



CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE
& PLANNING

APPENDIX 2

Offaly County Council's
Planning Reports





CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE
& PLANNING

APPENDIX 2.1

Planning Report to inform
decision to Request Further
Information

OFFALY COUNTY COUNCIL

PLANNING REPORT

PL REF. NO:

PL2/22/490

APPLICANT:

OXIGEN ENVIRONMENTAL UNLIMITED COMPANY

LOCATION:

DERRYARKIN, RHODE, CO. OFFALY

PROPOSAL:

THE DEVELOPMENT WILL CONSIST OF THE DEMOLITION OF EXISTING AGRICULTURAL SHEDS AND STRUCTURES ON-SITE AND THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY FOR THE ACCEPTANCE AND PROCESSING OF UP TO 90,000 TONNES PER ANNUM OF HOUSEHOLD, COMMERCIAL AND INDUSTRIAL (C&I), AND CONSTRUCTION AND DEMOLITION (C&D) WASTE. ELEMENTS OF THE PROPOSED DEVELOPMENT INCLUDE THE FOLLOWING. (1) THE DEMOLITION OF ALL EXISTING SITE AGRICULTURAL SHEDS AND STRUCTURES ON-SITE (WHICH COVER AN AREA OF 1,417 M²). (2) THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY, COMPRISING: (A) A SITE ENTRANCE, (B) A WEIGHBRIDGE, (C) TRUCKING SET DOWN AND PARKING AREAS, (D) STAFF PARKING, COMPRISING 24 PARKING SPACES INCLUDING DISABLED PARKING AND EV CHARGING, (E) A CONCRETE YARD AREA, (F) A FUEL STORAGE AREA, (G) EXTERNAL WASTE STORAGE BAYS, (H) SKIP / BIN STORAGE AREAS, (I) A PERIMETER BOUNDARY WALL (4 M IN HEIGHT) AND PERIMETER FENCING (2.1 M IN HEIGHT), (J) A STORMWATER DRAINAGE AND ATTENUATION SYSTEM, (K) AN ADMINISTRATION TWO-STOREY BUILDING (WITH AN OVERALL FLOOR AREA OF C. 396M² AND C.7.35M IN HEIGHT), (L) A SINGLE STOREY MATERIALS RECOVERY FACILITY (WITH AN OVERALL FLOOR AREA OF C. 2,850M² TO A MAXIMUM HEIGHT OF C.13M), (M) A TRUCK LOADING BAY, (N) AN ON-SITE WASTEWATER TREATMENT SYSTEM, ASSOCIATED PERCOLATION AREA AND ANCILLARY SERVICES, (O) AN ON-SITE ESB SUB-STATION AND ADJOINING ELECTRICAL ROOM (WITH A COMBINED FLOOR AREA OF 61 M² AND 2.175 M IN HEIGHT), (P) SOLAR PANELS (COVERING A TOTAL AREA OF 737 M²) MOUNTED ATOP THE PROPOSED ADMINISTRATION AND MATERIALS RECOVERY FACILITY BUILDINGS. THE APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) AND NATURA IMPACT STATEMENT (NIS). THE PROPOSED DEVELOPMENT WILL ACCEPT UP TO 50,000

TONNES OF WASTE PER ANNUM AND OPERATE UNDER A WASTE FACILITY PERMIT FROM OFFALY COUNTY COUNCIL DURING PHASE 1 OF OPERATIONS. THE PROPOSED DEVELOPMENT WILL ACCEPT UP TO 90,000 TONNES OF WASTE PER ANNUM AND OPERATE UNDER AN INDUSTRIAL EMISSIONS LICENCE FROM THE ENVIRONMENTAL PROTECTION AGENCY DURING PHASE 2 OF OPERATIONS

RECOMMENDATION: FURTHER INFORMATION

DECISION DUE DATE: 15th NOVEMBER 2022

FIRST PLANNING REPORT.



BRIEF SITE DESCRIPTION:

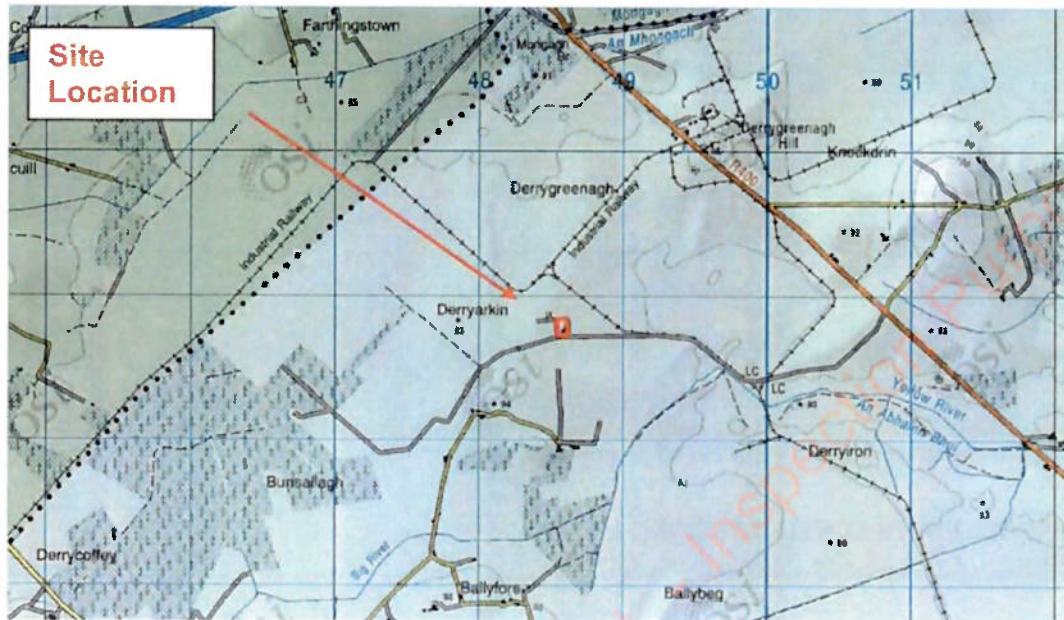
The proposed development site is located in the townland of Derryarkin, Rhode, Co. Offaly. The development site is 0.8 ha in size. The site is located 4 km south-south-east of Rochfortbridge, Co. Westmeath and 5.5 km north-west of Rhode, Co. Offaly. The site is 3 km south of the M6 motorway and approximately 2.2 km west of the R400.

The site is located in a largely rural/agricultural setting with some industrial/commercial activity in the wider area. A piggery operated by Skeagh Farms under an Industrial Emission Licence from the EPA (Licence Reference: P0938) is located immediately north/north-west of the development site. Access to this pig farm is via private access road which bounds the development site to the east and north

The Yellow River Windfarm project, which has been granted planning consent, will be constructed in the local area. SSE Renewables are responsible for the construction and operation of this wind farm. The wind farm will consist of 32 wind

turbines across a number of townlands, some of which will be located in relatively close proximity to the proposed site in the townland of Derryarkin to the north, west and south east

The site is accessed via a site access road that connects to the R400 Regional Road ca. 2.2 km west of the site. The R400 connects to the M6 Motorway, 2.9 km north of the site.



Figs 1: Site Location (Discovery Series)



Figs 2: Site Location.



Figs 3: Aerial image of location of site

PRE-PLANNING CONSULTATIONS:

None indicated on the application form.

INTERNAL REPORTS:

<p><u>Area Engineer:</u></p>	<p>No objections subject to conditions in relation to:</p> <ul style="list-style-type: none"> • Upgrade works to junction with R400 to be carried out in advance of commencement of extraction works from the proposed development. It is noted that a number of matters have been raised within the Road Safety Audit (Stage 2). It is further noted within the Road Safety Audit Brief Checklist that some information was not available to the Road Safety Auditor for consideration such as Traffic Surveys, etc. • It is noted that design drawings have been submitted, Tobin Drawings No. 10884/2000 – 10884/2007 inter alia, which are generally agreeable, the final design of the proposed junction with the R400 (referred to as Junction 2 or J2 within the TTA) to be agreed with Offaly County Council (OCC) prior to construction commencement. • It is noted that Section 3.3 of the Construction Environmental Management Plan states that the Junction Upgrade will take place after the Construction of the Materials Recovery Facility. For clarity, the junction upgrade is required in advance of
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	<p>the operation of the proposed Materials Recovery Facility, so upgrade works are required to be completed in advance.</p> <ul style="list-style-type: none"> • Annual Contribution (Special Development Contribution) to be paid to Offaly County Council for impact on the R400. Initial Annual Contribution set at €25,000.00 (rate as 2022). Calculation of contribution on separate attached sheet. The annual sum shall be index linked in accordance with changes in the Wholesale Price Index – Building & Construction section as published by the CSO. The 1st annual sum shall be paid to the planning Authority prior to the commencement of any development on site. • 160m sightlines shall be maintained at all times. Nothing shall be planted or sown in front of these sightlines without prior written permission from the local authority. The verges within the 160m sightline shall not exceed 600mm high above the adjacent carriageway. • The vehicular access to the site shall be restricted to one point. • Any damage to the public road consequential to the development work will be made good to the satisfaction of the Area Engineer. • Proposed road markings on the R400 noted on as Dwg. 10884-2000, however final road markings to be agreed with OCC prior to installation. • Signage to be agreed with OCC prior to installation, all signage to comply with most recent The Traffic Signs Manual and other relevant standards. • Pavement upgrades to be completed to extents indicated on Drawing 10884-2004. Specific pavement design to be agreed with OCC prior to installation. OCC have some concerns around the use of Pavement Type 2 as shown on the above reference drawing, as surface dressed roadway in where concentrated HGVs turning movements occur will result in loose material on the R400 and degradation of the junction surface. Area shown as Type 2 surfacing to be upgraded to Type 1, final design to be
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	<p>agreed with OCC. OCC may require the inclusion of a geogrid to the road reconstruction works, final design to be included prior to commencement.</p> <ul style="list-style-type: none"> • Due to the nature and volume of proposed HGV traffic at this junction, public lighting to be provided at the R400 junction for enhanced visibility and safety. Design to be submitted and agreed with OCC. • Surface water drainage measures (gullies, etc.) at the revised junction / junction upgrade to be agreed with OCC. Surface water system to be maintained in good order.
<u>Roads</u>	<p>No objections subject to conditions in relation to:</p> <ul style="list-style-type: none"> • Upgrade works to junction with R400 to be carried out in advance of commencement of construction works from the proposed development in accordance with TII document DN-GEO-03060, June 2017. Offaly County Council require junction upgrade works to include for the provision of 20 metres of resurfacing on the L10091 from R400 road junction so as to satisfy requirements of RSM Stage 2 Road Safety Audit (RSA), December 2021. The inclusion of same is an addition to the proposed pavement upgrades as indicated on Tobin Consulting Engineers Drawing 10884-2004, Revision A, November 2021. Full road pavement reconstruction to be in accordance with the 'Guidelines for the Rehabilitation of Roads over Peat'—"Green Book" including the use of an appropriate composite geogrid. Specific pavement design to be submitted to the Planning Authority for written agreement prior to commencement of development. • Within 6 months of operation of development, the Developer shall submit to the Planning Authority for written agreement a detailed Stage 3 and Stage 4 RSA, which shall be carried out by an independent approved and certified auditor for the proposed development on junctions modified as part of this proposal in accordance with TII document GE-STY-01024, December 2017, after construction and 4 months' post road opening with live

	<p>traffic during operation of the proposed development. The RSA recommendations shall be incorporated into the final completed works.</p> <ul style="list-style-type: none"> • Vehicular access to the site shall be restricted to one location only. • Lines of sight at site entrance shall be constructed and maintained strictly in accordance with the requirements of Table 1.3: Design Speed Related Parameters of TII Rural Link Road Design DN-GEO-03031, April 2017. No surface water to discharge onto public road. • Prior to commencement of development, the Developer shall submit for written agreement of the Planning Authority proposals for street lighting at the proposed development entrance as recommended within RSM Stage 2 RSA, December 2021, Observation 2.4.1 to be designed in accordance with LED specification. LED street lighting design to be submitted by competent designer. • The existing R400 regional road shall be kept free of mud, dust and debris. • Surface water drainage measures (gullies, etc.) shall be installed at the revised junction / junction upgrade. Design to be submitted and agreed with the Planning Authority prior to commencement of development. • All surface water run-off from the development shall be collected and disposed of within the site. In particular, no such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties. • Any damage to the public road consequential to the development work will be made good to the satisfaction of the Area Engineer. • Traffic management plans to be submitted for each stage of the works to Edenderry Municipal District Office, in accordance with the requirements of most recent Traffic Signs Manual. • Car parking provisions including accessible spaces and EV charging points and infrastructure requirements to be
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	<p>constructed in accordance with Offaly County Development Plan 2021-2027.</p> <ul style="list-style-type: none"> • This application will require the levying of a contribution in accordance with 'Offaly County Councils Development Contribution Scheme 2021-2025, Section 19 Charges to be Applied', towards the management and repair of the public roads in the vicinity of the site. • Prior to commencement, applicant to consult with ESB regarding works in close proximity to overhead power lines and to agree re-routing of same in accordance with ESB Codes of Practice to ensure safety of all construction personnel on site <p>However, in accordance with the Offaly County Development Plan 2021-2027 Volume 1: Written Statement Section 8.6.2 Strategy for Sustainable Transport Strategy, Offaly County Council adopts a restrictive policy in relation to new development on certain regional roads, which include the R400, in the interests of preserving the traffic capacity in order to avoid the creation of traffic hazards and key amenity routes. These routes are of strategic importance to the county and to the region.</p>
<u>Environment/Water Services</u>	<p>Further Information is required in relation to <u>Surface water management</u></p> <p>Further detail is required on site activities and the type of discharges to the adjacent watercourse via the proposed surface water drainage system. Please note here shall be no discharge of trade effluent to waters except where a licence is granted by the local authority as required by the Local Government (Water Pollution) Acts, 1977 and 1990.</p> <p>Further detail of surface water monitoring and management programme during operation phase shall be provided including detail of parameters measured and standards applied in order to protect receiving watercourses shall be provided. There is insufficient information to demonstrate that wash water, sediment or organic matter during construction and operational phase would not result in discharge to the adjacent watercourse.</p> <p>The applicant is requested to submit Design calculations for the surface water system serving the proposed site including calculations for sizing</p>

attenuation tank

Calculations for the proposed surface water discharge rate

Detail on the prop structure of the proposed attenuation structure

Wastewater management

Site suitability Assessment-The Applicant is requested to submit a site layout plan confirming the location on site where the percolation testing occurred.

Further detail is required on the design, sizing and type of wastewater treatment system constituting of secondary treatment and soil polishing treatment system and adjoining percolation area as outlined below -

The Applicant should submit design details for the proposed septic tank system. Details of the hydraulic loading, the size and capacity of the septic tank and the length of percolation trenching required should be included. The proposed septic tank should conform to I.S. EN 12566 Part 1 or 4. Details of the relevant I.S. EN 12566 test performance results should be submitted to support this.

The Applicant should submit a revised site layout plan, which should indicate the designed percolation area dimensions and all the relevant setback distances.

Secondary Treatment System -

The applicant should submit a revised site layout plan indicating the proposed soil-polishing filter as per the design details indicated in the site suitability report. Dimensions and all the relevant setback distances for the proposed soil-polishing filter should be included and set back distances must demonstrate compliance with Table 6.1 of the CoP. Please note the maximum length of each soil polishing filter trench should not exceed 10m.

Please submit details of the EN12566 Part 3 test performance results for the proposed effluent treatment system. Please note the test performance results for Biochemical Oxygen Demand (BOD), Suspended Solids and Ammonium

	<p>Nitrogen (NH₄-N) should be included and the treatment efficiency must comply with the minimum performance standards as set out in Table 5.1 of the 2009 EPA Code of Practice.</p> <p>Section details indicating site services in relation to waste treatment system, if any.</p> <p>Detail of maintenance arrangements to be put in place to be provided.</p> <p><u>Wash-down Drainage</u></p> <p>Further information on the proposal to deal with management of wash-down drainage to be provided including –</p> <ul style="list-style-type: none"> • Confirmation on how wash-down drainage will be managed so that it does not enter the surface water system. • Section detail of the proposed precast storage tank and detail on the integrity of the unit • Calculations for sizing of tank • Detail of the estimated volumes to be tankered off site and evidence of agreement in place with an operator to accept the foul/wash water for appropriate treatment. <p><u>Groundwater/Surface Water Protection</u></p> <ul style="list-style-type: none"> • Please provide details of any fuel, oil or other types of chemical substances to be stored within the development and submit details of bunded storage volumes, the types of storage facilities and the volumes to be stored. Please show that bunding arrangements conform to the EPA Guidance Document 'Storage & Transfer of Materials for Scheduled Activities' 2004 or make proposals to ensure compliance. • Please specify the projected emission values for all expected contaminants in the surface water/foul system prior to discharge from the proposed development. Please provide details of any proposed settlement tanks and oil interceptors including output performance in terms of suspended solids removal and oil removal.
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	<ul style="list-style-type: none"> <p><u>Landscape Plan</u></p> <p>The Developer shall submit a proposed landscape plan for the proposed developed ensuring compliance with the policies outlined in Chapter 4 of the Development Plan 2022- 2027.</p> <p><u>Operation Phase</u></p> <p>Further detail on the testing, certification and commissioning of baseline environmental scenario at the commencement of the operation to be provided.</p> <p>Further detail to be provided on the operational practices during the two different phases operation -Phase 1 and Phase 2. Detail to include the level of environmental monitoring arrangements that will be in place during the 2 phases to ensure compliance with performance standards set out in submission.</p> <p><u>Consultation with Stakeholders</u></p> <p>The Applicant is requested to provide detail on the discrepancies between the Site Layout Plan reference No 20-01-SK04A issued to all stakeholders which is different to Drawings P2344-0500-001 titled Proposed Site Services and P2344-0100-005 titled Proposed Site Layout Plan.</p> <p><u>Waste Management</u></p> <p>Further detail on quantities of hazardous C&D waste that is likely to be processed on site to be provided including detail on how activity will be managed on site to reduce any impact on receiving environment.</p> <p>The EIAR stated that <i>"most of the waste handling, storage and processing will take place indoors under cover"</i> The Applicant is therefore requested to provide justification for the outdoor timber shredding process and subsequent storage of the untreated timber and garden waste outdoors. Further detail on mitigation measures to reduce dust, odour, gas and leachate emissions from such a practise in the interest of</p>
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	<p>protection of Biodiversity and SACs.</p> <ul style="list-style-type: none"> • <u>Proposed Solar Panels</u> The applicant is requested to submit specification on the solar panels proposed for this development and the mitigation measures to reduce possible glare risk.
Chief Fire Officer:	File referred no response as of date of report.

EXTERNAL REPORTS:

<u>HSE (Local)</u>	<p>Makes the following recommendations:</p> <ul style="list-style-type: none"> • Public consultation should be undertaken regarding the proposed development • A complaints procedure should be put in place with contact details provided for a member of staff with responsibility for dealing with complaints during both the construction and the operation of the Materials Recovery facility • Groundwater wells, if any, which have been identified within 150m from the boundary of the proposed development and which are used as a source of drinking water should be monitored and protected from contamination during both the construction and operation phases of the proposed development • Measures to prevent the accidental discharge of untreated concrete wash water during construction should be included in the CEMP • Mitigation measures for the protection of surface and ground water which are included in Chapter 10 'Surface Water and Hydrology' should be implemented in full during both the construction and operational phase of the proposed development • Mitigation measures included in Chapter 10 'Surface Water and Hydrology' are included as conditions of planning, should permission be granted. • Noise levels should be maintained well below the limits contained in the EPA guidelines referred to and these noise limits should not be exceeded. • It is recommended that construction activities are limited to
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	<p>Monday to Friday 07.00-18.00 Saturday 07.00-14.00 Sunday and Public Holidays – no noise generating activity</p> <ul style="list-style-type: none"> • The frequency and location of noise monitoring should be specified as conditions of planning, if granted • Noise mitigation measures specified in Chapter 12 of the EIAR for both the construction and operation phases of the proposed development are included as conditions of planning, if granted • The results of noise monitoring should be checked and enforced in order to ensure compliance with planning conditions. • The Dust Mitigation Plan should be submitted to the Planning Authority for approval prior to the commencement of work on site and should include the mitigation measures described in Chapter 4.4.5.2 'Construction Phase Air Quality Mitigation' of the CEMP. • Visual checks of public roads to check for cleanliness and dust deposits should be undertaken on a daily basis as a minimum.
Arts Council:	No response as of date of report
Dept. of Cultural Heritage and the Gaeltacht:	No response as of date of report.
An Taisce:	No response as of date of report.
The Heritage Council:	No response as of date of report.
OPW:	No response as of date of report.
EPA:	<p>Notes the following:</p> <p>I refer to your correspondence received on 12th October 2022 requesting comments from the Agency on the planning application and EIAR for the above referenced development. In accordance with Section 87(1F) of the EPA Act 1992 as amended (hereafter referred to as the EPA Act), the Agency makes the following observations.</p> <p>The development proposed may require a licence under Class 11 of the EPA Act. The Agency has not received a licence application relating to the development described above.</p> <p>It is noted that the planning application was accompanied by an EIAR. Should the Agency receive a licence application for the development, the applicant will be required to submit the</p>

	<p>associated EIAR to the Agency as part of the licence application. The EIAR will be considered and assessed by the Agency and the Agency shall ensure that before the licence is granted, the licence application will be made subject to an Environmental Impact Assessment as respects the matters that come within the functions of the Agency and in accordance with Section 83(2A) and Section 87(1G)(a) of the EPA Act. In addition, consultation on the licence application and EIAR will be carried out in accordance with Section 87 (1B) to (1H) of the EPA Act as appropriate. All observations from the planning authority will be taken into account as part of the Agency's assessment and before making a decision in relation to the licence application. Please also note that you will be requested to provide the documentation relating to the EIA you have carried out to the Agency under Section 173A(4) of the Planning and Development Act 2000 as amended.</p> <p>Should a licence application be received by the Agency all matters to do with emissions to the environment from the activities proposed, the licence application documentation and EIAR will be considered and assessed by the Agency.</p> <p>Where the Agency is of the opinion that the activities, as proposed, cannot be carried on, or cannot be effectively regulated under a licence then the Agency cannot grant a licence for such an activity. Should the Agency decide to grant a licence in respect of the activity, as proposed, it will incorporate conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) will be used in the carrying on of the activities.</p> <p>Finally, please note that in accordance with Section 87(1D)(d) of the EPA Act, the Agency cannot issue a Proposed Determination on a licence application which addresses the development above until a planning decision has been made.</p>
<u>Inland Fisheries Ireland</u>	<p>Requests the following:</p> <ul style="list-style-type: none"> • Please ensure that this development will not pose a threat to the nearby waters of the Yellow River that supports good stocks of Brown Trout
<u>EIA Portal</u>	No response as of date of report.

3rd PARTY OBSERVATIONS/SUBMISSIONS:

None

REPRESENTATIONS:

None

SITE NOTICE:

The Area Engineers report notes the site notice (site visit: 12th October 2022) was on site during the requisite period and was visible and legible as required by Articles 19 and 20 of the Planning and Developments Regulations as amended.

PROPOSED SERVICES (as stated on application form):

WATER: Existing Private Well

WASTE WATER: Proposed on-site treatment system

SURFACE WATER: Proposed on-site attenuation system, prior to discharge to land drain.

ASSESSMENT:

I have inspected the site and considered the plans and particulars submitted with the application and all internal reports. I propose to assess this application under the following headings:

- National Waste Policy and Legislative Context
 - The Waste Framework Directive (2008/98/EC)
 - Waste Management: Changing Our Ways (DELG 1998)
 - A Resource Opportunity – Waste Management Policy in Ireland (DECLG, 2012)
- Waste Management Plan for the Southern Region 2015-2021
- National Planning Guidelines:
 - Appropriate Assessment of Plans and Projects in Ireland; Guidance for Planning Authorities', DoEHLG, 2009
 - Guidelines for Planning Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessment (Government of Ireland, Aug. 2018)
- National policy
 - Project Ireland 2040: The National Planning Framework (2018)
 - Regional Spatial and Economic Strategy for the Eastern and Midland Region
- Development Plans
 - Offaly County Development Plan 2021-27
- Archaeology
- Roads and Traffic Safety
- Public Health & Services
- Siting and Design
- Appropriate assessment
- EIA Screening
- Other Screening

NATIONAL WASTE POLICY AND LEGISLATIVE CONTEXT:

The Waste Framework Directive (2008/98/EC)

This directive imposes obligations on Member States including the application of the waste hierarchy in respect of waste prevention and waste management policy. The Waste Management Act 1996 and the EC (Waste Directive) Regulations 2011 provides the legislative framework within Ireland.

Waste Management: Changing Our Ways (DELG 1998)

Sets out the Government's policy on integrated waste management. There are five tiers in the waste hierarchy, namely prevention and minimisation, re-use, recycling, recovery and disposal. The emphasis is on prevention and minimisation, followed by re-use, recycling and recovery, and finally, disposal.

A Resource Opportunity – Waste Management Policy in Ireland (DECLG, 2012)

Encourages a move away from landfill and the implementation of technologies and approaches to reduce waste, whilst maximising the resources that can be recovered from waste. It refers to the five tiers in the waste hierarchy and provides a range of measures for each tier. Sustainable alternatives to Ireland's dependency on landfill are required to enable the elimination of landfill within the next decade

EASTERN - MIDLANDS REGION WASTE MANAGEMENT PLAN 2015 – 2021

POLICY A1: In order to achieve Strategic Objective A of the Waste Management Plan, which states that 'the region will implement EU and national waste and related environmental policy, legislation, guidance and codes of practice to improve management of material resources and wastes', Policy A1 sets out to 'take measures to ensure the best overall outcome by applying the waste hierarchy to the management of waste streams'. An indicator of achieving this target will be the overall percentage decrease in the volumes of residual municipal waste sent directly to landfill.

POLICY A4: Aim to improve regional and national self-sufficiency of waste management infrastructure for the reprocessing and recovery of particular waste streams, in accordance with the proximity principle. The future application of any national economic or policy instrument to achieve this policy shall be supported.

POLICY E: The region will promote sustainable waste management treatment in keeping with the waste hierarchy and the move towards a circular economy and greater self-sufficiency.

POLICY E.1: Future authorisations by local authorities, the EPA and An Bord Pleanála of pre-treatment capacity in the region must take account of the authorised and available capacity in the market while being satisfied the type of processing activity being proposed meets the requirements of Policy E2.

POLICY E.2: The future authorisation of pre-treatment activities by local authorities over the plan period will be contingent on the operator

demonstrating that the treatment is necessary, and the proposed activities will improve the quality and add value to the output materials generated at the site

NATIONAL PLANNING GUIDELINES:

Appropriate Assessment of Plans and Projects in Ireland; Guidance for Planning Authorities', DoEHLG, 2009

This document outlines the stages of the Appropriate Assessment process which has been since addressed in more recent legislation.

Guidelines for Planning Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessment (Government of Ireland, Aug. 2018)

The Guidelines offer guidance on procedural issues and the changes to the EIA process arising from the new 2014 Directive, with the overall aim of ensuring a more consistent approach to in the implementation of the Directive within the planning system in Ireland.

NATIONAL POLICY

PROJECT IRELAND 2040: THE NATIONAL PLANNING FRAMEWORK (2018)

The following policy objective contained in the RSES is relevant to the proposed development.

NPO 56: 'Sustainably manage waste generation, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society

REGIONAL SPATIAL AND ECONOMIC STRATEGY FOR THE EASTERN AND MIDLAND REGION

The following policy objective contained in the RSES is relevant to the proposed development.

RPO 10.25: Development plans shall identify how waste will be reduced, in line with the principles of the circular economy, facilitating the use of materials at their highest value for as long as possible and how remaining quantum's of waste will be managed and shall promote the inclusion in developments of adequate and easily accessible storage space that supports the separate collection of dry recyclables and food and shall take account of the requirements of the Eastern and Midlands Region Waste Management Plan

OFFALY COUNTY DEVELOPMENT PLAN 2021-2027

It is a specific planning policy requirement under Section 28 of the Planning and Development Act 2000 (as amended) that in making development plans, a planning authority has regard to national policy on waste management as contained in the aforementioned policy documents.

A County Development Plan is required to indicate how the implementation of the development plan will contribute to realising overall national targets on waste management.

The Offaly County Development Plan 2021 – 2027 (Offaly County Council (OCC), 2021), a number of strategic objectives in line with national and regional objectives, are set out in order to improve waste management in the region and ensure the implementation of relevant regional and national strategies and to achieve regional, national and international targets.

The key policies and objectives of relevance to the proposed development are outlined as follows:

Policies

- CSP-01:** It is Council policy to implement the Core Strategy for Offaly in order to be consistent with policies at a national and regional level, in particular population targets and distribution.
- EnvP-09:** It is Council policy to facilitate the provision of adequate waste recovery and disposal facilities for the county.
- EnvP-10:** It is Council policy to promote circular economy principles, prioritising prevention, reuse, recycling and recovery, and to sustainably manage residual waste. New developments will be expected to take account of the provisions of the Waste Management Plan for the Region and observe those elements of it that relate to waste prevention and minimisation, waste recycling facilities, and the capacity for source segregation.
- EnvP-11:** It is Council policy to ensure that all waste disposal shall be undertaken in compliance with the requirements of the Environmental Protection Agency and relevant Waste Management Legislation
- EnvP-13:** It is Council policy to require the provision of recycling infrastructure where it is considered necessary and will assess requirements for recycling facilities on a case-by-case basis as part of the development management process.
- EnvP-24:** It is Council policy to assess, as relevant, proposals for development in terms of, inter alia, potential impact on existing adjacent developments, existing land uses and/or the surrounding landscape. Where proposed developments would be likely to have a significant adverse effect on the amenities of the area through pollution by noise, fumes, odours, dust, grit or vibration, or cause pollution of air, water and/or soil, mitigation measures shall be introduced in order to eliminate adverse environmental impacts or reduce them to an acceptable operating level. Application of this policy will take into account instances whereby activities are licensed by other bodies through other processes (such as Integrated Pollution Control Licensing or Industrial Emissions Licensing).
- EnvP-25:** It is Council policy to ensure that hazardous waste is addressed through an integrated approach of prevention, collection, and recycling and encourage the development of industry-led producer responsibility schemes for key waste streams.
- CAEP-02:** It is Council policy to require that, in all new developments, local services such as medium and low voltage electricity

cables shall be undergrounded, with multiple services accommodated in shared strips underground and that access covers are shared, whenever possible.

CAEP-29:

It is Council policy to support the circular economy and within that the bio-economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development, resulting in optimal socioeconomic and environmental impacts such as resource efficiency and reduction of greenhouse gas emissions.

OBJECTIVES

EnvO-05:

It is an objective of the Council to implement the Eastern-Midlands Regional Waste Management Plan 2015-2021, the Council's Litter Management Plan and Waste Byelaws.

