



An Bord Pleanála
64 Marlborough Street
Dublin 1
D01V902

Dear James,

Please see enclosed planners report in relation to the Substitute Consent Application 321466-24.

Kind Regards

Caoimhe Halpin
A/Senior Staff Officer
Fingal County Council

AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
26 FEB 2025	
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Time: _____	By: <i>gpost</i>



Fingal County Council Submission to An Bord Pleanála

Further Development under Section 37L of the
Planning & Development Act 2000, as amended,
for Saint Margaret's Recycling and Transfer
Centre Limited.



Planning Report:

An application has been made to An Bord Pleanála, by Saint Margaret's Recycling and Transfer Centre Limited in accordance with Section 37L of the Planning and Development Act 2000, as amended, for Further Development (Substitute Consent). This report has been prepared in accordance with Section 37L (12) (a) of the Planning and Development Acts, as amended.

Permission is sought for:

- 1. The on-going use of the existing Waste Recycling and Transfer facility with a proposed waste throughput at the facility to accept up to 21,900 tonnes per annum (in line with waste permit) for the bulking, transfer and recycling of metals, construction and demolition waste, bulky/skip waste, batteries, wood waste, glass, other non-biodegradable non-hazardous wastes, and an Authorised Treatment Facility for end-of-life vehicles.*
- 2. A new underground surface water attenuation tank comprising c.675 cubic metres, and a new above ground overflow connected to same comprising 1500 sqm.*
- 3. Enhancement of car parking provision, including installation of 2no. EV charging point and bicycle parking,*
- 4. Alterations to site boundary arrangements, including replacement of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, and augmentation of dust netting where applicable, and*
- 5. Revisions to the site area, such that the site will comprise c.1.75 ha subject of the retention application and an additional 2,616sqm which will comprise the proposed surface water attenuation tank and basin (noted above, at item 2).*

The application is accompanied by an Environmental Impact Assessment Report and Natura impact statement.

Documents submitted with the application include, inter alia, the following:

- PP-01- Site Plan
- PP-100 Site Location Map
- Ex-04 Contiguous Elevation
- PP-02 Planning History
- EIAR
- NIS
- Planning Report
- MAR-WMC-ZZ-GF-DR-C-PO20 -Drainage Layout
- MAR-WMC-ZZ-GF-DR-C-PO21- Existing Drainage Layout



- MAR-WMC-ZZ-GF-DR-C-PO25- Attenuation Details

Site Description:

The site extends to a stated area of 2.93Ha and is located directly south of the village of St Margaret's Co. Dublin. The R122, from which the site takes its access is located to the north/north west and separates the application lands from the village. The R108 Regional Road is located to the south of the application site. Dublin Airport is located immediately to the east with the southern run-way lying to the south-east. The lands immediately bounding the site are in an undeveloped/agricultural use and with respect to lands to the south, north and east are shown as being within the ownership of the applicant. (Refer to Site Location Map – 22073-PP-100)

Vehicular access to the facility is from the R122 and is sited to the north-western boundary of the site and formed by a wide concrete splayed entrance flanked by high walls. There is a significant level of site advertisement placed either side of the entrance erected on the boundary walls. Hedgerows and trees to the eastern boundary of the R122 afford a relatively high degree of screening to the site.

The layout of the facility is such that the main processing buildings and structures are predominantly located to the north and north-west and clustered around the site entrance. This includes a large extended shed to the south of the entrance referred to as the Main Processing Shed and a number of portacabins, welfare facilities and site offices located to the northern site boundary. A WWTS and percolation area are located to the rear/side of these units used as office space. A weighbridge is positioned immediately south of the portacabins. Compartmentalised storage areas/bunkers to the northern and eastern boundary of the site are detailed on Drawing Ref. 22073-PP-01 Proposed Site Plan. These contain materials such as stainless steel, aluminium, wheel alloys, cables and non-ferrous materials. The majority of the operations and storage / sorting of materials appear to take place in the open centrally within the site and to the east and south of the Main Processing Shed.

The area to the south contains an electrical plant room, a hammer mill, baler and in-feed conveyor.

To the east of the main site is a gated area which is separated from the main site by concrete panels and containers. This area is denoted on the Proposed Site Plan and is intended to be restored to agricultural use. The area is capable of separate and independent access via a driveway and entrance onto the R122 approximately 95m north of the junction of the R122 and the L7231/Newtown Cottages access road. The area is proposed for restoration to be top soiled and cultivated as managed grassland and wild flower meadow.



Operations on site are governed by a Waste Facility Permit.

Planning Proposal

The application submitted relates to the following:

Ongoing use of the existing waste transfer and metal recycling centre and authorised treatment facility for end-of-life vehicles (subject of retention under substitute consent provisions) for up to 21,900 tonnes per annum at waste recycling and transfer centre at St. Margaret's, Co. Dublin;

and for additional works comprising –

- Underground surface water attenuation tank comprising c.675 cubic metres, and an above ground overflow connected to same comprising 1500sqm. This is to be located in the north of the site.
- Enhancement of car parking provision, including installation of 2no. EV charging points. This new car parking arrangement is to be situated directly at the entrance with the 2 no. EV charging points located north of the main processing building.
- Alterations to site boundary arrangements, including replacement of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, augmentation of dust netting where applicable, etc.

Referrals

Water Services: Clarity should be sought with respect to the existing wastewater treatment system.

Air and Noise Section: Clarity should be sought re: information submitted

Environment, Climate Action, Active Travel and Sports Department, Environment Section (Waste Enforcement & Regulation) Clarify should be sought re: information submitted.

Parks Department: Clarity should be sought re: the development.

Transportation: Clarity should be sought re: information submitted.

Community Archaeologist: No objection.

Relevant Planning History:

Planning History

FCC Reg. Ref. FW20A/0029 & An Bord Pleanála Ref 310169-21

Applicant: St Margarets Recycling & Transfer Centre Ltd

Retention planning permission is sought for the permanent continuation of use of the existing waste processing and transfer facility for the bulking, transfer and recycling of metals, construction & demolition waste, bulky/skip waste, batteries, wood waste, glass,



other non-biodegradable non-hazardous wastes, and an Authorised Treatment Facility for end-of-life vehicles, accepting up to 24,900 tonnes of waste per annum.

Retention permission is also sought for the continued use of the existing buildings on site associated with the daily operations of the facility including processing shed, offices, plant room, shelter buildings etc., existing site services, boundary treatments and all ancillary site development works necessary to facilitate the development erected under and in accordance with Reg. Refs. F13A/0409, F 11A/0443, F 10A/0177, F 03A/1561, F03A/1682 and F97A/0109.

Planning permission is sought for new proposed stormwater attenuation storage tanks and associated stormwater treatment infrastructure to serve the existing development with permission also sought to restore part of the lands to agricultural use.

The above development will require a review of the existing waste facility permit for the site and as such, a separate application will be made to the environmental section of Fingal County Council upon receipt of planning permission.

