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Appeal NO: ABP 321466

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from

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Date: 29/7/25

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CORRESPONDENCE FORM

Appeal No: ABP 321466

M _____

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Amendments/Comments

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James Sweeney

From: Rachel Kenny <Rachel@cwpa.ie>
Sent: Monday 21 July 2025 16:25
To: James Sweeney; LAPS; Bord
Subject: St Margaret's Waste Recycling response
Attachments: ACP SMMR response 21 July 2025.pdf

Follow Up Flag: Follow up
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Hi James

Further to your request for same please find our response to the submissions of DAA and DAU, if you require drawings to support our response, please feel free to request same,

Regards

Rachel



James Sweeney

SIDs/LAPs Section

An Coimisiun Pleanála

64 Marlborough Street,

Dublin 1

21st July, 2025

Subject: Responses re. St Margaret's Waste Recycling -Substitute Consent Application

Your Reference ABP-321466-24

A Chara,

We refer to your correspondence of 30th June 2025, in which you have provided us an opportunity to respond to the submissions of DAA and DAU (Department of Housing, Local Government and Heritage).

Unfortunately given the very tight timeline for response, we are at this time only in a position to provide a higher-level response to the comments made, but where the Board/Coimisiun would like a more detailed response and drawings reflecting any options proposed, we would be more than happy to provide same to you.

Submission 1 – DAA

The DAA have made a submission which reflects their concerns regarding 'Wildlife Hazard and Aviation Safety Concerns'.

Response

The applicant had in drawing up their proposals for the future development and on-going activities at the site to reflect changes in terms of 'best practise' in surface water drainage treatment, and compliance with

SuDs as well as endeavouring to achieve biodiversity net gain, reflecting Fingal County Council's policies and objectives in this regard.

However, where the Coimisiun consider improvements to be possible or an alternative balance to be more appropriate, the applicant has no issue amending the proposal accordingly –

1. **Wildflower Meadow Planting**

The proposal to convert the currently hard cored area to a combination of managed grassland and wildflower meadow can be amended to have 'long grass' only, and the applicant can plant tall fescue and Italian ryegrass.

Note – the Council had originally sought the applicant to return these lands to agricultural use; however, it would appear that the DAA would likely oppose this as it would either require the lands to be planted with crops which could attract birds or would be used for grassing cattle which would require/result in shorter grass. It should be noted that other lands, specifically adjacent fields have crops and animals on them, and this has not resulted in any issues with aircraft safety. We are happy that this matter can be resolved by condition as the Coimisiun sees fit.

2. **Open Water Attenuation** also appears to be an issue for the DAA, although we note that there are numerous open water sources in this area, and again they have not caused any issue regarding aircraft safety. That said, we have reviewed our proposals and have addressed the concerns here under-

In terms of attenuation, the 1 in 30-year attenuation volume is wholly retained below ground, with an above ground dry detention basin only functioning in storms in excess of this return period. There is no open water proposed as part of the proposed development, but rather the basin stores water for short periods in extreme rainfall events (exceeding 1 in 30-year event).

Specific design considerations have been raised which we address also:

- "the basin's flat profile may result in prolonged water retention" –
In this regard the profile of the basin can be altered to ensure that a minimum of 1/40 falls towards the open grated manholes in the base are achieved. We would also note that proposed basin is located in an existing greenfield area, and therefore no change is proposed in this regard. This 1 in 40 gradient is in excess of the current ground profile and is supplemented by the provision of new land drainage with free draining gravel



surround in the basin area to prevent water retention in normal conditions. The above would align with the DAA recommendation for "rapid infiltration systems" in the basin area.

- The frequency at which this basin fills
This could also be reduced through the increase in the below ground storage volume if required. This has also been proposed by the DAA as suitable mitigation.
- Netting could also be provided if considered necessary, but the frequency of use of the dry detention basin would not suggest it would be necessary.
- It is proposed that the basin is constructed with a maintained grass base that would restrict any nesting opportunities with the dry basin when compared to the current agricultural use.

As noted in our opening comments, given the tight turn around time, drawings to accompany the above noted proposals/options have not been provided, however we believe that the text above is sufficient to allow clarity as to the possible amendment to the proposal originally submitted, and that this matter can be readily conditioned, as recommended by the DAA.

Neither matter raised would warrant a refusal and of particular note, is that the DAA do not suggest that the proposed use is incompatible with the DA zoning or aviation/airport activities. They have raised no concerns regarding any other flight safety issues.