EnvO-06:

It is an objective of the Council to use statutory powers to prohibit the illegal deposit and disposal and collection of waste materials, refuse and litter, and to authorise and regulate, waste disposal within the county in an environmentally sustainable manner.

Chapter 2 Economic and Enterprise Strategy:

RDP-03 It is Council policy to favourably consider proposals for the expansion of existing industrial or new business enterprise in the countryside where the proposal is;

- a) an appropriate size and scale,
- b) does not negatively impact on the character and amenity of the surrounding area, and
- c) has regard to and complies with other guidelines/standards including traffic, noise and environmental considerations.

This policy will generally relate to enterprises which are rural resource based and which have the potential to strengthen rural areas.

RDO-03 It is an objective of the Council to support rural employment initiatives across the county, subject to the principles of proper planning and sustainable development.

Chapter 4 Infrastructure and Environment

4.5.4 Roads

Regional Routes

Regional roads comprise 389km of the county's total road network. In the case of Regional routes, especially those which carry higher volumes of traffic, the Council shall adopt a restrictive policy in relation to new development in the interests of preserving the traffic capacity of these routes and in order to avoid the creation of traffic hazards. These routes are of strategic importance to the county and to the region.

Restricted Regional Routes are listed in Table 4.3 and illustrated on Map 4.1 of the Offaly County Development Plan 2014-2020.

It is noted that the proposed development is accessing Regional Road R400 which is considered a restricted route due to its carrying capacity.

EnvP-11 It is Council policy to co-operate with the Environmental Protection Agency in regard to licensing arrangements for Scheduled activities in County Offaly in accordance with the provisions of the Environmental Protection Agency Act 1992.

EnvP-16 It is Council policy that potential development will be assessed for noise risk. Planning permission will not normally be granted for new developments or extensions of existing industrial, commercial, leisure, or other uses that produce significant and unacceptable levels of noise and/or vibration at site boundaries or within adjacent noise sensitive areas, especially residential areas. Reference shall also be made to the Offaly Noise Action Plan 2013-2018.

EnvP-17 It is Council policy to adhere to the mitigation measures, as outlined in the accompanying Environmental Report, and implement such measures, where appropriate.

Chapter 7 Heritage and Landscape:

Plans and projects which have potential to negatively impact European Sites must be screened for Appropriate Assessment and full Appropriate Assessment must be carried out unless it can be established through screening that the plan or project in question will not have a significant effect on any European Sites.

The Council's role as competent authority in the context of European Sites is to ensure that development, when permitted, does not adversely affect the integrity of the site.

Section 7.1.4 Heritage is defined in the Heritage Act, 1995 as including monuments, archaeology, heritage objects, architecture, flora, fauna, wildlife habitats, landscapes, geology, heritage gardens and parks and inland waterways. Heritage is therefore all around us. It is reflected in the landscape in which we live and it is reflected in how we perceive the landscape.

Section 7.2 of the County Development Plan states that Offaly County Council will seek to conserve, protect and enhance Offaly's natural heritage where possible. The Council will aim to strike a balance between conservation and development objectives. There are a number of designations which require protection such as European Sites, SAC's and SPA's. The EU Bird Directive is reflected in Offaly's SPA list and EU Habitats Directive is reflected in the SAC list.

7.1.3 Landscape of Offaly

County Offaly largely comprises a flat landscape which is particularly typified by its extent of boglands. It also contains an esker landscape which encapsulates the geographical change that emerged following the ice age and merits protection given its unique importance in providing scientific, recreational and amenity value.

NHP-01 It is Council policy to prohibit any development that would be harmful to or that would result in a significant deterioration of habitats and/or disturbance of species in a Special Protection Area (SPA), Special Area of Conservation (SAC) and candidate Special Area of Conservation (cSAC), Natural Heritage Area (NHA) and Proposed Natural Heritage Area (pNHA), that are listed in tables 7.2.3, 7.2.5, 7.2.1 and 7.2.2 (and also future additions to these lists).

NHP-02 It is the policy of the Council to ensure an Appropriate Assessment in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, and in accordance with the Department of Environment, Heritage and Local Government Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009 and relevant EPA and European Commission guidance documents, is carried out in respect of any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect on a European site(s), either individually or in combination with other plans or projects, in view of the site's conservation objectives.

NHP-04 It is Council policy to ensure that development proposals are screened to determine whether they are likely to have a significant direct, indirect or cumulative effect on the integrity or conservation objectives of any European Site and, where significant effects are likely or uncertain, there will be a requirement for consultation with the relevant environmental authorities as part of any Habitats Directive Assessment that may be required.

NHP-08 It is Council policy to protect, conserve and enhance the county's biodiversity and natural heritage including wildlife (flora and fauna), habitats, landscapes and/or landscape features of importance to wildlife or which play a key role in the conservation and management of natural resources such as water.

NHP-17 It is the policy to the Council to recognise the natural heritage value of disused quarries as rich habitat, and to provide appropriate protection to these renewing habitats.

7.11 Landscape Sensitivity in County

The sensitivity of a landscape is the measure of its ability to accommodate change or intervention without suffering unacceptable effects to its character and values. The sensitivity of the landscapes of County Offaly varies and is thereby classified within the following sensitivity classes: Low, Moderate and High Sensitivity.

Landscape considerations are an important factor in all land use policy for the county. This ensures that a positive view of development is undertaken whilst maintaining respect for the environment and the county's landscape, having regard to the principles of sustainability.

In general terms, the planning, design and management implications for development in accordance with the sensitivity class of its location are outlined in Tables 7.11.1 to 7.11.4. Map 7.15 illustrates the landscape classification areas for the county in broad terms. Map 7.9 gives a representation of the topography of the county.

The site is located within a "low sensitivity" classification landscape which has the following characteristics and sensitivities identified in the development plan.

Low Sensitivity Areas

Rural and Agricultural Areas

Characteristics:

- County Offaly is largely a rural county which comprises of a predominantly flat and undulating agricultural landscape coupled with a peatland landscape. Field boundaries, particularly along roadside verges which are primarily composed of mature hedgerows typify the county's rural landscape.

Sensitivities:

- These areas in general can absorb quite effectively, appropriately designed and located development in all categories (including: telecommunication masts and wind energy installations, afforestation and agricultural structures).
- Due to the rural nature of the area, development shall be screened by appropriate natural boundaries that are sympathetic to the landscape generally, where possible.
- New housing proposed should respect the Councils rural housing design guidelines, coupled with conformity with development standards.

It is considered that the proposed development located in a "low sensitivity" landscape complies with development plan policy.

LAP-01 It is Council policy that landscape considerations will be an important factor in all land use policy and decision making for the county, ensuring that a pro-active view of development is undertaken whilst maintaining respect for the environment and heritage, as per the general principles of sustainable development. Further it is policy to **conserve**, protect and **enhance** the landscape of Offaly at a number of levels: - The value of the landscape itself, as open countryside and the associated form and character of settlements. - The value of the landscape as a **resource** for economic growth in accordance with its physical and visual attributes. - The value of the landscape and its role with habitats and species whose diversity enriches the environment.

LAP-02 It is Council policy to control development as per the county's landscape classification listed in Tables 7.11.1-7.11.4

CHAPTER 13 Development Management Standards (DMS)

DMS-115 Waste Recovery/Disposition (sic) Sites

Planning applications for waste related facilities shall:

- Ensure that the proposed development does not impact significantly upon Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), sensitive landscape areas, visual amenity, geology, heritage or cultural value, or areas at risk of flooding;
- Detail the type, source and volume of waste material to be processed and its method of processing, including hours of operation and duration of permission sought;
- Phasing programme showing the development in layout drawings and site sectional drawings for each phase of development including the restoration of the site;
- Show by the submission of a Traffic and Transport Assessment indicating details of road access, sightlines / visibility, vehicle turning manoeuvres,

parking areas, pull-in areas, the number and types of vehicles which will frequent the site, the carrying loads of vehicles, and haul routes and that the roads infrastructure in the area can accommodate the proposed development;

- Submit evidence that the proposed development is in accordance with the requirements of the EU Water Framework Directive and associated River Basin Management Plans;
- Ensure that environmental emissions such as noise, fumes, odours, dust, grit, vibration and lighting, along with controls and monitoring of same are adequately mitigated and do not impact significantly upon residences in close proximity to the proposed development;
- Provide for adequate screening of the proposed development through the submission of detailed landscaping plans and boundary treatment proposals; and
- Ensure that sufficient detail is submitted in relation to restoration and remediation measures following cessation of the proposed development, including a timeframe for implementation and anticipated finished landform

It is considered the development in question complies with the Offaly County Development Plan 2021-2027

ARCHAEOLOGY:

The nearest National Monument to the development in question is located approximately 550m to the north of the site. The subject application was referred to the Department of Cultural Heritage and the Gaeltacht for comment, however no response has been received as of date of this report.

ROADS & TRAFFIC SAFETY:

The Planning Application was referred to both the Area Engineer & the Roads Design Section who have no concerns with the application subject to conditions.

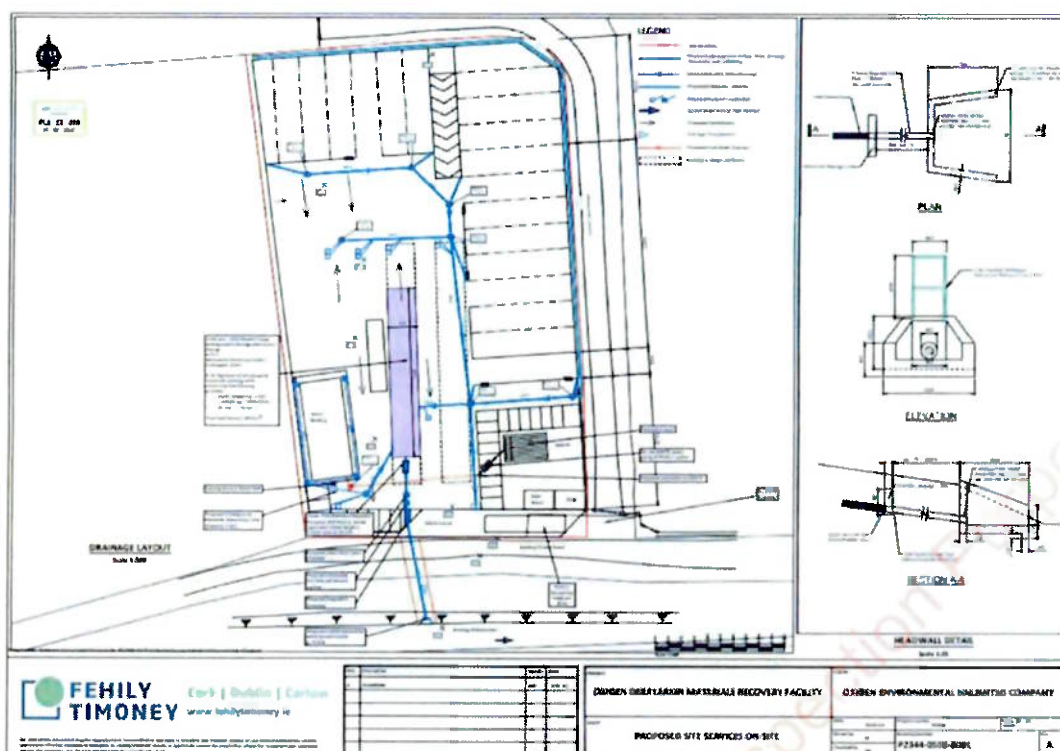
PUBLIC HEALTH & SERVICES:

Environment and Water Services Section have requested further information in relation to surface water management, wastewater management, secondary treatment system, wash-down drainage & groundwater/surface water protection.

DECOMMISSIONING AND RESTORATION:

The Applicant has referred to in the Planning Application, to the decommissioned phase of the proposed development, however no decommissioning plan has been submitted with the application, further information to be requested in relation to how the proposed infrastructure will be decommissioned.

SITING AND DESIGN:



Figs 5: Proposed Layout

The development will consist of the demolition of existing agricultural sheds and structures on-site and the construction and operation of a Materials Recovery Facility for the acceptance and processing of up to 90,000 tonnes per annum of household, commercial and industrial (C&I), and construction and demolition (C&D) waste.

Elements of the proposed development include the following:

- The demolition of all existing site agricultural sheds and structures on-site (which cover an area of 1,417 m²).
- The construction and operation of a Materials Recovery Facility, comprising:
 - A site entrance,
 - A weighbridge,
 - Trucking set down and parking
 - Staff parking, comprising 24 parking spaces including disabled parking and EV charging,
 - A concrete yard area,
 - A fuel storage area,
 - External waste storage bays,
 - Skip / bin storage areas,
 - A perimeter boundary wall (4 m in height) and perimeter fencing (2.1 m in height),
 - A stormwater drainage and attenuation system,
 - An administration two-storey building (with an overall floor area of c. 396m² and c.7.35m in height),
 - A single storey Materials Recovery Facility (with an overall floor area of c. 2,850m² to a maximum height of c.13m),
 - A truck loading bay,
 - An on-site wastewater treatment system, associated percolation area and ancillary services,

- An on-site ESB sub-station and adjoining electrical room (with a combined floor area of 61 m² and 2.175 m in height),
- Solar panels (covering a total area of 737 m²) mounted atop the proposed Administration and Materials Recovery Facility buildings.
- The proposed development will accept up to 50,000 tonnes of waste per annum and operate under a Waste Facility Permit from Offaly County Council during Phase 1 of operations. The proposed development will accept up to 90,000 tonnes of waste per annum and operate under an Industrial Emissions licence from the Environmental Protection Agency during Phase 2 of operations.

Furthermore, the applicant has made reference to the proposed development is expected to have a lifetime of between 25 and 50 years. Further information to be requested in relation to the Applicant:

- Clarifying how long that actual life span of the proposed development
- Submitting a landscaping plan.

VISUAL IMPACT:



Fig 6: LVIA Viewpoint Locations.

A landscape and visual impact assessment has been prepared by Macro Works Ltd on behalf of the Applicant. This assessment includes views at various locations in close proximity to the subject site and indicates the potential visual impact of the proposed development.

The study concludes that there will be no significant loss to the landscape features arising from the construction of the proposed development.

It is noted the Environment/Water Services section of Offaly County Council raised no concerns with the proposal from a visual impact point of view.

APPROPRIATE ASSESSMENT

The Applicant has submitted an Appropriate Assessment Stage 1 Screening Report and based on its finding, There is the possibility that there could be negative effects on the River Boyne and River Blackwater SAC and SPA as a result of indirect effects from the proposed development either alone or in-combination with other plans and projects. In the absence of mitigation measures (which have not been considered at this screening stage), likely significant effects on the qualifying interests of the River Boyne and River Blackwater SAC cannot be excluded on the basis of objective scientific information. A Stage 2 Appropriate Assessment of the potential impact on the River Boyne and River Blackwater SAC and SPA will therefore be required.

Therefore a Natura Impact Statement (NIS) was submitted as part of the planning application which indicates in the light of the best scientific knowledge in the field, all aspects of the proposed development which, by itself, or in combination with other plans or projects, may affect the relevant European Sites have been considered.

The NIS was referred to the Environment/Water Services Section of the Local Authority who have raised no concerns with the submitted NIS. An AA Screening Report has been carried out in Appendix A of this report.

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR)

An Environmental Impact Assessment Report has been submitted with this application by Fehily Timoney on behalf of Oxygen. The EIAR comprises of a Non-Technical Summary, the Main Report, Appendices & Drawings

Reason for EIAR:

The proposed development requires an EIAR as it exceeds a threshold set out in Schedule 5 of the Planning and Development Regulation 2001, as amended, Part 2, Section 11(b).

"Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule "

- This section of the planner's report constitutes the EIAR and identifies, describes and assesses the *likely significant effects* (direct and indirect, secondary, cumulative, transboundary, short-term, medium-term, long-term, permanent, temporary, positive and negative) of the proposed development on the environment and accompanying mitigation measures, as set out in the EIAR.
- It is considered that the EIAR has been prepared by competent experts, in line with the significant complexity and range of effects that the EIAR needs to assess.
- The EIAR takes into account current knowledge and methods of assessment.
- No difficulties were encountered during the preparation of the EIAR.
- The application is accompanied by a non-technical summary.
- The EIAR satisfies Schedule 6 of the Planning and Development Regulations 2001 as amended in relation to the 'information to be contained in an EIAR', as it includes a description of; the proposed development, the existing environment, the likely significant impacts and the mitigation measures.

- Construction, operational, cumulative and residual impacts have been assessed.

The EIAR is structured under the following subject headings:

- Introduction
- Need for the Proposed Development
- Alternatives
- Existing and Proposed Development
- Planning and Policy Context
- Scoping and Consultation
- Population and Human health
- Biodiversity
- Soils, Geology and Hydrogeology
- Hydrology and Surface Water
- Air and Climate
- Noise and Vibration
- Traffic and Transportation
- Archaeological, Architectural and Cultural Heritage
- Landscape and Visual Impact
- Inter-relationships and Interactions
- Schedule of Commitments

Section 1.0 Introduction

Section 1 of the EIAR provides information relation to the following;

- Applicant
- A description of the proposed development,
- Assessment methodology, the structure of the EIAR and contributors to the EIAR.

PLANNING AUTHORITY COMMENTS

It is considered that the EIAR has been prepared by competent experts, in line with the significant complexity and range of effects that the EIAR needs to assess. Section 1 of the EIAR is considered acceptable

Section 2.0 Need for the Proposed Development

This chapter indicates the need for this facility is influenced by several factors, such as:

- Waste management policy promoting the need for the maximization of waste recovery and recycling,
- Increasing waste generation and demand for waste management capacity,
- Need for waste management infrastructure to facilitate achieving waste management recovery targets,
- Specific need for MSW Pre-treatment Capacity,
- Commercial objectives of the Applicant to manage all the wastes it collects in a self-sufficient, efficient and cost-effective manner.

PLANNING AUTHORITY COMMENTS

It is considered that the proposed development will improve waste management capacity nationally in accordance with the tenets of self-sufficiency and proximity as defined in Waste Management Legislation and Policy.

Section 3.0 Alternatives

The Applicant considered several potential site locations for the proposed development prior to selecting the proposed site such as:

- Barnan, Daingean, Co. Offaly - Existing Construction and Demolition Waste Recycling Facility (operated by the Applicant).
- Derryclure, Tullamore, Co. Offaly. - Existing Civic Amenity Facility adjacent to a closed landfill (operated by the Applicant)
- Capincur, Tullamore, Co. Offaly - Greenfield Site
- Axis Business Park, Tullamore, Co. Offaly. - Brownfield site in a business park
- Flynn's, Newtown, Mullingar, Co. Westmeath - Existing commercial facility and yard
- Clonmore, Mullingar Business Park, Co. Westmeath - Existing Waste Management Facility
- Bayroad Business Park, Mountmellick, Co. Laois - Existing commercial facility and yard

Following an extensive selection process, the Applicant determined that the subject Derrryarkin site was most suitable for the development of a Materials Recovery Facility of all the sites considered. The site was significantly better than other alternative sites considered, having particular regard to the planning and environmental sensitivities and constraints associated with these alternative sites.

PLANNING AUTHORITY COMMENTS

It is considered that the EIAR has considered several potential site locations for the proposed development prior to selecting the proposed site and is considered acceptable.

Section 4.0 Existing and Proposed Development

This section of the EIAR provides information in relation to what is currently located on site and what is proposed.

Currently located on site is

1 no. portal frame agricultural shed with concrete slatted floor, and underground slurry storage tank
(c. 990 m² in area)

- 1 no. 4 bay shed unit (c. 148 m² in area)
- Covered access passage between portal frame agricultural shed and 4 bay shed unit
- 1 no. steel frame hay shed (c. 235 m² in area)
- Open concrete hardstand yard area (north of sheds) (c. 1,932 m² in area)
- 1 no. existing pump house
- 1 no. existing overground ground fuel oil storage tank
- 1 no. feed silo
- 1 no. above ground, raised water storage tank,
- 1 no. stone soakaway (c. 33 m² in area)

- 2 no. covered pits (one along the western boundary and one toward the north west of the site within the concreted yard)
- Concrete hard surfaces between all shed units

The development will consist of the demolition of existing agricultural sheds and structures on-site and the construction and operation of a Materials Recovery Facility for the acceptance and processing of up to 90,000 tonnes per annum of household, commercial and industrial (C&I), and construction and demolition (C&D) waste

Elements of the proposed development include the following:

- A site entrance,
- A weighbridge,
- Trucking set down and parking areas,
- Staff parking, comprising 24 parking spaces including disabled parking and EV charging,
- A concrete yard area, (f) A fuel storage area,
- External waste storage bays,
- Skip / bin storage areas,
- A perimeter boundary wall (4 m in height) and perimeter fencing (2.1 m in height),
- A stormwater drainage and attenuation system,
- An administration two-storey building (with an overall floor area of c. 396m² and c.7.35m in height),
- A single storey Materials Recovery Facility (with an overall floor area of c. 2,850m² to a maximum height of c.13m),
- A truck loading bay,
- An on-site wastewater treatment system, associated percolation area and ancillary services,
- An on-site ESB sub-station and adjoining electrical room (with a combined floor area of 61 m² and 2.175 m in height),
- Solar panels (covering a total area of 737 m²) mounted atop the proposed Administration and Materials Recovery Facility buildings.

The proposed development will accept up to 50,000 tonnes of waste per annum and operate under a Waste Facility Permit from Offaly County Council during Phase 1 of operations. The proposed development will accept up to 90,000 tonnes of waste per annum and operate under an Industrial Emissions licence from the Environmental Protection Agency during Phase 2 of operations

Section 5.0 Planning & Policy Context

The submitted EIAR takes into account the following legislation.

- National Waste Policy and Legislative Context
 - The Waste Framework Directive (2008/98/EC)
 - Waste Management: Changing Our Ways (DELG 1998)
 - A Resource Opportunity – Waste Management Policy in Ireland (DECLG, 2012)
- Waste Management Plan for the Southern Region 2015-2021
- National Planning Guidelines:

- Appropriate Assessment of Plans and Projects in Ireland; Guidance for Planning Authorities', DoEHLG, 2009
- Guidelines for Planning Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessment (Government of Ireland, Aug. 2018)
- National policy
 - Project Ireland 2040: The National Planning Framework (2018)
 - Regional Spatial and Economic Strategy for the Eastern and Midland Region
- Development Plans
 - Offaly County Development Plan 2021-27

Section 6.0 Scoping and Consultation

The purpose of the EIA scoping process is to identify the key points and issues which are likely to be important during the environmental impact assessment (EIA) and to eliminate those that are not. The scoping process identifies sources or causes of potential environmental effects, the pathways by which the effects can happen, and the sensitive receptors, which are likely to be affected.

A consultation letter was sent out to 46 no. recipients on the 20th of May 2021. The recipients included relevant statutory consultees (as defined in Article 28 of the Planning and Development Regulations, as amended), non governmental organisations (NGOs) and key stakeholders.

In total, 20 no. scoping responses were received. The responses received were fully considered and where appropriate, the topics raised were included within the EIAR

Section 7.0 Population and Human health

This section of the EIAR deals with the effects of a potential development on the environment may impinge upon Population and Human Health, directly and indirectly, positively and negatively. The key issues examined in this section of the EIAR include population, land use, economic activity and employment, human health and safety, and recreation, amenity and tourism (including landscape and visual impacts).

DO NOTHING IMPACTS

If the development did not go ahead, potential exists for a deficit in waste management capacity in the Midlands region, leading to the creation of a significant adverse impact on local population due to limited waste management capacity in the region

POTENTIAL IMPACTS

Potential effects arising from the development, which have the potential to effect population, include noise emissions, traffic accidents and health & safety impact

MITIGATION MEASURES

Mitigation measures defined within the following chapters would be applicable in the protection of the environment and human health during the construction phase of the proposed development

- Chapter 9 Geology and Hydrogeology Measures in relation to water management and spill control are defined within this chapter. These measures will ensure the protection of receiving groundwater bodies utilized by humans in the local area for drinking water.
- Chapter 10 Hydrology and Surface Water Quality – Measures in relation to surface water management and spill control are defined within this chapter. These measures will ensure the protection of receiving surface water body and human users of this surface water body such as anglers, bathers or water sports enthusiasts.
- Chapter 11 Air Quality and Climate – Measures in relation to dust mitigation are defined within this chapter. These measures will ensure the minimization of dust and the prevention of dust nuisance impacting local sensitive receptors such as dwelling or farmlands.
- Chapter 12 Noise and Vibration – measures in relation to noise control/minimization are defined within this chapter. This will reduce the potential for nuisance noise affecting sensitive receptors in the locality.
- Chapter 13 Traffic and Transportation – Measures in relation to traffic management are defined within this chapter. This will reduce the risk of road traffic accidents occurring on or within the vicinity of the site.

RESIDUAL IMPACTS

The proposed development will result in a number of negligible to slight to moderate and significant positive effects on population and human health elements including positive effects on employment, local population, local business and in terms of promotion of the circular economy.

PLANNING AUTHORITY COMMENTS

It is considered that population and human beings will not experience any significant unacceptable diminution in any aspect or aspects of 'quality of life'.

Section 8.0 Biodiversity

This section of the EIAR assessed the proposed development in relation to the biodiversity of the area.

DO NOTHING IMPACTS

If the proposed development does not proceed, the 'do nothing' scenario is that the existing environment and key receptors are likely to remain as currently exist.

POTENTIAL IMPACTS

- The encroaching grasslands (GA1/GS1) within the western boundary of the proposed development will be lost as part of the proposed development site clearance works
- The installation of this outfall will result in the temporary loss of approximately 1m² of dry meadow and grassy verges on the northern bank of the drainage ditch
- Approximately 30m length of treeline will be lost
- The upgrade of the junction between the private road and the R400 will result in the permanent loss of Earth Bank (BL2) and Recolonising Bare Ground (ED3).

- The impacts from the proposed development on the aquatic environment are expected to occur during the construction phase.
- The greatest threat to aquatic ecology from the site clearance works is surface water run-off and the quality (e.g. suspended solids, hydrocarbons, concrete, nutrients) of the escaping water into the adjacent drainage ditch and ultimately downstream watercourses.
- Standing water in excavations could contain an increased concentration of suspended solids as a result of the disturbance of the underlying soils
- Site clearance will require trafficking of heavy machinery which can lead to pollution due to spillage of fuels and hydrocarbons

MITIGATION MEASURES

- The area of the proposed works will be kept to the minimum necessary, including all site clearance works. No disturbance to habitats or flora outside the proposed development area will occur (other than the footprint of the proposed drainage outfall). Works will be restricted to the immediate footprint of the development site
- Machinery, and equipment will be stored within the site
- Access to the site will be primarily via the existing local road R400. HGVs shall approach the site via this road.
- The construction site will not be lit at night (with the exception of low-level switchable safety lighting). All lighting systems will be designed to minimise nuisance through light spillage. Shielded, downward directed lighting will be used, and all non-essential lighting will be switched off during the hours of darkness. There will be no lighting directed at the drainage ditch
- The clearance of the site, including the buildings, treeline and vegetation, should only be undertaken outside of the bird breeding season (March 1st to August 31st inclusive). This will help protect nesting birds. Where this is not possible due to construction program constraints, the buildings, treeline and vegetation will be inspected for nesting birds by a suitably qualified Ecologist no more than 48hrs in advance of the felling / clearance works and advise if bird species are present.
- All lighting systems will be designed to minimise nuisance through light spillage. Shielded, downward directed lighting will be used and all non-essential lighting will be switched off during the hours of darkness. Lighting will be directed away from the drainage ditch and surrounding landscape
- Decommissioning will take place in accordance with a defined Closure / Decommissioning Management Plan. This will ensure that all residual plant, equipment, waste and materials which pose an environmental risk will be safely removed from the site. Implementation of this plan will ensure that all known environmental liabilities associated with the site at the time of closure are fully addressed

RESIDUAL IMPACTS

Section 8.7 'Conclusion and Summary of Effects' of the EIAR is not fully complete

PLANNING AUTHORITY COMMENTS

Further information to be requested in relation to the applicant clarifying if Section 8.7 of the EIAR - 'Conclusion and Summary of Effects' is fully complete.

The EIAR was referred to the Environment/Water Services Section for comment, who subsequently have requested further details on mitigation measures to reduce dust, odour, gas and leachate emissions from such a practise in the interest of protection of Biodiversity and SACs.

Section 9.0 SOILS, GEOLOGY AND HYDROGEOLOGY

The section of the EIAR assesses the potential impact of the proposed development on the Soils, Geology And Hydrogeology of the proposed site and environs as a result of the activities that will be undertaken.

DO NOTHING IMPACTS

If the proposed development were not constructed, it is likely that the site would likely remain as a disused site containing agricultural structures and associated ancillary infrastructure. The do-nothing scenario will not result in likely significant effects.

POTENTIAL IMPACTS

- Soil erosion and disturbance due to earthworks and excavations.
- The use of plant and machinery during demolition and site clearance activities will require the use of fuels and oils. Their use presents potential for spills and leaks which could contaminate underlying exposed soils.
- Temporary rubble stockpiles created from the breaking out of the existing concrete hardstanding and portal frame foundations may result in the generation of alkaline discharges to ground.
- Dispatch of surplus material to the Kilmurray Construction and Demolition (C&D) / Soil Recovery Facility for recovery.
- Soil erosion and disturbance due to earthworks and excavations.
- The use of plant and machinery during construction will require the use of fuels and oils. Their use presents potential for spills and leaks which could contaminate underlying exposed soils.
- Concrete/cement works required for the proposed structures/buildings on-site may result in the generation of alkaline discharges to ground.
- Importation of engineering fill and concrete products.
- This may lead to an increase in the discharge of silt laden surface water run-off to receiving surface waters, which in turn may percolate to groundwaters. The proposed underground cabling, associated excavations and ducting may present a preferential pathway for the movement of groundwater and/or contamination in the subsurface.
- Release of hydrocarbons or fuel spill, or contents of underground tanks with potential for contamination.
- Uncontrolled spillages arising from the accidental release from the underground tanks or wastewater treatment system, with potential for contamination.
- Release of contaminated firewater during fire event.
- Cumulative impacts on local quarries from extraction of fill for proposed development

MITIGATION MEASURES

- To ensure the highest standards of environmental protection, the proposed development has been designed to operate in accordance with the following environmental protection standards:
 - European Commission (2018) BREF on Waste Treatment.
 - European Commission (2018) BATC on Waste Treatment.
 - EPA (2011) BAT Guidance Note on the Waste Sector.
- The site has been designed to ensure that sufficient contaminated firewater retention capacity has been provided on-site, if required.
- The construction works will be designed, overseen and checked by geotechnical and civil engineers, suitably qualified and experienced in excavation and earthworks design and construction methodologies.
- Any excavation and construction related works will be subject to a design risk assessment at detailed design stage to evaluate risk levels for the construction, operation and maintenance of the works. Identified impacts will be minimised by the application of principles of avoidance, prevention and protection. Information on residual impacts will be recorded and relayed to appropriate parties.
- A method statement for each element of the works will be prepared by the Contractor prior to any element of the work being carried out.
- Given that the works comprises a significant proportion of excavation and earthworks, suitably qualified and experienced geotechnical personnel will be required on site to supervise the works.
- The Contract will require programming of the works such that earthworks are not scheduled during severe weather conditions. Where such weather is forecast, suitable measures will be taken to secure the works. The Project Manager is the person responsible for determining when works are to be stopped due to weather.