ABP Decision: Refuse Permission (December 2021)

Judicial Review Decision: Upheld (February 2024)

FCC Reg. Ref. F13A/0409

Applicant: St Margarets Recycling & Transfer Centre Ltd

5 year permission for the continuation of use of a facility for the bulking, transfer and recycling of metals, construction & Demolition waste, bulky/skip waste, batteries, Waste Electrical and Electronic Equipment (WEEE), other non-biodegradable non-hazardous wastes, and an Authorised Treatment Facility for end of life vehicles.

Permission is also being sought for a new 5-bay metal-clad portal frame storage building, with external finish to match existing adjacent storage building and associated site works. the new building (447.95m²) will be used for the storage & shredding of wood/timber products and bulky/skip waste segregation.

The site is an established waste facility and operates under Waste Facility Permit WFP-FG-10-00012-02; the following planning permissions apply: F11A/0443, F10A/0177, F03A/1682, F03A/1561 and F97A/0109.

Decision: Grant Permission (August 2014), Expired August 2019

FCC Reg. Ref. F11A/0443

Applicant: St Margarets Recycling & Transfer Centre Ltd

For the establishment of an authorised treatment facility for the depollution/recovery of end-of-life vehicles (ELVs) at an existing and established waste recycling facility (Planning ref. F97A/0109; Waste Facility Permit WFT-FG-11-00012-01).

A change of use of the existing green waste storage building as granted under planning ref: F10A/0177 to carry out ELV de-pollution activities within this building.

Modifications to the external facade of the existing storage building on site to facilitate the internal storage of all ELVs delivered to the facility pending de-pollution and an external metal crusher/baler is proposed along the northern boundary of the site, with



the crushed bales stored on an adjacent mobile flat bed trailer (on concrete hardstanding), and all necessary site development works.

Decision: Grant Permission, for a period of 3 years (July 2012), Expired June 2015

FCC Reg. Ref. F11A/0272

Applicant: St Margarets Recycling & Transfer Centre Ltd

Change of use of existing green waste storage building as granted under planning ref: F10A/0177, to a de-pollution/recovery building for end-of-life vehicles and permission to store end of life vehicles on 325 sq.m. of existing concrete hard standing which will be associated with a new authorised treatment facility within the existing recycling facility (Waste Facility Permit WFP-FG-11-00012- 01).

Decision: Refuse Permission

FCC Reg. Ref. F10A/0177

Applicant: Sandyhill Environmental Services Ltd.

Retention permission for onsite prefabricated buildings comprising weighbridge control room, office, canteen and toilets, retention of existing 1500 sq.m. skip storage area to the south of the existing process building, change of use of existing 6458 sq.m.

Agricultural storage area to the south of the site as granted under F03A/1682 to storage area for construction demolition waste, retention of 10172 sq.m. area to the east of the site for processing of construction demolition and other inert non-hazardous waste, retention of existing boundary treatments and planning permission for bulking and transfer of green garden waste within the facility.

Decision: Grant Permission and Grant Retention, for a period of 3 years (December 2010), Expired December 2013.

FCC Reg. Ref. F05A/0233

Applicant: Superior Premix Concrete Ltd.

Development of a concrete batching plant, bunded fuel oil tank, 3 no. 6m x 3m aggregate storage bays, water recycling unit and all other associated works.

Decision: Refuse Permission

FCC Reg. Ref. F03A/1561

Applicant: Greenstar Recycling Holdings Limited

The permanent retention of 5 no. existing prefabricated single storey buildings, comprising of: office accommodation, canteens, toilets and weighbridge control room. Permanent retention is also sought for existing security fencing to boundary and skip storage area to the south of the site. All on an enlarged site from previously granted permission F97A/0109. This site possesses a current EPA waste licence (EPA Licence No. 134-1).

Decision: Grant Permission and Grant Retention, for a period of 3 years (September 2004), Expired September 2007.



FCC Reg. Ref. F03A/1682

Applicant: Brian McDonnell

The retention of an existing stone road serving existing agricultural entrance located on the St. Margarets Road, stone area for use as agricultural storage, hard standing for use as parking of trucks ancillary to waste transfer depot on adjoining site.

Decision: Grant Permission and Grant Retention, for agriculture only.

FCC Reg. Ref. F97A/0109

Applicant: Fingal Waste Recycling Ltd.

Retention of existing use with extension and alteration of existing buildings, alterations and widening of existing entrance and septic tank to Waste Recycling and Transfer Depot

Decision: Grant Permission.

ABP Reference PL.06F.104750. Third Party Appeal Withdrawn

Condition no 8 states that the annual throughput of waste authorised by this permission shall not exceed 10,000 tonnes.

Reason: To enable the Planning Authority to maintain effective control over the land use.



Policy Context – National, Regional and Local

National Planning Framework – Project Ireland 2040

The National Planning Framework (NPF -2040) outlines the Irish Government's range of long term strategic goals for the Republic of Ireland and aims to improve the effectiveness of public investment in infrastructure and other relevant services across the country.

National Policy Objective 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.

A Waste Action Plan for a Circular Economy, Irelands National Waste Policy, 2020-2025

The Waste Action Plan for a Circular Economy, Irelands National Waste Policy, 2020-2025 sets out Irelands vision for shifting the focus of waste management back to the product life cycle, eliminating or avoiding harmful waste, extending the life of the products and goods we use, and preventing the generation of waste in the first place. The Plan highlights Irelands commitment to fulfil EU strategies towards developing Europe's economy towards a circular model. The EU identified 7 key product value chains that play an overarching role in meeting the targets

- Electronic and ICT
- Batteries and vehicles
- Packaging
- Plastics
- Textiles
- Construction and buildings
- Food, water and nutrients.

The Plan recognises the importance of supporting Ireland's waste management infrastructure to maintain and increase the treatment capacity and exports less waste, but process and recycle in the country. It aims to streamline processes and timelines to support the appropriate development of waste infrastructure and provide contingent capacity.

Regional Spatial and Economic Strategy (Eastern & Midlands Regional Assembly (2019-2031)

Contained within this document are policies and objectives to contribute to the further economic growth of the region up to and beyond the lifetime of the plan with a vision to reaching the targets set out in the NPF -2040 for the year 2040.

Waste Management:



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 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.

Eastern Midlands Regional Waste Management Plan 2015-2021

The Eastern Midlands Regional Waste Management Plan 2015-2021 is a statutory document prepared by the local authorities of one of Ireland's three Waste Management Regions to ensure the continued management of waste in a safe and sustainable manner.

Policy E19

The waste plan supports the development of indigenous reprocessing and recycling capacity for the treatment of non-hazardous and hazardous wastes where technically, economically and environmentally practicable. The relevant environmental protection criteria for the planning and development of such activities need to be applied.

Policy E20

The waste plan supports the development of repair and preparing for refuse enterprises in the region as part of the transition to a more resource focused management approach and will provide technical, regulatory and financial guidance to operators active on this tier of hierarchy.

