

## Lauren Griffin

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**From:** Lauren Griffin  
**Sent:** Thursday 20 June 2024 10:03  
**To:** [planningdecisions@SDUBLINCOCO.ie](mailto:planningdecisions@SDUBLINCOCO.ie)  
**Subject:** RE: ABP-319506-24 Strategic Infrastructure Development - Greenogue Business Park, 402, Grants Drive, Greenogue, Rathcoole, Co. Dublin, D24 AP04

A Chara,

The Board acknowledges receipt of the report, official acknowledgement will issue in due course.

Kind regards,

Lauren

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**From:** LUPT - Planning Decisions <[planningdecisions@SDUBLINCOCO.ie](mailto:planningdecisions@SDUBLINCOCO.ie)>  
**Sent:** Tuesday, June 18, 2024 5:35 PM  
**To:** SIDS <[sids@pleanala.ie](mailto:sids@pleanala.ie)>  
**Subject:** ABP-319506-24 Strategic Infrastructure Development - Greenogue Business Park, 402, Grants Drive, Greenogue, Rathcoole, Co. Dublin, D24 AP04

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Dear Sir/Madam,

Please find attached SDCC report for ABP-319506-24.

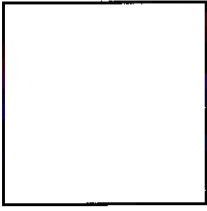
Regards

Pamela

*Pamela Hughes/Staff Officer  
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**ABP-319506-24 Strategic Infrastructure Development Proposal at  
Greenogue Business Park, 402, Grants Drive, Greenogue, Rathcoole,  
Dublin, D24 AP04**

**South Dublin County Council's Planning Authority's Views**

**Strategic Summary of Issues**

- The proposed development will comprise the addition of a Healthcare Risk Waste (HRW) process to an existing waste processing facility. The proposal aims to strengthen and add capacity to Ireland's HRW treatment sector, as stated.
- The principle of the proposed development is in accordance with the 'EE' Land Use Zoning, the current 2022-2028 South Dublin County Council Development Plan and the proper planning and sustainable development of the area.
- The Planning Authority raises technical and operational issues that require addressing by further information and/or conditions.

**Section A: Context**

**Introduction**

An application under the Strategic Infrastructure Act was lodged with An Bord Pleanála on the 12<sup>th</sup> April 2024 for permission to An Bord Pleanála, the proposed development broadly comprises modifications to an existing Waste Treatment facility at 402 Grants Drive, Greenogue Business Park, Greenogue, Rathcoole, Co. Dublin, to manage 24,000 tonnes of Healthcare Risk Waste.

As detailed in public notices, the proposed development comprises:

- *Modifications to the existing Waste Treatment Facility to manage 24,000 tonnes per annum of Healthcare Risk Waste and a reduction of 24,000 tonnes per annum in existing waste types treated;*
- *Demolition of the existing ancillary office space (393 sqm and 7.6 m in height);*
- *Construction of a new building of approximately 194 sqm and 9.1 m in height for trailers;*
- *Construction of a new roofed enclosure approx. 130 sqm (dimensions 6.5 m wide x 19.9 m long and 6.2 m high) for storage of clean bins;*
- *Construction of a security hut (7.45 sqm) and 2.7 m in height at the main entrance to the facility;*
- *Construction of a new mezzanine of 91 sqm and associated stairs and service lifts of existing building;*
- *Addition of an air emissions point (stack) at roof level of existing building of c. 2m in height;*
- *Provision of internal openings between divisions of the existing building;*
- *Installation of office, canteen, and welfare facilities on the existing upper floor of the interdivisional space between Divisions 2 and 3 of existing building;*
- *Construction of a pedestrian walkway from entrance to existing building, removal of 5 no. existing car parking spaces and provision of an additional 10 no. bicycle parking spaces; and*

- *All associated site development works, including surface drainage and provision of internal plant.*

*An Environmental Impact Assessment Report (EIAR) has been prepared in relation to the project and accompanies this planning application.*

#### Purpose

As noted, the proposed development comprises the addition of a HRW process to an existing waste processing facility. The submission outlines that there will be no change in the overall waste tonnages treated at the existing facility. The annual gross intake tonnage will remain unchanged at 111,000 tonnes, including the proposed 24,000 of HRW treatment services.

The applicant states that the proposal will add capacity, and strengthen the resilience, of Ireland's HRW treatment sector by expanding capacity and reducing reliance on the export of HRW.

#### ***Statutory Process***

##### Pre-Application Consultation

A pre-planning meeting was held with the applicant and South Dublin County Council (SDCC) on the 25<sup>th</sup> April 2022. At the meeting, the applicant set out the scope of the proposed development. The Planning Authority provided guidance without prejudice on any subsequent application and highlighted any likely concerns that may arise from the proposal. The notes from the meeting were issued directly to the applicant.

The submission details one pre-application consultation meeting with An Bord Pleanála (ref. ABP- 315084 - 22) on the 7<sup>th</sup> February 2023. The purpose of the consultation meeting was to determine whether the proposed development would constitute strategic infrastructure and fall within the criteria set out in section 37(A)(2) of the Planning and Development Acts 2000 (as amended).