RESIDUAL IMPACTS

The residual significance of the effects of the proposed development on soils and geology is expected to be low, taking account of the effective implementation of the mitigation measures

PLANNING AUTHORITY COMMENTS

It is considered that the proposed development is not likely to have significant effects on the Soils, Geology and Hydrogeology.

The EIAR was referred to the Environment/Water Services Section for comment, who subsequently have made no comments in relation to the Soils, Geology and Hydrogeology chapter

Section 10.0: Hydrology and Surface Water Quality

The EIAR assesses the potential impact of the proposed development on the water environment of the application site and the surrounding environs as a result of the activities that will be undertaken at the proposed development.

DO NOTHING IMPACTS

If the proposed development did not proceed, it is likely that the site would likely remain inactive as a site was previously used for agricultural purposes. The do-

nothing scenario will have a neutral impact on the receiving environment (i.e. no effect)

POTENTIAL IMPACTS

- Advance works may cause increased sediment loads in surface water.
- Potential for surface water contamination from fuel spills/leakages
- Earthworks and heavy machinery movements contributing to increased sediment loads in surface water.
- Generation of alkaline surface water run-off from temporary rubble stockpiles
- Earthworks, temporary stockpiles and traffic/mobile plant movements contributing to increased sediment loads in surface water.
- Release of cement-based product to temporary drainage system which may lead to increased alkalinity in the receiving watercourse and degradation of aquatic environment.
- The excavations for the underground cabling trenches and joint bays can have a direct impact on the exposed soils in the form of increased erosion from surface water ingress.
- The proposed underground cabling associated excavations and ducting may present a preferential pathway for the movement of surface water runoff to the adjacent watercourse.
- Release of hydrocarbons or fuel spill with potential for contamination
- Outbreak of fire at the facility which could result in the discharge of contaminated firefighting water to surface waters
- Operational traffic which could result in minor accidental leaks or spills of fuel/oil.
- Storage of fuel on site and refuelling of vehicles

MITIGATION MEASURES

- The works will be designed and checked by a civil engineer, suitably qualified and experienced in demolition and site clearance and construction methodologies.
- Any excavation and construction related works will be subject to a design risk assessment at detailed design stage to evaluate risk levels for the construction, operation, and maintenance of the works. Identified impacts will be minimised by the application of principles of avoidance, prevention, and protection.
- A method statement for each element of the works will be prepared by the Contractor prior to any element of the work being carried out.
- The Contract will require programming of the works such that earthworks are not scheduled during severe weather conditions. Where such weather is forecast, suitable measures will be taken to secure the works. The Project Manager is the person responsible for determining when works are to be stopped due to weather
- To ensure the highest standards of environmental protection, the proposed development has been designed to operate in accordance with the following environmental protection standards:
 - European Commission (2018) BREF on Waste Treatment.

- European Commission (2018) BATC on Waste Treatment. ○ EPA (2011) BAT Guidance Note on the Waste Sector.
- Stormwater entering the drainage system will be directed to a pre-cast attenuation tank. A slam shut valve and hydrobrake (limiting flow to 9.0 l/s) will be situated prior to the point of site discharge. The slam shut valve will ensure site containment in the event of any spill of hazardous material or environmental emergency

RESIDUAL IMPACTS

The proposed development will not impinge on the Water Framework Directive objectives to achieve good water quality status at the Yellow River (identified as a Prioritized Area for Action in the RBMP). The proposed development will be constructed, operated and decommissioned in a manner that ensures it will have no impact water quality in the receiving water environment, or on the water quality status of the Yellow River.

PLANNING AUTHORITY COMMENTS

Taking into account the mitigation measures proposed it is considered that the proposed development is not likely to have significant effects on Hydrology and Surface Water Quality

The EIAR was referred to the Environment/Water Services Section for comment, who subsequently have made no comments in relation to the same section.

Section 11.0 Air & Climate Impact Assessment

The EIAR assesses air quality, odour and climate of the site and the day-to-day activities that will be undertaken.

DO NOTHING IMPACTS

Under the Do-Nothing Scenario the proposed development would not occur, and the site would remain as it is currently with the existing site agricultural sheds and structures remaining.

POTENTIAL IMPACTS

The construction phase of the proposed development will result in a number of GHG emissions from various sources. Embodied carbon is carbon dioxide emitted during the manufacture, transport and construction of building materials, together with end-of-life emissions

MITIGATION MEASURES

- Prior to demolition blocks will be soft striped inside buildings (retaining walls and windows in the rest of the building where possible, to provide a screen against dust).
- Drop heights from loading shovels and other loading equipment will be minimised.
- Asbestos on site will be removed by a suitably qualified contractor prior to any demolition taking place in accordance with an Asbestos Management Plan and HSA Guidelines on the management and Disposal of Asbestos defined in their Guidance Document entitled 'Practical Guidelines on ACM Management and Abatement.'

- Hard surface roads will be swept to remove mud and aggregate materials from their surface while any un-surfaced roads will be restricted to essential site traffic.
- Any road that has the potential to give rise to fugitive dust will be regularly watered, as appropriate, during dry and/or windy conditions.
- Public roads outside the site will be regularly inspected for cleanliness and cleaned as necessary.
- Material handling systems and site stockpiling of materials will be designed and laid out to minimise exposure to wind. Water misting or sprays will be used as required if particularly dusty activities are necessary during dry or windy periods.
- During movement of materials both on and off-site, trucks will be stringently covered with tarpaulin at all times. Before entrance onto public roads, trucks will be adequately inspected to ensure no potential for dust emissions.

RESIDUAL IMPACTS

It is not anticipated that there will be an adverse impact on air quality and climate at nearby sensitive receptors in the vicinity of the proposed development.

PLANNING AUTHORITY COMMENTS

Taking into account the mitigation measures proposed it is considered that the proposed development is unlikely to have significant effects on air quality, odour and climate of the site

The EIAR was referred to the Environment/Water Services Section for comment, who subsequently have made no comments in relation to the Air & Climate Impact Assessment Quality chapter

Section 12.0 Noise & Vibration

This section of the EIAR assesses the noise levels associated with the development and the potential impacts of the development on the noise levels & Vibration receptors in the area.

DO NOTHING IMPACTS

Under the Do-Nothing Scenario the proposed development would not occur, and the site would remain as it is currently with the existing site agricultural sheds and structures remaining.

POTENTIAL IMPACTS

- Site Preparation, Clearance and Demolition works (one month duration);
- Site excavation, concrete laying and substructure works (5-month duration);
- General activities including installation of buildings, mechanical, electrical plant, including solar panels (6-month duration).
- The acceptance, bulk loading and onward transfer of DMR;
- The acceptance, shredding and onward transfer of timber waste;
- The acceptance, processing and onward transfer of C&D / C&I skip wastes;
- The acceptance, processing / pre-treatment, and onward transfer of MSW
- During all periods a maximum of 154 vehicle movements have been assumed per day or 7 No. per hour (in line with predicted development traffic figures contained in Chapter 13 – Traffic and Transportation).

- Daytime: All MSW and C&D/C&I plant operational during the daytime. West facing doors to MRF building closed during the daytime. Outdoor loaders operate for 80% of the time, outdoor excavator operating 100% of the time. Timber shredder assumed to operate 100% of the time.
- Evening: All doors to MRF building closed when C&D/C&I and MSW line equipment is operating. The timber shredder operates 5% of the time during the evening in shredding mode (and 95% time idling).
- Night time assumes only waste acceptance operations. Includes vehicle idling on weighbridge and all unloading activities are being conducted internally in the waste process building with roller shutter doors closed.

MITIGATION MEASURES

- Avoid unnecessary revving of engines and switch off equipment when not required;
- A speed restriction of 20 km/hr will be applied on-site.
- Training of site staff in the proper use and maintenance of tools and equipment.
- Machines that could be in intermittent use will be shut down between work periods or will be throttled down to a minimum.
- Plant known to emit noise strongly in one direction will, when possible, be orientated so that the noise is directed away from noise-sensitive locations
- • Select equipment conforming to international standards on noise and vibration;
- Select equipment with quiet and low vibration emissions, and ensure equipment is regularly maintained ensuring it operates in an efficient manner. If possible, all mechanical plant will be fitted with effective exhaust silencers;
- Compressors will be of the “sound reduced” models fitted with properly lined and sealed acoustic covers which will be kept closed whenever the machines are in use and all ancillary pneumatic tools shall be fitted with suitable silencers; and
- Drop heights for materials such as gravels will be minimised.
- Locate equipment as far away as noise sensitive receivers as possible within constraints of the site

RESIDUAL IMPACTS

- Construction phase activities are predicted a temporary, slight, adverse impact on the surrounding noise environment.
- The predicted operational phase daytime, evening and night-time noise levels all fall below noise limits for licensed activities prescribed by the EPA in their Noise Guidance document NG4

PLANNING AUTHORITY COMMENTS

It is considered that the proposed development is unlikely to have any additional significant effects on noise & vibration levels in the area.

The EIAR was referred to the Environment/Water Services Section for comment, who subsequently have made no comments in relation to the Noise & Vibration chapter

Section 13.0 Traffic & Transportation

This section of the EIAR assesses the potential impacts of the proposed development on the surrounding road network as a result of associated traffic

DO NOTHING IMPACTS

It is noted the under EIAR has not considered the 'do nothing scenario' under section 13, however I consider if the subject development does not go ahead the existing environment and key receptors are likely to remain as currently exists.

POTENTIAL IMPACTS

The average traffic generation arising from the acceptance of waste is estimated to be approximately 53 vehicles per day comprising 15 no refuse collection vehicles, 24 no. skip lorries and 5 no. curtain sided vehicles. The volume of traffic and imported payloads will vary daily depending upon the refuse collection route and depending upon the composition of waste collected

MITIGATION MEASURES

- A channelised traffic island to reduce the speed of turning vehicles and the width of the bellmouth (refer to drawings Tobin Consulting Engineers 10884-2000 attached in Appendix 13-3).
- The geometry of the junction is in accordance with the TII design standards (TII DN- GEO-03060).
- Swept path analysis of all anticipated vehicle types and manoeuvres have been undertaken on the design to ensuring adequate margins of safety for turning vehicles
- Visibility requirements from the junction are in accordance with Offaly County Council Development Plan 2021-2027 and TII DN-GEO-03060. The visibility splay of 3m x 160m
- Pavement improvement works
- Road signs and road markings are proposed in accordance with the Traffic Signs Manual (DoT) to advise of the turning movements and forewarn of the junction ahead.

RESIDUAL IMPACTS

The residual effects on traffic conditions are not significant and can reasonably be categorised as imperceptible.

PLANNING AUTHORITY COMMENTS

It is noted both the Roads Design Office and the Area Engineer has raised no concerns with chapter 13 of the EIAR.

Section 14.0 Culture Heritage

This section of the EIAR addresses the potential impacts of the proposed development on archaeological, architectural and cultural heritage resource in the local environments,

DO NOTHING IMPACTS

If the proposed development were not to proceed, there would be no effect on the archaeological, architectural or cultural heritage resource.

POTENTIAL IMPACTS

The proposed development has the potential to have a permanent direct imperceptible negative effect on any previously unrecorded archaeological remains that may exist within the development footprint of the development area. Due to the nature and extent of the existing concrete yards, underground tanks, and underground services, at the proposed development site, the risk of this occurring is considered to be low.

MITIGATION MEASURES

It is proposed that archaeological monitoring of all groundworks at development site be carried out. Monitoring will be carried out under licence to the Department of Housing, Local Government and Heritage and the National Museum of Ireland. Provision will be made for the full excavation and recording of any archaeological features or deposits that may be exposed during monitoring.

RESIDUAL IMPACTS

There will be no residual effects of the proposed development on the archaeological and architectural resource.

PLANNING AUTHORITY COMMENTS

Taking into account the mitigation measures proposed it is considered that the proposed development is unlikely to have significant effects on the archaeological, architectural and cultural heritage resource in the local environments.

Section 15.0 Landscape & Visual Assessment.

This section of the EIAR assesses the likely landscape and visual impacts of the proposed development on the receiving environment.

DO NOTHING IMPACTS

It is noted the under EIAR has stated if the site remains 'as is,' and none of the proposed works are undertaken, the structural integrity of the buildings and infrastructure on site will be impacted through gradual exposure to the elements and lack of maintenance/use, while other areas will progressively be colonised by vegetation

POTENTIAL IMPACTS

None

MITIGATION MEASURES

Due to the distinctively low level of likely visual impacts arising from this proposal, there are no mitigation measures proposed. In addition, the nearest private receptors are more than 750m distance across relatively level topography, the nearest public receptor (the R400) is more than 1.5km. In this regard, the mitigation measures are 'embedded' into the siting, design and location of the proposed development, so as to not need any additional mitigation measures.

RESIDUAL IMPACTS

Not Applicable

PLANNING AUTHORITY COMMENTS

Having regard to the flat topography of the area and the low sensitivity of the landscape the proposed development is unlikely to have significant effects on the landscape.

Section 16.0 INTERRELATIONSHIPS AND INTERACTIONS

This section of the EIAR examined the combined impacts and main interactions of the development on the receiving environment. It presents the results in Table 16.1. This assessment revealed that if mitigation measures proposed are implemented and adhered to, it is not likely that there will be significant adverse impacts to the area as a result of the proposed development.

Section 17.0 Schedule of Environmental Commitments

This chapter summarises the mitigation measures (environmental commitments) in the Environmental Impact Assessment Report for the proposed development

Section 18.0 Reasoned Conclusion on the Significant Effects

Having regard to the examination of environmental information set out above; to the EIAR and other information provided by the developer; to the submissions from the relevant planning authority departments, in the course of the application, and the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018*, it is considered that further information is required from in relation to both the Biodiversity & Hydrology and Surface Water Quality chapters

OTHER SCREENING:

The proposed development is not contrary to the RSES and so it was not referred to the Eastern and Midland Regional Assembly.

CONCLUSION:

Further information to be requested in relation to the following:

- Detailed Decommission Programme
- Clarify if Section 8.7 of the EIAR - 'Conclusion and Summary of Effects' is fully complete.
- Environment/ Water Services report.
- External finishes
- Comments on external referrals

Recommendation

Having regard to the plans and particulars submitted with the application, referral reports and my inspection of the site, I recommend that the following **Further Information be requested.**

1. The Applicant is requested to clarify the length of time the proposed development in question will be in operation for.

2. Regarding the decommissioning of the development the Applicant is requested to submit;
 - (a) Costing for decommissioning of the development.
 - (b) A detailed programme of works plan, clearly identifying all elements, durations, associated dates allocated to each individual tasks of the decommissioning process.
3. Waste Management
 - (a) Further detail on quantities of hazardous C&D waste that is likely to be processed on site to be provided including detail on how activity will be managed on site to reduce any impact on receiving environment.
 - (b) The EIAR stated that *"most of the waste handling, storage and processing will take place indoors under cover"* The Applicant is therefore requested to provide justification for the outdoor timber shredding process and subsequent storage of the untreated timber and garden waste outdoors. Further detail on mitigation measures to reduce dust, odour, gas and leachate emissions from such a practise in the interest of protection of Biodiversity and Natura sites. If required, the NIS shall be updated accordingly.
4. The Applicant is requested to clarify if Section 8.7 of the EIAR - 'Conclusion and Summary of Effects' is fully complete. Please clarify and amend accordingly.
5. Surface water management
 - (a) Further detail is required on site activities and the type of discharges to the adjacent watercourse via the proposed surface water drainage system.

Please note here shall be no discharge of trade effluent to waters except where a licence is granted by the local authority as required by the Local Government (Water Pollution) Acts, 1977 and 1990.
 - (b) Further detail of surface water monitoring and management programme during operation phase shall be provided including detail of parameters measured and standards applied in order to protect receiving watercourses shall be provided. There is insufficient information to demonstrate that wash water, sediment or organic matter during construction and operational phase would not result in discharge to the adjacent watercourse.
 - (c) The Applicant is requested to submit Design calculations for the surface water system serving the proposed site including calculations for;
 - i. The sizing of the attenuation tank
 - ii. The proposed surface water discharge rate
 - iii. Detail on the prop structure of the proposed attenuation structure

6. Wastewater management

- (a) Site suitability Assessment - The Applicant is requested to submit a site layout plan confirming the location on site where the percolation testing occurred.
- (b) Further detail is required on the design, sizing and type of wastewater treatment system constituting of secondary treatment and soil polishing treatment system and adjoining percolation area as outlined below –
 - i. The Applicant should submit design details for the proposed septic tank system. Details of the hydraulic loading, the size and capacity of the septic tank and the length of percolation trenching required should be included. The proposed septic tank should conform to I.S. EN 12566 Part 1 or 4. Details of the relevant I.S. EN 12566 test performance results should be submitted to support this.
 - ii. The Applicant should submit a revised site layout plan, which should indicate the designed percolation area dimensions and all the relevant setback distances.

7. Secondary Treatment System –

- (a) The Applicant shall submit a revised site layout plan indicating the proposed soil-polishing filter as per the design details indicated in the site suitability report. Dimensions and all the relevant setback distances for the proposed soil-polishing filter should be included and set back distances must demonstrate compliance with Table 6.1 of the CoP. Please note the maximum length of each soil polishing filter trench should not exceed 10m.
- (b) Please submit details of the EN12566 Part 3 test performance results for the proposed effluent treatment system. Please note the test performance results for Biochemical Oxygen Demand (BOD), Suspended Solids and Ammonium Nitrogen ($\text{NH}_4\text{-N}$) should be included and the treatment efficiency must comply with the minimum performance standards as set out in Table 5.1 of the 2009 EPA Code of Practice.
- (c) Please submit section details indicating site services & maintenance agreements in relation to waste treatment system, if any.

8. Wash-down Drainage

Further information on the proposal to deal with management of wash-down drainage to be provided including –

- i. Confirmation on how wash-down drainage will be managed so that it does not enter the surface water system.
- ii. Section detail of the proposed precast storage tank and detail on the integrity of the unit
- iii. Calculations for sizing of tank
- iv. Detail of the estimated volumes to be tankered off site and evidence of agreement in place with an operator to accept the foul/wash water for appropriate treatment.

9. Groundwater/Surface Water Protection.

- (a) Please provide details of any fuel, oil or other types of chemical substances to be stored within the development and submit details of bunded storage volumes, the types of storage facilities and the volumes to be stored. Please show that bunding arrangements conform to the EPA Guidance Document 'Storage & Transfer of Materials for Scheduled Activities' 2004 or make proposals to ensure compliance.
- (b) Please specify the projected emission values for all expected contaminants in the surface water/foul system prior to discharge from the proposed development. Please provide details of any proposed settlement tanks and oil interceptors including output performance in terms of suspended solids removal and oil removal.

10. Operation Phase

- (a) Further detail on the testing, certification and commissioning of baseline environmental scenario at the commencement of the operation to be provided.
- (b) Further detail to be provided on the operational practices during the two different phases operation -Phase 1 and Phase 2. Detail to include the level of environmental monitoring arrangements that will be in place during the 2 phases to ensure compliance with performance standards set out in submission.

11. Proposed Solar Panels

The Applicant is requested to submit specification on the solar panels proposed for this development and the mitigation measures to reduce possible glare risk.

12. Consultation with Stakeholders

The Applicant is requested to provide detail on the discrepancies between the Site Layout Plan reference No 20-01-SK04A issued to all stakeholders which is different to Drawings P2344-0500-001 titled Proposed Site Services and P2344-0100-005 titled Proposed Site Layout Plan.

13. Landscape Plan

The Applicant is requested to submit a revised site layout plan detailing proposed hard and soft landscaping. Please refer to Table 4.16 List of Native Trees and Shrubs in the Offaly County Development Plan 2021 – 2027.

14. Finishes

The Applicant is requested to submit brochure samples and specification of the metal cladding proposed on the roof/external walls of all the proposed structures on site.

15. External Submissions

The Applicant is advised that submissions were received from the Environmental Protection Agency and Inland Fisheries Ireland, by Planning Authority (on the 25th and 14th of October 2022 respectively) in relation to the proposed development. The Applicant is requested to provide a response to matters raised within these submissions.

Michael Duffy

*Michael Duffy
Assistant Planner
14th November 2022*

Carroll Melia

*Carroll Melia
Acting Senior Executive Planner
15th November 2022*

APPROPRIATE ASSESSMENT SCREENING

REPORT FOR PLANNING APPLICATIONS

Screening is used to determine if an AA is necessary by examining:

- If the plan / project is directly connected with / necessary to the management of the Natura 2000 site.
- If the effects will be significant on a Natura 2000 site in view of its conservation objectives, either alone / in combination with other plans / projects.

Planning Authority : Offaly County Council

Planning Application Ref. No.: PL2/22/490

(A) DESCRIPTION OF PROJECT AND LOCAL SITE:			
Proposed development:	THE DEVELOPMENT WILL CONSIST OF THE DEMOLITION OF EXISTING AGRICULTURAL SHEDS AND STRUCTURES ON-SITE AND THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY FOR THE ACCEPTANCE AND PROCESSING OF UP TO 90,000 TONNES PER ANNUM OF HOUSEHOLD, COMMERCIAL AND INDUSTRIAL (C&I), AND CONSTRUCTION AND DEMOLITION (C&D) WASTE.		
Site location:	DERRYARKIN, RHODE, CO. OFFALY		
Site size:	2.7ha	Floor Area of Proposed Development:	958.8m ²
Identification of nearby <i>European</i> Site(s):	Raheenmore Bog SAC 5.7km River Boyne & River Blackwater SAC 18.55km River Boyne & River Blackwater SPA 18.55km		
Distance to <i>European</i> Site(s):	As above -- all as crow flies		
The characteristics of existing, proposed or other approved plans / projects which may cause interactive / cumulative impacts with the project being assessed and which may affect the <i>European</i> site:	None		
Is the application accompanied by an EIAR?	YES		
(B) IDENTIFICATION OF THE RELEVANT EUROPEAN SITE(S):			
The reasons for the designation of the <i>European</i> site:			

Raheenmore Bog SAC - Features of interest include:

- Active raised bogs [7110]
- Degraded raised bogs still capable of natural regeneration [7120]
- Depressions on peat substrates of the Rhynchosporion [7150]

River Boyne & River Blackwater SAC - Features of interest include:

- Alkaline fens [7230]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]

River Boyne & River Blackwater SPA - Features of interest include:

- Kingfisher (*Alcedo atthis*) [A229]

The conservation objectives / qualifying interests of the site and the factors that contributes to the conservation value of the site: (which are taken from the *European* site synopses and, if applicable, a Conservation Management Plan; all available on www.npws.ie) (ATTACH INFO.)

Raheenmore Bog SAC Site Code: 000582

This raised bog developed in a small basin in the catchment of two major river systems i.e. the Brosna and the Boyne. It is situated about 5 km from Daingean in Co. Offaly. The peat is very deep, up to 15 m in places. The bog has a well-developed hummock and hollow system. The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive

River Boyne & River Blackwater SAC - Site Code: 002299

This site comprises the freshwater element of the River Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. These riverine stretches drain a considerable area of Meath and Westmeath, and smaller areas of Cavan and Louth. The underlying geology is Carboniferous Limestone for the most part, with areas of Upper, Lower and Middle well represented. In the vicinity of Kells Silurian Quartzite is present while close to Trim are Carboniferous Shales and Sandstones. There are many large towns adjacent to but not within the site, including Slane, Navan, Kells, Trim, Athboy and Ballivor. The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive

River Boyne & River Blackwater SPA - SITE CODE: 004232

The River Boyne and River Blackwater SPA is a long, linear site that comprises stretches of the River Boyne and several of its tributaries; most of the site is in Co. Meath, but it extends also into Cos Cavan, Louth and Westmeath. It includes the following river sections: the River Boyne from the M1 motorway bridge, west of Drogheda, to the junction with the Royal Canal, west of Longwood, Co Meath; the River Blackwater from its junction with the River Boyne in Navan to the junction with Lough Ramor in Co. Cavan; the Tremblestown River/Athboy River from the junction with the River Boyne at Kilnagross Bridge west of Trim to the bridge in Athboy, Co. Meath; the Stoneyford River from its junction with the River Boyne to Stonestown Bridge in Co. Westmeath; the River Deel from its junction with the River Boyne to Cummer Bridge, Co. Westmeath. The site includes the river channel and marginal vegetation.

Most of the site is underlain by Carboniferous limestone but Silurian quartzite also occurs in the vicinity of Kells and Carboniferous shales and sandstones close to Trim.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive of special conservation interest for the following species: Kingfisher.

A survey in 2010 recorded 19 pairs of Kingfisher (based on 15 probable and 4 possible territories) in the River Boyne and River Blackwater SPA. A survey conducted in 2008 recorded 20-22 Kingfisher territories within the SPA. Other species which occur within the site include Mute Swan (90), Teal (166), Mallard (219), Cormorant (36), Grey Heron (44), Moorhen (84), Snipe (32) and Sand Martin (553) – all figures are peak counts recorded during the 2010 survey.

The River Boyne and River Blackwater Special Protection Area is of high ornithological importance as it supports a nationally important population of Kingfisher, a species that is listed on Annex I of the E.U. Birds Directive.

(C) NPWS ADVICE:

Advice received from NPWS over phone:	None received.
Summary of advice received from NPWS in written form (ATTACH SAME):	None received.

(D) ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS:	
<i>(The purpose of this is to identify if the effect(s) identified could be significant – if uncertain assume the effect(s) are significant).</i>	
<p>Given the location the limited nature and size of the development applied for and the characteristics of <i>European</i> sites in the vicinity it is considered that 100 metres should be used as a potential zone of impact of the project in accordance with section 3.2.3 of the appropriate assessment guidelines. There are no <i>European</i> sites within 100 metres of the development applied for and therefore no significant effects on any <i>European</i> sites either alone or in combination with other plans and projects.</p>	
<p>Would there be...</p> <p>... any impact on an Annex 1 habitat? (Annex 1 habitats are listed in Appendix 1 of AA Guidance).</p>	Uncertain
<p>... a reduction in habitat area on a <i>European</i> site?</p>	Uncertain
<p>... direct / indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the <i>European</i> site?</p>	Uncertain
<p>... serious / ongoing disturbance to species / habitats for which the <i>European</i> site is selected (e.g. because of increased noise, illumination and human activity)?</p>	Uncertain
<p>... direct / indirect damage to the size, characteristics or reproductive ability of populations on the <i>European</i> site?</p>	Uncertain
<p>Would the project interfere with mitigation measures put in place for other plans / projects. [Look at <i>in-combination</i> effects with completed, approved but not completed, and proposed plans / projects. Look at projects / plans within and adjacent to <i>European</i> sites and identify them]. Simply stating that there are no cumulative impacts' is insufficient.</p>	Uncertain
(E) SCREENING CONCLUSION:	
Screening can result in:	
1	<i>AA is not required because the project is directly connected with / necessary to the nature conservation management of the site.</i>
2	<i>No potential for significant effects / AA is not required.</i>
3	<i>Significant effects are certain, likely or uncertain. (In this situation seek a Natura Impact Statement from the applicant, or reject the project. Reject if too potentially damaging / inappropriate.</i>
	<i>Conclusion:3</i>
	<p>Justify why it falls into relevant category above:</p> <p>Category 3 -Hydrological connections between Natura 2000 sites and subject site</p>

Name:	Michael Duffy	Date:	14 th November 2022
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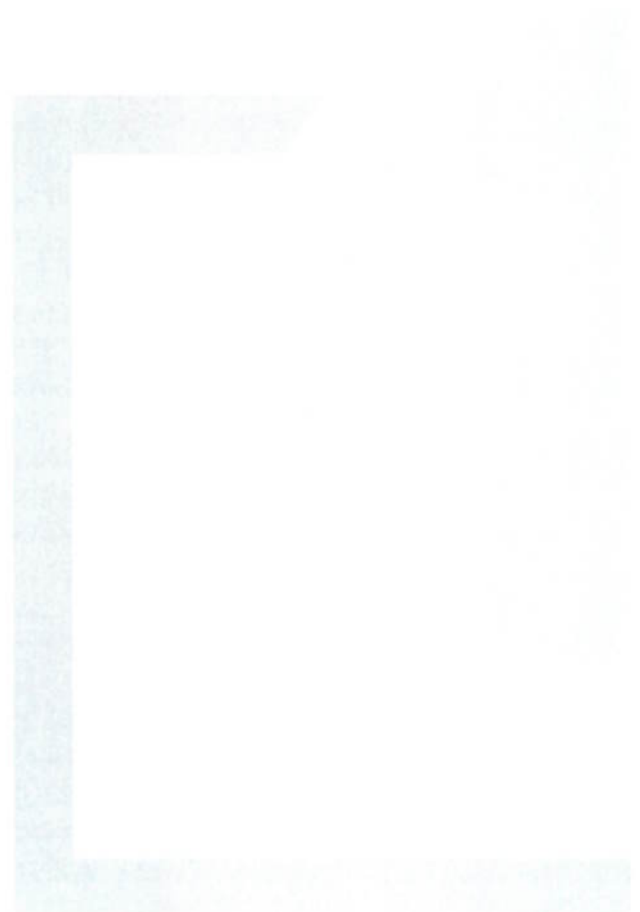
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CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE
& PLANNING

