



An
Bord
Pleanála

Board Order
PL 06F.248051

Planning and Development Acts 2000 to 2016

Planning Authority: Fingal County Council.

Planning Register Reference Number: FW16A/0069

Appeal by Rosemount Business Park Management Limited care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin and by Tomas Kairys and Darius Dirskus care of Nesa Environmental Consultants of Cordova, Baltrasna, Ashbourne, County Meath and by Blancomet Recycling IE Limited care of Enviroguide Consulting of 3D, Core C, Block 71, The Plaza, Park West, Dublin against the decision made on the 27th day of January, 2017 by Fingal County Council to grant subject to conditions a permission to the said Blancomet Recycling IE Limited in accordance with plans and particulars lodged with the said Council:

Proposed Development: Change of use to existing planning permission (planning register reference numbers 0954/96 and 1311/99) from warehouse use to metal recycling use for reception, storage and preliminary processing of up to 10,000 tonnes per annum of metal products and materials prior to shipment off-site for further recovery and treatment (note: such change of use for part of the premises has already been granted under planning register reference number FW11A/0100) at Unit 5, Rosemount Park Drive, Rosemount Business Park, Dublin as amended by the revised public notice received by the planning authority on the 23rd day of December, 2016.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the GE zoning objective, as set out in the Fingal Development Plan 2017-2023, which seeks to provide opportunities for general enterprise and employment, to the location of similar type metal storage and recycling facilities in the vicinity, to the planning history of the area and the fact that activities at the proposed metal recycling facility would be regulated under waste management legislation, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In relation to the development contribution applicable, having regard to the permitted use of the development as a light industrial unit and the subsequent planning history of the site, the Board was not satisfied that an intensification of the use of the building and services on the site from the permitted use had been demonstrated and, therefore, considered that an exemption from financial contributions on the change of use as provided for in paragraph 10(i)(r) of the Fingal County Council Development Contribution Scheme 2016-2020 would be applicable.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 25th day of August, 2016, and the 13th day of December 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No storage containers of any type, or external storage of any waste or materials, shall be located outside the warehouse within the curtilage of the subject site.

Reason: In the interest of visual amenity and of the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. The hours of operation of the proposed facility shall be restricted to between 0800 to 1900 hours Monday to Friday and between 0800 to 1400 hours on Saturdays. No activities shall take place on Sundays or Bank Holidays and no deliveries of materials for recycling either to the site or from the site shall take place before 0800 hours or after 1900 hours.

Reason: In the interest of amenity.

5. Details of the signage for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Details of a revised access and visitor parking layout providing a separate segregated access to the visitor parking area shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety.

7. A comprehensive landscaping scheme shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.
This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development, and
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings.

The landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017