##### An Bord Pleanála Determination

An Bord Pleanála confirmed, in a letter dated the 2<sup>nd</sup> June 2023, that the proposed development falls within the scope of paragraphs 37A(2)(a), (b) and (c) of the Acts, that the development would be strategic infrastructure and that any application for permission for the proposed development should therefore be made directly to An Bord Pleanála as a Strategic Infrastructure Development (SID) under Section 37E of the Acts. The determination from An Bord Pleanála that the development constitutes a SID was accompanied by an Inspector's Report, which recommended that the applicant be informed that the proposed development constitutes Strategic Infrastructure.

### ***Relevant Legislation***

#### ***Section 37A***

Section 37A of the Planning and Development Act 2000, as amended refers to Bord Pleanála's jurisdiction in relation to certain planning applications and outlines the following:

- (1) An application for permission for any development specified in the Seventh Schedule (inserted by the Planning and Development (Strategic Infrastructure) Act 2006) shall, if the following condition is satisfied, be made to the Board under section 37E and not to a planning authority.*
- (2) That condition is that, following consultation under section 37B, the Board serves on the prospective applicant a notice in writing under that section stating that, in the opinion of the Board, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely –*
  - (a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,*
  - (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional planning guidelines in respect of the area or areas in which it would be situate,*
  - (c) the development would have a significant effect on the area of more than one planning authority.*

#### ***Seventh Schedule – Infrastructure Developments for the Purposes of Sections 37A and 37B***

As inserted into the Planning and Development Act 2000 by section 5 of the Planning and Development (Strategic Infrastructure) Act 2006, the following is a class of development outlined in the Seventh Schedule:

- 3. Development comprising or for the purposes of any of the following:*
  - A waste disposal installation for-*
    - (a) the incineration, or*
    - (b) the chemical treatment (within the meaning of Annex IIA to Council Directive 75/442/EEC<sup>1</sup> under heading D9), or*
    - (c) the landfill,**of hazardous waste to which Council Directive 91/689/EEC<sup>2</sup> applies (other than an industrial waste disposal installation integrated into a larger industrial facility).*
  - A waste disposal installation for-*
    - (a) the incineration, or*
    - (b) the chemical treatment (within the meaning of Annex IIA to Council Directive 75/442/EEC under heading D9),**of non-hazardous waste with a capacity for an annual intake greater than 100,000 tonnes.*
  - An installation for the disposal, treatment or recovery of waste with a capacity for an annual intake greater than 100,000 tonnes.*

37E.- (1) *An application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Board and shall be accompanied by an environmental impact assessment report in respect of the proposed development.*

(2) *The Board may refuse to deal with any application made to it under this section where it considers that the application for permission or the environmental impact assessment report is inadequate or incomplete, having regard in particular to the permission regulations and any regulations made under section 177 or to any consultations held under section 37B.*

(3) *Before a person applies for permission to the Board under this section, he or she shall—*

*(a) publish in one or more newspapers circulating in the area or areas in which it is proposed to carry out the development a notice indicating the nature and location of the proposed development and—*

*(i) stating that—*

*(I) the person proposes to make an application to the Board for permission for the proposed development,*

*(II) an environmental impact assessment report has been prepared in respect of the proposed development, and*

*(III) where relevant, the proposed development is likely to have significant effects on the environment of a Member State of the European Communities or other party to the Transboundary Convention,*

*(ii) specifying the times and places at which, and the period (not being less than 6 weeks) during which, a copy of the application and the environmental impact assessment report may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such copy),*

*(iii) inviting the making, during such period, of submissions and observations to the Board relating to— (I) the implications of the proposed development for proper planning and sustainable development, and*

*(II) the likely effects on the environment of the proposed development, if carried out, and*

*(iv) specifying the types of decision the Board may make, under section 37G, in relation to the application,*

*(b) send a prescribed number of copies of the application and the environmental impact assessment report to the planning authority or authorities in whose area or areas the proposed development would be situated,*

*(c) send a prescribed number of copies of the application and the environmental impact assessment report to any prescribed authorities together with a notice stating that submissions or observations may, during the period referred to in paragraph (a)(ii), be made in writing to the Board in relation to— (i) the implications of the proposed development for proper planning and sustainable development, and (ii) the likely effects on the environment of the proposed development, if carried out, and*

*(d) where the proposed development is likely to have significant effects on the environment of a Member State of the European Communities or a state which is a party to the Transboundary Convention, send a prescribed number of copies of the application and the environmental impact assessment report to the prescribed authority of the relevant state or states together with a notice stating that submissions or observations may, during the period referred to in paragraph(a)(ii), be made in writing to the Board.*

*(4) The planning authority for the area (or, as the case may be, each planning authority for the areas) in which the proposed development would be situated shall, within 10 weeks from the making of the application to the Board under this section (or such longer period as may be specified by the Board), prepare and submit to the Board a report setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the area of the authority, having regard in particular to the matters specified in section 34(2).*

