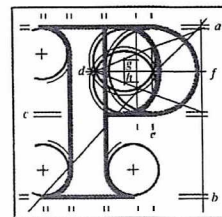


Our Case Number: ABP-314964-22



④

An
Bord
Pleanála

John Conway
Louth Environmental Group
91 St Nicholas Avenue
Dundalk
Co. Louth

Date: 22nd December 2022

Re: Proposed development of a Circular Economy Campus and an Integrated Waste Management Facility at the Hollywood Landfill
Hollywood Great, Nag's Head, Naul, Co. Dublin, A41 YE92

Dear Sir,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

A receipt for the fee lodged is enclosed.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Fingal County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime, please contact the undersigned officer of the Board.

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
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(01) 858 8100
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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Doina Chiforescu
Executive Officer
Direct Line: 01-8737133

PA04

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D01 V902

AN BORD PLEANÁLA
LDG- _____
ABP- _____
15 DEC 2022
Fee: € 50 Type: cash
Time: 16.33 By: David

not submitted
See

An Bord Pleanála

64 Marlborough Street, Dublin 1, D01V902

John Conway,
Louth Environmental Group
91 St. Nicholas Avenue,
Dundalk,
County Louth,

AN BORD PLEANÁLA
LDG- 060022-22
ABP- _____
15 DEC 2022
Fee: € 50 Type: cash
Time: 17.09 By: David

RE: Case Number ABP-314964-22; Proposed Development of a Circular Economy Campus and an Integrated Waste Management Facility at the Hollywood landfill, Hollywood Great, Nag's Head, Naul, County Dublin, A41YE92.

Please accept this submission in relation to the proposed development. to This development is opposed for the following reasons:

The site was a former shale and limestone quarry which operated until 2007 and following the cessation of quarrying the site is now a licensed engineered landfill under licence from the EPA. In granting this licence the EPA took no cognizance of the unlawful enlargement of this quarry without proper planning applications and permissions for the enlargements over the years.

The applicant is seeking consent to develop a Circular Economy Campus and an integrated waste management facility at the Hollywood site. The applicant claims that the proposal will enhance and expand the waste and recovery operations at the Hollywood site, but it will actually intensify an unlawful facility which has breached every planning granted to it and caused appreciable environmental damage.

The application is made pursuant to Section 37E of the Planning and Development Act 2000, as amended. The proposed development requires an intake of 500,000 tons per annum and exceeds the threshold of 100,000 set out in the Seventh Schedule of the Strategic Infrastructure Act, 2006, as amended.

The Board has directed that the proposed development falls within the parameters of section 37A(2)(a) and (b) of the Planning and Development Act 2000, as amended and constitutes strategic infrastructure. By including the development as strategic infrastructure, any errors and failings in the earlier applications are being ignored. In the handling of this by Fingal's planning department by that authority's failure to enforce the planning regulations, the enlargement of the facility has been permitted by default.

7. Legal Interest of Applicant in respect of the site the subject of the application:

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner X	Occupier
	Other	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
<p>The blue line boundary in drawing DG1006 shows the landholding of the applicant which includes the lands in this application in addition to the following:</p> <ul style="list-style-type: none"> • The vacant residential dwelling on the south eastern boundary of the site; and • The occupied residential dwelling on the southern boundary of the site. <p>The applicant does not own or have a beneficial interest in any other adjoining, abutting or adjacent lands.</p>		

Figure 1: Declaration in planning application of legal interest in the subject site

Point 7 of the planning application above, does not identify the real ownership of this site. The applicant in this planning application, "Integrated Material Solutions Limited Partnership" is not the legal, or beneficial, owner of the subject site as stated in the planning application format section 7. The land registry records for folio 240698F show "INTEGRATED MATERIALS GP LIMITED (CRO reference no.590962)" as the owners of the various plots which make up the 54.6-hectare site. Under burdens on the folio for the site, shows that there are fishing rights and access rights to water stock at the watering place thereon, which have not been disclosed in the application.

Are you aware of any valid planning applications previously made in respect of this land / structure?		
Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>		
If yes, please state planning register reference number(s) of same if known and details of applications		
Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant or Refusal by Planning Authority / An Bord Pleanála
FCC Reg. Ref. 88A/32	Development consisting of the infill, restore and reinstate portion of the quarry which had been excavated	Granted with conditions
FCC Reg. Ref. 88A/32/E1	Extension of Duration of Permission for the proposed infill and land reclamation works	Granted with conditions
FCC Reg. Ref. F04A/0363	Development consisting infilling with inert material on existing quarry of 13.56 hectares as part of the restoration and reinstatement of that quarry	Granted with conditions
FCC Reg. Ref. F07A/0262	Development consisting of the relocation of the primary entrance to the site	Refused
FCC Reg. Ref. F08A/0749 (ABP Reg. Ref. PL06F.230763)	Development consisting of the relocation of the primary entrance to the site.	Refused
ABP Reg. Ref. PL06F.PA0018 (FCC Reg. Ref. SID/03/10)	Development consisting of an integrated waste management facility for the acceptance and landfilling of nonbiodegradable inert, non-hazardous and hazardous waste at the existing quarry	Granted with conditions
FCC Reg. Ref. SID/03/10/E1	Grant Extension of Duration Permission for the integrated waste management facility granted under ABP Reg. Ref. PL06F.PA0018 (FCC Reg. Ref. SID/03/10)	Granted with conditions
FCC Reg. Ref. F19A/0077	Development consisting of the continued infilling of the former quarry with construction and demolition waste material at a rate of 500,000 tonnes per annum permitted under FCC Reg. Refs. F07A/0262 and F04A/0363 for a further 15 no. year period	Granted with conditions
If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with		