APPENDIX 2.2

Planning Report to inform
decision to Grant Permission



OFFALY COUNTY COUNCIL

PLANNING REPORT

PL REF. NO: PL2/22/490

APPLICANT: OXIGEN ENVIRONMENTAL UNLIMITED COMPANY

LOCATION: DERRYARKIN, RHODE, CO. OFFALY

PROPOSAL: THE DEVELOPMENT WILL CONSIST OF THE DEMOLITION OF EXISTING AGRICULTURAL SHEDS AND STRUCTURES ON-SITE AND THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY FOR THE ACCEPTANCE AND PROCESSING OF UP TO 90,000 TONNES PER ANNUM OF HOUSEHOLD, COMMERCIAL AND INDUSTRIAL (C&I), AND CONSTRUCTION AND DEMOLITION (C&D) WASTE. ELEMENTS OF THE PROPOSED DEVELOPMENT INCLUDE THE FOLLOWING. (1) THE DEMOLITION OF ALL EXISTING SITE AGRICULTURAL SHEDS AND STRUCTURES ON-SITE (WHICH COVER AN AREA OF 1,417 M²). (2) THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY, COMPRISING: (A) A SITE ENTRANCE, (B) A WEIGHBRIDGE, (C) TRUCKING SET DOWN AND PARKING AREAS, (D) STAFF PARKING, COMPRISING 24 PARKING SPACES INCLUDING DISABLED PARKING AND EV CHARGING, (E) A CONCRETE YARD AREA, (F) A FUEL STORAGE AREA, (G) EXTERNAL WASTE STORAGE BAYS, (H) SKIP / BIN STORAGE AREAS, (I) A PERIMETER BOUNDARY WALL (4 M IN HEIGHT) AND PERIMETER FENCING (2.1 M IN HEIGHT), (J) A STORMWATER DRAINAGE AND ATTENUATION SYSTEM, (K) AN ADMINISTRATION TWO-STOREY BUILDING (WITH AN OVERALL FLOOR AREA OF C. 396M² AND C.7.35M IN HEIGHT), (L) A SINGLE STOREY MATERIALS RECOVERY FACILITY (WITH AN OVERALL FLOOR AREA OF C. 2,850M² TO A MAXIMUM HEIGHT OF C.13M), (M) A TRUCK LOADING BAY, (N) AN ON-SITE WASTEWATER TREATMENT SYSTEM, ASSOCIATED PERCOLATION AREA AND ANCILLARY SERVICES, (O) AN ON-SITE ESB SUB-STATION AND ADJOINING ELECTRICAL ROOM (WITH A COMBINED FLOOR AREA OF 61 M² AND 2.175 M IN HEIGHT), (P) SOLAR PANELS (COVERING A TOTAL AREA OF 737 M²) MOUNTED ATOP THE PROPOSED ADMINISTRATION AND MATERIALS RECOVERY FACILITY BUILDINGS. THE APPLICATION IS ACCOMPANIED BY AN

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) AND NATURA IMPACT STATEMENT (NIS). THE PROPOSED DEVELOPMENT WILL ACCEPT UP TO 50,000 TONNES OF WASTE PER ANNUM AND OPERATE UNDER A WASTE FACILITY PERMIT FROM OFFALY COUNTY COUNCIL DURING PHASE 1 OF OPERATIONS. THE PROPOSED DEVELOPMENT WILL ACCEPT UP TO 90,000 TONNES OF WASTE PER ANNUM AND OPERATE UNDER AN INDUSTRIAL EMISSIONS LICENCE FROM THE ENVIRONMENTAL PROTECTION AGENCY DURING PHASE 2 OF OPERATIONS

RECOMMENDATION: GRANT

DECISION DUE DATE: 7th NOVEMBER 2023

SECOND PLANNING REPORT ON FILE

INTERNAL REFERRALS

Environment/Water Services:	<p>No objections subject to conditions in relation to:</p> <ul style="list-style-type: none"> • The development shall be carried out, completed and maintained in accordance with the plans and particulars submitted with the planning application, and as modified by further information submitted on 11th July 2023 and in accordance with the mitigation measures and the timescale for their implementation contained in the submitted Environmental Impact Assessment Report (EIAR), save as may otherwise be required by the following conditions. • All of the mitigation measures detailed in the Natura Impact Statement (NIS) shall be implemented in full within the timescales listed in the NIS. • All of the monitoring proposals detailed in the submitted documentation, including the Environmental Impact Assessment Report (EIAR) and the Response to Request for Further Information, dated 11th July 2023, table 2-4 pg. 17/24 shall be implemented in full within the timescales listed in the EIAR. The developer shall monitor and record groundwater levels, surface water, noise, odour and dust deposition levels at monitoring and recording stations, the location of which shall be submitted to and agreed in writing
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	<p>with Offaly County Council prior to commencement of development.</p> <ul style="list-style-type: none"> • Monitoring results shall be submitted to the planning authority at agreed intervals for groundwater, surface water, noise and odour. • The mitigation measures proposed in Construction Environment Management Plan for managing the collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures shall be implemented in full. A record of all proposed checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development. • The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into an Agreement with Irish Water to provide for a service agreement to provide the public water supply and collection of all foul water generated on site within first month of this grant of permission. <p>In the event of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body either at construction or operational phase, Offaly County Council, and Inland Fisheries Ireland, shall be notified in writing. A copy of the clean-up plan shall be submitted to the planning authority.</p> <ul style="list-style-type: none"> • Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best
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	<p>practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <ul style="list-style-type: none"> • During operation phase, the activities at the facility shall be restricted to the processing of up to 90,000 tonnes per annum of household, commercial and industrial and construction and demolition waste as set out in the submitted EIAR and in accordance with the appropriate permit/licence from Offaly County Council and EPA. No hazardous waste shall be accepted or processed at the facility as outlined in the 'Response to Request for Further Information dated 11th July 2023. • The Developer shall apply and obtain a Waste Facility Permit under the Waste Management Regulations 2007, as amended from the Environment Section of Offaly County Council prior to waste activities commencing on site for operations under Phase 1 only. The list of waste codes for Phase 1 as submitted with the planning application and Phase 2 as outlined in Appendix 2 of the 'Response to Further Information Request' is permitted at the site. • All hauliers importing or removing waste from the facility shall hold a valid waste collection permit in accordance with the Waste Management Regulations 2007, as amended. • Only waste activities authorised under a Waste Facility Permit issued by Offaly County Council under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, can be carried out at the site location as outlined in the planning application for 'Phase 1'. • All loose litter accumulated within the facility and its environs shall be removed and
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	<p>appropriately disposed of daily.</p> <ul style="list-style-type: none"> • All road networks in the vicinity of the facility shall be kept free from any mud or debris caused by activities at the facility. Any such debris or deposited materials shall be removed without delay. • Emergency Spill Management Plan shall be implemented in the event of accidental leaks or spills and spill kit shall be made available to all site staff. • All overground oil and chemical storage tank(s) shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal or greater than 100% of the capacity of the largest tank within the bunded area or 25% of the total volume of substance which could be stored within the bunded area, whichever is great. Filling and offtake points shall be located within the bunded areas. • All bunding arrangements for the storage of fuel, oil, or other types of chemical substances to be stored within the development shall conform to the EPA Guidance Document 'Storage & Transfer of Materials for Scheduled Activities' <p>Hours of operation</p> <ul style="list-style-type: none"> • Site development and construction works shall be carried out between the hours of 07:00 hrs – 18:00 hrs Mondays to Fridays inclusive, between 08:00 hrs- 13:30 Hrs on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority. The Applicant shall take reasonable measures to mitigate any environmental nuisance (noise and dust) which may arise during construction. • The hours of operation shall be 08:00 hrs - 18:00hrs Monday to Friday (excluding bank holidays) and 08:00-13:00 hr on Saturdays. There shall be no operations on Site on Sundays. <p>Dust Management</p>
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- Total dust deposition at the site boundaries shall not exceed 350 mg/m²/day averaged over a thirty day period.
- In dry weather conditions dust abatement measures during construction stage shall be applied to all loads leaving the site, dampening the load, covering the load or other appropriate measures. Water spraying of roads, shall be carried out as necessary.

Noise Management

- Noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall not exceed the following:
 LAeq (30 minutes) 55dB(A) 8am to 6pm
 LAeq (15 minutes) 45dB(A) at any other time
- There shall be no clearly audible tonal or impulsive components to the noise emissions from the development at any noise sensitive location.

Soiled Water

- Prior to waste activities commencing on site, the Developer shall construct a new reinforced concrete holding tank, minimum capacity 78m³ as proposed. Re-use of existing agricultural tank is not acceptable due to age, likely condition and commensurate risk to the groundwater body. It is noted that the sub-soils (refer. Teagasc Soils) are recorded as Peat, and groundwater vulnerability as "Moderate", indicated that an unacceptable risk of leakage with the proposal to waterproof the existing agricultural tank, which may have been constructed as early as the early 1970s (refer EIAR Volume 2, Chapter 1, Section 1.10 Planning History), prior to the introduction of sufficiently robust construction standards. Reinforced concrete tanks to be designed by qualified Structural Engineer, to meet equivalent standard to Uisce Éireann

	<p>Stormwater tanks. Tanks to be tested to BS 8007 and signed off by certifying engineer.</p> <ul style="list-style-type: none"> • Works generating soiled water/leachate are only permitted in areas served by proposed foul-water collection system outlined on Drawing ref. P2344-0500-0002 (submitted with response to RFI). • All soiled water generated by works at the proposed development shall be conveyed through to the proposed holding tank. No effluent shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road. <p>Wastewater treatment system</p> <ul style="list-style-type: none"> • The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 11th July 2023. • Within three months of the first occupation, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above. • The wastewater treatment system shall be installed in accordance with the manufacturers guidelines and the details provided. • The work shall be supervised and certified by a suitably qualified and professionally indemnified Engineer. A completion certificate shall be submitted to the Planning Authority upon installation and commissioning of the wastewater treatment system and the percolation area. Photographic evidence of each stage of the works shall be included in the completion certificate submission; • The wastewater treatment system shall be visually inspected on a periodic basis and de-sludging shall be carried out. • The Applicant shall submit a signed copy of the agreement for the maintenance of the WTS
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	<p>prior to commencement of the works on-site. At all times the maintenance of the WTS shall be covered by contract.</p> <p>Surface water Management</p> <ul style="list-style-type: none"> • Clean surface water and run-off from roofs and clean paved areas only shall be collected and directed to [a soakpit or the nearest field drain located within the boundaries of the site], and shall not be allowed to flow onto any roadway or discharge to soiled water/effluent storage areas. • The Applicant shall ensure only clean uncontaminated surface water shall be discharged to the surface water system. No foul sewage, grease or fats, harmful chemicals and non-biodegradables shall be discharged to the surface water sewerage system. • With reference to the proposed Stormwater Drainage and Attenuation System, as detailed with EIAR Volume 2, Chapter 1, Section 4.3.2.10 & Section 10.5.3.2 inter alia, and drawing ref. P2344-0500-0001 & P2344-0501-0002, response as follows: • The proposed outfall on the watercourse approximately 20m south of the site is a tributary of the Yellow River, running east until it meets the Yellow River approximately 550m from the proposed discharge point. This section of the Yellow River (WFD river sub basin ref. Yellow (Castlejordan)_010), the first 150m of the Yellow River encountered, is noted as of "Poor" status within the WFD River-body Status 2016-2021. The remaining section of the Yellow River heading east is noted as "Good" quality within the WFD River-body Status 2016-2021. • The nature of the attenuation tanks system is required to mitigate the risk to suspended solids arising from surface run-off. The proposal to utilise the existing agricultural tank, augmented with a modular crate system is not acceptable due to risks relating to tank integrity, polypropylene degradation, and over-reliance on workmanship. The proposed system also provides insufficient opportunity for serviceability, monitoring of effectiveness
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	<p>and maintenance over the proposed lifetime.</p> <ul style="list-style-type: none"> • Prior to waste activities commencing on site, the Developer shall construct a new reinforced concrete holding tank for surface water, to minimum capacity of 440m³. A minimum of 4 No. access/inspection points are to be incorporated uniformly along the length of this tank (Surespan or equivalent) to enable inspection, sampling and routine servicing. Particular risk to spawning fish are elevated BOD and nutrients. Testing shall be carried out on a schedule to be agreed with Offaly County Council Environment Section shall be no run-off that breaches relevant standards for discharge to watercourses. Where attenuated surface water run-off is found to exceed standards, the operator/developer will be required to close the shut-off valve, and tanker the water for third party treatment by Uisce Eireann or similar. • Headwall/outfall design (at discharge point) to be agreed with Inland Fisheries Ireland to mitigate potential impact on local fisheries habitat. Developer to submit drawings prior to commencement of the development indicating the detailed design of the footprint at the discharge point or wing walls containing pipes. Exact location of proposed outfall to be agreed with Inland Fisheries Ireland, to minimise impact on spawning reeds or salmonoid habitat. • Developer to contact Inland Fisheries Ireland in advance of works commencing to agree construction methodology and mitigation measures for construction of headwall / wingwalls / scour mat. Timing of in-stream works to be carried out during the period July – September, as per Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters. Developer to provide 7 days notification to Inland Fisheries Ireland prior to commencement of works within the watercourse. • Demolition: The Developer shall take care to protect all sewers that may be affected by demolition works, in particular no debris should be allowed to enter the drainage
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	<p>system. Where possible the Developer must disconnect and cap all drainage links from the private site in order to prevent any demolition debris entering the public network.</p> <ul style="list-style-type: none"> • There shall be no discharge of trade effluent to waters (including groundwater) or sewers except where a licence is granted by Offaly County Council as required by the Local Government (Water Pollution) Acts, 1977 and 1990. • The development shall incorporate Sustainable Drainage Systems in the management of surface water, with a minimum requirement of a 2 component SuDS management train approach. • All surface water discharge from this development must be attenuated to greenfield run off rates. With attenuation provided for 1 in 100 year storm event plus factor of 20% for climate change. • An appropriate petrol interceptor shall be installed on the internal drain prior to discharge to surface water system. • All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve, unless approved and agreed in writing with the owner of the land in which these drains pass through. <p>Landscaping</p> <ul style="list-style-type: none"> • The development shall be screened from the roadway using with native hedges and trees, such as: Native Evergreens (Holly and Scots Pine), Native Deciduous (Oak, Elm, Ash, Birch, Hazel, Alder, Willow, Whitethorn, Blackthorn, Irish Whitebeam, Rowan). Exotic species such as Cypress Leylandii, Rhododendron or Laurel, shall not be used. All site boundary hedgegrows are to be retained and infilled where gaps occur. • All landscaping works shall be completed, within the first planting season following commencement of development, in accordance with drawing titled, 'Proposed
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	Landscaping and fencing plan' drawing number P2344-0300-001 Rev A, submitted to Offaly County Council on the 11 th July 2023.
Area Engineer:	<p>No objections subject to conditions in relation to:</p> <ul style="list-style-type: none"> • Upgrade works to junction with R400 to be carried out in advance of commencement of extraction works from the proposed development. It is noted that a number of matters have been raised within the Road Safety Audit (Stage 2). It is further noted within the Road Safety Audit Brief Checklist that some information was not available to the Road Safety Auditor for consideration such as Traffic Surveys, etc. It is noted that design drawings have been submitted, Tobin Drawings No. 10884/2000 – 10884/2007 inter alia, which are generally agreeable, the final design of the proposed junction with the R400 (referred to as Junction 2 or J2 within the TTA) to be agreed with Offaly County Council (OCC) prior to construction commencement. • It is noted that Section 3.3 of the Construction Environmental Management Plan states that the Junction Upgrade will take place after the Construction of the Materials Recovery Facility. For clarity, the junction upgrade is required in advance of the operation of the proposed Materials Recovery Facility, so upgrade works are required to be completed in advance. • Annual Contribution (Special Development Contribution) to be paid to Offaly County Council for impact on the R400. Initial Annual Contribution set at €25,000.00 (rate as 2022). Calculation of contribution on separate attached sheet. The annual sum shall be index linked in accordance with changes in the Wholesale Price Index – Building & Construction section as published by the CSO. The 1st annual sum shall be paid to the planning Authority prior to the commencement of any development on site. • 160m sightlines shall be maintained at all times. Nothing shall be planted or sown in front of these sightlines without prior written permission from the local authority. The verges within the 160m sightline shall not exceed

	<p>600mm high above the adjacent carriageway.</p> <ul style="list-style-type: none"> • The vehicular access to the site shall be restricted to one point. • Any damage to the public road consequential to the development work will be made good to the satisfaction of the Area Engineer. • Proposed road markings on the R400 noted on as Dwg. 10884-2000, however final road markings to be agreed with OCC prior to installation. • Signage to be agreed with OCC prior to installation, all signage to comply with most recent The Traffic Signs Manual and other relevant standards. • Pavement upgrades to be completed to extents indicated on Drawing 10884-2004. Specific pavement design to be agreed with OCC prior to installation. OCC have some concerns around the use of • Pavement Type 2 as shown on the above reference drawing, as surface dressed roadway in where concentrated HGVs turning movements occur will result in loose material on the R400 and degradation of the junction surface. Area shown as Type 2 surfacing to be upgraded to Type 1, final design to be agreed with OCC. OCC may require the inclusion of a geogrid to the road reconstruction works, final design to be included prior to commencement. • Surface water drainage measures (gullies, etc.) at the revised junction / junction upgrade to be agreed with OCC. Surface water system to be maintained in good order.
Roads Design:	<p>No objections subject to conditions in relation to:</p> <ul style="list-style-type: none"> • Upgrade works to junction with R400 to be carried out in advance of commencement of construction works from the proposed development in accordance with TII document DN-GEO-03060, June 2017. Offaly County Council require junction upgrade works to include for the provision of 20 metres of

	<p>resurfacing on the L10091 from R400 road junction so as to satisfy requirements of RSM Stage 2 Road Safety Audit (RSA), December 2021. The inclusion of same is an addition to the proposed pavement upgrades as indicated on Tobin Consulting Engineers Drawing 10884-2004, Revision A, November 2021. Full road pavement reconstruction to be in accordance with the 'Guidelines for the Rehabilitation of Roads over Peat'—"Green Book" including the use of an appropriate composite geogrid. Specific pavement design to be submitted to the Planning Authority for written agreement prior to commencement of development.</p> <ul style="list-style-type: none"> • Within 6 months of operation of development, the Developer shall submit to the Planning Authority for written agreement a detailed Stage 3 and Stage 4 RSA, which shall be carried out by an independent approved and certified auditor for the proposed development on junctions modified as part of this proposal in accordance with TII document GE-STY-01024, December 2017, after construction and 4 months' post road opening with live traffic during operation of the proposed development. The RSA recommendations shall be incorporated into the final completed works. • Vehicular access to the site shall be restricted to one location only. • Lines of sight at site entrance shall be constructed and maintained strictly in accordance with the requirements of Table 1.3: Design Speed Related Parameters of TII Rural Link Road Design DN-GEO-03031, April 2017. No surface water to discharge onto public road. • Prior to commencement of development, the Developer shall submit for written agreement of the Planning Authority proposals for street lighting at the proposed development
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	<p>entrance as recommended within RSM Stage 2 RSA, December 2021, Observation 2.4.1 to be designed in accordance with LED specification. LED street lighting design to be submitted by competent designer.</p> <ul style="list-style-type: none"> • The existing R400 regional road shall be kept free of mud, dust and debris. • Surface water drainage measures (gullies, etc.) shall be installed at the revised junction / junction upgrade. Design to be submitted and agreed with the Planning Authority prior to commencement of development. • All surface water run-off from the development shall be collected and disposed of within the site. In particular, no such surface water run off shall be allowed to flow onto the public roadway or other adjoining properties. • Any damage to the public road consequential to the development work will be made good to the satisfaction of the Area Engineer. • Traffic management plans to be submitted for each stage of the works to Edenderry Municipal District Office, in accordance with the requirements of most recent Traffic Signs Manual. • Car parking provisions including accessible spaces and EV charging points and infrastructure requirements to be constructed in accordance with Offaly County Development Plan 2021-2027. • This application will require the levying of a contribution in accordance with 'Offaly County Councils Development Contribution Scheme 2021-2025, Section 19 Charges to be Applied', towards the management and repair of the public roads in the vicinity of the site. • Prior to commencement, applicant to consult with ESB regarding works in close proximity to overhead power lines and to agree re-routing of same in accordance with ESB Codes of Practice to ensure safety of all construction
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	personnel on site
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EXTERNAL REFERRALS:

<u>HSE:</u>	File referred, no response as of date of report
<u>Arts Council:</u>	File referred, no response as of date of report
<u>Dept. of Cultural Heritage and the Gaeltacht:</u>	File referred, no response as of date of report
<u>An Taisce:</u>	File referred, no response as of date of report
<u>The Heritage Council:</u>	File referred, no response as of date of report
<u>OPW:</u>	File referred, no response as of date of report
<u>EPA:</u>	File referred, no response as of date of report
<u>Inland Fisheries Ireland:</u>	<p>States the following: IFI wishes to object to this application (post Further Information) on the following grounds:</p> <ul style="list-style-type: none"> • The Yellow River adjacent to this site contains prominent stocks of Brown Trout and stocks of Atlantic Salmon. It also contains salmonid habitat and spawning redds. We are concerned that potentially contaminated stormwater from this site will damage local stocks and habitat. • We are concerned that the footprint at the discharge point containing pipes or wingwalls will damage the local fisheries habitat and indeed may impinge on spawning redds. • The EU Water Framework Directive (2000/60/EC) that entered into force in December 2000 requires the protection of the ecological status of river catchments — this encompasses water quality and requires the conservation of habitats for ecological communities. One of the primary objectives of the Directive is to establish a framework which prevents further deterioration and protects and enhances the status of aquatic ecosystems. Protection of aquatic ecosystems requires that river systems be protected on a catchment basis. • Article 5 of the 2009 Surface Water Regulations requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water. Also article 28(2) of the

	<p>said Regulations states that a surface water body whose status is determined to be less than good shall be restored to at least good status not later than the end of 2015 and any water body of good status should remain at least this status.</p> <ul style="list-style-type: none"> • The Yellow River is currently at bad status (disimproved from moderate in 2018) and should have been restored to at least good by the end of 2015. This application may affect this potential restoration of better water quality. <p>We ask you to refuse this application look forward to a copy of your decision in due course.</p>
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3rd PARTY OBSERVATIONS/SUBMISSIONS:

114 submissions/observation have been received in relation to the proposed development which are summarised in Appendix B of this report. Each of these submissions shall be taken into consideration in the assessment of this report.

The main concerns raised in the submissions are:

- Location of development within the vicinity of local dwellings
- Smells
- Proximity to the Yellow River
- Volume of traffic on the R400 & incapacity of local infrastructure to cope with additional traffic
- Lack of engagement by the Applicant with the locals
- Surface water and hydrology

It is noted from a Roads and Traffic Safety point of view both the Area Engineer and the Roads Design Section have reviewed the planning application and have no concerns with the proposal subject to conditions.

Furthermore, from an Environmental point of view, the propose development has been reviewed by the Environment/Water Services section of Offaly County Council who have raised no concerns from an environmental point of view.

FURTHER INFORMATION RESPONSE:

Further information was sought by the Planning Authority on 15th November 2022 and subsequently received by the Planning Authority on the 11th July 2023. The Further information received was deemed significant. A copy of the significant Further Information newspaper and site notice was received by the Planning Authority on the 2nd August 2023.

Subsequently due to R-400 being closed due to a collapsed bridge, it was considered by the Planning Authority that the site notices were not located in a conspicuous position that can be accessed by the public. The Applicant was therefore requested to resubmit both the newspaper and site notices.

That second copy of the significant Further Information newspaper and site notice was received by the Planning Authority on the 13th September 2023.

The following further information was sought and the response is as follows:

1. The Applicant is requested to clarify the length of time the proposed development in question will be in operation for.

Applicants Response: The Applicant has stated the lifetime of the facility will be between 25 & 50 years.

Planners Appraisal: The further information received in relation to item 1 was accessed by the Planning Authority and subsequently are satisfied with the response.

2. Regarding the decommissioning of the development the Applicant is requested to submit;

- (a) Costing for decommissioning of the development.

- (b) A detailed programme of works plan, clearly identifying all elements, durations, associated dates allocated to each individual tasks of the decommissioning process.

Applicants Response: The Applicant has submitted an Decommissioning Management Plan (Closure Plan) for the proposed Materials Recovery Facility. Furthermore, the Applicant has indicated that the Closure Plan and financial provision for such 'known' environmental liabilities will be agreed with the EPA during the IE, Licence application process

Planners Appraisal: The further information received in relation to item 2 was accessed by the Planning Authority and subsequently are satisfied with the response.

3. Waste Management

- (a) Further detail on quantities of hazardous C&D waste that is likely to be processed on site to be provided including detail on how activity will be managed on site to reduce any impact on receiving environment.

Applicants Response: The Applicant has indicated that no hazardous C&D will be accepted at the facility.

Planners Appraisal: The further information received in relation to item 3(a) was referred to Environment/Water Services who are satisfied with the response subject to conditions

- (b) The EIAR stated that *"most of the waste handling, storage and processing will take place indoors under cover"* The Applicant is therefore requested to provide justification for the outdoor timber shredding process and subsequent storage of the untreated timber and garden waste outdoors. Further detail on mitigation measures to reduce dust, odour, gas and leachate emissions from such a practise in the interest of protection of Biodiversity and Natura sites. If required, the NIS shall be updated accordingly.

Applicants Response: The Applicant has indicated on occasional basis, where timber shredding is required, and where C&D/ C & I related waste materials have build up inside the MRF building's waste storage and process area, that timber shredding will take place at the repurposed external waste storage bays. The external timber shredding will only take place during appropriate weather conditions subject to mitigation measures which are defined in the Chapter 17 Schedule of Commitments of volume 2 of the EIAR.

Planners Appraisal: The further information received in relation to item 3(b) was referred to Environment/Water Services who are satisfied with the response subject to conditions

4. The Applicant is requested to clarify if Section 8.7 of the EIAR - 'Conclusion and Summary of Effects' is fully complete. Please clarify and amend accordingly.

Applicants Response: The Applicant has indicated one line of text is missing from Section 8.7 which should include:

'The baseline biodiversity of the proposed development site has been identified, assessed and evaluated, and an evaluation made of potential significant impacts conducted for the construction, operational and decommissioning phases of the proposed development. Mitigation measures have been developed which avoid and minimise impacts on biodiversity. Following the full implementation of these measures, the residual impacts on biodiversity vary from Imperceptible to Not Significant.'

Planners Appraisal: The further information received in relation to item 4 was accessed by the Planning Authority and subsequently are satisfied with the response.

5. Surface water management

- (a) Further detail is required on site activities and the type of discharges to the adjacent watercourse via the proposed surface water drainage system.

Please note here shall be no discharge of trade effluent to waters except where a licence is granted by the local authority as required by the Local Government (Water Pollution) Acts, 1977 and 1990.

Applicants Response: The Applicant has indicated the following:

- Only uncontaminated stormwater generated in non-process yard areas and roof areas will be discharged to the drainage channel ca. 20 m south of the site.
- A stormwater drainage and attenuation system will be provided on-site. External yard Areas (excluding external waste storage bays and the skip/bin storage area) and building roof areas will be served by this system.
- The discharge of stormwater through this system will be via a single discharge point to z drainage channel; approximately 20 metres south of the site.
- The stormwater will be pass through an interceptor prior to being discharged to the drainage channel.

- This tank will drain to a Class I Full Retention Separator (2.610 m length x 1.225 m wide), before being piped to the south of the site to a discharge point which discharges to a drainage channel approximately 20 metres south of the site. A slam shut valve and hydrobrake will be situated prior to the point of site discharge. The slam shut valve will ensure site containment in the event of any spill of hazardous material or environmental emergency.

Planners Appraisal: The further information received in relation to item 5(a) was referred to Environment/Water Services who are satisfied with the response subject to conditions

- (b) Further detail of surface water monitoring and management programme during operation phase shall be provided including detail of parameters measured and standards applied in order to protect receiving watercourses shall be provided. There is insufficient information to demonstrate that wash water, sediment or organic matter during construction and operational phase would not result in discharge to the adjacent watercourse.

Applicants Response: The Applicant has indicated as stated in Section 10.5.2.8 'Construction Phase Monitoring' of Chapter 10 'Hydrology & Surface Water' of the submitted EIAR a *"programme of water monitoring will be carried out during the construction phase. The monitoring programme shall include daily checks, weekly inspections and monthly audits Surface Water Management and Monitoring during the Operational Phase of the Proposed Development"*

Planners Appraisal: The further information received in relation to item 5(b) was referred to Environment/Water Services who are satisfied with the response subject to conditions.

- (c) The Applicant is requested to submit Design calculations for the surface water system serving the proposed site including calculations for;
- i. The sizing of the attenuation tank
 - ii. The proposed surface water discharge rate
 - iii. Detail on the prop structure of the proposed attenuation structure

Applicants Response: The Applicant has submitted an Site Drainage Design Criteria Report as part of the further information response. This report contains:

- Surface Water Design Calculations
- Surface Water Drainage Layout Plan
- The proposed surface water discharge rate from the site (11.5 litres/second, i.e., the 'greenfield' run-off rate), and;
- Surface Water Attenuation Tank section detail

Planners Appraisal: The further information received in relation to item 5(c) was referred to Environment/Water Services who are satisfied with the response subject to conditions.

6. Wastewater management

- (a) Site suitability Assessment - The Applicant is requested to submit a site layout plan confirming the location on site where the percolation testing occurred.
- (b) Further detail is required on the design, sizing and type of wastewater treatment system constituting of secondary treatment and soil polishing treatment system and adjoining percolation area as outlined below –
 - i. The Applicant should submit design details for the proposed septic tank system. Details of the hydraulic loading, the size and capacity of the septic tank and the length of percolation trenching required should be included. The proposed septic tank should conform to I.S. EN 12566 Part 1 or 4. Details of the relevant I.S. EN 12566 test performance results should be submitted to support this.
 - ii. The Applicant should submit a revised site layout plan, which should indicate the designed percolation area dimensions and all the relevant setback distances.

Applicants Response: The Applicant has indicated that a Site Suitability Report, including photos of trial pits and design detail for the proposed secondary treatment system and soil polishing filter, were provided in Appendix 4.2 Parts 1, 2 and 3 of Volume 3 of the submitted EIAR. A revised site layout was submitted indicating the location of percolation testing.

Planners Appraisal: The further information received in relation to item 6 was referred to Environment/Water Services who are satisfied with the response subject to conditions.

7. Secondary Treatment System –

- (a) The Applicant shall submit a revised site layout plan indicating the proposed soil-polishing filter as per the design details indicated in the site suitability report. Dimensions and all the relevant setback distances for the proposed soil-polishing filter should be included and set back distances must demonstrate compliance with Table 6.1 of the CoP. Please note the maximum length of each soil polishing filter trench should not exceed 10m.
- (b) Please submit details of the EN12566 Part 3 test performance results for the proposed effluent treatment system. Please note the test performance results for Biochemical Oxygen Demand (BOD), Suspended Solids and Ammonium Nitrogen (NH₄-N) should be included and the treatment efficiency must comply with the minimum performance standards as set out in Table 5.1 of the 2009 EPA Code of Practice.
- (c) Please submit section details indicating site services & maintenance agreements in relation to waste treatment system, if any.

Applicants Response: The Applicant has indicated that a Site Suitability Report, including photos of trial pits and design detail for the proposed secondary treatment system and soil polishing filter,

were provided in Appendix 4.2 Parts 1, 2 and 3 of Volume 3 of the submitted EIAR.

Planners Appraisal: The further information received in relation to item 7 was referred to Environment/Water Services who are satisfied with the response subject to conditions.

8. Wash-down Drainage

Further information on the proposal to deal with management of wash-down drainage to be provided including –

- i. Confirmation on how wash-down drainage will be managed so that it does not enter the surface water system.
- ii. Section detail of the proposed precast storage tank and detail on the integrity of the unit
- iii. Calculations for sizing of tank
- iv. Detail of the estimated volumes to be tankered off site and evidence of agreement in place with an operator to accept the foul/wash water for appropriate treatment.

