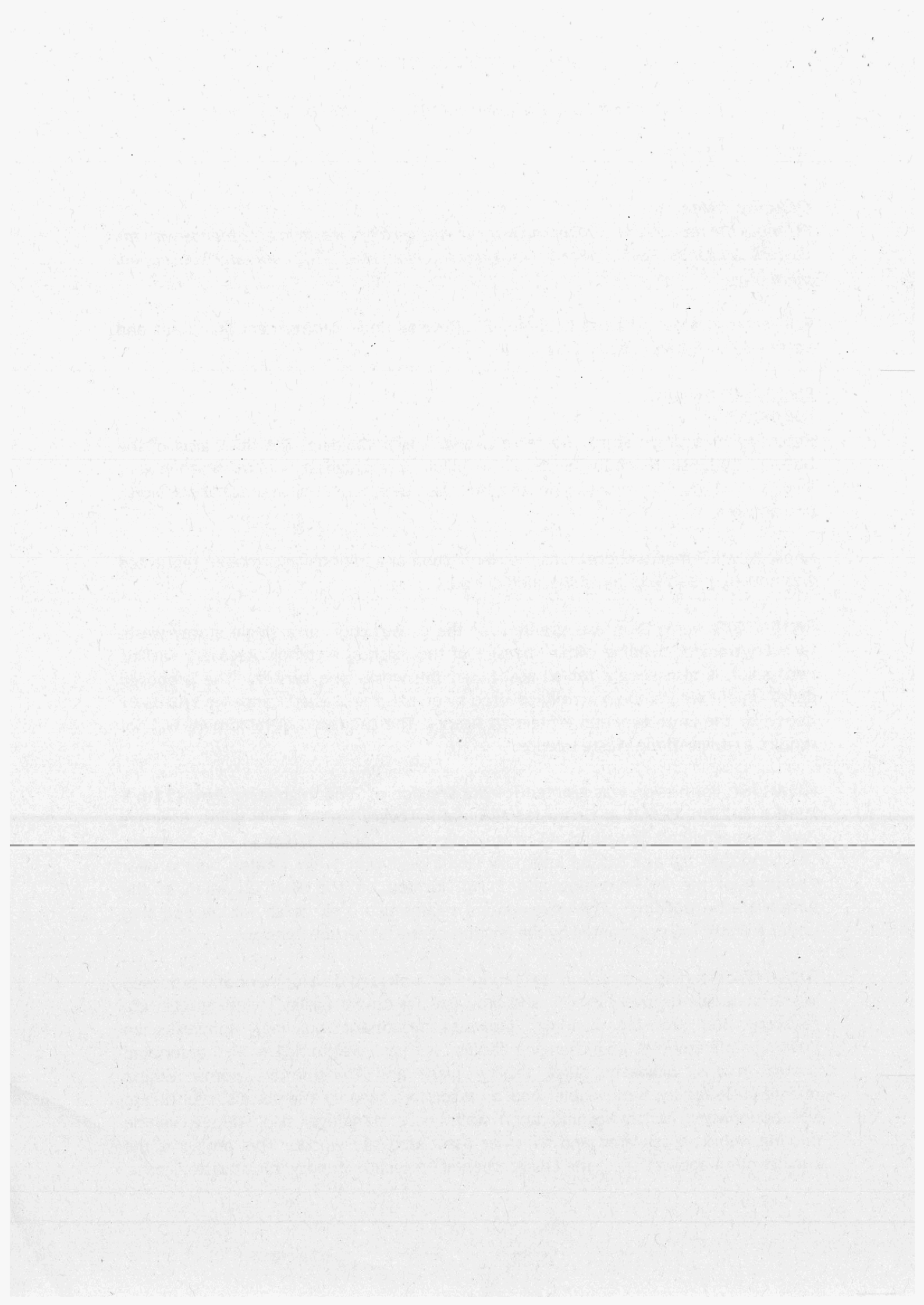
Retention of a single storey waste recovery/transfer building. The floor area of the building is 4226sq.m and the height of the building at its highest from the finished floor level is 13.211m. The retention permission is also required for all associated site works and services.

Application deemed withdrawn as the clarification of additional information requested was not submitted within the specified period.

**FW18A/0079:** Permission was granted for 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.

**F05A/1764:** Permission was granted for the erection of 2 no. high level signs (5.1m X 2.9m X & 2.7m X1.6M) 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.