Figure 2: Planning history of the site

The proposal consists of a 10-year permission for a 25-year lifetime of operation at a rate of 500,000 tons per annum. The application relies upon previous planning permissions outlined in F04A/0363 for the infilling of a quarry area of 13.56 hectares in total. That should be infilled at a rate of 340,000 tons per year

for 15 years. Therefore the infilling should have been completed by the year 2019, as noted in the planning documents relied upon by the applicant.

Under planning reference No.F07A/0262 the planning application was for continuous filling of the quarry at a rate of 500,000 tons, so as to ensure that the quarry can be infilled and fully restored before the 2004 permission expired by the October 2019 deadline. Within the planning reference F07A/0262 the application sought an extension to the infill area, in a proposal to increase the area of infill to an adjacent land to a total area of 23 hectares from the original area.

Planning was subsequently granted under F07A/0262 as per the criteria handed down in the application for an extended area of filling. On 19th of February 2019 the applicants submitted a planning application for the further continuation of infilling of the former quarry for an additional 15 years at a rate of 500,000 tons per year, the applicants being Integrated Materials Solutions Partners. This application was not for an extension of filling nor was there a specific application to extend the infill area.

It was noted in the application form 19A/0077 that the area was now 54 hectares which is a substantial increase on the original 13 hectares and the 2007 planning permission for 23 hectares.

The planning granted for F19A/0077 only provides for infilling of the areas applied for in F04A/0363 and extended area in F07A/0262, to a total area of 23 hectares, and not the area which is now being considered under SID of 54.4 hectares.

The application SID/04/22 should be rejected based on noncompliance with the planning permission because of the infilling of areas outside the EPA-licensed areas. The extension of the area continued, purportedly covered by the planning previously granted. However, at no stage was permission specifically applied for or granted to carry out operations outside the designated 23 hectares

The applicant has included in this application for the reprofiling of the lands in the vicinity of the area. The planning for reprofiling was not previously granted and, as a consequence, does not enjoy the benefit of properly obtained planning consent and should not benefit from an SID application as proposed.

The proposed expansion of activities on the site under SID/04/22 and the creation of a campus for activities on land unauthorized for such use, will have

a negative impact on the environment; the moving of the peregrine falcon nesting boxes, and its impact on these birds has not been expertly researched and reported on in the nature impact reports.

The conditions of the F19A/0077 planning in relation to other bird species' nesting and the ledges to be provided for nesting have not been reconsidered. The overall plan to create a campus on the site in a rural area will extensively prolong the activity of the site and render all observations and reporting of wildlife onsite as futile.

The disposal of high-risk materials on this including bottom ash and asbestos, endanger all the community to the long term risk of environmental impacts not considered in the report. The proposal to create, manage and produce concrete products in a bound fashion will require the use of excessive amounts of scarce resource water and the distribution of the products will create substantial additional transport traffic and infrastructure problems in the local area with additional heavy goods vehicles accessing the site.

The facility proposes a leachate management system including a leachate collection system and a set of twin 532 m3 storage tanks prior to the removal from the site by tanker for treatment off-site at a suitably licensed wastewater treatment facility with provision for a future on-site leachate treatment facility

This application is flawed on the basis that it does not incorporate the risks to the environment in total as set out in article 217 of the planning and development regulations referenced. The leachate risk is being intensified by bringing material to this site which threatens the local aquifer that feeds into public water supplies. This aquifer is in the heart of north county Dublin agricultural zoned land that has direct supplies to the local vegetable producers and the market and consumer base in the greater Dublin region and the site will maintain a risk to this supply long after the period of closure.

The risks from diversification of materials being processed and accepted at the site only serve to put pressure on the environmental indicators on the site. Accepting new materials to the site creates an environmental risk that needs to be treated off-site and is not conducive to the site requirements.

This will place additional pressure on the local road network by forcing the material to be transported via trucks to another water treatment plant for additional processing. Suggesting a treatment plant to be built on-site at a later

stage would pose an ongoing risk to the environment and an indefinite period of operation into the future.

John Conway, 

Louth Environmental Group

15/12/2022