*(5) The chief executive of a planning authority shall, before submitting any report in relation to a proposed development to the Board under subsection (4), submit the report to the members of the authority and seek the views of the members on the proposed development.*

*(6) The members of the planning authority may, by resolution, decide to attach recommendations specified in the resolution to the report of the authority; where the members so decide those recommendations (together with the meetings administrator's record) shall be attached to the report submitted to the Board under subsection (4).*

*(7) In subsection (6) 'the meetings administrator's record' means a record prepared by the meetings administrator (within the meaning of section 46 of the Local Government Act 2001) of the views expressed by the members on the proposed development.*

*(8) In addition to the report referred to in subsection (4), the Board may, where it considers it necessary to do so, require the planning authority or authorities referred to in that subsection or any planning authority or authorities on whose area or areas it would have a significant effect to furnish to the Board such information in relation to the effects of the proposed development on the proper planning and sustainable development of the area concerned and on the environment as the Board may specify.*

An Bord Pleanála has published guidelines on the issues expected to be addressed in a Planning Authority report on a Strategic Infrastructure application.

These include:

- *Main relevant Development Plan provisions relating to the subject site and surrounding area including the relevant Core Strategy provisions. A clear indication of the current status of the relevant Development Plan and any Draft Plans should be given, together with any relevant issues arising.*

- *Details of other relevant Plan provisions (e.g. Local Area Plans) and statement regarding status of these Plans (adopted or in draft form).*
- *Relevant planning history relating to the subject site and the surrounding area.*
- *Relevant enforcement information relating to the subject site.*
- *Relevant national, regional, and local policies.*
- *Any SAAO which may be affected by the proposed development.*
- *European designations, Natural Heritage Areas, which may be affected by the proposed development (whether in or proximate to same).*
- *Protected Structures, ACA's etc.*
- *Waste policy, which may be relevant to the proposed development. This will arise particularly in the case of applications for waste facilities where policies, objectives and other provisions of Regional Waste Management Plans should be referred to in addition to the Development Plan.*
- *Adequacy of the public water supply. (Note Irish Water may also comment as a prescribed body)*
- *Public sewerage facilities and capacity to facilitate the proposed development. (Note Irish Water may also comment as a prescribed body)*
- *Availability and capacity of public surface water drainage facilities.*
- *Flood risk assessment in accordance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities (November 2009).*
- *Assessment under the Water Framework Directive and associated regulations.*
- *Hydrological and hydrogeological assessments as relevant to the case.*
- *Appropriate assessment under the Habitats Directive.*
- *Comments on the adequacy, methodology adopted, conclusions etc. of the EIAR submitted with the application.*
- *Assessment of landscape status and visual impact, as appropriate.*
- *Carrying capacity and safety of road network serving the proposed development.*
- *Environmental carrying capacity of the subject site and surrounding area, and the likely significant impact arising from the proposed development, if carried out.*
- *Part V (social and affordable housing) provisions (which may be applicable in rare cases).*
- *Description of any public use of adjoining, abutting or adjacent lands in the applicants ownership, and the planning authority's view on any condition which may be appropriate for the purpose of conserving a public amenity on those lands.*
- *Planning authority view in relation to the decision to be made by the Board.*
- *Planning authority view on conditions which should be attached in the event of the Board deciding to grant permission. (Where an IPPC or Waste licence is required, the Board cannot impose conditions relating to the control of emissions from the activity for which a license is required).*
- *Planning authority view on community gain conditions which may be appropriate.*
- *Details of relevant section 48/49 development contribution scheme conditions which should be attached in the event of a grant.*



- *Details of any special contribution conditions which should be attached in the event of a grant along with detailed calculations and justification for the conditions.*
- *Any other matters relating to the effects on the environment, the proper planning and sustainable development of the area or the effects on European site(s) that the planning authority may consider to be relevant to the case.*

It is anticipated that the Planning Authority's submission will include the views/recommendations from the relevant internal and external bodies consulted, in addition to the overall considered view of the Planning on the proposal.

The report follows, in general, the above issues.

## **Section B: Assessment**

### **Site Description**

The subject site is located in Greenogue Business Park and is accessed via the R120 which connects to the M7. The site contains existing industrial buildings. The surrounding area is characterised by buildings of a similar form and appearance. The site gradient slopes towards the Griffeen River.

### **Zoning**

The subject site is zoned Zoning Objective 'EE': *'To provide for enterprise and employment related uses'* under the 2022-2028 South Dublin County Development Plan.

### **Consultations**

#### **Internal Department**

Parks and Public Realm	No comments or observations to add.
Water Services	No objection subject to conditions.
Roads Department	No objection subject to conditions.
Waste Enforcement and Licencing	No report available at the time of writing.
Waste Management	No report available at the time of writing.
Pollution Control	No report available at the time of writing.

#### **External Department**

Health and Safety Authority	No objection subject to conditions.
Inland Fisheries Ireland	No objection subject to conditions.
Uisce Eireann	No objection subject to conditions.
Environmental Health Officer	No objection subject to conditions.
National Transport Authority	No report available at the time of writing.
TII (Luas/Rail/National Roads)	No report available at the time of writing.
Irish Aviation Authority	No report available at the time of writing.
Department of Defence	No report available at the time of writing.

