



An
Bord
Pleanála

Record of 1st Meeting ABP-304428-19

Case Reference / Description	ABP-304428-19 Integrated waste management facility at Hollywood Great, Nag's Head, Naul, Co. Dublin.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	05/09/19	Time	11.30-12.50

Attendees
Representing An Bord Pleanála
Anne Marie O'Connor, Assistant Director of Planning (Chair)
Breda Gannon, Senior Planning Inspector
Josephine Hayes, Senior Executive Officer
Kieran Somers, Executive Officer
Representing the Prospective Applicant
Cian O'Hora, IMS
Des Johnson, Planning Consultant
Leah Kenny, RPS
Paul Chadwick, RPS

Introduction:

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board.

The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant proposes develop fully-lined and engineered landfill cells for an integrated waste management facility for a mixture of hazardous, non-hazardous and inert wastes at a rate of 500,000 tonnes per annum over a 25 year period. The proposed development includes a new facility entrance (current site entrance to be closed), an administration office building, weighbridges, car parking, internal haul routes, a storage building, an ESB substation, leachate management infrastructure and surface water management infrastructure.

The subject site is located in North County Dublin and is in close proximity to the existing Poolbeg and Carranstown waste management facilities.

Planning permission was granted hazardous waste facility in June 2001 (PA0018) but was not implemented as an EPA Waste Licence was refused. This permission was extended by a five-year period to June 2021 by Fingal County Council and the ownership and licence for the facility was transferred to the prospective applicant in June 2017.

There is an existing waste licence for in-filling of inert construction waste on the site (since 2002) and some of the cells are already capped in this regard. A further permission in this regard was granted in 2007. The prospective applicant stated that the existing landfill is the only one remaining in county Dublin and there is a particular focus on construction and residual waste management as part of operations. Consequent to an end-of-waste decision by the EPA to recycle construction waste, the waste types it accepted at the site has expended to deal with more problematic types of construction waste.

The prospective applicant said that the instant proposal largely includes infrastructural elements which were granted permission under case reference number 06F.PA0018 and also seeks to address the EPA's reasons for refusing the relevant waste licence in January 2016. In this latter regard, the prospective applicant noted the reduction and alteration with respect to the nature and quantity of the hazardous waste stream to be landfilled at the facility (solely asbestos waste in the current proposal which has very low leaching potential). The prospective applicant also noted that detailed hydrogeological analysis of the receiving

environment has been undertaken since the time of the waste licence refusal. A detailed quantitative risk assessment is also being undertaken to demonstrate the low risk to groundwater from the current proposal.

Seventh Schedule and section 37A(2) criteria:

With regard to the Seventh Schedule of the Planning and Development Act 2000, as amended, the prospective applicant pointed out that the proposed development is of a class of activity under the headings of landfill and an installation for the disposal, treatment or recovery of waste with a capacity for an annual intake greater than 100,000 tonnes. The prospective applicant offered its opinion that the proposed development would comprise strategic infrastructure having regard to the criteria set out under section 37A(2) of the Planning and Development Act 2000, as amended for the following reasons:

- Subsection (a) – the development proposes to accept asbestos waste (hazardous), incinerator bottom ash (non-hazardous) and construction waste (non-hazardous and inert). With respect to asbestos waste, the prospective applicant pointed out that there is currently no licensed landfill in the State to accept and landfill asbestos waste and that all such waste is currently exported. It referred to the fact that the EPA's National Hazardous Waste Management Plan 2014-2020 sets out a key strategic need to deal with the disposal of such waste with a capacity of up to 20,000 tonnes per annum. The prospective applicant said that it has had discussions with both the EPA and the Department on this particular matter.

With regard to incinerator bottom ash, the prospective applicant said that it is estimated that the Poolbeg and Carranstown facilities will generate in the order of 170,000 tonnes of IBA per annum at full capacity. Referring to the fact that the majority of IBA currently generated is exported, the prospective applicant said that there is a strategic economic need for the proposed facility in this regard and that prevailing policy supports this.

With respect to construction waste, the prospective applicant noted that activity in the construction sector is significant once again and expected to increase with regard to housing projections and major infrastructural projects applying for consent. Referring to the fact that over 250,000 tonnes of construction and

demolition waste was exported in 2018, the prospective applicant said that the overall objective is to future-proof the supply chain for the Greater Dublin Area.

