



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: FW20A/0029

APPEAL by Jerry Beades of 23 Richmond Avenue, Fairview, Dublin and by Saint Margaret's Recycling and Transfer Centre Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 12th day of April, 2021 by Fingal County Council to grant subject to conditions a permission to the said Saint Margaret's Recycling and Transfer Centre Limited.

Proposed Development: Retention planning permission is sought for the permanent continuation of use of the existing waste processing and transfer facility for the bulking, transfer and recycling of metals, construction and demolition waste, bulky/skip waste, batteries, wood waste, glass, other non-biodegradable non-hazardous wastes, and an Authorised Treatment Facility for end of life vehicles, accepting up to 24,900 tonnes of waste per annum. Retention permission is also sought for the continued use of the existing buildings on site associated with the daily operations of the facility including processing shed, offices, plant room, shelter buildings, existing site services, boundary treatments and all ancillary site development works necessary to facilitate the development erected under and in accordance with Register References F13A/0409, F11A/0443, F10A/0177, F03A/1561, F03A/1682 and F97A/0109. Planning permission is sought for new proposed stormwater attenuation storage tanks and associated stormwater treatment infrastructure.

to serve the existing development with permission also sought to restore part of the lands to agricultural use at Saint Margaret's Metal Recycling, Sandyhill, Saint Margaret's, County Dublin as revised by the further public notices received by the planning authority on the 13th day of October 2020.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

1. Insufficient information has been submitted regarding the activities and processes carried on, the volume of waste produced, the nature and quantity of emissions, mitigation or monitoring proposed, and measures to prevent and contain fire and to control the discharge of fire water, such as to enable the Board to assess the likely impacts of the proposed development on protected European Sites. In such circumstances, the Board is precluded from granting permission.



2. Insufficient information has been submitted regarding the activities and processes carried on, the volume of waste produced, the nature and quantity of emissions, mitigation or monitoring proposed, and measures to prevent and contain fire and to control the discharge of fire water, such as to enable the Board to assess the likely impacts of the proposed development on the environment. In such circumstances, the Board is precluded from granting permission.

3. The subject site is zoned 'DA' 'Dublin Airport' under the Fingal Development Plan 2011 – 2017, which seeks to 'ensure the efficient and effective operation and development of the airport in accordance with the adopted Dublin Airport Local Area Plan.' Waste disposal and recovery facilities, both low and high impact, are not permitted under such land use zoning. The proposed retention for the permanent continuation of use of the existing waste processing and transfer facility for the bulking, transfer and recycling of metals, construction and demolition waste, bulky/skip waste, batteries, wood waste, glass, other non-biodegradable non-hazardous wastes, and an Authorised Treatment Facility for end of life vehicles, accepting up to 24,900 tonnes of waste per annum; and retention for the continued use of the existing buildings on site; would, therefore, contravene the land use zoning objective for this site and would, furthermore, be contrary to the vision statement for the area, as set out in the Fingal Development Plan 2011 – 2017, which seeks to 'facilitate air transport infrastructure and airport related activity/uses only



(that is those uses that need to be located at or near the airport)'. The development proposed for retention and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *7th* day of *DECEMBER* 2021