Submission 2– DAU

The DAU have made a submission which reflects their concerns regarding 'Nature Conservation', and specifically possible effects of the proposed development on flora and fauna if surface water were to carry pollutants into Huntstown Stream.

Response

The DAU note that the current arrangement for surface water drainage is via field drainage. This has been on-going for some 30 years, and without significant adverse effect on Huntstown Stream or any European Site. The DAU do not recommend refusal, but merely reiterate that 'surface water' should not transport pollutants via Huntstown Stream to Malahide Estuary European Site. We are satisfied that current measures

have been operating successfully for 30 years, and therefore we can be reassured that there is no likelihood of their being a significant effect, such that would adversely impact on the conservation objectives pertaining to the European site's qualifying interests'.

We draw the Commission's attention to Section 5 of the submitted Engineering Assessment Report, which sets out the sustainable drainage strategy for the site, and specifically Section 5.1 sets out the treatment train measures to be implemented, specifically:

"In order to ensure onsite treatment of the potential suspension of onsite contaminates and particulate matter, the surface water shall feature a treatment train prior to discharging in the receiving environment.

The onsite treatment train shall consist of the following and function as indicated in Figure 2.

- 100% interception of surface runoff
- Gullies
- Silt trap manholes prior to attenuation.
- Hydrobrake flow control
- Online full retention hydrocarbon interceptors
- Surface water pump station with sump
- Sand filter

The treatment train will provide sufficient removal of the potentially suspended solids and particulate matter suspended during heavy rainfall as well as remove hydrocarbon contaminates, ensuring that the water quality discharge into the receiving environment is of suitable quality."

In addition, as part of our May 2025 response to Fingal Council's submission in respect of the subject application, it was proposed that a downstream defender could also be provided on the outlet to further improve the water quality of surface water runoff from the site if required.

"To further mitigate the risk of soluble metal contamination, the installation of a downstream defender unit or equivalent treatment device can be facilitated if required. These systems are specifically engineered to capture both particulate-bound and dissolved pollutants, including metals. Collected materials are removed and disposed of offsite in accordance with appropriate waste management regulations."

We are satisfied that the measures proposed adequately and appropriately remove any risk of significant effect and that the Natura Impact Assessment, reflects that subject to the proposed mitigation measures

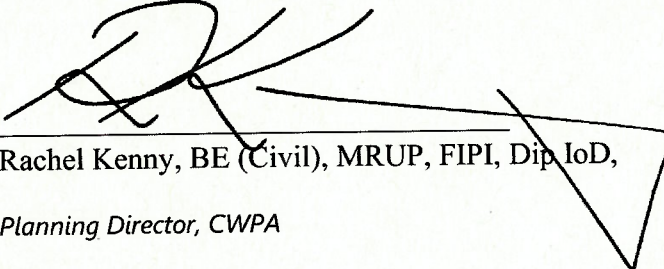


being put in place that there is no likelihood of significant adverse effect in respect of the sites' conservation objectives. The measures in place and proposals being put forward represent an improvement over and above that permitted (irrelevant of site area or tonnage), in that when various elements were previously permitted, no NIS was required or prepared, and as such no 'mitigation measures' were previously required or conditioned by the planning authority.

In addition to the measures already proposed in the application before the Commission, the applicant is amenable to any condition or request for further information, whereby all of the processing components of the open yard (i.e. Shear and Hammermill) could be enclosed within an industrial style building similar to that on site. This could potentially reduce any risk of pollutant run-off and could allow for the collection of additional grey water for storage and use as part of the fire water retention requirements and the conversion of their energy source from diesel engines to electricity. The roofs of these buildings are ideal for photovoltaic panels again providing an additional source of renewable energy. In circumstances where the Commission considers this to be a preferred approach, the applicant invites a condition to that effect or can provide drawings and details to support this option. We do not believe the above noted 'covering in' option to be necessary to address the DAU's concerns; and do not believe there to be any doubt or uncertainty in respect of the measures in place in particular as they are 'tried and tested' measures and as they have been in operation for a significant period without any adverse impact on the flora or fauna or water quality in the vicinity of the site. However, the applicant wishes to operate in accordance with best practices available to him, and therefore, where permission is to be granted for the long term use of the site as a waste recycling facility, the applicant would invite a condition reflecting the above.

We trust the above response address the concerns or questions raised in the submissions received, and if there is any requirement for further information or drawings in support of the proposals noted, that the Commission will seek further information in that regard.

Yours Sincerely,



Rachel Kenny, BE (Civil), MRUP, FIPI, Dip IoD,
Planning Director, CWPA

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