Applicants Response: The Applicant has indicated in Section 4.3.2.12 'Foul Water and Washwater Drainage and Collection System' of Chapter 4 'Existing & Proposed Development', of Volume 2 of the EIAR, that a 'foul water and wash water drainage and collection system will be developed on-site. Stormwater generated at external waste storage bays will drain to this system (i.e., dirty stormwater, otherwise known as 'foul water' in the context of this planning application). Washdown water arising at indoor waste processing and storage areas will also drain to the system. This foul water / wash water mix will be held in an underground pre-cast wastewater collection tank (12 m x 6.5 m x 1 m), Wastewater collected in this tank will be periodically tankered off-site and brought to an appropriately authorized wastewater treatment plant operated by Irish Water for treatment. '

Planners Appraisal: The further information received in relation to item 8 was referred to Environment/Water Services who are satisfied with the response subject to conditions.

9. Groundwater/Surface Water Protection.

- (a) Please provide details of any fuel, oil or other types of chemical substances to be stored within the development and submit details of bunded storage volumes, the types of storage facilities and the volumes to be stored. Please show that bunding arrangements conform to the EPA Guidance Document 'Storage & Transfer of Materials for Scheduled Activities' 2004 or make proposals to ensure compliance.

Applicants Response: The Applicant has indicated section 4.3.2.6 'Fuel Storage Area' of Chapter 4 'Existing & Proposed Development', of Volume 2 of the EIAR submitted with the planning application, a diesel tank with capacity to store 55,000 litres of diesel will in the site yard, adjacent to the western boundary fence just north of the administration building. This tank will be contained in a proprietary self-bunded steel unit in accordance with EPA IPC Guidance Note

Guidelines on the Storage and Transfer of Materials for Scheduled Activities. The minimum bund volume required is 60,500 litres (i.e., 110% the size of the tank contents). The actual, proposed bunded unit will provide a secondary retention capacity of 65,538 litres and is therefore of sufficient size.

Planners Appraisal: The further information received in relation to item 9(a) was referred to Environment/Water Services who are satisfied with the response subject to conditions.

- (b) Please specify the projected emission values for all expected contaminants in the surface water/foul system prior to discharge from the proposed development. Please provide details of any proposed settlement tanks and oil interceptors including output performance in terms of suspended solids removal and oil removal.

Applicants Response: The Applicant has indicated only dirty stormwater / foul water generated on-site will drain to a foul water retention tank on-site and be taken dispatched off-site via road tanker periodically. There will be no discharge of foul water from the proposed development site to the receiving environment.

Only uncontaminated stormwater will be discharged from the proposed development site to the receiving surface water environment. This stormwater will be pass through a Class 1 full retention oil and silt interceptor/separator prior to being discharge to the receiving drainage channel to the south of the site.

Planners Appraisal: The further information received in relation to item 9(b) was referred to Environment/Water Services who are satisfied with the response subject to conditions.

10. Operation Phase

- (a) Further detail on the testing, certification and commissioning of baseline environmental scenario at the commencement of the operation to be provided.

Applicants Response: The Applicant has indicated a comprehensive environmental site investigation and assessment has already been undertaken to characterize the baseline soils and groundwater environment at the proposed development site (in accordance with Annex IV(3) of the amended EIA Directive).). Details on the site investigation undertaken and the assessment of the baseline soils and groundwater environment was provided in Chapter 9 Soils, Geology and Hydrogeology, of Volume 2 of the EIAR submitted with the planning application.

Planners Appraisal: The further information received in relation to item 10(a) was referred to Environment/Water Services who are satisfied with the response subject to conditions

- (b) Further detail to be provided on the operational practices during the two different phases operation -Phase 1 and Phase 2. Detail to include the level of environmental monitoring arrangements that will be in

place during the 2 phases to ensure compliance with performance standards set out in submission.

Applicants Response: The Applicant has indicated a comprehensive level of detail on facility operations during Phases 1 and 2 has already been provided in Chapter 4 - 'Description of Existing and Proposed Development', of Volume 2 of the EIAR submitted with the planning application. Detail has been provided on the following specifically.

- Facility operating hours;
- Waste sources;
- Recording waste types and quantities;
- Waste acceptance procedures;
- Facility management;
- Site security;
- Environmental management during facility operations
- Housekeeping and nuisance management;
- Traffic management; and
- Environmental monitoring, including detail on surface water discharge monitoring, receiving surface water body monitoring, dust monitoring and noise monitoring.

Planners Appraisal: The further information received in relation to item 10(b) was referred to Environment/Water Services who are satisfied with the response subject to conditions.

11. Proposed Solar Panels

The Applicant is requested to submit specification on the solar panels proposed for this development and the mitigation measures to reduce possible glare risk.

Applicants Response: The Applicant has indicated that they are proposing to install suitably arranged and orientated Longi 410 PV panels on the proposed building roofs. A specification of the proposed solar panels to be used has been submitted as part of the further information response.

Furthermore, the Applicant has indicated the proposed solar panels will not have any glint and glare impact on sensitive receptors given the site in question is approximately 755m from the nearest dwelling and 1.5km from the nearest public road.

Planners Appraisal: The further information received in relation to item 11 was referred to Environment/Water Services who are satisfied with the response subject to conditions.

12. Consultation with Stakeholders

The Applicant is requested to provide detail on the discrepancies between the Site Layout Plan reference No 20-01-SK04A issued to all stakeholders which is different to Drawings P2344-0500-001 titled Proposed Site Services and P2344-0100-005 titled Proposed Site Layout Plan.

Applicants Response: The Applicant has indicated the Site Layout Plan issued to stakeholders during the stakeholder consultation period (Drawing Reference: 20-010SK04a) depicted a concept design for the site. It was an

early iteration of the site layout plan, which was amended during the design and development process following further consideration and input.

Planners Appraisal: The further information received in relation to item 12 was referred to Environment/Water Services who are satisfied with the response subject to conditions.

13. Landscape Plan

The Applicant is requested to submit a revised site layout plan detailing proposed hard and soft landscaping. Please refer to Table 4.16 List of Native Trees and Shrubs in the Offaly County Development Plan 2021 – 2027.

Applicants Response: The Applicant has submitted a revised site layout detailing proposed hard and soft landscaping.

Planners Appraisal: The further information received in relation to item 13 was accessed by the Planning Authority and subsequently are satisfied with the response.

14. Finishes

The Applicant is requested to submit brochure samples and specification of the metal cladding proposed on the roof/external walls of all the proposed structures on site.

Applicants Response: The Applicant has indicated they will install Quadcore KSIOORW cladding at the external walls and roofs of the MRF / Workshop building. In relation to the Administration building, the applicant is proposing to install Quadcore AWP cladding at the external walls. The applicant has indicated the cladding will have a 'goosewing grey' colour.

Planners Appraisal: The further information received in relation to item 14 was accessed by the Planning Authority and subsequently are satisfied with the response.

15. External Submissions

The Applicant is advised that submissions were received from the Environmental Protection Agency and Inland Fisheries Ireland, by Planning Authority (on the 25th and 14th of October 2022 respectively) in relation to the proposed development. The Applicant is requested to provide a response to matters raised within these submissions.

Applicants Response: The Applicant notes the EPA's commentary provided in relation to the prospective IE licence application process. The Applicant will apply for an Industrial Emissions licence from the EPA prior to the carrying out of Phase 2 of facility operations, as required by the EPA Act, as amended. This licence application will be accompanied by an EIAR to support the functions of the EPA to carry out an EIA of the proposed activity in accordance with Section 83 (2A) and Section 87 (IG)(a) of the EPA Act, as amended.

It is noted that it is the responsibilities of the EPA to consider emission to the environment associated with the proposed activity during the IE licence application process.

The Applicant notes the submission made by Inland Fisheries Ireland (IFI) in relation to the planning application. The proposed development has been

designed and will be operated in a manner that ensures there will be no discharge of environmental significance from the site to the receiving surface water body to the south that may affect water quality or aquatic ecology present in the water body or downstream.

Planners Appraisal: The further information received in relation to item 15 was accessed by the Planning Authority and subsequently are satisfied with the response.

INLAND FISHERIES REFERRAL:

It is noted on the 5th September 2023 a referral was received from Inland Fisheries objecting to the development on the following grounds:

- *The Yellow River adjacent to this site contains prominent stocks of Brown Trout and stocks of Atlantic Salmon. It also contains salmonid habitat and spawning redds. We are concerned that potentially contaminated stormwater from this site will damage local stocks and habitat.*
- *We are concerned that the footprint at the discharge point containing pipes or wingwalls will damage the local fisheries habitat and indeed may impinge on spawning redds.*
- *The EU Water Framework Directive (2000/60/EC) that entered into force in December 2000 requires the protection of the ecological status of river catchments — this encompasses water quality and requires the conservation of habitats for ecological communities. One of the primary objectives of the Directive is to establish a framework which prevents further deterioration and protects and enhances the status of aquatic ecosystems. Protection of aquatic ecosystems requires that river systems be protected on a catchment basis.*
- *Article 5 of the 2009 Surface Water Regulations requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water. Also article 28(2) of the said Regulations states that a surface water body whose status is determined to be less than good shall be restored to at least good status not later than the end of 2015 and any water body of good status should remain at least this status.*
- *The Yellow River is currently at bad status (disimproved from moderate in 2018) and should have been restored to at least good by the end of 2015. This application may affect this potential restoration of better water quality.*

It is noted the main concern in the Inland Fisheries referral (received by the Planning Authority on the 5th September 2023) is the impact the proposed development will have on the Yellow river which contains prominent stocks of Brown Trout and of Atlantic Salmon and in particular the impact the footprint at the discharge point containing pipes or wingwalls will damage the local fisheries habitat and indeed may impinge on spawning redds.

Environment/Water Services Section of Offaly County Council have stated that the proposed outfall from the site to the watercourse, which is approximately 20m south

of the site, is a tributary of the Yellow River. The Yellow River is approximately 550m from the proposed discharge point.

This nearest section of the Yellow River (WFD river sub basin ref. Yellow (Castlejordan)_010), is noted as of "Poor" status within the WFD River-body Status 2016-2021. The remaining section of the Yellow River heading east is noted as "Good" quality within the WFD River-body Status 2016-2021.

It is considered that the Inland fisheries concerns can be dealt with by means of planning condition. See recommended condition 21 in this report as suggested by OCC Environment and Water Services.

APPROPRIATE ASSESSMENT:

The Applicant has submitted an Appropriate Assessment Stage 1 Screening Report and based on its finding, there is the possibility that there could be negative effects on the River Boyne and River Blackwater SAC and SPA as a result of indirect effects from the proposed development either alone or in-combination with other plans and projects. In the absence of mitigation measures (which have not been considered at this screening stage), likely significant effects on the qualifying interests of the River Boyne and River Blackwater SAC cannot be excluded on the basis of objective scientific information. A Stage 2 Appropriate Assessment of the potential impact on the River Boyne and River Blackwater SAC and SPA will therefore be required.

Therefore a Natura Impact Statement (NIS) was submitted as part of the planning application which indicates in the light of the best scientific knowledge in the field, all aspects of the proposed development which, by itself, or in combination with other plans or projects, may affect the relevant European Sites have been considered.

The NIS was referred to the Environment/Water Services Section of the Local Authority who have raised no concerns with the submitted NIS.

An AA Screening Report and AA Conclusion has been carried out in Appendix A of this report.

Reasoned Conclusion on the Significant Effects

This EIA is carried out in accordance with the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018.

Having regard to the environmental information contained in the EIAR and information submitted as part of the planning application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

Impacts on Population & Human Health as a results of emissions from noise and dust. The potential impacts would be mitigated by mitigation measures as set out in the EIAR.

In relation to Biodiversity mitigation measures have been developed which avoid and minimise impacts on biodiversity. Following the full implementation of these measures, the residual impacts on biodiversity vary from Imperceptible to Not Significant.

Subject to the mitigation measures indicated in the EIAR The proposed development should have little or no impacts on hydrology and surface water quality.

Potential impacts in terms of Traffic & Transportation will be mitigated during construction and operation by condition

It is noted that Offaly County Council's (OCC) Roads Design Section and Area Engineer have considered the proposal and deemed it as acceptable subject to conditions. OCC's Environment and Water Services Section has reviewed the information submitted as part of the planning application and consider the proposal to be acceptable.

The reasoned conclusion of the competent authority on the significant effects on the environment of the proposal having regard to the Planning Authority's EIA is that having regard to the mitigation measures submitted as part of this application the planning authority considers that the proposal shall have no significant negative effects on the environment.

DEVELOPMENT CONTRIBUTIONS:

The Development Contribution Scheme 2021-2025, indicates the development will be charged as per Table 1a (see below) of the same scheme.

Table 1a: Level of Contribution – Residential & Industrial / Commercial Development in all other areas

	Class of Infrastructure	€ per m ² of floor area industrial / commercial development
A	Open spaces, cultural, recreational and community facilities, playgrounds, school sites, libraries, arts, amenities and landscaping works, town and village improvement, sports facilities – including land acquisition.	€5.00
B	Roads, flood relief work, infrastructure including public lighting, footpaths, cycle, public transport and pedestrian facilities, bus corridors and lanes, bus interchange facilities (including car parking for these facilities), car parking, traffic calming measures and land acquisition, drainage, high capacity telecommunications infrastructure and traffic management.	€10.00
	TOTAL	€15.00

Total area to be charged under Table 1a is as follows

• Admin Building	1,417m ²
• ESB Substation	61m ²
• Materials Recovery Facility/Workshop Building	<u>2,850m²</u>
Total Area Applicable to Development Contributions	4,328m ²

In addition, a Special Development Contribution for road restoration of R-400 shall apply to this development. The amount of the contribution shall be **€25,000** per annum, as per the calculations in the Edenderry Area Engineer's Referral report dated received by Planning on the 14th November 2022

OTHER SCREENING:

The proposed development is not contrary to the RSES and so it was not referred to the Eastern and Midland Regional Assembly.

CONCLUSION:

Having assessed the application submitted in conjunction with; the internal reports of Offaly County Council and the policies and objectives outlined in the Offaly County Development Plan 2021-2027, third party submissions received it is considered reasonable in this instance to permit the subject development subject to conditions.

RECOMMENDATION:

It is recommended that permission be **Granted** subject to the following conditions.

SCHEDULE 1

Having regard to the nature, scale and intended use of the proposed development, the policies, objectives and standards of the Offaly County Development Plan 2021-2027, Planning Guidelines, third party submissions received, planning assessments, referral reports and the pattern of development in the area, it is considered that, subject to the conditions in schedule two, that the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would otherwise accord with the proper planning and sustainable development of the area.

SCHEDULE 2

1. The development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on the 21st September 2022 and amended by further information received on the 11th July 2023, except where conditions hereunder specify otherwise.

Reason: In the interests of proper planning and sustainable development of the area.

2. All environmental mitigation measures set out in the Environmental Impact Assessment Report and Natural Impact Statement submitted to the Planning Authority on the 21st September 2022 and amended by further information received on the 11th July 2023, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interests of protection of the environment.

- 3.
- (a) Waste to be accepted at the facility for disposal, recovery and treatment shall not exceed 90,000 tonnes per annum of household, commercial and industrial and construction and demolition waste. No hazardous waste shall be accepted or processed at the facility.
 - (b) The Developer shall apply and obtain a Waste Facility Permit under the Waste Management Regulations 2007, as amended from the Environment Section of Offaly County Council prior to waste activities commencing on site for operations under Phase 1 only.
The list of waste codes for Phase 1 as submitted with the planning application and Phase 2 as outlined in Appendix 2 of the 'Response to Further Information Request' is permitted at the site.
Reason: In the interest of the proper planning and development of the area.
- 4.
- (a) The finished floor level of the proposed development shall be as specified on site layout received on 21st September 2022 and shall not be modified in any way without the prior written consent of the Planning Authority.
 - (b) The external finishes of the development shall be as indicated on the drawings received on 21st September 2022 and amended by further information received on the 11th July 2023
Reason: In the interest of the proper planning and development of the area.
5. The site shall be landscaped as follows:
- (a) In accordance with the Landscaping & Fencing Plan submitted to the Planning Authority on the 11th July 2023.
 - (b) All existing planting (hedgerow and trees) on and bounding the site shall be retained and maintained, except where altered or amended by conditions in this permission.
 - (c) Any unplanted boundaries of the site, shall be planted each with a continuous deciduous hedge of native species, interspersed with broad-leaved deciduous trees, at 4 metre centres. This planting shall be carried out and completed within the first planting season following commencement of operations.
 - (d) This landscaping shall be implemented not later than the first planting season after commencement of the development. Any planting that is diseased or fails within 2 years of planting shall be replaced.
Reason: In the interests of visual amenity and integrating the development into the landscape.
6. Upgrade works to junction with R400 to be carried out in advance of commencement of construction works from the proposed development in accordance with TII document DN-GEO-03060, June 2017. Junction upgrade

works to include the provision of 20 metres of resurfacing on the L10091 from R400 road junction so as to satisfy requirements of RSM Stage 2 Road Safety Audit (RSA), December 2021. The inclusion of same is an addition to the proposed pavement upgrades as indicated on Tobin Consulting Engineers Drawing 10884-2004, Revision A, November 2021. Full road pavement reconstruction to be in accordance with the 'Guidelines for the Rehabilitation of Roads over Peat'—"Green Book" including the use of an appropriate composite geogrid. Specific pavement design to be submitted for the Planning Authority's written agreement prior to commencement of development.

Reason: In the interest of traffic safety and orderly development.

7. Within 6 months of operation of development, the Developer shall submit to the Planning Authority for written agreement a detailed Stage 3 and Stage 4 RSA, which shall be carried out by an independent approved and certified auditor for the proposed development on junctions modified as part of this proposal in accordance with TII document GE-STY-01024, December 2017, after construction and 4 months' post road opening with live traffic during operation of the proposed development. The RSA recommendations shall be incorporated into the final completed works. These amendments shall be submitted for the Planning Authority's written agreement.

Reason: In the interest of traffic safety and orderly development

8.
 - (a) Lines of sight at site entrance shall be constructed and maintained strictly in accordance with the requirements of Table 1.3: Design Speed Related Parameters of TII Rural Link Road Design DN-GEO-03031, April 2017.
 - (b) No surface water to discharge onto public road.
 - (c) Vehicular access to the site shall be restricted to one location only.
 - (d) Any damage to the public road consequential to the development work will be made good to the satisfaction of the Area Engineer.
 - (e) Prior to commencement of development, the Developer shall submit to the Planning Authority for written agreement details of final road markings.
 - (f) Prior to commencement of development, the Developer shall submit to the Planning Authority for written agreement details of signage. All signage to comply with most recent Traffic Signs Manual and other relevant standards.
 - (g) All road networks in the vicinity of the facility (including the R400 Regional Road) shall be kept free from any mud or debris caused by activities at the facility. Any such debris or deposited materials shall be removed without delay.
 - (h) Surface water drainage measures (gullies, etc.) shall be installed at the revised junction / junction upgrade. Design to be submitted and agreed with the Planning Authority prior to commencement of development.

- (i) Traffic management plans to be submitted for each stage of the works to Edenderry Municipal District Office, in accordance with the requirements of most recent Traffic Signs Manual.
- (j) Prior to commencement of development, the Developer shall submit to the Planning Authority for written agreement, revised site layout indicating a minimum of 10% car-parking spaces with EV Charging points. All other parking spaces shall be ducted for electrical charging.
Reason: In the interest of Traffic Safety and orderly development.

9. Prior to commencement of development, the Developer shall submit to the Planning Authority for written agreement proposals for street lighting at the proposed development entrance as recommended within RSM Stage 2 RSA, December 2021, Observation 2.4.1 to be designed in accordance with LED specification. LED street lighting design to be submitted by competent designer.

Reason: In the interests of a properly planned, serviced development and in the interest of public safety.

10. The development shall be carried out in accordance with relevant requirements of the appropriate utility provider with regard to carrying out building works in proximity to overhead powerlines.

Reason: In the interest of safety and orderly development.

11. All monitoring proposal detailed in the submitted documentation, including the Environmental Impact Assessment Report (EIAR) shall be implemented in full. The Developer shall monitor and record groundwater levels, surface water, noise, odour and dust deposition levels at monitoring and recording stations. The intervals and location of which shall be submitted to and agreed in writing with Offaly County Council prior to commencement of development.

Reason: In the interests of clarity and the proper planning and sustainable development of the area

12. The mitigation measures proposed in Construction Environment Management Plan (CEMP) for managing the collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures shall be implemented in full. A record of all proposed checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out the development.

Reason: In the interests of public safety and residential amenity.

13. The Developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into an Agreement

with Irish Water to provide for a service agreement to provide the public water supply and collection of all foul water generated on site within first month of this grant of permission.

In the event of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body either at construction or operational phase, Offaly County Council, and Inland Fisheries Ireland, shall be notified in writing. A copy of the clean-up plan shall be submitted to the planning authority.

Reason: In the interests of clarity and the proper planning and sustainable development of the area

14. Prior to the commencement of development, the Developer, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. The RWMP must be submitted to the Planning Authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of the proper planning and sustainable development of the area

15. All hauler's importing or removing waste from the facility shall hold a valid waste collection permit in accordance with the Waste Management Regulations 2007, as amended. Only waste activities authorised under a Waste Facility Permit issued by Offaly County Council under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, can be carried out at the site location as outlined in the planning application for 'Phase 1'.

Reason: In the interest of the proper planning and development of the area.

- 16.
- (a) All loose litter accumulated within the facility and its environs shall be removed and appropriately disposed of daily.
 - (b) Emergency Spill Management Plan shall be implemented in the event of accidental leaks or spills and spill kit shall be made available to all site staff.
 - (c) All overground oil and chemical storage tank(s) shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal or greater than 100% of the capacity of the largest tank within the bunded area or 25% of the total volume of substance which could be stored within the bunded area, whichever is great. Filling and offtake points shall be located within the bunded areas.

- (d) All bunding arrangements for the storage of fuel, oil, or other types of chemical substances to be stored within the development shall conform to the EPA Guidance Document 'Storage & Transfer of Materials for Scheduled Activities'

Reason: In the interest of the proper planning and development of the area.

17.

- (a) Site development and construction works shall be carried out between the hours of 07:00 hrs – 18:00 hrs Mondays to Fridays inclusive, between 8:00 hrs- 13:30 Hrs on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority. The Developer shall take reasonable measures to mitigate any environmental nuisance (noise and dust) which may arise during construction.

- (b) The hours of operation shall be 08:00 hrs -18:00hrs Monday to Friday (excluding bank holidays) and 08:00-13:00 hr on Saturdays. There shall be no operations on Site on Sundays.

Reason: In the interest of the proper planning and development of the area.

18.

- (a) Total dust deposition at the site boundaries shall not exceed 350 mg/m²/day averaged over a thirty day period.

- (b) In dry weather conditions dust abatement measures during construction stage shall be applied to all loads leaving the site, dampening the load, covering the load or other appropriate measures. Water spraying of roads, shall be carried out as necessary.

- (c) Noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall not exceed the following:

L _{Aeq} (60 minutes)	55dB(A)	8am to 8pm
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L _{Aeq} (15 minutes)	45dB(A)	8pm to 8am
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- (d) There shall be no clearly audible tonal or impulsive components to the noise emissions from the development at any noise sensitive location.

Reason: In the interest of public health and orderly development.

19. Soiled Water

- (a) Prior to waste activities commencing on site, the Developer shall replace the existing agricultural tank on site with a new reinforced concrete holding tank, minimum capacity 78m³. The Reinforced concrete tanks to be designed by qualified Structural Engineer, to meet equivalent standard to Uisce Eireann Stormwater tanks. Tanks to be tested to BS 8007, and signed off by certifying engineer.

- (b) Works generating soiled water/leachate are only permitted in areas served by proposed foul-water collection system outlined on Drawing ref. P2344-0500-0002 submitted to the Planning Authority on the 11th July 2023.

- (c) All soiled water generated by works at the proposed development shall be conveyed through to the proposed holding tank. No effluent shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health and orderly development.

20.

- (a) The Wastewater Treatment System (WTS) hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted to the Planning Authority on 11th July 2023.
- (b) Within three months of the first occupation, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.
- (c) The WTS shall be installed in accordance with the manufacturers guidelines and the details provided.
- (d) The work shall be supervised and certified by a suitably qualified and professionally indemnified Engineer. A completion certificate shall be submitted to the Planning Authority upon installation and commissioning of the wastewater treatment system and the percolation area. Photographic evidence of each stage of the works shall be included in the completion certificate submission;
- (e) The Developer shall submit a signed copy of the agreement for the maintenance of the WTS prior to commencement of the works on-site. At all times the maintenance of the WTS shall be covered by contract.

Reason: In the interest of public health and orderly development.

21. Surface water management

- (a) Clean surface water and run-off from roofs and clean paved areas only shall be collected and directed to (a soakpit or the nearest field drain located within the boundaries of the site) and shall not be allowed to flow onto any roadway or discharge to soiled water/effluent storage areas.
- (b) The Developer shall ensure only clean uncontaminated surface water shall be discharged to the surface water system. No foul sewage, grease or fats, harmful chemicals and non-biodegradables shall be discharged to the surface water sewerage system.
- (c) Prior to waste activities commencing on site, the Developer shall replace the existing agricultural tank on site with a new reinforced concrete holding tank, minimum capacity 440m³. A minimum of 4 No. access/inspection points are to be incorporated uniformly along the length of this tank (Surespan or equivalent) to enable inspection, sampling and routine servicing. Testing shall be carried out on a schedule to be agreed with Offaly County Council Environment

Section. No run-off that breaches relevant standards for discharge to watercourses is permitted. Where attenuated surface water run-off is found to exceed standards, the operator/developer will be required to close the shut-off valve, and tanker the water for third party treatment by Uisce Eireann or similar.

- (d) Prior to commencement of development the headwall/outfall design (at discharge point) shall be agreed with Inland Fisheries Ireland to mitigate potential impact on local fisheries habitat.

Prior to commencement of Development, the Developer shall submit the agreed drawings to the Planning Authority indicating the detailed design of the footprint at the discharge point or wing walls containing pipes. Exact location of proposed outfall to be agreed with Inland Fisheries Ireland so as to minimise impacts on spawning reeds or salmonoid habitat.

- (e) The written consent of Inland Fisheries Ireland shall be obtained in advance of works commencing so as to agree construction methodology and mitigation measures for the construction of headwall / wingwalls / scour mat. Timing of in-stream works to be carried out during the period July – September, as per Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters. Developer to provide 7 days notification to Inland Fisheries Ireland prior to commencement of works within the watercourse.
- (f) The Developer shall take care to protect all sewers that may be affected by demolition works, in particular no debris should be allowed to enter the drainage system. Where possible the Developer must disconnect and cap all drainage links from the private site in order to prevent any demolition debris entering the public network.
- (g) There shall be no discharge of trade effluent to waters (including groundwater) or sewers except where a licence is granted by Offaly County Council as required by the Local Government (Water Pollution) Acts, 1977 and 1990.
- (h) The development shall incorporate Sustainable Drainage Systems in the management of surface water, with a minimum requirement of a 2 component SuDS management train approach.
- (i) All surface water discharge from this development must be attenuated to greenfield run off rates. With attenuation provided for 1 in 100 year storm event plus factor of 20% for climate change.
- (j) An appropriate petrol interceptor shall be installed on the internal drain prior to discharge to surface water system.
- (k) All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve, unless approved and agreed in writing with the owner of the land in which these drains pass through.

Reason: In the interests of environmental protection.

22. Prior to commencement of development, a contribution shall be payable to Offaly County Council, in accordance with the Council's Development

Contribution Scheme, in respect of public infrastructure and facilities benefiting development in County Offaly, that is provided or that is intended will be provided by, or on behalf of, the Council.

The amount of the development contribution is set out below and is subject to annual revision with reference to the Wholesale Price Index (Building and Construction), and interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Category	Amount of Contribution
Industrial/Commercial development	€15.00 per m ²
Total	€15.00 X 4,328m ² =€64,920

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Offaly County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the Planning Authority.

23. The developer shall pay to the planning authority a financial contribution as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of the impact the development will have on the R400. The amount of the contribution shall be **€25,000** per annum. The contribution shall be paid annually within three months from the date of this grant of planning permission or in such payments as the planning authority may facilitate.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

Michael Duffy

Michael Duffy

Executive Planner

6th November 2023

Ed Kelly

Ed Kelly

Acting Senior Executive Planner

7/11/2023

Appendix A

APPROPRIATE ASSESSMENT SCREENING

REPORT FOR PLANNING APPLICATIONS

Screening is used to determine if an AA is necessary by examining:

- If the plan / project is directly connected with / necessary to the management of the Natura 2000 site.
- If the effects will be significant on a Natura 2000 site in view of its conservation objectives, either alone / in combination with other plans / projects.