The reports that were received have been taken into consideration in the Planning Authority's overall view of the proposed development.

### **Relevant Enforcement History**

None identified.

### ***SEA Sensitivity Screening***

The following overlap is indicated;

- Green Infrastructure - 2 - Griffeen River Link
- Seveso Notification Site - Brenntag Chemicals Distribution (Ireland) Ltd CD
- Aviation Safeguarding - Bird Hazards – Casement, Bird Hazards – Weston, Inner Horizontal Surface – Casement
- Flood Zone A and Flood Zone B
- Solar Safeguarding - Baldonnell Solar Safeguarding Zone
- National Land Cover Map 2018 – Buildings, Hedgerows, Other Artificial Surfaces

### ***Relevant Planning History***

#### **Subject Site**

SD22A/0326 - Installation of 410 Solar PV Panels mounted on the roof of 1 existing industrial building and associated site works and services.

Decision: Grant Permission.

SD09A/0050 - An extension to the currently licensed oil recovery activities at the existing integrated waste management facility. This activity will involve the processing and recovery of waste drill cuttings into water, oil and sludge. This activity will take place in the existing on-site contaminated soil storage shed. Therefore, the volume of contaminated soil throughout at the facility will be reduced. The facility currently operates in accordance with waste licence no. 192-02. Permission also sought for 24 hour operations at the facility (after day time hours) which will only apply to activities within the existing solid shed relating to the drill cutting waste processing and recovery.

Decision: Grant Permission.

SD07A/0260 - An increase in the annual waste throughput at existing integrated Waste Management Facility. The facility currently operates in accordance with Waste Licence No. 192-1. The Planning Application will be accompanied by an Environmental Impact Statement (EIS), in accordance with the Planning and Development Regulations 2001, as amended.

Decision: Grant Permission.

SD02A/0313 - To carry out developments on lands at Greenogue Industrial Estate as described hereunder. An integrated Waste Management Facility which consists of four components namely: Hydrocarbon Waste Treatment Centre (1,858sq.m), Drum Recovery Centre (1,858sq.m), Hazardous Waste Transfer Station (1,859sq.m) and Non Hazardous Waste Recycling Centre (3,251sq.m). The proposed development also includes additional ancillary infrastructure including site office (200sq.m) 4 no. weighbridges, 2 no. reception kiosks (14.44sq.m), 2 no. bunded fuel storage tanks (20sq.m), site roads, surface and foul water drainage, 2 no. storm water attenuation tanks (666sq.m), 2 no. firewater retention tanks (151.5sq.m) and car and truck parking areas. An Environmental Impact Statement (EIS) accompanies this planning application.

Decision: Grant Permission.

Appealed under ref. 06s.201534 – Decision on appeal: Grant Permission.

### ***South Dublin County Council Development Plan 2022 – 2028***

The CDP 2022-2028 is the prevailing statutory plan for the area. The following policies and objectives are considered of suitable relevance to the proposed development:

*Chapter 4 Green Infrastructure Policy GI1 Overarching GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*Policy GI2 Biodiversity GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

*Policy GI4 Sustainable Drainage Systems GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

#### *Chapter 11, Section 11.6 Waste Management*

*Policy IE7: Waste Management Implement European Union, National and Regional waste and related environmental policy, legislation, guidance, and codes of practice to improve management of material resources and wastes.*

*IE7 Objective 2: To support the implementation of the Eastern Midlands Region Waste Management Plan 2015-2021 or as amended by adhering to overarching performance targets, policies, and policy actions.*

*IE7 Objective 3: To provide for, promote and facilitate high quality sustainable waste recovery and disposal infrastructure / technology in keeping with the EU waste hierarchy and to adequately cater for a growing residential population and business sector.*

*IE7 Objective 7: To require the appropriate provision for the sustainable management of waste within all developments, ensuring it is suitably designed into the development, including the provision of facilities for the storage, separation, and collection of such waste.*

*IE7 Objective 8: To adhere to the recommendations of the National Hazardous Waste Management Plan 2014-2020 and any subsequent plan, and to co-operate with other agencies including the EPA in the planning, organisation, and supervision of the disposal of hazardous waste streams, including hazardous waste identified during construction and demolition projects.*

*IE7 Objective 9: To support the development of indigenous capacity for the treatment of non-hazardous and hazardous wastes where technically, economically, and environmentally practicable subject to the relevant environmental protection criteria for the planning and development of such activities being applied.*

The following policies and sections of the CDP are additionally noted:

*Policy GI1: Overarching*  
*Policy GI2: Biodiversity*  
*Policy GI3: Sustainable Water Management*  
*Policy GI4: Sustainable Drainage Systems*  
*Policy GI5: Climate Resilience*  
*Policy QDP7: High Quality Design – Development General*  
*Policy QDP16: Framework Plans (FP)*  
*Policy SM2: Walking and Cycling*  
*Policy SM7: Car Parking and EV Charging*  
*Policy EDE1: Overarching*  
*Policy EDE3: Innovative Economy*  
*Policy EDE4: Urban Growth, Regeneration and Placemaking*  
*Policy EDE5: Building on Clusters*  
*Policy EDE7: Space Extensive Land Use*  
*Policy EDE26: Major Accidents*  
*Policy IE2: Water Supply and Wastewater*  
*Policy IE3: Surface Water and Groundwater*  
*Policy IE4: Flood Risk*  
*Policy IE7: Waste Management*  
*Policy IE8: Environmental Quality*

*11.8.2 Casement Aerodrome*  
*11.8.6 Airport and Aerodrome – Noise*  
*11.8.7 Public Safety Zones*

*12.3.1 Appropriate Assessment*  
*12.3.3 Environmental Impact Assessment*  
*12.4.2 Green Infrastructure and Development Management*  
*12.5.1 Universal Design*  
*12.5.2 Design Considerations and Statements*  
*12.5.3 Density and Building Heights*  
*12.5.4 Public Realm: (At the Site Level)*  
*12.7.1 Bicycle Parking / Storage Standards*  
*12.7.4 Car Parking Standards*

*12.9 Economic Development and Employment*  
*12.9.2 Enterprise and Employment Areas Table*  
*12.10.1 Energy Performance in New Buildings*  
*12.10 Energy*  
*12.11.1 Water Management*  
*12.11.3 Waste Management*  
*12.11.4 Environmental Hazard Management*  
*12.27 Key Principles for Development within Enterprise and Employment Zones*

***Relevant National and Regional Policy***

*Project Ireland 2040 National Planning Framework*, Government of Ireland, (2018).

*A Waste Action Plan for a Circular Economy 2020-2025*, Government of Ireland, (2020).

*Climate Action Plan 2024*, Government of Ireland (2023).

*Regional Spatial & Economic Strategy 2019 - 2031*, Eastern & Midlands Regional Assembly (2019).

**Relevant matters to be addressed**

The Planning Authority considers the following as relevant matters to be addressed:

- Principle of the proposed development
- Visual Amenity
- Waste Enforcement and Licencing
- Sustainable Transport
- External Consultee Responses
- Environmental Considerations

***Principle of the proposed development***

The subject site is zoned Zoning Objective 'EE': *'To provide for enterprise and employment related uses'* under the 2022-2028 CDP.

The proposed development substantially comprises modifications to an existing Waste Treatment facility at 402 Grants Drive, Greenogue Business Park, Greenogue, Rathcoole, Co. Dublin, to manage 24,000 tonnes of Healthcare Risk Waste. As noted above, the proposal as detailed would include

- Demolition of the existing office space (393 sqm and 7.6m in height).
- Construction of a new roofed enclosure approx. 130 sqm (dimensions 6.5 m wide x 19.9 m long and 6.2 m high) for storage of clean bins.
- Construction of a security hut (7.45sqm) and 2.7m in height at the main entrance to the facility.
- Construction of a new structure of approximately 194 sqm and 9.1m in height for bulk trailers.
- Construction of a new mezzanine of 91sqm and associated stairs and service lifts.
- Addition of an air emissions point (stack) at roof level of c. 2m in height.
- Provision of internal openings between divisions of the existing building.

- Construction of a pedestrian walkway to allow for pedestrian movement, removal of 5 no. car parking spaces and provision of 10 no. bicycle parking spaces; and
- All associated site development works, including provision of internal plant.

The submitted Planning Report details the proposal in full, including ancillary structures and works proposed which include alterations to parking provision layout, internal alterations to the subject building, installation of a steam thermal treatment area and sharps management equipment and facilities (associated with the proposed HRW element), and provision of office, canteen and welfare facilities within the existing building.

The application outlines that there will be no change in the overall waste tonnages treated at the existing facility. The annual intake will remain unchanged of the permitted 111,000 tonnes, including the proposed 24,000 of HRW treatment services, by way of a proposed reduction in the volume of existing soil waste processing on site. Extension elements to the existing building would include an extended storage area and separate covered bin storey, in addition to a proposed security hut at the existing site entrance.

The established use at the subject site, as permitted under applications SD07A/0260 and SD02A/03130 & 6s.201534, is noted in addition to the 'EE' land use zoning objective of the site. Having regard to same, subject to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan 2022-2028, the principle of the proposed use is considered acceptable at this location.

### ***Visual Amenity***

The application indicates that an existing two storey element of the existing building on site that accommodates existing office space (approx. 7m in height and 20m in width) will be demolished. The existing structure is located on the southern elevation of the existing building, facing onto Grants Drive. The structure comprises block and steel cladding, with ground and first floor windows and access on ground level. The Planning Authority considers the demolition of this to accommodate the proposal as acceptable.