- Subsection (b) – the prospective applicant referred to the National Planning Framework and emphasised that the proposed development is consistent with waste-related policies and will be significant in delivery of key national policy objectives. The Regional Spatial and Economic Strategy recognises the need to explore ways to deal with waste and contamination relating to brownfield regeneration. The Eastern-Midlands Region Waste Management Plan 2015-2021 and the National Hazardous Waste Management Plan 2014-2020 support the concepts of sustainable waste management treatment, a circular economy and self-sufficiency generally. The prospective applicant also remarked that the EPA's preference is for larger restoration sites, such as this one, ahead of smaller-scale sites.
- Subsection (c) – the prospective applicant stated its opinion that the proposed development would have a significant effect on the functional area of more than one planning authority given its central objective to serve the construction sector in the Greater Dublin Area and the general proximity of the subject site to other local authorities and the M1. The prospective applicant also emphasised the point that, in the event of planning consent being forthcoming, the proposed development would be the sole facility within the State for the disposal of asbestos waste and would also facilitate the State's objective to deal with national waste in a self-sufficient manner.

Noting these points, the Board's representatives referenced the current SID applications which are before it for Drehid (ABP-300506-17) and Knockharley (ABP-303211-18), both of which propose an element of IBA storage. The prospective applicant said that it is aware of these planning applications and has been liaising with Indaver Ireland in particular. The prospective applicant noted the current permission it has (under case reference number 06F.PA0018) and said that the overarching objective is to have a level of contingency in the State.

Current proposal v PA0018:

- The prospective applicant noted that elements such as the capacity per annum and lifespan of the permission being sought are the same as that under

06F.PA0018. With regard to ancillary infrastructural elements, it noted that these are largely the same with the exception of the solidification plant which is now being omitted in the current proposal. The number of proposed car parking spaces will be reduced from fifteen to ten.

- With respect to hazardous waste, the prospective applicant noted that a much smaller element is now being proposed which will comprise of mono-cells on site. The non-hazardous area will be larger under the current proposal (increase to circa 2,550,000 cubic metres in a series of seven cells) and inert waste will increase to circa 1,000,000 cubic metres in a series of three new cells.
- In relation to site restoration, the prospective applicant said that such works will be sympathetic to the surrounding land uses, current county development plan designation and protected views in the vicinity. The prospective applicant also noted that the proposed aftercare management plan will require approval by the EPA.
- In response to the Board's query on the matter, the prospective applicant confirmed that capped levels of cells will remain the same as per the permission granted under 06F.PA0018.

Discussion:

- With regard to the similarities between the current proposal and the elements granted permission under 06F.PA0018, the prospective applicant enquired as to whether a section 146B alteration request to the Board might be feasible as opposed to a SID application. The Board's representatives considered this and noted that the key element which is different relates to the nature of waste to be accepted at the facility. The altered nature of liner in the hazardous cells was also referenced in this regard. In the event of a section 146B alteration request being deemed appropriate, the Board said that this would likely be material in nature and would entail public notices and the invitation of submissions during the course of the process.
- The prospective applicant noted for the record that the highest-risk wastes are no longer part of the proposal and it also stated that there will be no proposed amendment to the wording of condition number 2 of 06F.PA0018.

- The Board enquired as to whether any consultations have taken place with the EPA to date. The prospective applicant replied that two pre-application consultation meetings with respect to the new waste licence application have taken place. With regard to the previous waste licence refusal of January 2016, the prospective applicant said that it is cognisant of the reasons for this and is confident these will be fully addressed in the new waste licence application.
- In response to the Board's query, the prospective applicant also confirmed that it has met with representatives from the Eastern and Midlands Regional Waste Management Office. The prospective applicant said that such meetings are occurring on a regular basis and the focus is on current regional needs.
- With regard to the matter of appropriate assessment, the prospective applicant noted that both EIA and AA screening will be required even in the scenario of a section 146B alteration request.

Conclusion:

The Board said that it would consider what the appropriate mechanism might be in terms of either a section 146B alteration request or a SID application under section 37. The Board's representatives may seek a meeting with the SID division of the Board in the meantime to elicit its opinion on this. In the event that the preliminary opinion of the Board is that the proposed development would be SID, a further meeting in the pre-application consultation process is likely. If a section 146B alteration request is deemed appropriate, then the prospective applicant will be required to withdraw from this process. A further meeting may also be required to clarify matters.

The record of the instant meeting will issue in the meantime and the prospective applicant may submit any comments it has on this in writing.

Anne Marie O'Connor,
Assistant Director of Planning