Planning Authority : Offaly County Council

Planning Application Ref. No.: PL2/22/490

(A) DESCRIPTION OF PROJECT AND LOCAL SITE:			
Proposed development:	THE DEVELOPMENT WILL CONSIST OF THE DEMOLITION OF EXISTING AGRICULTURAL SHEDS AND STRUCTURES ON-SITE AND THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY FOR THE ACCEPTANCE AND PROCESSING OF UP TO 90,000 TONNES PER ANNUM OF HOUSEHOLD, COMMERCIAL AND INDUSTRIAL (C&I), AND CONSTRUCTION AND DEMOLITION (C&D) WASTE.		
Site location:	DERRYARKIN, RHODE, CO. OFFALY		
Site size:	2.7ha	Floor Area of Proposed Development:	958.8m ²
Identification of nearby <i>European</i> Site(s):	Raheenmore Bog SAC 5.7km River Boyne & River Blackwater SAC 18.55km River Boyne & River Blackwater SPA 18.55km		
Distance to <i>European</i> Site(s):	As above – all as crow flies		
The characteristics of existing, proposed or other approved plans / projects which may cause interactive / cumulative impacts with the project being assessed and which may affect the <i>European</i> site:	None		
Is the application accompanied by an EIAR?	YES		
(B) IDENTIFICATION OF THE RELEVANT EUROPEAN SITE(S):			
The reasons for the designation of the <i>European</i> site:			
Raheenmore Bog SAC - Features of interest include: <ul style="list-style-type: none"> Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150] 			
River Boyne & River Blackwater SAC - Features of interest include: <ul style="list-style-type: none"> Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) 			

<p>[91E0]</p> <ul style="list-style-type: none"> • Lampetra fluviatilis (River Lamprey) [1099] • Salmo salar (Salmon) [1106] • Lutra lutra (Otter) [1355] <p>River Boyne & River Blackwater SPA - Features of interest include:</p> <ul style="list-style-type: none"> • Kingfisher (Alcedo atthis) [A229] 	
<p>The conservation objectives / qualifying interests of the site and the factors that contributes to the conservation value of the site: (which are taken from the <i>European</i> site synopses and, if applicable, a Conservation Management Plan; all available on www.npws.ie) (ATTACH INFO.)</p>	
<p>Raheenmore Bog SAC Site Code: 000582</p> <p>This raised bog developed in a small basin in the catchment of two major river systems i.e. the Brosna and the Boyne. It is situated about 5 km from Daingean in Co. Offaly. The peat is very deep, up to 15 m in places. The bog has a well-developed hummock and hollow system. The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive</p>	
<p>River Boyne & River Blackwater SAC - Site Code: 002299</p> <p>This site comprises the freshwater element of the River Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. These riverine stretches drain a considerable area of Meath and Westmeath, and smaller areas of Cavan and Louth. The underlying geology is Carboniferous Limestone for the most part, with areas of Upper, Lower and Middle well represented. In the vicinity of Kells Silurian Quartzite is present while close to Trim are Carboniferous Shales and Sandstones. There are many large towns adjacent to but not within the site, including Slane, Navan, Kells, Trim, Athboy and Ballivor. The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive</p>	
<p>River Boyne & River Blackwater SPA - SITE CODE: 004232</p> <p>The River Boyne and River Blackwater SPA is a long, linear site that comprises stretches of the River Boyne and several of its tributaries; most of the site is in Co. Meath, but it extends also into Cos Cavan, Louth and Westmeath. It includes the following river sections: the River Boyne from the M1 motorway bridge, west of Drogheda, to the junction with the Royal Canal, west of Longwood, Co Meath; the River Blackwater from its junction with the River Boyne in Navan to the junction with Lough Ramor in Co. Cavan; the Tremblestown River/Athboy River from the junction with the River Boyne at Kilnagross Bridge west of Trim to the bridge in Athboy, Co. Meath; the Stoneyford River from its junction with the River Boyne to Stonestown Bridge in Co. Westmeath; the River Deel from its junction with the River Boyne to Cumber Bridge, Co. Westmeath. The site includes the river channel and marginal vegetation.</p> <p>Most of the site is underlain by Carboniferous limestone but Silurian quartzite also occurs in the vicinity of Kells and Carboniferous shales and sandstones close to Trim.</p> <p>The site is a Special Protection Area (SPA) under the E.U. Birds Directive of special conservation interest for the following species: Kingfisher.</p> <p>A survey in 2010 recorded 19 pairs of Kingfisher (based on 15 probable and 4 possible territories) in the River Boyne and River Blackwater SPA. A survey conducted in 2008 recorded 20-22 Kingfisher territories within the SPA. Other species which occur within the site include Mute Swan (90), Teal (166), Mallard (219), Cormorant (36), Grey Heron (44), Moorhen (84), Snipe (32) and Sand Martin (553) – all figures are peak counts recorded during the 2010 survey.</p> <p>The River Boyne and River Blackwater Special Protection Area is of high ornithological importance as it supports a nationally important population of Kingfisher, a species that is listed on Annex I of the E.U. Birds Directive.</p>	
<p>(C) NPWS ADVICE:</p>	
Advice received from NPWS over phone:	None received.
Summary of advice received from NPWS in written form (ATTACH SAME):	None received.
<p>(D) ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS:</p>	
<p><i>(The purpose of this is to identify if the effect(s) identified could be significant – if uncertain assume the effect(s) are significant).</i></p>	

Given the location the limited nature and size of the development applied for and the characteristics of *European* sites in the vicinity it is considered that 100 metres should be used as a potential zone of impact of the project in accordance with section 3.2.3 of the appropriate assessment guidelines. There are no *European* sites within 100 metres of the development applied for and therefore no significant effects on any *European* sites either alone or in combination with other plans and projects.

Would there be... ... any impact on an Annex 1 habitat? (Annex 1 habitats are listed in Appendix 1 of AA Guidance).	Uncertain without mitigation
... a reduction in habitat area on a <i>European</i> site?	no
... direct / indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the <i>European</i> site?	Uncertain without mitigation
... serious / ongoing disturbance to species / habitats for which the <i>European</i> site is selected (e.g. because of increased noise, illumination and human activity)?	Uncertain without mitigation
... direct / indirect damage to the size, characteristics or reproductive ability of populations on the <i>European</i> site?	Uncertain without mitigation
Would the project interfere with mitigation measures put in place for other plans / projects. [Look at <i>in-combination effects</i> with completed, approved but not completed, and proposed plans / projects. Look at projects / plans within and adjacent to <i>European</i> sites and identify them]. Simply stating that there are no cumulative impacts' is insufficient.	Uncertain without mitigation

(E) SCREENING CONCLUSION:

Screening can result in:

1	<i>AA is not required because the project is directly connected with / necessary to the nature conservation management of the site.</i>
2	<i>No potential for significant effects / AA is not required.</i>
3	<i>Significant effects are certain, likely or uncertain. (In this situation seek a Natura Impact Statement from the applicant, or reject the project. Reject if too potentially damaging / inappropriate.</i>
	Conclusion:3
	Justify why it falls into relevant category above: Category 3 -Hydrological connections between Natura 2000 sites and subject site

Name: Michael Duffy	Date: 6 th November 2023
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**APPROPRIATE ASSESSMENT CONCLUSION STATEMENT
REPORT FOR PLANNING APPLICATIONS**

Planning Authority : OCC

Planning App Ref. 22/490

(A) DESCRIPTION OF PROJECT AND LOCAL SITE:			
Proposed development:	THE DEVELOPMENT WILL CONSIST OF THE DEMOLITION OF EXISTING AGRICULTURAL SHEDS AND STRUCTURES ON-SITE AND THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY FOR THE ACCEPTANCE AND PROCESSING OF UP TO 90,000 TONNES PER ANNUM OF HOUSEHOLD, COMMERCIAL AND INDUSTRIAL (C&I), AND CONSTRUCTION AND DEMOLITION (C&D) WASTE.		
Site location:	DERRYARKIN, RHODE, CO. OFFALY		
Site size:	2.7ha	Floor Area of Proposed Development:	958.8m ²
Identification of nearby <i>European</i> Site(s):	Raheenmore Bog SAC 5.7km River Boyne & River Blackwater SAC 18.55km River Boyne & River Blackwater SPA 18.55km		
Distance to <i>European</i> Site(s):	As above – all as crow flies		
The characteristics of existing, proposed or other approved plans / projects which may cause interactive / cumulative impacts with the project being assessed and which may affect the <i>European</i> site:	None		
Is the application accompanied by an EIAR?	YES		
(B) IDENTIFICATION OF THE RELEVANT EUROPEAN SITE(S):			
The reasons for the designation of the <i>European</i> site:			
Raheenmore Bog SAC - Features of interest include: <ul style="list-style-type: none"> • Active raised bogs [7110] • Degraded raised bogs still capable of natural regeneration [7120] • Depressions on peat substrates of the Rhynchosporion [7150] 			
River Boyne & River Blackwater SAC - Features of interest include: <ul style="list-style-type: none"> • Alkaline fens [7230] • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] • <i>Lampetra fluviatilis</i> (River Lamprey) [1099] • <i>Salmo salar</i> (Salmon) [1106] • <i>Lutra lutra</i> (Otter) [1355] 			
River Boyne & River Blackwater SPA - Features of interest include: <ul style="list-style-type: none"> • Kingfisher (<i>Alcedo atthis</i>) [A229] 			
The conservation objectives / qualifying interests of the site and the factors that contributes to the conservation value of the site: (which are taken from the <i>European</i> site synopses and, if applicable, a			

Conservation Management Plan; all available on www.npws.ie (ATTACH INFO.)	
Raheenmore Bog SAC Site Code: 000582 This raised bog developed in a small basin in the catchment of two major river systems i.e. the Brosna and the Boyne. It is situated about 5 km from Daingean in Co. Offaly. The peat is very deep, up to 15 m in places. The bog has a well-developed hummock and hollow system. The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive	
River Boyne & River Blackwater SAC - Site Code: 002299 This site comprises the freshwater element of the River Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. These riverine stretches drain a considerable area of Meath and Westmeath, and smaller areas of Cavan and Louth. The underlying geology is Carboniferous Limestone for the most part, with areas of Upper, Lower and Middle well represented. In the vicinity of Kells Silurian Quartzite is present while close to Trim are Carboniferous Shales and Sandstones. There are many large towns adjacent to but not within the site, including Slane, Navan, Kells, Trim, Athboy and Ballivor. The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive	
River Boyne & River Blackwater SPA - SITE CODE: 004232 The River Boyne and River Blackwater SPA is a long, linear site that comprises stretches of the River Boyne and several of its tributaries; most of the site is in Co. Meath, but it extends also into Cos Cavan, Louth and Westmeath. It includes the following river sections: the River Boyne from the M1 motorway bridge, west of Drogheda, to the junction with the Royal Canal, west of Longwood, Co Meath; the River Blackwater from its junction with the River Boyne in Navan to the junction with Lough Ramor in Co. Cavan; the Tremblestown River/Athboy River from the junction with the River Boyne at Kilnagross Bridge west of Trim to the bridge in Athboy, Co. Meath; the Stoneyford River from its junction with the River Boyne to Stonestown Bridge in Co. Westmeath; the River Deel from its junction with the River Boyne to Cummer Bridge, Co. Westmeath. The site includes the river channel and marginal vegetation. Most of the site is underlain by Carboniferous limestone but Silurian quartzite also occurs in the vicinity of Kells and Carboniferous shales and sandstones close to Trim. The site is a Special Protection Area (SPA) under the E.U. Birds Directive of special conservation interest for the following species: Kingfisher. A survey in 2010 recorded 19 pairs of Kingfisher (based on 15 probable and 4 possible territories) in the River Boyne and River Blackwater SPA. A survey conducted in 2008 recorded 20-22 Kingfisher territories within the SPA. Other species which occur within the site include Mute Swan (90), Teal (166), Mallard (219), Cormorant (36), Grey Heron (44), Moorhen (84), Snipe (32) and Sand Martin (553) – all figures are peak counts recorded during the 2010 survey. The River Boyne and River Blackwater Special Protection Area is of high ornithological importance as it supports a nationally important population of Kingfisher, a species that is listed on Annex I of the E.U. Birds Directive.	
(C) NPWS ADVICE:	
Advice received from NPWS over phone:	None received.
Summary of advice received from NPWS in written form (ATTACH SAME):	None received.

D: Assessment of Adverse Impacts & Mitigation Measures:

Potential Adverse Impacts on Integrity of European site (direct, indirect, short term, long term, construction, operational, decommissioning, on own & in combination). (habitat loss; habitat fragmentation; breeding productivity; feeding, migratory & nesting patterns; water	How Adverse Impacts can be Mitigated. (alternatives may have been proposed) If adverse impacts have not been shown to be mitigated, state 'mitigation not	How Mitigation Measures will be secured / implemented / monitored. (may include timescales)

<i>quality / quantity; disturbance by noise or human actions.)</i>	<i>demonstrated adequately' below.</i>	
Water Quality Impacts etc	See Section 5.5 of NIS	All required mitigation measures outlined will be included as a contractual obligation on the contractor, in combination with competent supervisory staff overseeing the works.

E: Comments / Conclusion:

It is considered that subject to mitigation measures that the proposed development will have no adverse impact on the integrity of European sites.

Michael Duffy

Michael Duffy

Executive Planner

6th November 2023

Appendix B

Submission 1: Veronica Lynam, Knockdrin house Knockdrin Rhode R35KD51

States the following:

Location unsuitable R400 over capacity traffic as is and in dangerous condition as built on a bog surface which has severe subsidence due to volume of HGVs already using this road. Over industrialisation of rural bog lands ie 2 sandpits, piggery numerous wind turbines, timber storage and mulching and proposed power station that has already been granted planning.

Submission 2: Deirdre Glennon, Clonmore Rhode Offaly R35 YY68

States the following:

I strongly object to the planning sought. The location is mere kilometres from the village of Rhode. This village has been inaccessible from a number of routes for several periods for a number of years now. The village and surrounding roads are not built for or suitable for heavy vehicles with most roads to the village in a state of complete disrepair to a point where parts are dangerous. The roads in the proposed area have already been subject to large vehicles and many locals have been rerouted due to the quarry and wind farm works taking place. As a result local roads have been heavily utilised where 2 way traffic is not possible and is dangerous. The result of granting permission will be that even more heavy goods lorries will be routed through the village or from Rochfortbridge. This road again is in absolutely terrible repair and is a main route for ambulances and other essential services to Tullamore and Mullingar. The surrounding area is also bogland and with the likely future cessation of turf cutting to preserve the bogs it seems ludicrous to contemplate planning permission for a dump in the same area which will have environmental impacts. With the increase in traffic that will be caused who indeed will pay for repairs to these roads? It will be the local authorities. As it will be, by and large, for the damage already caused in this area due to the repeated damage caused by heavy vehicles on a road that is underpinned with bogland. Additionally, what real assurances are there provided in this application. in relation to odour and other emissions into the air and soil? Croghan hill, a focal amenity point in the area, is also in close proximity. The views will be detrimentally impacted by this facility. This application must be refused. Local people are fed up with continued interruption and interference with their area and ability to travel through it. This will only further negatively impact this. For many their GP, chemist and shopping facilities are in Rhode. Access cannot be further impacted.

Submission 3: Martha Kavanagh, Coolcor Rhode Co Offaly R35 RD68

Objects on the following grounds:

- Location &

- Pollution

Submission 4: Hollie Dowdall, Knockdrin Rhode Co. Offaly R35R236

States the following:

I live less than 100 meters away from the entrance of this road that leads down to Derryarkin. I have a small child who lives here and I am terrified everyday with the number of lorries that go by absolutely speeding, with loads full of gravel. If she ever got out she would not stand a chance. There is not one speed ramp on that long straight road from Rochfortbridge to Rhode to slow traffic down. Now you want to put 120 more lorries on the road daily. It's been disgraceful the past few months with Farrans and Kilmurrays taking over the road. A bridge has collapsed from the weight of the lorries, so they tell us. So we have to take a dodgy back road and get quizzed by council lads as to where we are going. And we are paying for tax and insurance and cars to go out and risk our lives, even pulling out of our driveway is not safe anymore as two lorries can't fit by right outside our house, so they have to drive on the grass and destroy that too. We've dealt with Killmurrays, Farrans and McKiernans lorries and another quarry near Rochfortbridge, we DONT need nor WANT anymore on this road. We've to deal with dust, g smells, new windmills coming and now you want us to put up with the smell of 90000 tonnes of waste. I don't think so. The area was planned to be used as a walking area around the windfarm, who would come near the place with the smell of a dump. It's a lovely bogland area full of thriving wildlife, we even had cuckoo this year for the first time in years. Ducks flying around, 1000s of swallows and all that will be destroyed and replaced by rodents and dirty seagulls. It's a joke. This will devalue our area, properties and land. There is a lot of people who have only become aware of this, this week and don't have much time to object because the sign has been put up while the roads not been in use which, how do you expect people to see it, it was very sneaky on behalf of OCC, and to the residents of Rhode, Croghan and Rochfortbridge areas. I am very disappointed in the way this was handled as it was not put in our local papers, only 1 paper in September 2022 which was the Leinster Express.

Submission 5: Jonathan Geraghty, Derryiron Rhode Tullamore R35 HN93

Objects on the following grounds:

- Location of development
- Smells
- Volume of traffic on the R400
- No engagement by the applicant with the locals
- Queries why the development in question is being located in the countryside and not in an industrial area where it can be appropriately policed by the relevant authorities

Submission 6: Glenda Mulvin, Knockdrin, Rhode Co Offaly R35V2K0

States the following:

I have grave concerns with this submission by Oxigen, and how underhanded they have handled this planning notice. If this planning permission is granted, this is going to generate a lot of traffic on an already under pressure local road network that is not fit for purpose. The smell from the site of the waste will be carried in the prevailing winds directed to where my family and I live which will in turn affect our quality of life. The vermin such a site will attract will cause disease in the area for wildlife and livestock alike. The site is located on the banks of the yellow river which will undoubtedly cause run off and pollution to the river. I have serious concerns for the health of my family if this planning is granted. Property in the area will be devalued with a waste facility in the locality.

Submission 7: Louise Quinn Derryiron Rhode Offaly R35 F593

States the following:

Absolutely disgusted to hear the news that was found out this evening. As if Rhode and the surrounding areas are not going through torture as regards what is going on with every road in and out of the village. Then to be informed of what is been proposed to come next, and the sneaky way it was carried out. To erect a sign on a road that is currently closed to traffic thinking it would go unnoticed. Shame on you Offaly County Council, shame on you. How did you think that you would get away with this, right on people's doorstep. Well the residents of Rhode village and surrounding areas will not take this lying down. People have had enough, enough of the disgraceful roads, that we pay tax and insurance on, NCT, our roads closed on every corner you take coming in and out of the village, wind turbines, and enough of the lies that ye are telling people, passing the blame all the time. We have had enough and we will not tolerate what is coming.

Submission 8: Mark Lilly, Whispering Wind, Fahy, Rhode, R35DE06

States the following:

I object to this permission as it might generate a substantial amount of traffic in the area and will be detrimental to the local environment, both damaging the local groundwater and impacting the flora and fauna. The roads are already damaged by trucks increasing pollution and damaging residents' well-being safety on the roads that would have to share with the extra traffic. In other facilities of this size and in other counties the odours from the operation have impacted local residents for 3/4 km so I object on this basis. There has been no consultation with residents on the facility a number of residents will be making submissions objecting to its approval.

Submission 9: Keith and Aoife Kavanagh, Coolcor Rhode Offaly R35K523

Objects on the following grounds:

- Treatment of local residents,
- Site selection methodology,
- Licensing,
- EIAR,
- Traffic,
- Surface water and hydrology,
- Private dwellings &
- Noise

Submission 10: Robert McDermott, Canal View Killane Edenderry R45YP92

States the following:

I submit this submission to oppose the application for a proposed waste from landfill facility at Derryarkin, Rhode, Co. Offaly. I believe the proposed location for this site been in the catchment area of Croghan Hill, which a lot of work has gone into promoting both locally and nationally with the installation of pathways which will be detrimental to future development. I would have concern on the impact on the environment in this area as all bogs are undergoing a rewetting process and return them to their original state. The proposed waste facility is not compatible with returning this area to nature with the possible consequences of a rising water table. The R400 is a road that is built on peat. This leads to numerous road maintenance problems annually. Heavy rainfall affects the foundation along with extended dry periods. An increase in heavy goods vehicles as proposed will further exasperate the road quality. As you are probable aware the road is currently closed due to damage to a bridge. I would have further concern on environmental grounds of the water quality in the Yellow River

Submission 11: Eugene McDermott, Rathcobican Rhode Co Offaly R35C995

States the following:

I am writing to formally object to Planning Application: 22490, which pertains to Oxigen Derryarkin Materials Recovery Facility. My objection is grounded in the following concerns regarding the impact of the proposed development on the existing road infrastructure and the community at large. Firstly, I would like to highlight the already precarious state of the road infrastructure in the area. The existing road network, particularly the R400, is already operating under extreme stress and strain. This is evident from the recent prolonged closure of the road due to the significant volume of heavy goods vehicles that are currently utilizing it. The R400 serves as a critical connecting route to the M4, and its continued closure for necessary maintenance has caused substantial disruption and inconvenience to the local community. Moreover, it is my contention that the current road infrastructure is ill-equipped to accommodate the substantial increase in heavy goods traffic that

would be generated by the proposed development. The significant volume of additional heavy goods vehicles would place an overwhelming burden on an already overtaxed system, exacerbating the existing problems and further impeding the smooth flow of traffic. Given these concerns, it is my firm belief that approving Planning Application: 22490 would be detrimental to the well-being of the local community and the functionality of the existing road infrastructure. The proposed development would only exacerbate the challenges that have already been observed, leading to increased traffic congestion, extended road closures, and heightened inconveniences for residents and businesses alike. In light of the aforementioned issues, I kindly request that the Offaly County Council take these objections into serious consideration during the review process of Planning Application: 22490. I urge you to carefully assess the impact of the proposed development on the already strained road infrastructure and the potential negative consequences for the local community. Thank you for your attention to this matter. I trust that the Offaly County Council will prioritize the concerns of the community and the sustainability of the existing infrastructure when making decisions regarding this planning application

Submission 12: Joseph & Aoife Kilmurray Address Fahy Rhode Offaly R35XN73
Objects on the following grounds:

- Lack of Consultation/Public Awareness Unsuitable
- Location
- Proximity to the Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- Installation of High Voltage underground cables
- Proliferation of existing/planned developments
- Cumulative Impact of Developments

Submission 13: Josephine McDermott, 15 Priory Lawns Rhode Rhode Offaly R35A563

States the following:

I am writing to formally object to Planning Application: 22490, which pertains to construction of a waste facility at Derryarkin, Rhode, Co. Offaly. My objection is grounded in the following concerns regarding the impact of the proposed development on the existing road infrastructure and the community at large. Firstly, I would like to highlight the already precarious state of the road infrastructure in the area. The existing road network, particularly the R400, is already operating under extreme stress and strain. This is evident from the recent prolonged closure of the road due to the significant volume of heavy goods vehicles that are currently utilizing it. The R400 serves as a critical connecting route to the M4, and its continued closure for necessary maintenance has caused substantial disruption and inconvenience to

the local community. Moreover, it is my contention that the current road infrastructure is ill-equipped to accommodate the substantial increase in heavy goods traffic that would be generated by the proposed development. The significant volume of additional heavy goods vehicles would place an overwhelming burden on an already overtaxed system, exacerbating the existing problems and further impeding the smooth flow of traffic. Given these concerns, it is my firm belief that approving Planning Application: 22490 would be detrimental to the well-being of the local community and the functionality of the existing road infrastructure. The proposed development would only exacerbate the challenges that have already been observed, leading to increased traffic congestion, extended road closures, and heightened inconveniences for residents and businesses alike. In light of the aforementioned issues, I kindly request that the Offaly County Council take these objections into serious consideration during the review process of Planning Application: 22490. I urge you to carefully assess the impact of the proposed development on the already strained road infrastructure and the potential negative consequences for the local community. Thank you for your attention to this matter. I trust that the Offaly County Council will prioritize the concerns of the community and the sustainability of the existing infrastructure when making decisions regarding this planning application.

Submission 14: Hilary Cassidy Address Tubberdaly Rhode Co. Offaly R35 K544
Objects on the following grounds:

- Socio-economic impact
- Roads, Traffic and transport impacts
- Impacts on air quality
- Impact on geology
- Impact on hydrology and water quality &
- Impact on flora and fauna

Submission 15: Aine Mulligan, Road Rhode Offaly R35KV00
Objects on the following grounds:

- Traffic
- Public engagement
- Site notice
- Over-Industrialisation in the Area
- Site selection
- Negative impact on Croghan Hill
- Risk to Public Water Supply
- Opening hours

Submission 16: Elaine Jones, Ballystrig Rhode Co Offaly R35Y662

Objects on the following grounds:

- Lack of Consultation/Public Awareness Unsuitable
- Location
- Proximity to the Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- The site is accessed Via the R400. This road is constructed on a peat foundation and is consistently in poor condition. Being a road over peat; several accidents occur along this road each year when HGVs move off the road edge onto the adjoining peatlands.
- The bridge over the Yellow River on the R400 failed on July 18th 2023 and is currently awaiting repairs. This is one of two such masonry arch bridges located on the R400 near the subject site. The R400 has been closed for public access since this bridge collapsed and diversions are in place. These diversions are utilising local roads in Croghan and Tyrellspass which would not have the capacity to deal with the HGV movements outlined in the application (90,000 tonnes per annum) Installation of High Voltage underground cables
- Work is currently underway to install High Voltage Underground cables along a 2km section of the R400 connecting Yellow River Windfarm to the Derryiron Electrical Substation. Will the additional HGV movements (90,000 tonnes/annum) and the concurrent subsidence of the road impact these cables on a road that is built over peat. Proliferation of existing/planned developments The site in question is located in an area with a number of large scale industries at present
 - Yellow River Windfarm - 28 Turbines (Currently under construction)
 - Board Na Mona; Derrygreenagh Gas Fired Power Station (Planning Granted in 2010, updated application due to be lodged later this year under Strategic Infrastructure Development process to An Bord Pleanala)
 - Future Renewable Energy Projects planned under Board Na Monas "Derrygreenagh Energy Park" 3,000 H/A site in which Derryarkin is located.
 - Derryarkin Sand and Gravel extraction quarries – In operation at present
 - Srah Solar Farm (132 HA)
 - Clonin Solar Farm (96 HA)
 - Cloncrean WindFarm (R400 used to transport aggregates)
 - Moanvane Windfarm (R400 used to transport aggregates)
 - Kiernan Milling Pig Farm (In operation at present) Cumulative Impact of Developments

The community adjoining this development would ask that the Planning Authority consider this application in the context of the many developments currently in existence or planned in this area. This area, because of its connectivity to the national Grid and expansive peatlands has seen significant interest from multiple renewable energy companies. The civil works associated with the construction of these developments has caused significant disruption for local people and has caused our road network to crumble. We would ask that the cumulative impact of these developments be considered as part of this application.

Submission 17: Robert Kellaghan, Clonin Rhode Offaly R35WV04

States the following:

The nature of which site notices were erected. As per the planning details, 2 x site notices were initially erected on 14/9/22 "in the vicinity". This was in an area with no footfall. A newspaper notice was published in a newspaper on 13/9/22 in a newspaper that is not readily available or read in the area that this facility is proposed. A further site notice was erected on 1/8/23 along a stretch of R400 Road, which was closed on 17/7/23 and remains closed. It seems as though no consultation or information was available for local homeowners or residents. The infrastructure that exists in Rhode and surrounding areas is already stretched due to the construction of windfarms and the presence of a quarry and a proposed gas fired power station at Bord na Mona/ Derrygreenagh, among other developments and organizations. The road that would serve this waste management facility is built over peat and there have been many issues with these road's arguably not being able to withstand the weight and persistent presence of existing traffic, not to mention a potential 90,000 tonne per annum increase. -Environmental impact and the proximity of this development to Croghan Hill. It is around 3.5km from the summit of one of Northeast Offaly's biggest amenities. One which has only recently received funding and upgrades from the Town and Village Renewal scheme. I hope these issues are given adequate consideration.

Submission 18: John Mulvin, Knockdrin Rhode Co Offaly R35V2K0

See submission 12 above.

Submission 19: James Russell, Edenderry Rd Rhode Offaly R35PW58

See submission 12 above.

Submission 20: Brendan Flanagan, Croghan hill Rhode Offaly R35K661

States the following:

- Lack of Consultation and Public Awareness

- Applicant placed the most recent public notice advertisement on a road that is currently closed to the public. This sharp practice is unacceptable and diminishes trust.
- No public consultation Unsuitable Location
- The proposed site sits in the shadow of the historic Croghan Hill
- Croghan Hill is an area of high amenity.
- A current application under the Just Transition Fund exists to create a greenway around this area.
- The proposed facility is not compatible with these eco-friendly, tourism friendly plans.
- The proposed facility is in a rural boggy area creating unnecessary risk to habitat and water ways.
- The country roads in this area are already substandard. They are incapable of servicing up to eight, 30 tonne trucks daily. In fact, the nature of the boggy foundation of these roads could never be engineered to take this level of heavy goods traffic.
- We request the authorities to consider the impact of these HGV exhaust fumes on air quality and noise pollution on residential homes.
- In fact, the road has had an extended closure due to the impact of heavy goods traffic already. Over planning in this rural area
- Currently 8 developments are planned for this area. We are super soaked with nonresidential amenity projects. It's out of proportion to the landscape, environment, and local communities.
- Why are we expected to accept all the amenities in our small rural area?
- We would ask that the planning Authority consider all of the applications and support this rural community to retain its essence which is its unspoilt, natural, historic and unique setting.
- Croghan Hill and surrounds is in its infancy in terms of potential tourism economy. Please support keeping rural Ireland alive. Supporting us to change the tide of mass immigration once again of our talented young people.
- The parents of Ireland are tired of exporting our offspring. Keeping this area green will long term give us a fighting chance of creating sustainable jobs.

Submission 21: Denis Leonard, Trim Road Kinnegad Co Westmeath N91 PD82

Objects on the following grounds:

- There has been inadequate notice due to a closed road and inadequate site selection for the proposed landfill due to its proximity to a high tourist amenity area and sensitive ecosystem as well as an inadequate road network for the size and scale of the development. It will have a significant adverse effect on the amenities of adjacent occupiers and would be likely to result in

unacceptable emission of noise, fumes, dust water and soil pollutants, grit or vibration. I also have concerns in the following areas:

- Massive amount of truck movements through Rochfortbridge and Rhode and other adjacent towns with high school going populations and narrow streets.
- The road is a very narrow road which barely allows two cars to pass and already has serious industrial traffic on it.
- The landfill could negatively influence local rivers, lakes and water courses.
- It would severely limit proposed plans for a bog walk area adjacent to this site planned by Bord na Mona and Westmeath County Council. The plan and using the bog area and woodland and river and canal walks around Kinnegad as part of a local amenity and tourist initiative. I have serious concerns over the ability of any company to restore an area of such beauty to anything resembling its "natural state"
- Landfill is the least preferred option of every modern waste plan ever published by councils, government and the EU. Basically landfill is a Stone Age solution to a 21st Century problem.
- I am concerned about the health impacts on the area with so many local children and adults suffering from asthma, other respiratory ailments and other vulnerable health issues. I am concerned with landfill gas and the subsequent burn offs in the years after the landfill ceases operation. The odours can be very nauseating. In addition to these I also have serious general concerns in relation to: Local Planning, Flora and Fauna, Noise Pollution, Bogs, Air Pollution, Local Amenities, Ground Water Pollution, Landscape (Visual Impact), Geology, Impact on local dwellings, Health Concerns, Archaeology, Local History and Heritage, Smells, Flies, Birds, Rodents, Dust, Rail and Infrastructure, Traffic, Impact on Children, Impact on Tourism and Impact on Agriculture. I have for many years had deep concerns over many of the conditions laid out by the EPA for landfills and their control and management and the ability of a company like Oxigen to work within them.

For these reasons I ask you to refuse this development. I represent the area of Westmeath adjoining this development and it is not in any way keeping with sustainable development, proper planning or responsible waste Management

Submission 22: Trish McManus, Tubberdaly Rhode Co. Offaly R35KP23
See submission 12 above.