A trailer parking structure is proposed on the southern elevation of the existing building. The supporting drawings indicate an approx. floor area of 194 sq.m. The maximum roof height would be approximately 9m, which is approximately 2.5m below that of the existing building. The proposed structure would include a steel frame and steel-clad materials, and would provide for tow bulk trailers, as stated. The proposal also includes a new bin enclosure area on the eastern elevation of the building, that would comprise a single storey flat roof structure approximately 130sq.m. in area. As per details submitted, this element would have a steel-clad exterior to match the texture of the adjoining building.

In addition, a security hut, 2.7m in height and 7.45sq.m. in area is proposed within the site to the immediate northeast of the subject site access. The submission indicates that no alterations are proposed to the subject site access or to subject site boundaries, as existing.

Having regard to the nature and extent of works proposed, in addition to the context of the subject site, it is considered that the proposed development would not adversely impact on visual amenities of the area and is considered acceptable with regard to same.

### ***Green Infrastructure***

The Public Realm and Parks section have reviewed the application and concluded no observations or comments to add. Given the size, scale, and nature of the proposed development, it is deemed appropriate in this instance that the development will not result in a significant loss of any grassland or permeable surfaces. In this regard, there would be little impact to the existing green infrastructure network and a limited impact in terms of additional runoff from the site and a full GI assessment and plan for the proposed development is not required.

### ***Waste Enforcement and Licencing***

The Waste Enforcement and Licensing section have not returned a report at the time of writing. Notwithstanding this, any appropriate licensing for the waste operations on the site should be controlled by the Environmental Protection Agency (EPA).

### ***Sustainable Transport***

The Roads Department have reviewed the application and provided the following comments:

#### ***Access & Roads Layout:***

*No changes proposed to the main vehicular access.*

#### ***Pedestrian permeability:***

*A new pedestrian cordon is proposed near the front of the site, and this is welcomed by SDCC Roads. The proposed route will be introduced to a busy existing industrial yard and users will be exposed to particular risks here.*

*Applicant to provide a Stage 1&2 Road Safety Audit that includes all pedestrian and cyclist movements within the yard.*

#### ***Car Parking:***

*A reduction in parking is proposed (in tandem with a new bicycle parking provision). Roads are satisfied that this aligns with SDCC CDP maximum parking rates.*

*There is no provision for mobility impaired drivers.*

*Applicant to submit a revised layout that meets the requirements of SDCC CDP:*

- 1. Mobility impaired driver parking quantum - Table 12.25 - Minimum 5% MID*
- 2. EV charging quantum – Table 12.25 – Minimum 20%*

#### ***Bicycle Parking:***

*The proposed bicycle parking provision to this existing facility is welcomed by SDCC Roads.*

Taking in Charge:  
*No issues arising.*

Trailers building:  
*Applicant to submit swept path analysis showing how trailers are parked in the proposed trailers building.*

No Roads objections subject to the following conditions or AI requests:

1. *Applicant to provide a Stage 1&2 Road Safety Audit that includes all pedestrian and cyclist movements within the yard.*
2. *Applicant to submit a revised layout that meets the requirements of SDCC CDP:*
  - *Mobility impaired driver parking quantum - Minimum 5% MID*
  - *EV charging quantum - Minimum 20% EV*
3. *Applicant to submit swept path analysis showing how trailers would be safely reversed/parked in the proposed trailers building.*

The report provided by the Roads Department is noted in full. The Planning Authority recommends in the event that a grant of permission was to be considered for the subject proposal, that the items identified be addressed in full.

### ***Services & Drainage***

The Water Services section have reviewed the application and provided the following comments:

*Surface Water Report:                      Comments:*

*1.1 Provide additional SuDS (Sustainable Drainage Systems) such as a green roof on existing on proposed roof or other such SuDS for the development withing the blue line area of development on drawing submitted.*

*1.2 Surface water should be attenuated to green field runoff rates by means of SuDS (Sustainable Drainage Systems). There is no SuDS shown and SuDS should be provided in the proposed development.*

*Examples of SuDS are:*

- *Green Roofs*
- *Rain Water Planters*
- *Bioretention Rain Gardens*
- *Permeable pavement*
- *Planter boxes with overflow connection to the public surface water sewer,*
- *Filter drains*
- *Swales and Rills*
- *Grasscrete*

*Examples of SuDS can also be found in SDCC SuDS Guide at: Sustainable Drainage Systems - SDCC*

*Flood Risk: No Objection:*

*The development is located in an area that is prone to 1 in 100 year flood event. Submit a justification test report for proposed development.*



In regard to the surface water report provided by the Water Services section, it is considered appropriate that in the event of a grant of permission the **conditions** recommended should apply.