Policy E21

The local authorities will review the approach to authorise waste treatment facilities requiring a waste facility permit or certificate of registration having regard to the need to achieve consistency of approach between planning approval and operational capacity.

Fingal County Development Plan 2023-2029.

Land Use Zoning:

The lands are zoned 'DA' Dublin Airport in the Fingal Development Plan. The objective and vision are as follows:

Objective: *Ensure the efficient and effective operation and development of the airport in accordance with an approved Local Area Plan*

Vision: *Facilitate air transport infrastructure and airport related activity/uses only (i.e. those uses that need to be located at or near the airport). All development within the Airport Area (as designated by the Dublin Airport Local Area Plan) should be of a high standard reflecting the status of an international airport and its role as a gateway to the country and region. Minor extensions or alterations to existing properties located within the Airport Area which are not essential to the operational efficiency and amenity of the airport may be permitted,*



where it can be demonstrated that these works will not result in material intensification of land use. Air Transport Infrastructure includes: aircraft areas, air traffic control/tower, ancillary health, safety and security uses, aprons, cargo handling, maintenance hangers, meteorology, retail – airside/duty free, runways, taxiways, terminals and piers.

Air Transport Infrastructure includes: aircraft areas, air traffic control/tower, ancillary health, safety and security uses, aprons, cargo handling, maintenance hangers, meteorology, retail – airside/duty free, runways, taxiways, terminals and piers.

Objective Z03

Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.

Local Objective 57

Generally permit reasonable intensification of, extensions to and improvement of premises accommodating the non-conforming use, Recycling Centre, subject to normal planning criteria.

The site is located within the 'Outer Public Safety Zone'.

13.3 Non-Conforming Uses

Throughout the County, there are uses which do not conform to the zoning objective of the area. These are uses which were in existence on 1st October 1964, or which have valid planning permissions, or which are un-authorised but have exceeded the time limit for enforcement proceedings. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted subject to normal planning criteria

Policy DAP4 – Transitioning to a Low Carbon Economy

Ensure that all developments comply with the Climate Action Objectives and the Circular Economy and Waste Management Objectives in the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same.

Policy IUP20 – Implementation Of Existing Waste Management Policy

Support the implementation of existing waste management policy and promote education and awareness on all issues associated with waste management, both at industry and community level, including the promotion of waste reduction by encouraging reuse, recycling and recovery of waste. Fingal County Council will continue to promote and support the objectives of the Eastern and Midlands Region Waste Management Plan 2015–2021, or such plans as may be updated.

Policy IUP22 – Transition From A Waste Economy Towards A Green Circular Economy

Support the principles of transition from a waste economy towards a green circular economy



and implement good waste management and best practices to enable Fingal to become self-sufficient in terms of resource and waste management and to enhance employment and increase the value recovery and recirculation of resources, in accordance with the Whole of Government Circular Economy Strategy 2022.

Objective IUO28 – Eastern Midlands Region Waste Management Plan

Implement the provisions of the Eastern Midlands Region Waste Management Plan 2015–2021 or any subsequent Waste Management Plan applicable within the lifetime of the Development Plan. All prospective developments in the County will be expected to take account of the provisions of the Regional Waste Management Plan and adhere to the requirements of that Plan.

Objective IUO29 – Sustainable Waste Recovery And Disposal

Provide for, promote and facilitate high quality sustainable waste recovery and disposal infrastructure/technology in keeping with the EU waste hierarchy, national legislation and regional waste management policy to adequately cater for Fingal's growing population.

Objective IUO30 – Hazardous Waste

Adhere to the recommendations of the National Hazardous Waste Management Plan 2014–2020 and any subsequent plan, and to co-operate with the EPA and other agencies in the planning, organisation and supervision of the disposal of hazardous waste streams, including hazardous waste identified during construction and demolition projects. To continue to promote the use of clean technology and minimisation of hazardous waste production in all development within the County

Policy IUP24 – Recycling / Re-Use

Promote and encourage the establishment of re-use, recycling and repair activities to prevent and minimise waste generation and disposal, in accordance with the Eastern Midlands Region Waste Management Plan 2015–2021 (or any subsequent plan)

Policy IUP30 – Promote Low Carbon Energy Development

Promote more energy-efficient development through the location of housing and employment along district heating hubs, or potential renewable energy locations, where people can connect buildings to energy efficient, low-carbon alternatives.

14.20.13 Waste Recovery and Waste Disposal Facilities

In assessing development proposals for, or including, waste recovery and waste disposal facilities, the Planning Authority will have regard to the policies, actions, targets and provisions of the Eastern-Midlands Region Waste Management Plan 2015–2021 or any superseding document, planning legislation, the Development Plan and other relevant planning documents.

14.16.1 Noise Zones



The site is located within Noise Zone A with the following Threshold- ≥ 63 dB LAeq, 16hr and/or ≥ 55 dB Lnight. The following is relevant:

To resist new provision for residential development and other noise sensitive uses. All noise sensitive developments within this zone may potentially be exposed to high levels of aircraft noise, which may be harmful to health or otherwise unacceptable. The provision of new noise sensitive developments will be resisted.

Dublin Airport LAP

The boundary of the Dublin Airport Local Area Plan reflects the DA zoning in the Fingal Development Plan. The application site is not specifically referenced in the Plan.

Public Safety Zone

The site is located in the Outer Public Safety Zone associated with Dublin Airport.

The Airport is of vital importance to the Irish economy and acts as the principal international gateway for trade, inward investment and tourism. In addition, the Airport facilitates Ireland's integration with Europe and aids in attracting foreign direct investment.

The Department of Transport, Tourism and Sport's, A National Aviation Policy for Ireland and the Department of Housing, Planning and Local Government's Project Ireland 2040 - National Planning Framework both emphasise the importance of Dublin Airport for the future prosperity of Ireland, as well as the Dublin City Region.

Objective DA07

Strictly control inappropriate development and require noise insulation where appropriate in accordance with table 7.2 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.'

This planning application does not contain a residential element or other noise sensitive uses. Non-residential buildings and uses which are viewed as being noise sensitive include hospitals, residential care facilities and schools as per the Development Plan. The development does contain a small office component and staff welfare facilities and the impact of aircraft noise on same will be examined.

Objective DA10

Restrict development which would give rise to conflicts with aircraft movements on environmental or safety grounds on lands in the vicinity of the Airport and on the main flight



paths serving the Airport, and in particular restrict residential development in areas likely to be affected by levels of noise inappropriate to residential use.

Objective DA13

Promote appropriate land use patterns in the vicinity of the flight paths serving the Airport, having regard to the precautionary principle, based on existing and anticipated environmental and safety impacts of aircraft movements.

Objective DA14

Review Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones.

Objective DA15

Take into account relevant publications issued by the Irish Aviation Authority in respect of the operations of and development in and around Dublin Airport.