**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 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,



RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg.Ref.: FW22A/0016

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.

Departmental Reports:

- Water Services Planning Section- No objections subject to conditions.
- Transportation Planning Section- Issues raised previously have been addressed therefore no objections.
- Environment Department- No report on file.

Consultees

Irish Water; No objection subject to condition.

Objections/Submissions:

There were no submissions received.

PRE-APPLICATION CONSULTATION:

No pre-planning prior to submission.

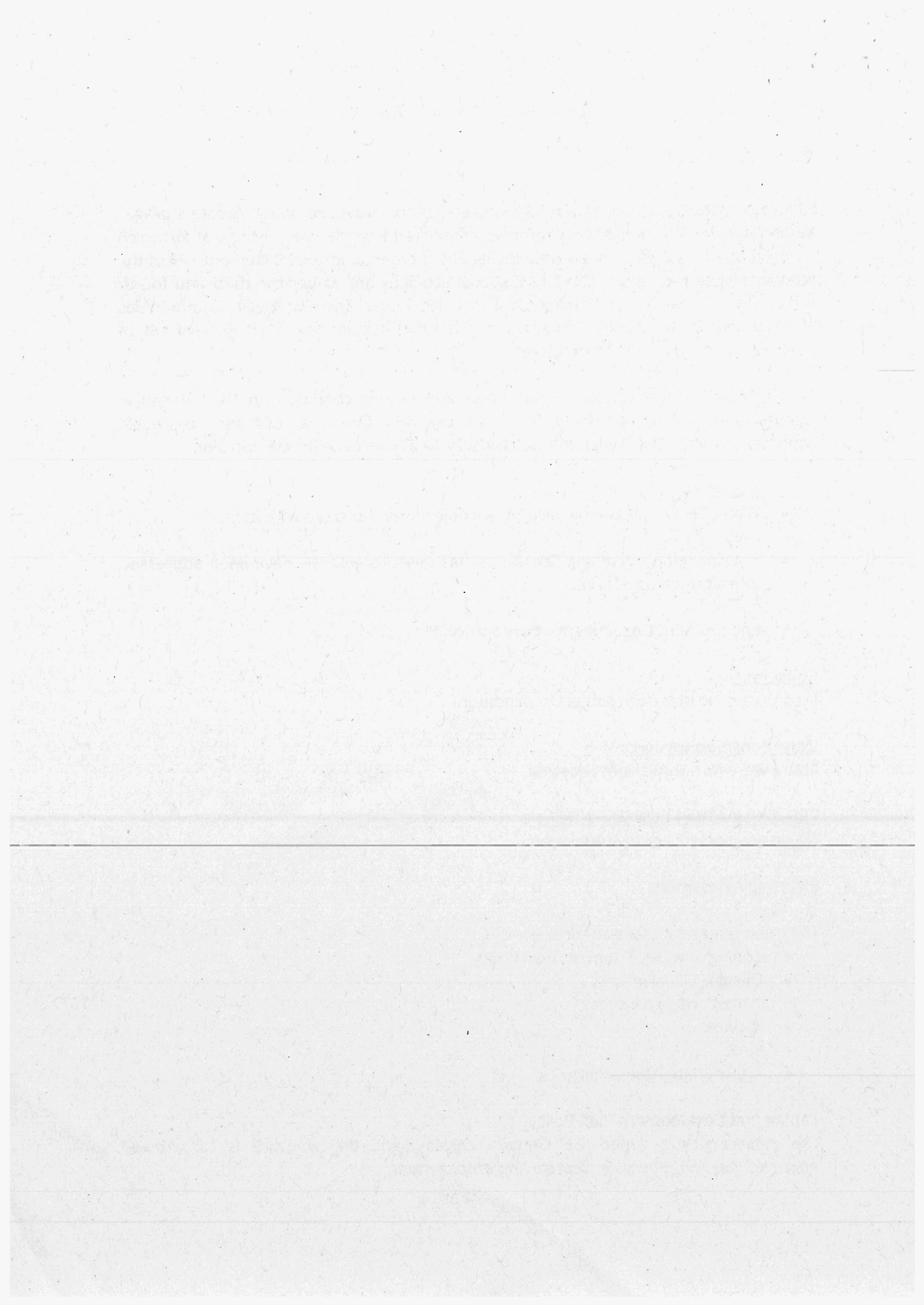
Planning Assessment –

The main issues for assessment are:

- Zoning and Development Plan Policy
- Design/ Visual impact
- Transportation Issues
- Services
- EIAR
- Appropriate Assessment

Zoning and Development Plan Policy

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





*RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER*

Reg.Ref.: FW22A/0016

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 and the waste recovery building requiring retention permission under this application is similar to what was granted on site under FW18A/0079.