Submission 23: Ger Mulligan, Coolcor Rhode Offaly N91T9D0
States the following:

I wish to appeal planning permission for this waste facility in my local area. As it is, the road cannot currently cope with the high level of lorries that travel every day and to add to that would be a disaster. Rhode is a small village that cannot cope with the number of lorries that currently travel through it. It is extremely dangerous for the children who have to cross the roads to go to school. The proposed site is also beside a river which poses a great environmental risk. It is also located beside Croghan Hill which is a conservation area

Submission 24: James Walsh, Farthingstown Rochfortbridge Co Westmeath N91DP08

States the following:

I object to the proposed development which is just 1 mile from me and closer to land owned by me. A landfill could adversely affect local rivers, lakes and water courses. This development would add to a massive increase in traffic through Rochfortbridge and Rhode and I'm sure I don't need to point out just how bad the R400 road condition is in co Offaly. Landfill is the least preferred option in the 21st century. This development goes against the Bord na Mona plan adjacent to this site for bog walks biodiversity of the area. The health impacts for local people in the area I also have concerns on noise pollution, Bogs, air pollution, Smells, Flies, Rodents, Dust, Infrastructure, Traffic, Impact on children, Tourism, and Farming. I live close to this proposed development and with land almost bordering it I would have serious concerns if this development were allowed to proceed.

Submission 25: Padraig Harnett, Killowen Lane Rhode Offaly R35VP23
See submission 15 above.

Submission 26: Nollaig Mahon, Kilbrennan Gaybrook Gaybrook Mullingar N91 KOW2
See submission 21 above.

Submission 27: Maria Morris Ballybryan Rhode Co. Offaly R35R599

States the following:

I wish to object to the above on the following grounds. 1. there was no public consultation and the planning notice was put up when the road was closed and there was no public access. 2. The site is located within 3.5 km of Croghan Hill, a designated area of high amenity. 3. The development is adjacent to the Yellow river a tributary of river Boyne which is a European Designated Special Area of Conservation. 4. The site is accessed via R400. This road is on a peat foundation and is consistently in poor condition. Several accidents occur each year when HGVs move off the road on to the adjoining peatlands. 5. The bridge over the Yellow River failed and is currently awaiting repairs. This is one of 2 masonry bridges on this road. 6. There are a

number of large scale industries located in the area at present and the cumulative impact of all the present and planned needs to be considered.

Submission 28: Tierna Hoey Tubberdaly Rhode Offaly R35XN44

States the following:

As locals we are shocked that we found out about this proposed development from a social media post with only days left for us to submit an appeal. If this was brought to our community's attention sooner, we would have had time to have held a meeting, and more time to write up our appeals but instead we are limited to time to do our research, gather information and write them up with such short notice. The lack of awareness about this planning application is evident by all the last minute flurry of objections that are being submitted to Offaly County council this weekend. The fact is locals were not consulted and the community is outraged at the lack of awareness and transparency about this project. This project will have a major impact on our community and we should have had every right to submit our objections but we have been deprived of this up until the last minute due to the obvious effort by Oxigen to keep our community uninformed and oblivious to their plans. A prime example is that there was a notice placed up for this recently at the site when the road from Rochfortbridge to Rhode has been closed for weeks due to repairs, this is being perceived as being extremely sneaky and strategically underhanded from Oxigen. By guidelines a notice should be placed where it can be clearly seen and read, this is physically not possible for the community if we cannot access this road as it is closed. As previously stated, the road from Rochfortbridge to Rhode is currently closed for weeks as it is getting repairs. This road is a bog road which is not suitable for heavy traffic. This road literally disintegrates, crumbles and forms potholes in a matter of hours at times. A perfect example of this is the bridge that has collapsed recently which is why it is currently closed. It is not able for heavy vehicles. I have often travelled on it in the morning and arrived back hours later only for it to have some new damage to it. It is extremely stressful travelling this road as you have to be extremely vigilant when looking out for new potholes, humps and damage to the road on a daily basis. There is already an increased amount of heavy traffic from the yellow river windfarm which has caused the road to be in its current state, the only positive spin on this is that it should cease when the windfarm has been built. However Oxigen plan to transport 90 tonnes of waste yearly, we simply do not have the road infrastructure to withstand this. This is a fact which is evident due to the amount of unplanned road closures and quick repairs on this road by Offaly County council in recent months. I cannot believe Oxigen also wants to place a waste facility here. I cannot comprehend how 90 tonnes of waste can be brought on this road when it is already in a detrimental and dangerous state on a daily basis. Locals have been fighting a long time for this road to be improved and locals are also sick of being inconveniently diverted away from this road on a regular basis due to unplanned closures for repairs. I am also very concerned for the local environment. I

feel like we are being pushed to our limits already having to endure a lot of detrimental impacts to our local environment with the windfarm works that are about to take place. There will be turbines, underground cables, and substations to be built for this. Our beautiful landscape is about to be changed enough already with these works. The views from Croghan Hill will be spoiled even more if we have to look at a waste facility. Croghan Hill has recently been developed to attract more tourists with new paths up the hill and information signs erected. This is our main local amenity that we are proud of and we want to protect its picturesque views from being destroyed. A waste facility will also have a negative impact on our bogs which are supposed to be getting rewetted and preserved all in the name of protecting the environment. Locals won't be able to cut their turf there but I cannot comprehend how a waste facility can be allowed instead. The pollution and risks from this alone from this will be detrimental to the local environment. We already have a timber storage facility, quarry, pig farm, and power station already in this small area, along with a planned windfarm with substations and underground cables, please don't place a waste facility here too, us locals already have had enough to endure and want to protect our community from being destroyed any further

Submission 29: Adele Kierans Droskyn Point Ballybrittan Edenderry R45YY63
See submission 14 above.

Submission 30: Joan Peppard, Castlelost West Rochfortbridge Westmeath N91
C437

States the following:

I object to this notification on the basis of inadequate consideration for the population to object based on a planning application being placed on a closed road - permission to close having been given by the same council. I believe this to be a breach of fair procedures and a breach of the public duty remit of the Council. I object to the planning application on the basis of a) insufficient information to ensure the environmental safety of the operation b) lack of transparency of the application on future plans for the site c) previous refusal of licence to this company by the EPA d) lack of clarity in the application on oversight of the operation. A number of concerns arise, including but not limited to: Excessive noise, smell, air and ground pollution, additional trucks on an already busy road. reduction in local amenities including bog walks and cycle routes. Where will the company be locating the waste - what geographical area? What type of commercial waste will be permitted? If the council grants the licence will there be a conflict of interest if the council is to manage the compliance with the terms and conditions of the licence? What will the daily limit on the waste be? What guarantees will the population have that this will not be increased without public notice? Will there be sufficient oversight from the council to ensure compliance including nighttime observation of the site? How will the public be made aware of any deviations from the license? Will

there be a daily time limit on the operation of trucks to the site e.g. 9am to 5pm? What support will the council provide to the population should air pollution and excessive transport of waste within a time period arise? How will the Council liaise with the neighbouring Council of Westmeath during the planning process as much of the population potentially affected live in Westmeath? I refer to the refusal of the licence w028 in Cavan by the EPA. as a factor to be considered in regard to this application.

Submission 31: Paul & Karen Smith, Coolcor Rhode Offaly R35P821.

Objects on the following grounds:

- Informing of local residents, Scoping and Consultation
- Construction and Traffic Management Plan
- Flora and Fauna &
- Environmental Impact

Submission 32: Rahanine Trail Blazers Rahanine Trail Blazers Address
Rochfortbridge Co Westmeath Rochfortbridge N91H5V2

States the following:

We object to this development on the following grounds: there has been inadequate notice due to a closed road and inadequate site selection for the proposed landfill due to its proximity to a high tourist amenity area and sensitive ecosystem as well as an inadequate road network for the size and scale of the development. it will have a significant adverse effect on the amenities of adjacent occupiers and would be likely to result in unacceptable emission of noise, fumes, dust, water and soil pollutants, grit or vibration. We also have concerns in the following areas: 1. The landfill could negatively influence local rivers, lakes and other water courses. 2. This development would severely limit proposed plans for a bog walk adjacent to this site. This plan and using the bog area around Rochfortbridge as part of a local amenity and tourist initiatives. 3. we have serious concerns in relation to flora and fauna, wildlife, water and air pollution, noise pollution and odours. We doubt the ability of any company to restore an area of such beauty to anything resembling its natural state. we also have serious concerns regarding Local planning, Geology, Our Landscape, health concerns, large amount of traffic, impact on children, (Rochfortbridge has a high population of school going children) for these reasons we ask you to refuse this development.

Submission 33: Claire Murray, 79 Hillview Rhode Co Offaly R35EY81

Objects on the following grounds:

- There has been a complete lack of consultation with the local community.
- The planning application was erected on the R400 road which has been closed to the public since July of this year making it impossible for the

majority of the local population to see the planning application as they don't have access.

- The R400 is a road which is notoriously substandard as it is, particularly in winter. The use of the road by additional HGV's, if the proposed planning permission was granted, would see the road decline further making the road even more dangerous and unusable. This is the main road to the M4.
- There are a number of industries already in operation in close proximity to the proposed site area who already use a large number of HGV's which have had a huge impact on our village as it is. The planning application indicates an additional 90,000 tonnes P.A. would add to this already overburdened country village.

In summary, I ask Offaly County Council to consider the significant negative impact this application, if granted would have on the village, the community and the already insufficient infrastructure around it

Submission 34: Kathleen McNamee Ballystig Rhode Co. Offaly R35DH30

Objects on the following grounds:

Planning Permission notice: Notice published in newspaper on 13/09/2022 was published in a newspaper which is not sold in the area Two site notices erected on 14/09/2022 in an obscure area in with little or no footfall. Site notice erected on 01/08/2023 on R400 which was closed on 17/07/2023 and remains closed. Infrastructure: The current infrastructure is not fit for purpose. I travel the R400 between Rhode and Rochfortbridge daily and the road is in a state of collapse. The road is built on peat and cannot withstand current HGV traffic. HGV's have overturned into the dykes on either side of the road making it unsafe for all other road users. The road is not maintained to any standard with new potholes appearing every day which make driving conditions unsafe. Environmental Impact: This proposed development is very close to Croghan Hill (3.5 km), which is one of Northeast Offaly's biggest tourist amenities.

Submission 35: Mary Dillon Coolcor Rhode Tullamore R35ED74

States the following:

I am lodging an appeal to the proposed Waste management site at Derryarkin, Rhode, Co Offaly, on the grounds that there will be a lingering smell in the area, and also the number of lorry's passing through the village cannot be accommodated.

Submission 36: Jason Byrne, Edenderry Road Rhode Co. Offaly R35HX81

See submission 12 above.

Submission 37: Monica & Joseph Donegan, Clonin Rhode, Co Offaly R35 K274

Objects on the following grounds:

- I am doing so on the basis of the massive traffic congestion and the unsuitable roads to and from the village to this plant.
- These roads are a huge concern for all residing in the area and with the amount of trucks currently and into the future it is a huge concern from a safety point of view.
- There is also a new gas facility at Bord Na Mona, Derrygreenagh only a few kilometres away from this proposed site and which will also have an increased usage of the road network

Submission 38: Laura Cole, 30 priory lawn Rhode Co Offaly R35D43

States the following:

It is appalling to think that grown adults can be so underhanded to place a planning notice on a road where the traffic is diverted from and works underway is on its own an act of an underhanded person. As a community we are entitled to our opportunity to initially hear the proposal and then subsequently make our decision whether to support or object based on that information provided? Rhode has had a power station then windmills and now you want to add waste to the list. It's a disgrace that you haven't even popped a leaflet out to locals with information on the proposal. all the other sites that have been deemed unsuitable under what grounds? As a village we are equals to the people who made these decisions so ensure you offer us the same regard you would offer yourself and indeed your own families.

Submission 39: David Malone, Cois na Mona Togher Rhode

Objects on the following grounds:

- There has been no consultation with locals on the above.
- The infrastructure in this area is not up to standard.
- Previous facilities have mysteriously gone on fire causing air pollution and also reducing the recycling volumes to the atmosphere.
- The noise pollution for those in the area would be unbearable with lorries on the road at all hours.
- The smell of this facility would not be pleasant for those in the vicinity and also an increase in vermin as a result too would not be amicable.

Submission 40: Anthony Foy, Barrybrook Croghan Rhode R35VF58

States the following:

The location is across the fields from our home and is located on an unsuitable bog road, which has existing over capacity of HGV's. This boggy road is not able to carry such traffic and the past 10 years have proved this. These roads have been made dangerous for our children travelling on school buses and this huge overload of HGV's will add detrimental conditions to an already over industrialised area. Capacity

for such needs cannot be met in relation to road safety and road deterioration in this location for such a waste plant. Furthermore and in summary, we have huge concerns for the amount of annual waste being dumped here. Householders nearby are subject to waste smells, associated vermin, unprecedented increase in HGV traffic, unsafe roads and road deterioration that is already in dire condition. Lastly the timing of a planning notice placed on a road that has been closed for months is disgraceful and has now panicked locals to act fast with little time to submit objections. Our family and community strongly oppose this application.

Submission 41: Ken Kellaghan, Bawn lodge Rhode Offaly R35 YK75

Objects on the following grounds:

My objection is grounded in the following concerns regarding the impact of the proposed development on the existing road infrastructure and the community at large. Firstly, I would like to highlight the already precarious state of the road infrastructure in the area. The existing road network, particularly the R400, is already operating under extreme stress and strain. This is evident from the recent prolonged closure of the road due to the significant volume of heavy goods vehicles that are currently utilizing it. The R400 serves as a critical connecting route to the M4, and its continued closure for necessary maintenance has caused substantial disruption and inconvenience to the local community. Moreover, it is my contention that the current road infrastructure is ill-equipped to accommodate the substantial increase in heavy goods traffic that would be generated by the proposed development. The significant volume of additional heavy goods vehicles would place an overwhelming burden on an already overtaxed system, exacerbating the existing problems and further impeding the smooth flow of traffic. Given these concerns, it is my firm belief that approving Planning Application: 22490 would be detrimental to the well-being of the local community and the functionality of the existing road infrastructure. The proposed development would only exacerbate the challenges that have already been observed, leading to increased traffic congestion, extended road closures, and heightened inconveniences for residents and businesses alike. In light of the aforementioned issues, I kindly request that the Offaly County Council take these objections into serious consideration during the review process of Planning Application: 22490. I urge you to carefully assess the impact of the proposed development on the already strained road infrastructure and the potential negative consequences for the local community. Thank you for your attention to this matter. I trust that the Offaly County Council will prioritize the concerns of the community and the sustainability of the existing infrastructure when making decisions regarding this planning application.

Submission 42: Niamh Malone Ballystrig, Rhode Offaly R35H678

See submission 15 above.

Submission 43: Denise Kavanagh, 1 Marian Terrace Rhode Co Offaly R35 XY07
States the following:

I object to the proposed development given the nature of the development and the safety issues and negative impact it will have on the local residents of the surrounding townlands including the village of Rhode where I live. The proposed storage of household, commercial and industrial waste materials at the site will undeniably affect the use and enjoyment of the local residents of their homes and businesses who reside within the local area, the nearby village of Rhode and adjoining properties in Croghan which abut Derryarkin bog from the southeast of the site. The proposed development will create unwanted smells and gas emissions and increase the risk to the local waterways of pollution and damage to the environment if it is allowed to proceed. It will further negatively affect the residents use and enjoyment of their homes and businesses together with decreasing the attractiveness of the local area not to mention the sale ability of homes nearby. There are also environmental concerns especially with regard to the nearby drains in the bog near the site which connect into the Yellow River which is situated nearby and which is tributary of the Boyne River which is a European Designated Special Area of Conservation. Given the position of the proposed development it is highly probable that the smells and gases will be carried to the local residential properties. No matter what steps are proposed by the development to deal with these issues, they cannot reduce the risk to a nil value and as such the smells and gases will escape the site. The development should not be permitted to proceed. I have also serious concerns regarding the increased in traffic to the area due to the site with the waste trucks and other heavy duty vehicles for the construction of the site and the proposed daily use of the roads to access the site on an already busy national road. My concerns revolve around the safety and the suitability of the local infrastructure to deal with this type of development. The proposed development would be accessed through a poor quality and substandard regional road, which will invariably take the traffic through the village of Rhode and surrounding townlands before connecting with entrance to the site. Locals already face unsafe driving conditions due to the condition and narrowness of the road, HGV vehicles going at high speeds through the village and on the R400 towards the site. There have been incidences of trucks turning over on the road and into the surrounding boglands and field due to its poor condition and unlevel surface. The regional road is currently dealing with a high level of trucks, cars, tractors and commuter traffic and is not capable of dealing the proposed increase of more heavy vehicles in the form of waste trucks. It is not safe or acceptable. The development should not be granted permission to proceed as it would generate a significant volume of daily traffic to the site and surrounding areas. It must also be noted that considering the nature of the road, being a bog road which has moved and sunk in the past and will contain to so, it is not capable of being development or be widened to accommodate the significant additional volume of traffic safely. Our local area has seen a substantial

increase in developments in the area from multiple solar farm, and windfarms getting approval, together with more developments such as a gas fired power station and further planned energy projects proposed for the area which will further negatively impact on the local infrastructure and environment. The addition of this development needs to be refused as the it is not suitable for the area which has already been subjected to and negatively impacted by other large scale industrial developments. Finally I would note that notice of the proposed planning application was not adequate having regard to the fact that the road upon which the site notice was placed has been closed since the end of July and has not reopened to the general public.

Submission 44: Marie Fitzgerald, 14 Priory Lawns Rhode Offaly R35 A563

States the following:

My objection is grounded in the following concerns regarding the impact of the proposed development on the existing road infrastructure and the community at large. Firstly, I would like to highlight the already precarious state of the road infrastructure in the area. The existing road network, particularly the R400, is already operating under extreme stress and strain. This is evident from the recent prolonged closure of the road due to the significant volume of heavy goods vehicles that are currently utilizing it. The R400 serves as a critical connecting route to the M4, and its continued closure for necessary maintenance has caused substantial disruption and inconvenience to the local community. Moreover, it is my contention that the current road infrastructure is ill-equipped to accommodate the substantial increase in heavy goods traffic that would be generated by the proposed development. The significant volume of additional heavy goods vehicles would place an overwhelming burden on an already overtaxed system, exacerbating the existing problems and further impeding the smooth flow of traffic. Given these concerns, it is my firm belief that approving Planning Application: 22490 would be detrimental to the well-being of the local community and the functionality of the existing road infrastructure. The proposed development would only exacerbate the challenges that have already been observed, leading to increased traffic congestion, extended road closures, and heightened inconveniences for residents and businesses alike. In light of the aforementioned issues, I kindly request that the Offaly County Council take these objections into serious consideration during the review process of Planning Application: 22490. I urge you to carefully assess the impact of the proposed development on the already strained road infrastructure and the potential negative consequences for the local community. Thank you for your attention to this matter. I trust that the Offaly County Council will prioritize the concerns of the community and the sustainability of the existing infrastructure when making decisions regarding this planning application.

Submission 45: Priscilla Crombie, Rathcobican Rhode County Offaly R35 CK84

States the following:

My submission is on the grounds of the following: Residents living close to the landfill are more likely (34%) to have problems associated with breathing disorders. Respiratory diseases and breathing disorders can be caused by bioaerosols and biological agents released from landfill sites. Studies have shown that when nitrogen dioxide and Sulphur dioxide are inhaled or ingested by humans, symptoms such as nose and throat irritations, bronchoconstriction, dysproca and respiratory infections are prevalent, especially in asthmatic patients. These effects can trigger asthma attacks in asthmatic patients [This issue is of grave personal concern to me as some members of my family have chronic lung conditions. In addition serious contamination of the air quality and bad odours are other reported consequences of close proximity to landfill sites. Information on these studies can be found here:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6617357/#:~:text=The%20study%20showed%20that%20fewer,odour%20effects%20from%20the%20landfill.>

Submission 46: Louise Kennedy, Knockdrin Rhode Co. Offaly R35 X320

See submission 15 above.

Submission 47: Frank Byrne, 18 Priory Lawn Rhode Offaly R35 F797

See submission 15 above.

Submission 48: Katriona Wyer, Fahy hill Rhode Offaly R35 HW56

See submission 12 above.

Submission 49: Mark Hynes, Coolville Rhode Co. Offaly

Objects on the following grounds:

The area is unsuitable for the additional traffic that this development will create. My partner and I both travel the R400 to work each day and it is already in terrible condition. It is honestly dangerous to drive the road most of the year. The road is built on bog land and often sinks/falls away in places. The additional heavy vehicles will only exaggerate this problem and I fear this will lead to a serious accident: Rhode village is not suitable for the additional heavy traffic. These huge Vehicles turning at the cross roads and going through the village will cause massive disruption to a quiet country village. Our area has taken on so much change in recent years with the addition of wind turbines, road closures at every turn and the peaking capacity power plant (which as another submission mentioned can of late be heard humming at night). As a result our community beginning to feel as if our area is being targeted. This is very clear from the current large number of submissions in opposition and I'm sure that they are the tip of the iceberg. The lack of consultation and fact the road has been closed to the public while the site notice has been up has only heightened the outrage of the local people. We are the people that will be effected by these changes and we have been unaware of them until this week. We have chosen to live

in this area. Many of us invested a lot to build/buy in this area. This development will further devalue our properties and reduce our quality of life. I would like to agree with other submissions that have correctly noted the negative effect the development will have on wildlife, local water quality and the development's close proximity to Croghan Hill (A local landmark known across the country. People come from all over to climb Croghan hill on paddy's day. This proposal suggests we now treat these visitors to an elevated view of a waste facility) In summary I feel that this proposal should be rejected as the area is unsuitable on a number of grounds.

Submission 50: Annette Spollen, Coolcor Rhode Offaly R35NP97

States the following:

Lack of public awareness Applicants did not engage with community or neighbours (me) as I live approx 5 kilometres from the proposed site entrance. Significant further information was submitted by the applicants. There is no awareness to the public as the road has been closed on and off for the best part of this year due road maintenance, cables been laid underground and the yellow river bridge collapsing. - Operating noise levels The proposed site operating hours and HGVs 05.00-0.00. - Fears have been raised about the volume of HGVs passing through my community, home and schools on the way to the proposed site. Rhode village already suffers from a constant stream of HGVs traffic from Kilmurray's sand and gravel pit, BD flood concrete, Farrans, Bord na Mona, Rhode power plant and 2 wind turbine sites. The extra volume of traffic could impact the safety of residents, all road users, the ongoing deterioration of all roads in and surrounding the village especially the R400 Rochfortbridge road hence the Yellow River bridge collapsing. The road has been closed more times than open this year due to maintenance and to add more HGVs, the road simply cannot handle anymore. -Damaging the environment Polluting soil/bogland on and surrounding the site. Contaminating water Multiple streams and springs flow through the proposed site into the yellow river. It will have a major impact on our wildlife, wildflowers and wildplants living and growing in the bog on the proposed site. Deprive natural beauty It will deprive Croghan hill, Rhode and surrounding areas and the boglands of its natural beauty. Chemicals released into the air Recycling sites release a high level of chemicals including benzene and other carcinogens, environmental pollutants brominated and chlorinated dioxins, numerous endocrine disruptors, methane is emitted from sites, potent greenhouse gas causing unpleasant smells for miles in my community, home and my child's school. Vermin A vast amount of pest vermin including rats, crows etc will be attracted to the proposed site, community and neighbouring homes. Polluting the air Recycling waste mixed with the mentioned chemicals/gases and heat can easily cause fires to start. If the fires are not put out immediately, they can get out of control and could destroy businesses (Kilmurray's sand and gravel and farmers), livestock animals (cows and sheep), air pollution, entire bogland, wildlife, wildplants, neighbouring homes and human health due to smoke inhalation. Polluting the air

with more huge volumes of HGVs transporting all the waste driving to the proposed site from anywhere in the country 05.00-0.00 Monday to Saturday. -Thank you for receiving my submission application and I hope the proposed application number 22/490 is rejected

Submission 51: Paschal Kavanagh, Lawrencetown Rhode Offaly R35X970

Objects on the following grounds:

- Traffic congestion and road network unsuitability
- The reputation and reliability of the applicant (Oxigen) with respect to recent and historic fires in their facilities at both Ballymount Co. Dublin and Dundalk, Co Louth.
- Danger to wildlife

Submission 52: J.J & Linda Donoghue, Rathcobican Rhode Co. Offaly R35X036

States the following:

Notice of planning on a closed road unacceptable that we use on a daily basis as planning for a dump without anyone knowing in the areas

Submission 53: Wendy Bolger, Ballalley House Fahy Hill Rhode, Offaly R35ET7

Objects on the following grounds:

- ***Lack of Consultation/Public Awareness:** * My foremost concern pertains to the inadequate consultation process and the limited public awareness surrounding this proposed development. It's crucial that all stakeholders have the opportunity to voice their opinions and contribute to the decision-making process.
- ***Proximity to the Yellow River:** * The proximity of the proposed site to the Yellow River raises significant environmental concerns. I am worried about the potential impact on this vital water resource and the broader ecosystem in the area.
- ***Local Infrastructure Capacity:** * The existing local infrastructure's ability to handle increased traffic due to this development is a pressing matter. The potential strain on the infrastructure must be thoroughly assessed and addressed to ensure smooth coexistence with the community.
- ***High Voltage Underground Cables:** * The installation of high voltage underground cables brings up safety and environmental considerations. A comprehensive plan that accounts for these factors is essential to ensure the well-being of the area's residents.
- ***Cumulative Impact of Developments:** * The proliferation of existing and planned developments needs to be carefully evaluated in terms of their cumulative impact on the region. A holistic perspective is crucial to prevent potential negative consequences.

- ***Transparent Planning:** * Lastly, I believe that transparent planning and decision-making are key to addressing concerns and ensuring that developments align with the best interests of the community and environment.

Submission 54: Mary McCartney, Coolcor Rhode Co. Offaly R35PV20

Objects on the following grounds:

- Lack of Consultation despite the application being submitted over a year ago, local residents in Rhode were unaware of this proposed development until 29th August 2023.
- No engagement or consultation with the public took place. The original site notice was out of public view, in an area with no footfall. The second notice was erected on August 2nd 2023 on a stretch of road that has been closed since July 17th 2023. Site selection I live on the R400, currently closed, a road which the proposed development will use to transport imported and exported materials. This particular road has had a huge increase in HGV traffic over the last number of years due to active quarries/ concrete batching facilities, the Yellow River Windfarm Project and Bord na Mona's Drumman timber storage, seasoning and chipping facilities on this road, impacting the road between motorway roundabout and along to Rhode village. Currently our road R400 is closed, a bridge on the road recently failed due to the huge volume of HGVs and tonnage transported daily on a country, bog road. Quarries, Windfarm Project and Drumman facility have already caused considerable damage to the area, to the road which is hazardous to drive, cycle or walk on. Hedging, and roadside verges eroded. The toll on this road is very obvious from rapid, over expansion of a small rural area. The road has a peat base, I question how it can sustain further increased volumes of HGV traffic involved in the operation of this proposed Oxigen facility. Noise and Air Pollution The EIAR notes that there are private dwellings 755 and 770 metres from the proposed facility, has an in-depth assessment of impact on human health and welfare regarding this development on all local residents. Traffic noise, particularly early morning HGV runs will have an enormous impact on our area, affecting sleep and wellbeing. Increased air pollution from increased HGV traffic volume and also from levels of odour from Oxigen proposed facility are likely to again impact local residents. In a time of great climate change and adversity, surely we should consider all the factors involved in this proposed development in the short and long term.

Submission 55: Vanessa Waldron 52 Hillview Rhode Offaly R35 R650

States the following:

I am objecting on the basis of the extra volume of traffic that will be travelling through the village if this project is to go ahead. I walk my child to school daily, from Hillview to Scoil Mhuire Naofa in Rathcobican and there is already a very high volume of trucks speeding through the village on a fairly narrow stretch of road. I worry for our safety most days and I now have to contemplate an even higher volume of traffic and heavy vehicles. My child should be able to walk to school and feel safe doing so. I also worry about the effect that this facility will have on our local environment, and our local flora and fauna. As stated earlier I am objecting to this development. I hope the local community will be listened to and our concerns taken seriously.

Submission 56: Emma Horan, 54 Hillview Rhode Offaly R35 R627

Objects on the following grounds:

This type of site will be detrimental to our village of Rhode and surrounding areas. There will be disturbance to wildlife surrounding the site, it will become an attraction and breeding ground for vermin, but more pressing is the fact that we do not have the infrastructure to support such a facility. Our surrounding roads are perilous and could not sustain these added heavy vehicles, which will lead to more traffic congestion and further degradation of the roads we rely on. We are already suffering major developments in Rhode - wind and solar farms, proposed data centre and more. This type of traffic to and from the proposed facility will cause noise pollution to residents alongside a negative visual impact even before reaching its destination added to this, we will have to deal with the odour they emit which lingers on a normal bin collection day - with the regular passing of these vehicles we will no longer be able to enjoy the outdoors in our area. Children already fear walking to school with the high level of HGVs using our village as a thoroughfare. Refuse collection trucks are powered by diesel engines, further polluting our air with diesel particles and fumes. They also have restricted vision and cause a greater risk to pedestrians, cyclists and cars. I fear more collisions, the outcome of which would be far worse than with a smaller vehicle. Rhode cannot sustain this development.

Submission 57: Jeanette Donath, Garr Rhode Co. Offaly R35HW61

See submission 15 above.

Submission 58: Peter Doolan, Ballybrittan Rhode Offaly R35 WP93

States the following:

I would like to make the following submission highlighting some areas based on local knowledge that would be important for planners to consider when looking at this proposal Road safety The R401 is typical a bog road built on a bog foundation which despite any amount of remedial works and upgrading works (incl works currently ongoing and oversee by Offaly co co) will always revert back to being a bog road with dangerous dips and hollows, dangerous verges potholes and unravelling tarmac. The

12kilometres from the M6 motorway exit to Rhode village is the worst part. This development will exit and enter at a particularly woeful part as it is based at a crossroads with HGV vehicles, agricultural vehicles. This road is important for car access to the road but unsuitable for movement of 90,000 tonnes per annum movement. There is no traffic plan in the plans submitted or none that can be interpreted by those affected (residents in vicinity). Where might this waste be coming from (unlikely to from the county given the volume involved and type of waste) what routes will be used, what volume per day, will it be seasonal traffic or regular traffic anticipated, will it see passing trucks coinciding at school times due to the plants opening hours? In the event of local road closures (common in recent months) how will the plant be accessed? In short, the road network is unsuitable for this development and no development fees will fix that moreover this development will further degrade the local roads for local people as evidenced when a similar smaller facility was granted permission in Kilconfert Croghan. Regarding road safety –Aside for the poor road conditions above causing collisions or loads being shed, Rhode village is exposed to hazardous HGV movements in particular for the 2km section from Garr roundabout to Rhode Canal Bridge. This is an area of village estates, schools, public halls, playgrounds and so forth. The Village on the crossroads is a natural bottleneck and cannot be engineered to allow safe use for large amounts of HGV's even as it stands... Water quality and Air quality. The proposed plant is described as being of low risk to water bodies and is secluded in its location and away from sensitive receptors or in other words its being built down a lane away from houses and rivers. The reality is that the lorry bringing the waste will pass by many sensitive receptors (houses) and odours will be an issue. Air quality will be dependent on weather conditions like prevailing winds, warm summers etc. This is inevitable if built. The development will be a source of risk to water. There is an obvious risk in the waste stored and storage of Diesel 50,000Litres, there are receptors such as the yellow river as mentioned in the planning report. The authors, however, underestimate the water pathways that are around the development. The drainage systems in place around the quarries, Peat bays and drainage systems and road drains and the altered water table from extractive industries mean the risk is much higher than recognised. Unsuitable development. The development is described as being in a location of industry and screened from the public view. The reality is that this Development is very different type of industry and cannot be compared to what has been accepted by community so far. The common experience is that once one heavy Dirty industry is built the area will likely attract more. The current industries based there are traditionally extractive (peat harvesting/gravel) or agricultural (piggery) or energy industries (power generation as was there in the past). Because of this there is a lot of knowledge and trust of the local public in the existing businesses and their works and movements are predictable, safer and low risk. This is a new industry alien to the area, it has no market in the area or need to be there as opposed to the existing businesses. There is no history of this type in the

immediate area and any similar location of waste facility in an agricultural setting was disastrous when imposed on the community (again reference Kilclonfert waste facility built on repurposed pig unit near Croghan). If Offaly County Council allows a heavy dirty industry develop here it will put at risk the development of other more relevant green energy projects. The local community will view Offaly County council as having no proper development plans that see the right developments in the right place.