Objective DA21

Ensure that all development within the Dublin Airport Local Area Plan lands will be of a high standard of design, to reflect the prestigious nature of an international gateway airport, and its location adjacent to Dublin City.

Section 5.2 Circular Economy and Waste Management

Relevant policies and objectives in this LAP can assist in underpinning the objectives of the Regional Waste Management Plan

Objective WM01

Support, where appropriate, the provision of proposals to aid the transition from a waste management economy to a green circular economy.

Objective WM02

Promote a waste prevention and minimisation programme to target all aspects of waste in the LAP boundary area, focusing on all airport, commercial and domestic waste producers.



Planning Assessment:

In relation to the application submitted the following issues are discussed

- Principle of the Proposed Development
- Water Services
- Air and Noise
- Waste Enforcement & Regulation
- Parks and Green Infrastructure
- Transportation
- Archaeology
- Appropriate Assessment and EIA

The consultee reports associated with each section noted are contained within the attached Appendix 1.

Principle of the Proposed Development

The lands are zoned 'DA' Dublin Airport in the Fingal Development Plan 2023-2029. The objective and vision are as follows:

Objective: *Ensure the efficient and effective operation and development of the airport in accordance with an approved Local Area Plan*

Vision: *Facilitate air transport infrastructure and airport related activity/uses only (i.e. those uses that need to be located at or near the airport). All development within the Airport Area (as designated by the Dublin Airport Local Area Plan) should be of a high standard reflecting the status of an international airport and its role as a gateway to the country and region. Minor extensions or alterations to existing properties located within the Airport Area which are not essential to the operational efficiency and amenity of the airport may be permitted, where it can be demonstrated that these works will not result in material intensification of land use. Air Transport Infrastructure includes: aircraft areas, air traffic control/tower, ancillary health, safety and security uses, aprons, cargo handling, maintenance hangers, meteorology, retail – airside/duty free, runways, taxiways, terminals and piers.*

The Applicant seeks permission for the following elements:

- Ongoing use of the existing waste transfer and metal recycling centre and authorised treatment facility for end-of-life vehicles (subject of retention under substitute consent provisions) for up to 21,900 tonnes per annum at waste recycling and transfer centre at St. Margaret's, Co. Dublin;

and for additional works comprising:

- Underground surface water attenuation tank comprising c.675 cubic metres, and an above ground overflow connected to same comprising 1500sqm.
- Enhancement of car parking provision, including installation of 2no. EV charging points.



- Alterations to site boundary arrangements, including replacement of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, augmentation of dust netting where applicable, etc.

A 'waste disposal and recovery facility' is not permitted within the 'DA' Zoning, however, and the existing development would be considered to be a non-conforming use. It is noted under Section 13.3 Non-Conforming Uses *'Throughout the County, there are uses which do not conform to the zoning objective of the area. These are uses which were in existence on 1st October 1964, or which have valid planning permissions, or which are unauthorised but have exceeded the time limit for enforcement proceedings. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted subject to normal planning criteria.'*

In addition, Local Objective 57 relates to the subject site. This states *'Generally permit reasonable intensification of, extensions to and improvement of premises accommodating the non-conforming use, Recycling Centre, subject to normal planning criteria.'*

Retention Permission was granted under Reg. Ref. F97A/0109 to Fingal Waste Recycling Ltd on the 26th February 1998 for the use of the facility as a waste recycling and transfer depot thus establishing the use on the site. Further planning applications were assessed over the intervening period, a number of which permitted reasonable intensification of extensions to and improvement of the buildings on site.

The successive planning permissions for use at this site, granted since 1998, have been temporary permissions and have now expired. Accordingly, the use of the site for recycling or operations related to processing, storage etc of materials other than inert non-domestic waste to a maximum of 10,000 tonnes per annum, needs to be considered against the background of current policies and standards including the Fingal County Development Plan 2023-2029.

The underlying land use zoning objective applicable to the lands is 'Dublin Airport' where the stated objective seeks to ensure the efficient and effective operation and development of the airport in accordance with an approved Local Area Plan. Waste Disposal and Recovery facilities (high and low impact) are not permitted under this land use. However as noted the provision of Local Objective 57 and the provision of Section 13.3 1 Non -Conforming Uses allows for reasonable intensification.

It is to be acknowledged that the Airport is of vital importance to the Irish economy and acts as the principal international gateway for trade, inward investment and tourism. In addition, the Airport facilitates Ireland's integration with Europe and aids in attracting foreign direct investment. The managed growth of Dublin Airport is critical to the economic well-being of the state. In addition, that the success of the Dublin region is intrinsically linked to the accessibility provided by the Airport. The Airport is the largest



employer in Fingal and the economic status of the County is enhanced through the significant accessibility provided to the Airport in addition to the spin-off benefits accrued in the form of employment, housing demand, salary distribution which result in increased economic activity. Protection of the core function of the Airport is a key objective of the LAP in order to ensure that the significant investment required to ensure sustainable growth is utilised equitably for the benefit of the nation, region and County.

In relation to objective Z03 and Non-Conforming Uses - the proposed development is not a reasonable intensification or a reasonable extension. The proposed development is not a minor extension or alteration to an existing property. It is a very significant use and is not compatible with aviation activities. It is also a material intensification of use. The volume alone of 21,900 tonnes per annum when compared with the permitted annual throughput of waste not exceeding 10,000 tonnes, is a multiple of c.2.2 times the permitted use. The nature of the proposed waste intake and the processing carried out on site is also a material intensification of the permitted use and would be likely to have a material impact on Dublin Airport, which is of vital importance to the Irish Economy.

The proposed permanent intensification of use at this location is not acceptable and is not considered to be in accordance with the proper planning and sustainable development of the area.

Water Services:

The Water Services Division has assessed the development and have indicated that Additional Information is required with regard whether works to the existing wastewater treatment system is proposed. The engineering report states that no works are proposed or indeed required, whereas the site drainage layout drawing states otherwise. The applicant would need to clarify and submit appropriate substantiating design documentation if applicable.

Air and Noise

The Air and Noise Section has assessed the submitted documents and make the following comments:

- (i) In the EIAR Chapter 9.0 Air Quality & Climate, the applicant states that dust is the main emission from the operation of the site which could have a direct impact on air quality and that monitoring results do not indicate an adverse impact. However, no monitoring results have been submitted by the applicant to support this statement. Monitoring results should be requested from the applicant together with details on the location of the monitoring point(s), duration of monitoring and parameter(s) monitored.