### ***External Consultees Responses***

#### **Environmental Health**

The H.S.E Environmental Health Officer (EHO) has reviewed the application and noted no objection to same subject to conditions. The report of the EHO stated the following:

*The above proposal is acceptable to the Environmental Health Department – subject to the following conditions:*

#### ***Construction Phase***

*Noise: As outlined in Chapter 9 of the EIAR, Noise & Vibration, adherence to the referenced controls as listed is expected.*

- 1. No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.*
- 2. Where intrusive machinery is required to be used at short notice, the main contractor shall ensure that nearby sensitive locations are informed prior to works commencing.*
- 3. Compliance verification through noise monitoring should be carried out during construction and operational phases of the development to ensure levels as outlined in the EIAR are achieved minimizing impact on Noise Sensitive locations.*

*Air: As outlined in Chapter 10 of the EIAR, Air Quality and Climate, adherence to the referenced controls as listed is expected.*

- 4. During the construction phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.*

#### ***Pest Control***

- 5. The applicant shall put in place a pest control contract for the site for the duration of the construction works.*

#### ***Operational Phase***

*Noise: As the proposed development will be a 24 Hour operation the noise mitigation measures as set out in Section 9.7 of the EIAR must be fully implemented in order to protect the residential premises identified as noise sensitive location in the EIAR. 6*

- 6. Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises, or public place in the vicinity.*

7. *Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time.*
8. *Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.*
9. *The applicant shall ensure that the design of the noise sources at the facility and the associated abatement measures will ensure that tonal or nuisance noise will not arise at the Noise Sensitive Locations due to the facility operation.*
10. *The applicant shall put in place management procedures and a maintenance program for the external plant. All mechanical plant items such as motors, pumps, generators etc. shall be regularly maintained to ensure that excessive noise generated by any worn or rattling components is minimised.*

*Air: The mitigation measures as set out in 10.7.2 of the EIAR on the issue of odour and bio-aerosols must be fully implemented and it must include the development of an Odour Management Plan which must be regularly reviewed.*

11. *The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes, or other deleterious materials on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises, or public place in the vicinity.*

The conditions recommended are considered standard and best practise and are advised to be addressed by way of appropriate condition in the event a grant of permission is considered for the proposed development.

#### Uisce Éireann

Uisce Éireann have reviewed the application and provided the following comments:

*Uisce Éireann respectfully requests any grant of permission be conditioned as follows;*

*The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement*

*All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.*

*Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.*

*Uisce Éireann's Standard Condition(s):*

*The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.*

*All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.*

*Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.*

*Reason: To provide adequate water and wastewater facilities.*

In the event that a grant of permission is considered for the proposed development, it is recommended that the conditions recommended by UÉ are applied.

#### Inland Fisheries Ireland

The Inland Fisheries Ireland (IFI) have reviewed the application and provided the following comments:

*IFI have reviewed the application and associated documentation and make the following observations:*

*The proposed development has hydraulic connectivity to the Griffeen River, via the proposed surface water management system. This connectivity in the absence of appropriate mitigation measures during both the construction and operational phase of the development poses a risk to the receiving aquatic environment.*

*IFI have concerns that the proposed development in combination with other developments in the area, which are using the Griffeen River and its Tributaries as the final discharge point for treated and attenuated surface water.*

*The EIAR Vol. 1\_Non technical Summary states the following:*

*"Silt-laden water can arise from exposed ground and interaction with loose soil/rubble during demolition and construction. The existing surface water site drainage network will retain functionality throughout the construction and operational phases of the Proposed Development, including settlement of sediment within the attenuation tank prior to restricted release to the Griffeen River at a maximum rate of 6 l/s/ha. However, in the event of a period of high intensity rainfall, it is possible that rainfall intensity may exceed infiltration rate into the drainage network resulting in overland runoff into the Griffeen River. Short-term effects on surface water quality can occur through the silt laden and potentially contaminated surface water runoff. It is possible that rainfall intensity may exceed infiltration rate into the drainage network resulting in potentially contaminated runoff into the Griffeen River."*

*IFI recommends that further mitigation measures beyond those that are outlined in "Table 6.10: Water Assessment Environmental Commitments" are implemented to protect the Griffeen River during both the construction and operational phases of the development, particularly during periods of High intensity rainfall.*

*It is further recommended that the Surface Water monitoring limits "B.6 Surface Water Discharge Limits" and the "C.6.2 Monitoring of Surface Water Emissions" that are conditioned within the existing Industrial Emissions Licence - W0192-03 are reviewed and the frequency, particularly during any construction phases of the proposed development are increased. increased. All discharges from the site must comply with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) Regulations 2010.*

*IFI are becoming increasingly concerned about the lack of appropriate maintenance on approved drainage infrastructure, such as interceptors, attenuation tanks, attenuation basins on developments post construction phase.*

*All drainage infrastructure, either hard engineered solutions or more sympathetic nature-based designs require regular inspection and maintenance to function as designed to do so, otherwise they can increase the risk of flooding and a deterioration in water quality.*

*IFI recommends that a SuDS/Drainage Maintenance checklist which includes typical operation and maintenance requirements for the proposed drainage infrastructure is submitted for approval by the planning authority.*

*The agreed maintenance program should be conditioned as part of any planning permission which should be then implemented by an appointed management company or the local authority if the development is to be taken in charge.*

The report received by the IFI is noted in full by the Planning Authority. In the event that An Bord Pleanála is minded to grant permission for the subject proposal, it is recommended that the items identified by IFI are addressed in full.