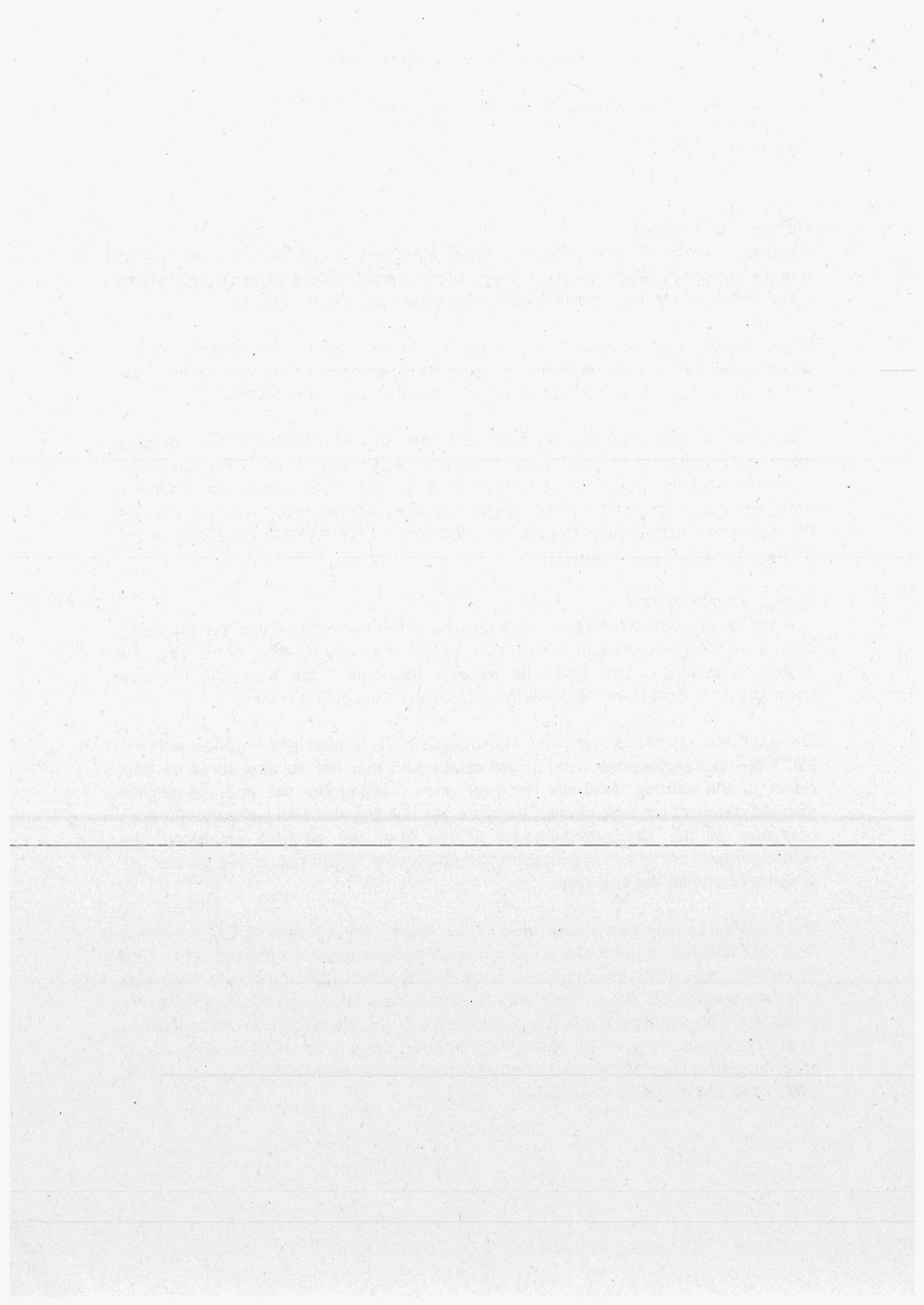
The previous application for the building under Reg. Ref. FW18A/0079 addressed matters including the use of the structure and nature and quantity of waste to be acceptable. No changes are proposed to these as part of the current application in accordance with the development description. A condition will be attached requiring the development to adhere to all other conditions of FW18A/0079, regarding usage, tonnage landscaping and storage.