- (ii) In relation to Chapter 10.0 Noise & Vibration, the Air and Noise unit have the following comments:
- The location of the Noise Monitoring Location (NML) at which the baseline noise survey was carried out should be clearly identified on a map, as only co-ordinates were given by the applicant.
 - It is unclear if the baseline survey was conducted when the site was operational and with all of the plant and site equipment in operation. This needs to be clarified by the applicant.
 - LAeq and LA90 monitoring results were provided in the EIAR, however LAFMax and LAF10 results were not. LAFMax results should be provided by the applicant as this indicates the maximum sound pressure level occurring within each noise measurement period. LAF10 results should be provided by the applicant as this indicates the noise level exceeded for 10% of the time within each noise measurement period.
 - The applicant has not indicated if tonal or impulsive noise was detected during the baseline noise survey monitoring period and if this has been factored into the results reported and if the relevant penalties have been applied.
 - The report indicates that noise from the operation of the site was predicted using a noise model, with noise from the operation of the grab, shredder (assumed to be the hammermill), Lefort Baler and HGV noise considered. However, the equipment list supplied by the applicant shows that additional noise generating equipment including a compressor, trommel, 2nd baler and sorting line for the hammermill are also in operation. These are all possible noise sources which do not appear to have been factored into the prediction model when estimating noise from the operation of the site. The applicant should be asked to revise the model to include all of the noise generating equipment on site, and to indicate on the site plan the sources of noise that have been used as inputs into the revised model prediction.
 - The applicant should be asked to clarify what model was used in determining the predicted noise levels, to what time period the model results relate (ie day/evening/night), as well as any assumptions the model uses to predict noise.
 - Given that the site has already been in operation for a number of years, the applicant should be requested to clarify if any noise measurements have been taken on site to validate the model findings and if not, why not.
- (iii) The noise sources shown in Figure 10.3 Noise Map do not correlate with the equipment identified in the application (see the site plan and existing equipment document), and some noise generating equipment appears to have been omitted when preparing this noise map, including the following:
- a. compactor
 - b. trommel
 - c. baler
 - d. hammermill and conveyor belt



As these are significant sources of noise, they should be factored in. The applicant should be asked to revise the Figure 10.3 Noise Map to include all of the noise generating equipment on site and indicate on the site plan the sources of noise that have been used as inputs when revising this Figure 10.3 Noise Map.

Waste Enforcement and Regulation

The Waste Enforcement and Regulation Section has assessed the submitted documents and make the following comments:

A review of the submitted EIAR has been undertaken and the following areas were found to lack information and / or represent erroneous data.

- (i) Section 3.1 (Introduction) of the EIAR refers to the past history of the site, when the facility operated under EPA Licence. It presents that *"much of the waste recycling activity in terms of processing of waste occurred within the existing buildings, including car dismantling and crushing, including the hammermill, shredders and compactors"*. It provides photos 3.1 to 3.3 as evidence of activities within these buildings.
 - a. The first point to make here is that the photos provided do not provide evidence of activities at the facility at any time, since these photos depict the waste operations at a totally separate and unrelated waste facility (also operating in the Fingal area).
 - b. The second point is that the paragraph does not provide any date to the validity of the statement, but much of the current operation (Hammermill and sorting line, crushing, trommeling) is not taking place inside the existing industrial buildings but outdoors with the exception of vehicle depollution taking place under roof.
- (ii) Section 3.5.1 of the EIAR states *"the facility continues to operate successfully in an environmentally safe way in accordance with a waste facility permit"*. This statement should be qualified by adding that Fingal County Council issued multiple non-compliances to the facility, for operating outside the conditions of the permit, including the initiation of legal proceedings.
- (iii) Section 7 of the EIAR deals amongst other items with groundwater. It identifies in Section 7.5.3 only one direct discharge to groundwater, with the percolation area of the onsite wastewater treatment system. However it has failed to assess the potential emission to groundwater from the surface water discharge, and in particular the potential for soluble metals to leach into the site surface water leaching through the waste piles.
- (iv) Section 8 of the EIAR deals with Water and Hydrology. However this section has failed to assess potential emission to the surface water discharge in the form of



soluble metals. Metals are stored outdoors on site in various piles (including metals having been processed through the hammer mill), and rainwater will pass through the piles, with the potential for soluble metals to leach into the site surface water, which is then discharged off site. Water may also be standing in the underground attenuation tank in contact with any sedimentation consisting of metal debris/dust that could have entered the tanks.

The EIAR does not provide an analysis of surface water monitoring carried out at the facility.

- (v) In sections 14.7 and 14.8, the report discusses the beneficial impact that the facility would have if operating with an annual throughput of 26,000 to 42,500 tonnes. However, the earlier sections of the EIAR clearly indicated this is not what is proposed, as the proposal is for the ongoing use of the facility for up to 21,900 tonnes per annum.
- (vi) Section 16.5.3 of the EIAR (page 235) refers to a fire at the site in 2018 and indicates that "this was brought under control with no loss of life, injury, or damage to property". This is wrong as the 2018 fire resulted in the total demolition of the existing shed on site (where End of Life Vehicles were depolluted). There was another fire at the site in 2022, which did not result in any damage to property.

Fire Prevention Plan

The Fire Prevention Plan contained in Appendix 2 presents contradictions:

1. Section 6(iv) on page 37 specifies that current reserves of fire-fighting water add up to 158,000L, which on a pro rata basis, allows for a maximum stack size on site of 132m³. Section 5.18(viii) refers to pile sizes between 750 and 300m³. Section 2.9(o) refers to maximum pile size of 450m³.
2. Section 5.18(v) sets out maximum height of a pile at 4m, whereas 2.9(o) indicates it is 5m.
3. Section 5.18(vi) sets out maximum length/width of a pile at 20m. The current stockpile size set out in Appendix IV is unreadable, but based on the one provided under the Waste Facility Permit, some bays exceed these dimensions

New drainage proposal

The application proposes the installation of a new drainage attenuation system, with 2 separate underground tanks, and a dry detention pond. The main area (area B in the report) would have a new 675m³ underground attenuation tank, connected to a dry detention pond where excess water would be stored in the larger rain events.

The construction design of the dry detention pond is unclear, but it does not appear to be lined. Since these attenuation tanks and detention pond are upstream of any



of the treatment systems (i.e. oil interceptor), this would represent a risk of contaminated water seeping into the ground at the detention pond.

Drawing MAR-WMC-ZZ-GF-DR-C-P025 shows the detailed section A-A for the 675 m³ underground tank and attenuation detention basin. Based on the drawing, the underground tank appears to drain into the attenuation tank manhole from the bottom of the tank. The A-A section goes on to show that the attenuation area surcharge manhole includes a land drain pipe, at a low elevation. This could result in the attenuation tank draining itself into the land drain (untreated) instead of being confined to the attenuation tank.

The inlet pipe to the attenuation chamber is not shown, though the report mentions silt trap manholes will be placed before inlets, to prevent build-up of debris within the attenuation tank. Detailed drawings of the silt trap manholes are not provided, volume of silt retention capacity is not provided.

The Engineering Assessment Report from Waterman Moylan in Section 5.1 presents the water quality treatment train. While it addresses suspended solids and oil contamination, it does not deal with soluble metals which can leach into the surface water as the water seeps through the metal piles on site, and as the water stands in the attenuation tanks and silt traps which could include any sludge containing metal dust and particles.