#### Health and Safety Authority

The closest SEVESO site within the vicinity of the subject site is Brenntag Chemicals Distribution (Ireland) Ltd, Unit 405, Greenogue Business Park, Rathcoole, Dublin 24, located approximately 50m to the east of the proposed development. The Health and Safety Authority (HSA) have reviewed the application and provided the following comments:

*The approach of the Health and Safety Authority (the Authority) to Land-use Planning is set out in the document 'Guidance on technical land-use planning advice'. It is available from our website at:  
[https://www.hsa.ie/eng/Your\\_Industry/Chemicals/Legislation\\_Enforcement/C\\_OMAH/Land\\_Use\\_Planning/](https://www.hsa.ie/eng/Your_Industry/Chemicals/Legislation_Enforcement/C_OMAH/Land_Use_Planning/) The document should be consulted by you to fully understand the advice given in this letter.*

*In that context, and the Health and Safety Authority remit, in respect of this specific application the following points are relevant:*

- 1. The application is covered by Regulation 24(2) (c) of S.I. 209 of 2015*
- 2. On the basis of the information supplied, the Authority DOES NOT ADVISE AGAINST the granting of planning permission in the context of Major Accident Hazards.*
- 3. The advice is only applicable to the specific circumstances of this proposal at this period of time.*
- 4. Future development around COMAH establishments has the potential to impact on the expansion of those establishments.*

The report received by the HSA is noted in full by the Planning Authority. The consideration of An Bord Pleanála, as the competent authority in this regard, of any/all requirements of the HSA is recommended in the event of a grant.

### ***Environmental Considerations***

The following issues relating to the environmental considerations of the site have not been addressed elsewhere in this report.

### **Heritage**

The site is not located within an Architectural Conservation Area, nor are there any Protected Structures or recorded sites and features of historical and archaeological importance included in the Record of Monuments and Places. The site is not located within a Special Amenity Area Order, nor does it affect any proposed or designated European, or national environmentally protected areas.

### **Appropriate Assessment**

An Appropriate Assessment Screening Report prepared by RPS was submitted with the subject application. The submitted report asserts that an Appropriate Assessment is not required in this instance as the development will not have a significant effect on any European sites. The conclusion of the screening report states:

*RPS has prepared this report to inform Screening for AA to consider whether the Proposed Development, individually or in combination with other plans or projects, and in view of best scientific knowledge, are likely to have a significant effect on any European site(s).*

*The screening exercise was completed in compliance with the relevant European Commission guidance, national guidance, and case law. The potential impacts of the Proposed Development have been considered in the context of the European sites potentially affected, their QIs or SCIs, and their conservation objectives.*

*Through an assessment of the source-pathway-receptor model, which considered the ZoI of effects from the Proposed Development (as sought under these consent applications) and the potential in-combination effects with other plans or projects, the following findings were reported:*

- The Proposed Development is not directly connected with or necessary to the management of any European site;*
- The Proposed Development alone is not predicted to result in any Likely Significant Effects on any European site(s) within the ZoI of the facility.*

- *The Proposed Development will not give rise to potential in-combination or cumulative effects with the other projects considered.*

*Having regard to the methodology employed and the findings of the screening stage appraisal, it has been concluded that a Stage 2 (Natura Impact Statement), to consider the adverse effects of the Proposed Development, is not required.*

The submission is noted. An Bord Pleanála is the competent authority in this regard.

#### Environmental Impact Assessment

An Environmental Impact Assessment Report (EIAR) prepared by RPS has been submitted with the application. The screening acknowledged the following:

*“As indicated in Section 1.3, the Proposed Development is an SID in terms of Section 37A of the Planning and Development Act, 2000. An SID application must be accompanied by an EIAR. A Natura Impact Statement (NIS) may also be required, depending on the circumstances of the case. As per Section 37E, application for permission to the Board must be accompanied by an EIAR.”*

The submission is noted. An Bord Pleanála is the competent authority in this regard.

#### Section C: Other Considerations

##### ***Planning authority view on community gain conditions which may be appropriate.***

Given the nature and location of the proposal, it is considered that ‘community gain’ conditions are not warranted in this case.

##### ***Details of relevant section 48/49 development contribution scheme conditions which should be attached in the event of a grant.***

There are no Section 49 supplementary contributions either adopted or proposed that would affect this proposed development site. South Dublin County Council has an adopted Section 48 contribution scheme. The rate of development contribution, in accordance with Section 48 of the Planning & Development Act 2000 (as amended), in respect of permissions granted for industrial/commercial development, from 1st Jan 2024 is €119.52 per sq.m. The floor area of development is calculated as the gross floor area.

##### ***Details of any special contribution conditions which should be attached in the event of a grant along with detailed calculations and justification for the conditions.***

There are no special contribution schemes in this instance.

##### ***Planning authority view in relation to the decision to be made by the Board.***

If An Bord Pleanála is minded to grant permission for the proposed development, the Planning Authority would recommend that conditions should be attached in relation to the following items:

- Parent Permission:
  - All relevant conditions of SD09A/0050, SD07A/0260, and SD02A/03130 & 6s.201534 shall apply, save as may be required by conditions attached hereto or were amended as per the description of this development.