#### **Design/ Visual impact**

The previously granted waste recovery building in the northern area of the site had a floor area of 4,700sq.m and a height of 13.22m and was located 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 applicant has noted that when constructed in 2020, after collaboration with the ESB Networks engineering team it was established that the building could be built closer to the existing overhead electrical wires crossing the site and the original planned distances were excessive. Therefore, the building was built along the northern boundary of the site approximately 11.7m from the western boundary. The reconfiguration of the building location, orientation and layout results in a greater use of space on site for the applicant.

The building as built has a floor area of 4,226sq.m and a height of 13.21m and is finished with a horizontal cladding. From a visual perspective, the proposed structure is considered to be utilitarian and similar to other structures within the vicinity of the site. A quarry bounds the site to the north and following a site inspection and review of documentation submitted, it is not considered that the alterations as constructed to what was previously granted impact negatively on the site or visual amenity of the area. A landscaping plan was submitted as part of the previous application and shall be adhered to and conditioned as such.



*RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER*

Reg.Ref.: FW22A/0016

**Transportation**

The applicant has addressed the issues raised in the previous application in terms of transportation with regard to parking and cycle parking and welfare facilities. The Transportation Section has no objection to the proposal.

No additional parking is required on the site and visitor parking is accommodated at the existing carpark. Cycle storage is proposed in front of the admin building with showers and lockers provided inside the building, with 60 lockers being provided within the male and female changing rooms. The red line site boundary has been extended to include the cycle parking. Eight relocated staff car parking spaces are proposed to the side of the recovery building. The main entrance will be serviced by a pedestrian crossing leading to a dedicated pedestrian access path to staff cabins and the main building.

**Water Services**

The Water Services Section notes that the applicant has implemented an attenuation tank to manage excess surface water. Solutions such as tanks would be deemed as a last resort but given the industrial nature of the development, it is acceptable in these particular circumstances.

**EIA Screening**

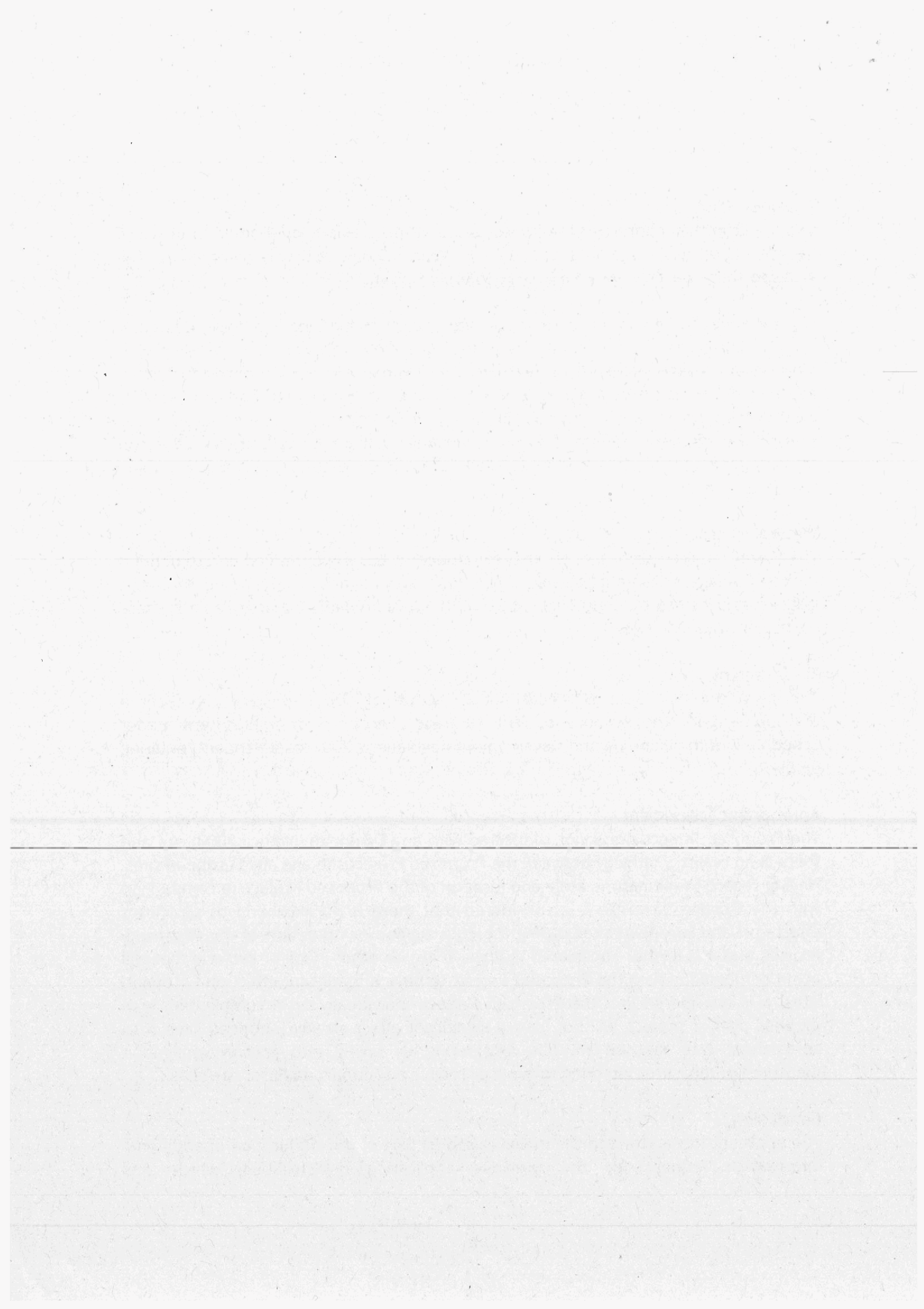
The proposed development would not by virtue of size and scale represent a development for the purpose of Part 10 under Section 5 or fulfil criteria under Schedule 7 of the Planning and Development Regulations 2001 (as amended) requiring an EIAR.