Parks and Green Infrastructure

The Parks and Green Infrastructure Section has assessed the submitted documents and make the following comments:

- (i) The applicant should be requested to undertake a hedgerow Survey carried out by a suitably qualified ecologist and hedgerow management expert. The Hedgerow Appraisal System by Foulkes et al. (2013) is the standard methodology for Irish county hedgerow surveys.

The applicant needs to provide the following information:

- a. Demonstrate how these hedgerows will be incorporated into the design of the project.
 - b. Specify how these hedgerows will be protected during site set-up and construction.
 - c. Create a landscape plan for managing the hedgerows.
- (ii) The applicant needs to engage the services of a suitably qualified Ecologist to provide details and full specification on the conversion of c.1.1 ha of hardstanding to managed grassland/wildflower meadow.



Transportation

The Transportation Section has assessed the submitted documents and make the following comments:

- (i) The applicant should provide sightline drawings from a setback point at the middle of the entrance of both 3.0m and 2.4m for a distance of 145 metres to the near side edge of kerb to the north and to the south of the existing access in accordance with TII DN GEO-03060. The area of the visibility envelope should be highlighted, and the area identified for ongoing hedgerow maintenance to be carried out by the owner/occupier indefinitely ensuring necessary sightlines are maintained. The details of maintenance shall be agreed with the Planning Authority and carried out at the expense of the developer.
- (ii) Showers should be provided in the changing rooms/ welfare facilities layout.
- (iii) A minimum of 26 lockers shall be provided in the welfare facilities and detailed on a revised layout.
- (iv) The applicant shall identify a location where additional cycle parking for up to 36 spaces can be accommodated and this area shall be reserved and additional cycle parking provided as demand increases.

Archaeology

The Community Archaeologist has assessed the submitted documents and makes the following comments:

There are no objections to the proposed development on archaeological grounds

Appropriate Assessment and EIAR

This application for Further Development under 37L of the Planning and Development Act 2000, as amended, is accompanied by both a Natura Impact Assessment and an Environmental Impact Assessment Report. An Bord Pleanála are the competent authority with regard to the assessment of these documents although some of the comments of internal consultees are noted above.

Conclusion

As outlined above, it is the view of the Planning Authority that the proposed development is not a reasonable intensification or a reasonable extension of an existing non-conforming use and the proposed permanent intensification of use at this location is not acceptable and is not considered to be in accordance with the proper planning and sustainable development of the area.

Furthermore, there is significant additional information required from the applicant to address the shortcomings in the information submitted.



In the instance that the Board is of the opinion to grant approval for the proposed development, the Planning Authority requests, as a minimum, that certain conditions are attached. These conditions are contained in Appendix 2 and are by no means intended to be considered as an exhaustive list.

25. Feb 2025.

Date

RBurke

Senior Planner
Róisín Burke



Appendix 1 – Internal Consultee Reports

Note: The initial reference given to this application was SID/01/25. This consequently changed to SCA/01/25.

FINGAL COUNTY COUNCIL INTERNAL CONSULTEE

PLANNING REPORT

Report of the Water Services Department

Register Reference: SID/01/25

Registration Date: 15-Jan-2025

Development: Permission is sought for the ongoing use of the existing Waste Recycling and Transfer facility with a proposed waste throughout of up to 21,900 tonnes per annum for the bulking, transfer and recycling of metals, construction and demolition waste, bulk/skip waste, batteries, wood waste, glass and other non-biodegradable non-hazardous waste, and an Authorised Treatment Facility for end-of-life vehicles, surface water attenuation tank, above ground overflow connected to same, car parking inc EV Charging, bicycle parking, alterations to site boundary, inc replacing of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, and augmentation of dust netting where applicable, and revisions to the site area, subject of the retention application and an additional 2,616 sqm, which will comprise the proposed surface water attenuation tank and basin. The application is accompanied by an Environmental Impact Assessment and Natura Impact Statement.

Location: Sandyhill, St Margaret's, Co Dublin, K67 EW73

Applicant: Saint Margaret's Recycling & Transfer Centre Ltd

Application Type: Strategic Infrastructure Development

Report

Flood risk: No objection

Foul Sewer: No objection subject to:



1. It is unclear whether works to the existing wastewater treatment system is proposed. The engineering report states that no works are proposed or indeed required, whereas the site drainage layout drawing states otherwise. Applicant to clarify and submit appropriate substantiating design documentation if applicable.

Surface Water: No objection subject to:

1. The pumped discharge rate shall not exceed 3.5 l/s.
2. No surface water / rainwater is to discharge into the foul water system under any circumstances.
3. The surface water drainage must be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.

Engineer: **PG**

Endorsed:

DD

Date: **11.2.25**

Date:

14/02/2025



**FINGAL COUNTY COUNCIL INTERNAL CONSULTTEE
PLANNING REPORT**

Air and Noise

Register Ref: **SID/01/25**

Area: Blanchardstown Mulhuddart

Development:

Permission is sought for the ongoing use of the existing Waste Recycling and Transfer facility with a proposed waste throughput of up to 21,900 tonnes per annum for the bulking, transfer and recycling of metals, construction and demolition waste, bulk/skip waste, batteries, wood waste, glass and other non-biodegradable non-hazardous waste, and an Authorised Treatment Facility for end-of-life vehicles, surface water attenuation tank, above ground overflow connected to same, car parking inc EV Charging, bicycle parking, alterations to site boundary, inc replacing of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, and augmentation of dust netting where applicable, and revisions to the site area, subject of the retention application and an additional 2,616 sqm, which will comprise the proposed surface water attenuation tank and basin. The application is accompanied by an Environmental Impact Assessment and Natura Impact Statement.

Location: Sandyhill, St Margaret's, Co Dublin, K67 EW73

Applicant : Saint Margaret's Recycling & Transfer Centre Ltd

Application Type : Strategic Infrastructure Development

Report

EIAR Chapter 9.0 Air Quality & Climate was reviewed, and the Air and Noise unit have the following comments:

- (iv) The applicant states that dust is the main emission from the operation of the site which could have a direct impact on air quality and that



monitoring results do not indicate an adverse impact. However, no monitoring results have been submitted by the applicant to support this statement. Monitoring results should be requested from the applicant together with details on the location of the monitoring point(s), duration of monitoring and parameter(s) monitored.