Submission 59: Patricia Kellaghan, Bawn Lodge Rhode Offaly R35 YK75

Objects on the following grounds:

My objection is grounded in the following concerns regarding the impact of the proposed development on the existing road infrastructure and the community at large. Firstly, I would like to highlight the already precarious state of the road infrastructure in the area. The existing road network, particularly the R400, is already operating under extreme stress and strain. This is evident from the recent prolonged closure of the road due to the significant volume of heavy goods vehicles that are currently utilizing it. The R400 serves as a critical connecting route to the M4, and its continued closure for necessary maintenance has caused substantial disruption and inconvenience to the local community. Moreover, it is my contention that the current road infrastructure is ill-equipped to accommodate the substantial increase in heavy goods traffic that would be generated by the proposed development. The significant volume of additional heavy goods vehicles would place an overwhelming burden on an already overtaxed system, exacerbating the existing problems and further impeding the smooth flow of traffic. Given these concerns, it is my firm belief that approving Planning Application: 22490 would be detrimental to the well-being of the local community and the functionality of the existing road infrastructure. The proposed development would only exacerbate the challenges that have already been observed, leading to increased traffic congestion, extended road closures, and heightened inconveniences for residents and businesses alike. In light of the aforementioned issues, I kindly request that the Offaly County Council take these objections into serious consideration during the review process of Planning Application: 22490. I urge you to carefully assess the impact of the proposed development on the already strained road infrastructure and the potential negative consequences for the local community.

Submission 60: Lorraine Rigney, Bunsallagh Croghan Rhode R35YH70

States the following:

We do not want a waste facility in our area as this will cause excess traffic and pollution and smell and vermin.

Submission 61: Martina & Patrick Moran, Derryarkin, Croghan, Rhode, Co. Offaly. R35DH57

Raises concerns with the following issues

- Proximity of development to their home
- Risk the development will have on the Yellow River which is a tributary of the River Boyne
- Risk development will have on wildlife
- Increase in noise levels
- Increase risks of rodents and the risk posed to health, homes and wildlife.
- Why the development is been located in the countryside and not in an industrial area where it can be appropriately policed by relevant authorities.
- Existing poor transport infrastructure in the area.
- Site notice was erected on the R-400 when the same road was closed for the last couple of months.

Submission 62: Jennifer Whelan

See submission 12 above

Submission 63: Melissa & Josh Coughlan, Derryarkin, Croghan, Rhode, Co. Offaly R35DH57

See submission 61 above

Submission 64: Tracey Coughlan & the Residents of Knockdrin Lane, Rhode, Co. Offaly.

Objects on the following grounds:

- Original planning permission submission due date was September 2022, however residents in the area were only made aware of it on the 31st August 2023
- Disrespectful that no public consultation had taken place.
- Site notice was place in an area where the public are unable to view due to the closure of the R400 and seemingly only one local paper information for the development advised of the "demolition of sheds"
- Concerns in regard to emissions of noise, fumes, dust, dirt and odour.
- Traffic safety concerns with R400
- Cumulative impact of developments in the area.

Submission 65: Mandy Kelly, Rhode Village, Co. Offaly. R35DW95

Objects due to the following:

I would like to highlight the already precarious state of the road infrastructure in the area. The existing road network, particularly the R400, is already operating under extreme stress and strain. This is evident from the recent prolonged closure of the road due to the significant volume of heavy goods vehicles that are currently utilizing it. The R400 serves as a critical connecting route to the M4, and its continued closure

for necessary maintenance has caused substantial disruption and inconvenience to the local community. Moreover, it is my contention that the current road infrastructure is ill-equipped to accommodate the substantial increase in heavy goods traffic that would be generated by the proposed development. The significant volume of additional heavy goods vehicles would place an overwhelming burden on an already overtaxed system, exacerbating the existing problems and further impeding the smooth flow of traffic. Given these concerns, it is my firm belief that approving Planning Application: 22490 would be detrimental to the well-being of the local community and the functionality of the existing road infrastructure. The proposed development would only exacerbate the challenges that have already been observed, leading to increased traffic congestion, extended road closures, and heightened inconveniences for residents and businesses alike. In light of the aforementioned issues, I kindly request that the Offaly County Council take these objections into serious consideration during the review process of Planning.

Submission 66: Susan & Eoghan Hicky, 18 Woodville Manor, Rhode, Offaly R35FY62

Objects on the following grounds:

- Lack of engagement by the applicants with the local community
- Impact on Croghan Hill
- Future rewetting of bogs
- Traffic and transportation
- Location of development

Submission 67: Stephen Darby, Fahy, Rhode, Co. Offaly

Objects on the following grounds:

- Lack of consultation/public awareness
- Unsuitable location
- Proximity to Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- Installation of high voltage underground cables
- Proliferation of existing/planned developments

Submission 68: Councillor Liam Quinn, Ballyteigue, Ballycommon, Tullamore, Co. Offaly R35 C5C9

States the following:

- Lack of consultation/public awareness
- Unsuitable location
- Proximity to Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- Damage to existing infrastructure

- Installation of high voltage underground cables
- Proliferation of existing/planned developments
- Negative effects on East Offaly Participation in Eu Just Transition Funding application/Historical Associations
- Cumulative impacts of developments

Submission 69: John & Gretta Cahill, Corbetstown, Rhode, Co. Offaly. R35 E395

See submission 12 above.

Submission 70: Darren Cahill, Corbetstown, Rhode, Co. Offaly.

See submission 12 above.

Submission 71: Enda Egan, Ashfield House, Croghan, Rhode, Co. Offaly. R35VO82

States the following:

- Local roads and in particular the R400 are overused by heavy vehicles and this development will put more pressure on these roads
- Concerns in relation to pollution to the yellow river
- Concerns for local homes in relation to noise and smells
- Concerns in relation to numerous recent developments in the area that are affecting the historic and popular Croghan hill

Submission 72: Niamh Boland, Derryarkin, Croghan, Rhode, Co. Offaly. R35W8P4

See submission 61 above.

Submission 73: Collette Malone, Derryiron, Rhode, Co. Offaly. R35VY62

States the following:

The road adjacent to my home has been the main HGV route since the closing of the R400. This is due to the collapse of a bridge on the R400 caused by HGV usage. By adding the proposed landfill the amount of HGV s on our roads will effectively double. As well as this to date there has not been an environmental impact assessment conducted on the area which is a requirement for any large scale projects such as this. With this project being in close proximity to bogland a full assessment should be carried out on the wildlife and flora in the area as these lands often contain endangered species or can be classed as environmentally protected under nature conservation. Landfills can produce objectionable odours and landfill gas can move through soil and collect in nearby buildings. Of the gases produced in landfills, ammonia, sulfides, methane, and carbon dioxide are of most concern. Ammonia and hydrogen sulfide are responsible for most of the odours at landfills. Methane is flammable and concentrations have sometimes exceeded explosive levels indoors.

Methane and carbon dioxide can also collect in nearby buildings and displace oxygen. Landfill gas contains many different gases. Methane and carbon dioxide make up 90 to 98% of landfill gas. Though production of these gases generally reaches a peak in five to seven years, a landfill can continue to produce gases for more than 50 years. Landfill gases can move from a landfill through soil into outdoor air as well as the indoor air of nearby buildings. Landfill gases in outdoor air can enter a building through windows, doors, and ventilation systems. In soil, landfill gases can migrate and enter a building through cracks in the basement floors and walls, utility entry points (e.g., where underground water or electrical lines enter a building), sump pump holes or floor drains. This is called soil vapor intrusion. Once they enter a building, landfill gases may collect in areas of poor ventilation, such as basements, crawlspaces, and utility tunnels. Short-term exposures (typically up to about two weeks) to elevated levels of ammonia and hydrogen sulfide in air can cause coughing, irritation of the eyes, nose, and throat, headache, nausea, and breathing difficulties. These effects usually go away once the exposure is stopped. Studies have been conducted in communities near landfills and waste lagoons to evaluate health effects associated with exposure to landfill gases. These studies lasted for several months and reported health complaints which coincided with periods of elevated levels of hydrogen sulfide and landfill odours. The reported health complaints included eye, throat and lung irritation, nausea, headache, nasal blockage, sleeping difficulties, weight loss, chest pain, and aggravation of asthma. Although other chemicals may have been present in the air, many of these effects are consistent with exposure to hydrogen sulfide. Lastly, I would like to draw your attention to a case study performed in Ghana which showed the affects landfills have on groundwater quality. Drinking water quality of surface and underground water within 1.34 km from a waste landfill site in Kumasi, Ghana was investigated. Physico-chemical properties and heavy metal concentrations were analysed to determine water quality and pollution indices. It was found that turbidity of 83% of hand dug wells, 50% of the streams and 33% of boreholes were higher than World Health Organisation (WHO) standards for drinking water. Water quality index (WQI) showed that 25% of the water sources are of excellent quality, while 50%, 15% and 5% are good quality, poor quality, very poor quality and unsuitable for drinking, respectively. Drinking water quality of surface and underground water within 1.34 km from a waste landfill site in Kumasi, Ghana was investigated. Physico-chemical properties and heavy metal concentrations were analysed to determine water quality and pollution indices. It was found that turbidity of 83% of hand dug wells, 50% of the streams and 33% of boreholes were higher than World Health Organisation (WHO) standards for drinking water. Water quality index (WQI) showed that 25% of the water sources are of excellent quality, while 50%, 15% and 5% are good quality, poor quality, very poor quality and unsuitable for drinking, respectively.

Submission 74: Paula Bennett, Garr, Rhode, Co. Offaly
See submission 12 above.

Submission 75: Claire Murray, Villa Shalom, Clonmore, Edenderry
Objects on the following grounds:

- The nature of which site notices were erected. As per the planning details, 2 x site notices were initially erected on 14/9/22 "in the vicinity". This was in an area with no footfall.
A newspaper notice was published in a newspaper on 13/9/22 in a newspaper that is not readily available or read in the area that this facility is proposed.
A further site notice was erected on 1/8/23 along a stretch of R400 Road, which was closed on 17/7/23 and remains closed.
It seems as though no consultation or information was available for local homeowners or residents.
- The infrastructure that exists in Rhode and surrounding areas is already stretched due to the construction of windfarms and the presence of a quarry and a proposed gas fired power station at Bord na Mona/ Derrygreenagh, among other developments and organisations. The road that would serve this waste management facility is built over peat and there have been many issues with these road's arguably not being able to withstand the weight and persistent presence of existing traffic, not to mention a potential 90,000 tonne per annum increase.
- Environmental impact and the proximity of this development to Croghan Hill. It is around 3.5km from the summit of one of Northeast Offaly's biggest amenities. One which has only recently received funding and upgrades from the Town and Village Renewal scheme.

Submission 76: Jason Lynam, Derryarkin, Croghan, Rhode, Co. Offaly
See submission 61 above.

Submission 77: Louise Quinn, Derryiron, Rhode, Co. Offaly.
See submission 12 above.

Submission 78: Cllr Mark Hackett, Geashill, Co. Offaly
States the following:

I have been contacted by a number of local residents voicing concerns including: The Site Notice required following the response to the request for further information was not easily accessible to the local community as the R400 road is temporarily closed. I understand this led to many people missing this notice.

I acknowledge the need for the circular economy services proposed for this facility, however I would like assurances that the proposal is future proofed with regard to climate change and any planned or proposed adaptation and mitigation, including rewetting of nearby bog. In particular, it is imperative that we protect the area's water courses from pollution and the future potential of pollution.

I am aware of a lengthy licencing review process involving Oxigen Environmental's other Rhode site. I have also received a number of concerns regarding traffic to and from that site. I would like assurances that the granting of planning for this new site will be contingent on a resolution of matters outstanding on the existing site and that truck traffic at this new site receives careful consideration and management.

Submission 79: Michael Greene, Derryarkin, Croghan, Rhode, Co. Offaly.
R35EI25

See submission 61 above.

Submission 80: Angela Lynam, Derryarkin, Croghan, Rhode, Co. Offaly
See submission 61 above.

Submission 81: Thomas Boland Jnr, Derryarkin, Croghan, Rhode, Co. Offaly.
R35 W8P4

See submission 61 above.

Submission 82: Eithne Egan, Ballyfore House, Croghan, Rhode, Co Offaly.
R35 PY19

See submission 61 above.

Submission 83: Tina Moran, Derryarkin, Croghan, Rhode, Co. Offaly.
States the following:

- Lack of consultation/public awareness
- Unsuitable location
- Proximity to Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- Damage to existing infrastructure
- Installation of high voltage underground cables
- Proliferation of existing/planned developments
- Cumulative impacts of developments

Submission 84: Maureen Cronogue Boland, Derryarkin, Croghan, Rhode, Co.
Offaly. R35 HR12

See submission 61 above.

Submission 85: Joe Malone, 24 Priory Lawns, Rhode, Co. Offaly. R35 C625
States the following:

- Lack of consultation/public awareness
- Unsuitable location
- Proximity to Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- Damage to existing infrastructure
- Installation of high voltage underground cables
- Proliferation of existing/planned developments
- Cumulative impacts of developments

Submission 86: Dr Ronan Connolly, Riverside, Garr Bridge, Rhode, Tullamore, Co. Offaly. R35 V201

See submission 61 above.

Submission 87: Dr Imelda Connolly, Riverside, Garr Bridge, Rhode, Tullamore, Co. Offaly. R35 V201

See submission 61 above.

Submission 88: Cllr Noel Cribbin, Francis Street, Edenderry, Co. Offaly.

Objects on the following grounds:

- The Entrance to this site is off the Rhode to Rochforbridge road, one of the worst road surfaces in Ireland and bringing a landfill site that's going to bring hundreds of lorry loads of rubbish is not acceptable as this road cannot cope with extra heavy traffic of this scale.
- It's not acceptable to build and run a landfill site of this scale in this location next to the historical Croghan Hill and to the many residents in this area.

Submission 89: Lucy Hannon, Ballyfore, Croghan, Rhode, Co. Offaly.

See submission 61 above.

Submission 90: Geraldine & Thomas McDermott, Ballyfore, Croghan, Rhode, Co. Offaly

See submission 61 above.

Submission 91: Martina Hannon, Derryarkin, Croghan, Tullamore, Co. Offaly. R35CX25

See submission 61 above.

Submission 92: Jim Hannon, Derryarkin, Croghan, Tullamore, Co. Offaly. R35D260

See submission 61 above.

Submission 93: Aidan McLoughlin, Bunsallagh, Croghan, Tullamore, Co. Offaly. R35XA52

See submission 61 above.

Submission 94: Dr Michael Connolly, Riverside, Garr Bridge, Rhode, Tullamore, Co. Offaly. R35 V201

See submission 61 above.

Submission 95: Jennifer Alcindor, Tudor Lodge, Clonmore, Rhode, Co. Offaly.
R35 DK68

See submission 12 above.

Submission 96: Tina Owens, Rhode Village, Co. Offaly. R35 EE39

See submission 61 above.

Submission 97: Francis Doyle, Rhode Village, Co. Offaly. R35 A6K6

See submission 61 above.

Submission 98: Lar & Shiela Gillivan, Hawthorn House, Ballyfore, Croghan,
Rhode, Co. Offaly. R35 R8P2

See submission 61 above.

Submission 99: Cllr Eddie Fitzpatrick, Cloneyhurke, Portarlinton, Co. Offaly.
R35 C798

States the following:

- Concerns for local residents and their families (very important)
- This area has been identified as an area for energy production with developments currently ongoing
- The Location is also close to Croghan Hill which is an Historic amenity.
- I believe this development would have a detrimental impact on the environment in this area due to it's location and road infrastructure connecting the facility therefore I would ask the planning authority to be mindful of this submission and other's.

Submission 100: Rebecca Cannon & Gareth Davis, Derryiron, Rhode, Co.
Offaly

Concerns in relation to the following:

- Condition of existing road network in the area
- Site notice was erected on the R-400 when the same road was closed for the last couple of months.
- Location of proposed development in close proximity to Rhode Village as waste facility would be smelly, dirty, unsanitary and undoubtably would case an increase in rodent population in the area.

Submission 101: Vinny Grennan, The Bungalow, Rhode, Co. Offaly. R35 R822

Objects due to the following reasons:

- Damage to the environment and well as the huge increase in lorries for the Rhode Area.
- Traffic safety concerns

- Damage to nature and wildlife

Submission 102: Eamonn, Dorothy, Ewan & Michael Cannon, 5 Woodville Manor, Rhode, County Offaly.

Objects due to the following reasons:

- Condition of existing road network in the area
- Site notice was erected on the R-400 when the same road was closed for the last couple of months.
- Queries who is going to inspect the site notice.
- Concerns in regard to air pollution, smell and increase in rodents in the area
- Concerns in regard to the impact on the current beautiful, clean natural landscapes of the area.

Submission 103: Brendan Mulligan, Knockdrin, Rhode, Co. Offaaly.

States the following:

- The R400 has been in disrepair now for some years and has eventually been closed to traffic due to the on going works with heavy machinery and HGV traffic. It is at this time that Oxygen has decided to place a planning application sign on this road which in my view was not meant to be seen until the time frame had elapsed.
- 90,000 ton of waste per annum equates to 346 tons of waste traveling the R400 every day. We are living in this area all our lives and the planning authority have no regard for the people of this area who have to already endure no regional road to travel on from Rhode to Rochfortbridge. We are living on Knockdrin road which has in 2023 a grass middled dirt lane which has not been upgraded since 2007 by Offaly Co Co.
- We have also endured 3000 ton of aggregates being transported every day on a road that was once a scenic area to be enjoyed by our children and now a waste plant is in the planning 2.3 km from our house with no neighbour interaction from Oxygen or no address on the planning notice of where this construction is taking place, we can only assume it is the old Bord Na Mona farm yard sheds which is 2km from the site notice. If I was erecting a building and put the site notice 2km from the location and no address it would cause a lot of confusion.

Submission 104: Terri Flood, Coolcor, Rhode, Co. Offaly. R35 DN23

States the following:

- Lack of consultation/public awareness
- Unsuitable location
- Proximity to Yellow River
- Incapacity of local infrastructure to cope with additional traffic

- Damage to existing infrastructure
- Installation of high voltage underground cables
- Proliferation of existing/planned developments
- Cumulative impacts of developments

Submission 105: Carol Nolan TD, Harbour Street, Tullamore, Co. Offaly.

States the following:

- The residents reported that there was absolutely no engagement or consultation about this proposed development. It is of great concern to the residents that the site notice to inform the public was erected on a road which was closed from 17th July. The site notice was erected on Aug 1st. It is my understanding that the application process pursued by the company seeking planning should now be deemed invalid given that the public could not view the site notice as the road was closed.
- The location for this proposed development is totally unsuitable given that it is within 3.5km of Croghan Hill, a location designated as an area of high amenity. In the County Development Plan 2021-2027, it is stated that 'the council, through its development management function, will seek to preserve the scenic amenity and recreational potential of this area and to protect it from development that would damage or diminish its overall attractiveness and character'.
- Other legitimate concerns which the residents have about this include- proximity to the yellow river, incapacity of local road infrastructure to cope with additional traffic and potential damage to existing infrastructure.

Submission 106: Oliver and Bernadette Cassidy, Tubberdaly Rhode Co. Offaly

Objects due to the following reasons:

- Lack of public consultation,
- Heavy industrial development of a rural area,
- Socio-economic Consequences,
- Roads, Traffic, and Transportation Impacts,
- Lough Na Shade amenity area and Croghan Greenway,
- Impact on Air Quality,
- Geological Impact,
- Hydrological and Water Quality Impact &
- Impact on Flora and Fauna

Submission 107: Pia Stynes, Fahy Hill, Rhode, Co Offaly, R35V026

See submission 15 above.

Submission 108: Keith and Aoife Kavanagh on behalf of Residents of Rhode and Croghan

Objects due to the following reasons:

- Roads Built on Peat (R400)

- Capacity and Condition of the R400
- Designation of the R400 (Westmeath Versus Offaly)
- Use of Obsolete Traffic Surveys 2021
- R400 Forecasted Cumulative HGV increases from 71K to 102K
- An Bord Pleanála Condition 8 Ref. 19.PA0032
- Ground Water Vulnerability - Peat Coverage (Hydrology) Proximity of a Tributary Stream of the Yellow River (< 6m)
- Designated Proposed Route
- Contradictory AADT Figures
- Transfer of Waste from Urban Centres
- Failure to Update EIAR Obsolete Information
- Site Selection Methodology
- Lack of Public Consultation and Evasive Approach
- Compliance History of the Developer Oxygen
- Lack of Independent Means of Monitoring Activities
- Future Granting of an EPA License
- Flawed and Pervasive Methodology of Biodiversity Surveys
- Designation of Croghan Hill under the Offaly County Development Plan
- Impacts of Cumulative Development on the Local residents
- Bord Na Mona Gas Generation Plant Derrygreenagh
- Proximity of Private Dwellings
- Socioeconomic Impacts

Submission 109: Barry Cowen TD, Patrick Street, Tullamore, Co. Offaly
States the following:

I believe the proposed location of this site is in the catchment area of Croghan Hill. The addition of a Waste Management Facility in such a scenic setting will unnecessarily destroy what is a unique location within the county. All bogs in the area are undergoing a re-wetting process to return them to their original state. This proposed waste facility is not compatible with returning this area to nature with the possible consequences of a rising water table. Heavy rainfall effects the foundation of the R400 as it is a road built on peat and an increase in heavy goods vehicles will further exasperate the road quality. This road is currently closed at present due to damaged bridge.

Submission 110: The Residents of Rhode and Croghan Community. C/O Claire Murray Smale, Villa Shalom, Clonmore, Edenderry, Co. Offaly.

Objects due to the following reasons:

- Location
- Roads, traffic and transport impacts
- Impacts on air quality

- Impact on geology
- Impact on hydrology and water quality
- Impact on flora and fauna &
- Impact on cultural heritage

Submission 111: Residents of Rhode, Croghan and surrounding areas
See submission 110 above

Submission 112: Michael Muldoon, St Oliver's Rhode Village, Tullamore, Co. Offaly

Objects due to the following reasons:

- The manufacturers, middle men and women and retailers should be much more involved in the handling and disposal of waste. If they were they would be producing more customer friendly ways of selling on goods. Much of the packaging is unnecessary on non-food items. I have noticed lately that some plastic packaging is very tough and difficult to open.
- The site is accessed Via the R400. This road is constructed on a peat foundation and is consistently in poor condition. Being a road over peat; several accidents occur along this road each year when HGVs move off the road edge onto the adjoining peatlands.
- Impact on the citizens of Rhode Village are in the midst of the most extraordinary and detrimental changes to Rhode Village Centre
- Site selection.

Submission 113: Cathryn Whelehan, 1 Brookfield, Rochfortbridge, Mullingar, Co. Westmeath N91 H5V2.

Note: This submission has approximately 297 signatures.

Raises the following concerns:

- Massive amount of truck movements through Rochfortbridge and Rhode and other adjacent towns with high school going populations and narrow streets.
- The road is a very narrow road which barely allows two cars to pass and already has serious industrial tarmac on it.
- The landfill could negatively influence local rivers, lakes and water courses.
- It would severely limit proposed plans for a bog walk area adjacent to this site planned by Bord na Mona and Westmeath county Council. The plan and using the bog area and woodland and river walks around Rochfortbridge as part of a local amenity and tourist initiative. I have serious concerns over the ability of any company to restore an area of such beauty to anything resembling its "natural state"
- Landfill is the least preferred option of every modern waste plan every published by councils, government and the EU. Basically landfill is a Stone Age solution to a 21st Century problem.

- We are concerned about the health impacts on the area with so many local children and adults suffer asthma, other respiratory ailments and other vulnerable health issues. I am concerned with landfill gas and the subsequent burn offs in the years after the landfill ceases operation
- In addition, we the undersigned also have serious general concerns in relation to :
 - Local Planning,
 - Flora and Fauna,
 - Noise Pollution,
 - Bogs,
 - Air Pollution,
 - Local Amenities,
 - Ground Water Pollution,
 - Landscape (Visual Impact),
 - Geology, Impact on local dwellings,
 - Health Concerns,
 - Archaeology,
 - Local History and Heritage,
 - Smells, Flies, Birds, Rodents, Dust,
 - Infrastructure,
 - Traffic, Impact on Children,
 - Impact on Tourism and Impact on Agriculture.

We have deep concerns over many of the conditions laid out by the EPA for landfills and their control and management and the ability of a company like Oxigen to work within them.

This submission is supported by approximately 297 signatures.

Submission 114: Cllr Emily Wallace, Mullinagar Kinnegad Municipal District,
Aras an Chontae, Mullingar, Co. Offaly.

States the following:

- Lack of consultation/public awareness
- Unsuitable location
- Proximity to Yellow River
- Incapacity of local infrastructure to cope with additional traffic
- Damage to existing infrastructure
- Installation of high voltage underground cables
- Proliferation of existing/planned developments
- Cumulative impacts of developments

Decision-Maker's Written Statement

PL REF. NO: PL2/22/490

APPLICANT: OXIGEN ENVIRONMENTAL UNLIMITED COMPANY

LOCATION: DERRYARKIN, RHODE, CO. OFFALY

PROPOSAL: THE DEVELOPMENT WILL CONSIST OF THE DEMOLITION OF EXISTING AGRICULTURAL SHEDS AND STRUCTURES ON-SITE AND THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY FOR THE ACCEPTANCE AND PROCESSING OF UP TO 90,000 TONNES PER ANNUM OF HOUSEHOLD, COMMERCIAL AND INDUSTRIAL (C&I), AND CONSTRUCTION AND DEMOLITION (C&D) WASTE. ELEMENTS OF THE PROPOSED DEVELOPMENT INCLUDE THE FOLLOWING. (1) THE DEMOLITION OF ALL EXISTING SITE AGRICULTURAL SHEDS AND STRUCTURES ON-SITE (WHICH COVER AN AREA OF 1,417 M²). (2) THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY, COMPRISING: (A) A SITE ENTRANCE, (B) A WEIGHBRIDGE, (C) TRUCKING SET DOWN AND PARKING AREAS, (D) STAFF PARKING, COMPRISING 24 PARKING SPACES INCLUDING DISABLED PARKING AND EV CHARGING, (E) A CONCRETE YARD AREA, (F) A FUEL STORAGE AREA, (G) EXTERNAL WASTE STORAGE BAYS, (H) SKIP / BIN STORAGE AREAS, (I) A PERIMETER BOUNDARY WALL (4 M IN HEIGHT) AND PERIMETER FENCING (2.1 M IN HEIGHT), (J) A STORMWATER DRAINAGE AND ATTENUATION SYSTEM, (K) AN ADMINISTRATION TWO-STOREY BUILDING (WITH AN OVERALL FLOOR AREA OF C. 396M² AND C.7.35M IN HEIGHT), (L) A SINGLE STOREY MATERIALS RECOVERY FACILITY (WITH AN OVERALL FLOOR AREA OF C. 2,850M² TO A MAXIMUM HEIGHT OF C.13M), (M) A TRUCK LOADING BAY, (N) AN ON-SITE WASTEWATER TREATMENT SYSTEM, ASSOCIATED PERCOLATION AREA AND ANCILLARY SERVICES, (O) AN ON-SITE ESB SUB-STATION AND ADJOINING ELECTRICAL ROOM (WITH A COMBINED FLOOR AREA OF 61 M² AND 2.175 M IN HEIGHT), (P) SOLAR PANELS (COVERING A TOTAL AREA OF 737 M²) MOUNTED ATOP THE PROPOSED ADMINISTRATION AND MATERIALS RECOVERY FACILITY BUILDINGS. THE APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR)

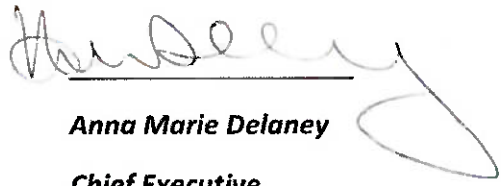
AND NATURA IMPACT STATEMENT (NIS). THE PROPOSED DEVELOPMENT WILL ACCEPT UP TO 50,000 TONNES OF WASTE PER ANNUM AND OPERATE UNDER A WASTE FACILITY PERMIT FROM OFFALY COUNTY COUNCIL DURING PHASE 1 OF OPERATIONS. THE PROPOSED DEVELOPMENT WILL ACCEPT UP TO 90,000 TONNES OF WASTE PER ANNUM AND OPERATE UNDER AN INDUSTRIAL EMISSIONS LICENCE FROM THE ENVIRONMENTAL PROTECTION AGENCY DURING PHASE 2 OF OPERATIONS

It is noted that the Environmental Impact Assessment (EIA) undertaken by Michael Duffy, Executive Planner, has been carried out giving full consideration to the Environmental Impact Assessment Report (EIAR) submitted with the application and referral reports (internal & prescribed bodies) in relation to the environmental effects of the proposed development.

It is considered that the planning reports dated 14th November 2022 and 6th November 2023 have been carried out giving full consideration to the Environmental Impact Assessment Report (EIAR) submitted with the application and referral reports (internal & prescribed bodies) in relation to the environmental effects of the development.

It is considered that the planning reports dated 14th November 2022 and 6th November 2023 contain a fair and reasonable assessment of the likely significant effects of the development on the environment which is deemed to be on the basis of up to date evidence. The assessment as reported is adopted as the assessment of Offaly County Council.

Having regard to the subject site, the contents of the planning file, including the EIAR, the submissions received, the internal departmental reports and consultations, the county development plan, and the assessments carried out above, I am satisfied that planning permission be granted for the proposed development as per the recommendation and the planning conditions, as set out in the attached Planner's Report.


Anna Marie Delaney
Chief Executive