**Appropriate Assessment**

The Proposed Project site is not connected with any European (Natura 2000) site and there is no realistic pathway between the Proposed Project site and any European sites. Having regard to the nature, scale and location of the Proposed Project, in comparison with the existing baseline, it is considered that there is no likelihood of significant effects on any European sites during the construction or operation of the Proposed Project, and it is further considered that there are no other plans or projects that will act in combination with the Proposed Project to have a significant effect on European sites. It is considered that the Proposed Project, individually or in combination with another plan or project, will not have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

**Conclusion**

The applicant has addressed the issues raised as part of the clarification of additional information request for the previous application (FW21A/0064) which was



RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg.Ref.: FW22A/0016

subsequently withdrawn. The retention of the recovery building on site is considered acceptable and it is recommended to grant retention permission for the proposed development.

RECOMMENDATION

I recommend that a decision to GRANT PERMISSION FOR RETENTION be made under the PLANNING & DEVELOPMENT ACT 2000, AS AMENDED, subject to the following (7) condition(s):-

Conditions and Reasons

1. The development shall be retained and carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application on 4/2/2022, 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.

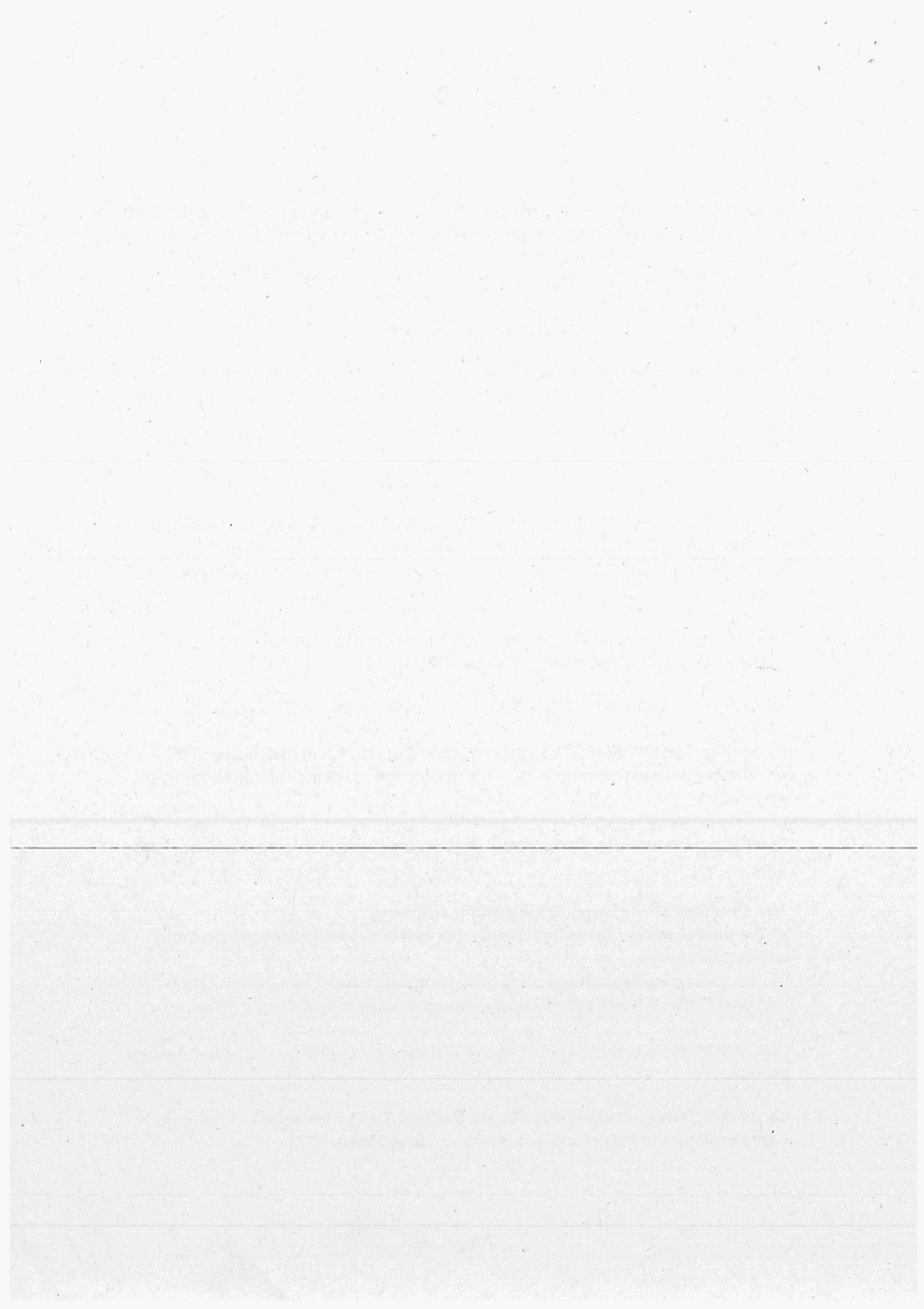
2. The terms and conditions of the grant of permission made by Fingal County Council Under Reg. Ref. FW18A/0079, shall be complied with in full in the course of the development herein permitted, save for the changes to plans submitted for this application.

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

3. The developer shall comply in full with the following:
  - a) No surface water / rainwater is to discharge into the foul water system under any circumstances.
  - b) The surface water drainage must 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.

4. Car parking, bicycle parking and welfare facilities shall be provided in accordance with the plans and particulars submitted on 4th February 2022.



COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg.Ref.: FW22A/0016

Reason: In the interest of the proper traffic management of the area and the interest of public health.

5. That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services, including maintenance, to the taking in charge standard of the Local Authority for roads, open spaces, car parks and drains has been given by:- *omit ju*

A. Lodgement with the Council of a Bond of any Body approved by the Planning Authority in the sum of €            which shall be kept in force by him until such time as the Roads, Open Spaces, Car Parks and Drains are taken in charge by the Council.....OR/

B. Lodgement with the Council of a Cash Sum of €            to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provisions and completion of such services to standard specification.