EIAR Chapter 10.0 Noise & Vibration was reviewed. The Air and Noise unit have the following comments:

- (v) The location of the Noise Monitoring Location (NML) at which the baseline noise survey was carried out should be clearly identified on a map, as only co-ordinates were given by the applicant.
- (vi) It is not clear if the baseline survey was conducted when the site was operational and with all of the plant and site equipment in operation. This needs to be clarified by the applicant.
- (vii) L_{Aeq} and L_{A90} monitoring results were provided in the EIAR, however L_{AFMax} and L_{AF10} results were not. L_{AFMax} results should be provided by the applicant as this indicates the maximum sound pressure level occurring within each noise measurement period. L_{AF10} results should be provided by the applicant as this indicates the noise level exceeded for 10% of the time within each noise measurement period.
- (viii) The applicant has not indicated if tonal or impulsive noise was detected during the baseline noise survey monitoring period and if this has been factored into the results reported and if the relevant penalties have been applied.
- (ix) The report indicates that noise from the operation of the site was predicted using a noise model, with noise from the operation of the grab, shredder (assumed to be the hammermill), Lefort Baler and HGV noise considered. However, the equipment list supplied by the applicant shows that additional noise generating equipment including a compressor, trommel, 2nd baler and sorting line for the hammermill are also in operation. These are all possible noise sources which do not appear to have been factored into the prediction model when estimating noise from the operation of the site. The applicant should be asked to revise the model to include all of the noise generating equipment on site, and to indicate on the site plan the sources of noise that have been used as inputs into the revised model prediction.

Also, the applicant should be asked to clarify what model was used in determining the predicted noise levels, to what time period the model results relate (ie day/evening/night), as well as any assumptions the model uses to predict noise.



Furthermore, given that the site has already been in operation for a number of years, the applicant should be requested to clarify if any noise measurements have been taken on site to validate the model findings and if not, why not.

- (x) The noise sources shown in Figure 10.3 Noise Map do not correlate with the equipment identified in the application (see the site plan and existing equipment document), and some noise generating equipment appears to have been omitted when preparing this noise map, including the following:
- a. compactor
 - b. trommel
 - c. baler
 - d. hammermill and conveyor belt

As these are significant sources of noise, they should be factored in. The applicant should be asked to revise the Figure 10.3 Noise Map to include all of the noise generating equipment on site, and indicate on the site plan the sources of noise that have been used as inputs when revising this Figure 10.3 Noise Map.

- (xi) Noise maps indicate that the site is located within Aircraft Noise Zone A, however the proposal is not a residential or noise sensitive use.

Officer: Rebecca Walsh, Executive

Scientist Signature: *Rebecca Walsh*

Date: 17/02/2025



Sean Walsh

14th February 2025

Planning Officer
Planning
Department.

Register Ref:	SID/01/25
Location:	Sandyhill, St Margaret's, Co Dublin, K67 EW73
Applicant:	Saint Margaret's Recycling & Transfer Centre Ltd
Development:	Permission is sought for the ongoing use of the existing Waste Recycling and Transfer facility with a proposed waste throughout of up to 21, 900 tonnes per annum for the bulking, transfer and recycling of metals, construction and demolition waste, bulk/skip waste, batteries, wood waste, glass and other non-biodegradable non-hazardous waste, and an Authorised Treatment Facility for end-of-life vehicles, surface water attenuation tank, above ground overflow connected to same, car parking inc EV Charging, bicycle parking, alterations to site boundary, inc replacing of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, and augmentation of dust netting where applicable, and revisions to the site area, subject of the retention application and an additional 2, 616 sqm, which will comprise the proposed surface water attenuation tank and basin. The application is accompanied by an Environmental Impact Assessment and Natura Impact Statement.
App. Type	Strategic Infrastructure Development



Date Recd.:	January 17, 2025
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With reference to the above application the Environment Section (Waste Enforcement & Regulation) have the following comments:

The facility currently operates under a Waste Facility Permit WFP-FG-13-0002-03.

A/ Review of the submitted EIAR

A review of the submitted EIAR has been undertaken and the following areas were found to lack information and / or represent erroneous data.

1/ Section 3.1 (Introduction) of the EIAR refers to the past history of the site, when the facility operated under EPA Licence. It presents that *"much of the waste recycling activity in terms of processing of waste occurred within the existing buildings, including car dismantling and crushing, including the hammermill, shredders and compactors"*. It provides photos 3.1 to 3.3 as evidence of activities within these buildings.

The first point to make here is that the photos provided do not provide evidence of activities at the facility at any time, since these photos depict the waste operations at a totally separate and unrelated waste facility (also operating in the Fingal area).

The second point is that the paragraph does not provide any date to the validity of the statement, but much of the current operation (Hammermill and sorting line, crushing, trommeling) is not taking place inside the existing industrial buildings but outdoors with the exception of vehicle depollution taking place under roof.

2/ Section 3.5.1 of the EIAR states *"the facility continues to operate successfully in an environmentally safe way in accordance with a waste facility permit"*. This statement should be qualified by adding that Fingal County Council issued multiple non-compliances to the facility, for operating outside the conditions of the permit, including the initiation of legal proceedings.

3/ Section 7 of the EIAR deals amongst other items with groundwater. It identifies in Section 7.5.3 only one direct discharge to groundwater, with the percolation area of the onsite wastewater treatment system. However it has failed to assess the



potential emission to groundwater from the surface water discharge, and in particular the potential for soluble metals to leach into the site surface water leaching through the waste piles.

4/ Section 8 of the EIAR deals with Water and Hydrology. However this section has failed to assess potential emission to the surface water discharge in the form of soluble metals. Metals are stored outdoors on site in various piles (including metals having been processed through the hammer mill), and rainwater will pass through the piles, with the potential for soluble metals to leach into the site surface water, which is then discharged off site. Water may also be standing in underground attenuation tank in contact with any sedimentation consisting of metal debris/dust that could have entered the tanks.

The EIAR does not provide an analysis of surface water monitoring carried out at the facility.

5/ In sections 14.7 and 14.8, the report discusses the beneficial impact that the facility would have if operating with an annual throughput of 26,000 to 42,500 tonnes. However the earlier sections of the EIAR clearly indicated this is not what is proposed, as the proposal is for the ongoing use of the facility for up to 21,900 tonnes per annum.

6/ Section 16.5.3 of the EIAR (page 235) refers to a fire at the site in 2018 and indicates that "this was brought under control with no loss of life, injury, or damage to property". This is wrong as the 2018 fire resulted in the total demolition of the existing shed on site (where End of Life Vehicles were depolluted). There was another fire at the site in 2022, which did not result in any damage to property.

B/ Fire Prevention Plan

The Fire Prevention Plan contained in Appendix 2 presents contradictions:

1/ Section 6(iv) on page 37 specifies that current reserves of fire-fighting water add up to 158,000L, which on a pro rata basis, allows for a maximum stack size on site of



132m³. Section 5.18(viii) refers to pile sizes between 750 and 300m³. Section 2.9(o) refers to maximum pile size of 450m³.

2/ Section 5.18(v) sets out maximum height of a pile at 4m, whereas 2.9(o) indicates it is 5m.

3/ Section 5.18(vi) sets out maximum length/width of a pile at 20m. The current stockpile size set out in Appendix IV is unreadable, but based on the one provided under the Waste Facility Permit, some bays exceed these dimensions

C/ New drainage proposal

The application proposes the installation of a new drainage attenuation system, with 2 separate underground tanks, and a dry detention pond. The main area (area B in the report) would have a new 675m³ underground attenuation tank, connected to a dry detention pond where excess water would be stored in the larger rain events.