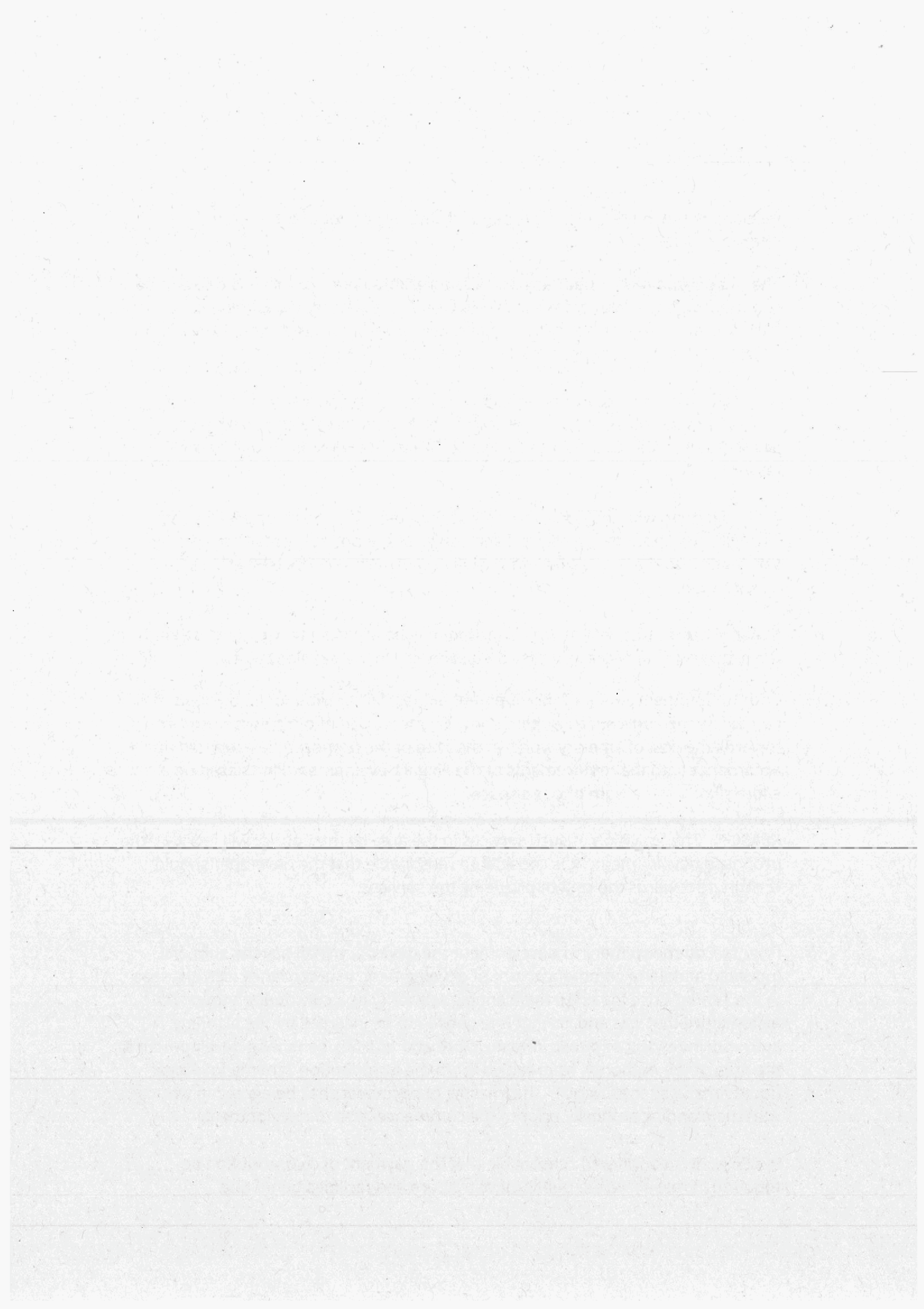
REASON: To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

6. Prior to Commencement of development a financial contribution in the sum of €            be paid by the applicant to Fingal County Council in lieu of open space provision towards the cost of amenity works in the area of the proposed development in accordance with the requirements of the Fingal Development Plan based on a shortfall of            sqm of open space. *omit ju*

REASON: The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

7. Prior to Commencement of development the developer shall pay the sum of €            (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. *omit ju*

REASON: It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting





COMHAIRLE CONTAE FHINE GALL

*RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER*

Reg.Ref.: FW22A/0016

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:

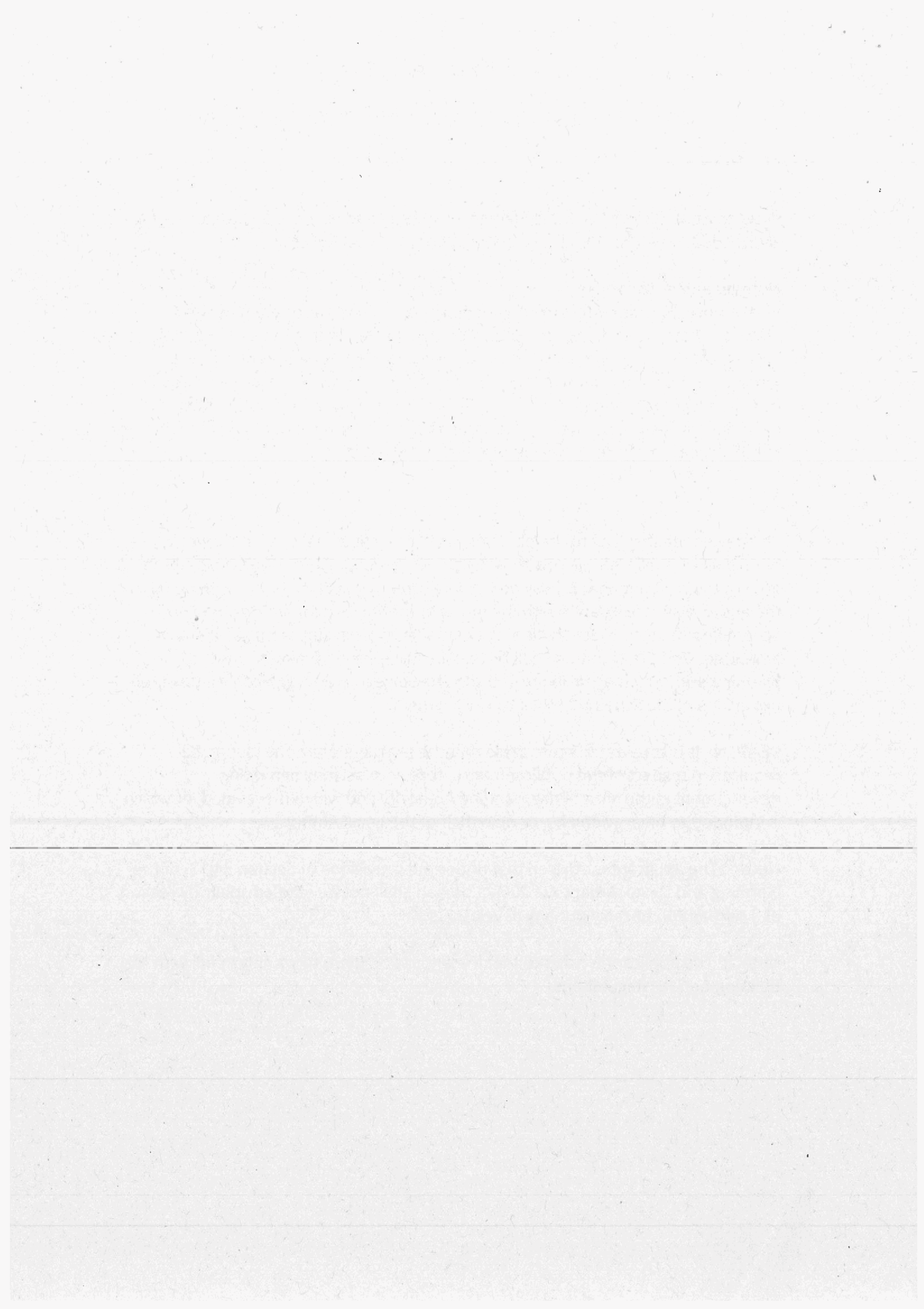
Please note that with effect from 1st January 2014, Irish Water are now the Statutory Body responsible for both water and waste water services (excluding surface water). Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. A separate 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.

8. The developer shall pay to the planning authority a financial contribution of € 439,124 in respect of public infrastructure and facilities benefiting the development in the area of the planning that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The Contribution shall be paid in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. 84

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 1: 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.

Note 2: The applicant is advised that the onus is on them to comply in full with the Building Control Regulations.



COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg.Ref.: FW22A/0016

D. Hallan

Senior Executive Planner

Endorsed:

Em. Swaney  
A/Administrative Officer

Order: A decision pursuant to Section 34 of the PLANNING & DEVELOPMENT ACT 2000, AS AMENDED to GRANT PERMISSION FOR RETENTION for the above proposal subject to the ~~(7)~~ condition(s) set out above is hereby made.   
4-FMS

Dated: 3/27 March, 2022

M. McAtee  
Director of Service - Senior Planner

Thereunto empowered by order of the Chief Executive, Fingal County Council C.E. No. 8185 delegating to me all powers, functions & duties in relation to the council of the County of Fingal in respect of this matter.