The construction design of the dry detention pond is unclear, but it does not appear to be lined. Since these attenuation tanks and detention pond are upstream of any of the treatment systems (i. e. oil interceptor), this would represent a risk of contaminated water seeping into the ground at the detention pond.

Drawing MAR-WMC-ZZ-GF-DR-C-P025 shows the detailed section A-A for the 675 m³ underground tank and attenuation detention basin. Based on the drawing, the underground tank appears to drain into the attenuation tank manhole from the bottom of the tank. The A-A section goes on to show that the attenuation area surcharge manhole includes a land drain pipe, at a low elevation. This could result in the attenuation tank draining itself into the land drain (untreated) instead of being confined to the attenuation tank.

The inlet pipe to the attenuation chamber is not shown, though the report mentions silt trap manholes will be placed before inlets, to prevent build-up of debris within the attenuation tank. Detailed drawings of the silt trap manholes are not provided, volume of silt retention capacity is not provided.

The Engineering Assessment Report from Waterman Moylan in Section 5.1 presents the water quality treatment train. While it addresses suspended solids and oil contamination, it does not deal with soluble metals which can leach into the surface water as the water seeps through the metal piles on site, and as the water stands into the attenuation tanks and silt traps, included any sludge containing metal dust and particles.



Alain Kerveillant Executive Scientist

Waste Enforcement & Regulations

FINGAL COUNTY COUNCIL INTERNAL CONSULTEE

PLANNING REPORT

Report of Parks and Green Infrastructure Division

Register Reference: SID/01/25

Registration Date: 15-Jan-2025

Development: Permission is sought for the ongoing use of the existing Waste Recycling and Transfer facility with a proposed waste throughout of up to 21,900 tonnes per annum for the bulking, transfer and recycling of metals, construction and demolition waste, bulk/skip waste, batteries, wood waste, glass and other non-biodegradable non-hazardous waste, and an Authorised Treatment Facility for end-of-life vehicles, surface water attenuation tank, above ground overflow connected to same, car parking inc EV Charging, bicycle parking, alterations to site boundary, inc replacing of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, and augmentation of dust netting where applicable, and revisions to the site area, subject of the retention application and an additional 2,616 sqm, which will comprise the proposed surface water attenuation tank and basin. The application is accompanied by an Environmental Impact Assessment and Natura Impact Statement.

Location: Sandyhill, St Margaret's, Co Dublin, K67 EW73



Applicant: Saint Margaret's Recycling & Transfer Centre Ltd

Application Type: Strategic Infrastructure Development

Report

Site Zoning

The site is zoned Objective Type DA - Dublin Airport with an objective to “Ensure the efficient and effective operation and development of the airport in accordance with an approved Local Area Plan”

Existing hedgerows - Townland boundaries

There is an existing townland boundary located within this development. This townland boundary is located along the west & south boundary and should be retained in accordance with Objectives DMSO128 and DMSO172 of the Development Plan 2023-2029 which relate to townland boundaries.



Image: Historic mapping showing Townland Boundaries.

Objective DMSO128 – Demarcation of Townland Boundaries

Ensure trees, hedgerows and other features which demarcate townland boundaries are preserved and incorporated where appropriate into the design of developments.

Objective DMSO172 – Protection of Historic Townland Boundaries

Avoid detrimental impacts on historic townland boundaries. Should an historic townland boundary or section thereof be impacted a survey and photographic record should be undertaken prior to removal.

Objective DMSO125 – Management of Trees and Hedgerows

Protect, preserve and ensure the effective management of trees and groups of trees and hedgerows.



Objective DMSO126 – Protection of Trees and Hedgerows during Development

Ensure during the course of development, trees and hedgerows that are conditioned for retention are fully protected in accordance with BS5837 2012 Trees in relation to the Design, Demolition and Construction – Recommendations or as may be updated and are monitored by the appointed arboriculture consultant.

No hedgerow survey has been provided in relation to this development. In order to assess this planning application, a hedgerow survey of the site is required as Additional Information.

Grassland/Wildflower Meadow

No details have been provided in regard to the proposed Grassland/wildflower meadow.

The following Additional Information is required

Existing trees and hedgerows

The applicant is requested to undertake a hedgerow Survey carried out by a suitably qualified ecologist and hedgerow management expert. The Hedgerow Appraisal System by Foulkes et al. (2013) is the standard methodology for Irish county hedgerow surveys.

The applicant must also provide the following information:

- Demonstrate how these hedgerows will be incorporated into the design of the project.
- Specify how these hedgerows will be protected during site set-up and construction.
- Create a landscape plan for managing the hedgerows.

Proposed Grassland/Wildflower Meadow

The applicant is requested to engage the services of a suitably qualified Ecologist to provide details and full specification on the conversion of c.1.1 ha of hardstanding to managed grassland/wildflower meadow.



FINGAL COUNTY COUNCIL INTERNAL CONSULTTEE

PLANNING REPORT

Transportation Planning Section

Register Reference: SID/01/2025
Development: Recycling & Transfer Centre

Location: St Margaret's Ltd, Sandyhill, St Margarets, Co Dublin
Report Type: Permission
Lodged: January 2025

General

The proposed development is located in an 80km/hr speed limit.

Access and Sightlines

The existing and proposed development would be accessed from the R122 Regional Road.

Section 7.2 Transport of the Waterman Moylan Engineering Assessment Report refers to sightlines and maintenance requirements needed to maintain sightlines. Previous Transportation Planning Report FW20A/0029 and FW20A/0029/AI acknowledged the existing access and need for ongoing hedgerow maintenance was accepted. The entrance is an existing entrance in operation for a number of years and the lands to the south east of the entrance between the road and the site is not identified as being in the ownership of the applicant. To the North of the existing entrance, the required 145m sightlines are achievable. To the South sightlines are below standard as result of the maturing growth along the western boundary of the site.

The existing boundary hedgerow is robust and regular maintenance is required to meet the required standard of 145m by trimming back the hedgerow behind the existing road side knee rail barrier.

- (v) The applicant should provide sightline drawings from a setback point at the middle of the entrance of both 3.0m and 2.4m for a distance of 145 meters to the near side edge of kerb to the north and to the south of the existing access in accordance with TII DN GEO-03060. The area of the visibility envelope should be highlighted and the area identified for ongoing hedgerow maintenance to be carried out by the owner/occupier indefinitely ensuring necessary sightlines are maintained. The details of maintenance



shall be agreed with the Planning Authority and carried out at the expense of the developer.

Transport Assessment

The existing development had a temporary permission to operate up to 21,900 tonnes. The proposed development would operate at up to 21,900 tonnes. The proposed development is not seeking any intensification.

Chapter 13 of the EIAR prepared Transport prepared by Waterman Moylan. The surveyed traffic movements in 2023 generated a waste turnover of 33,696 tonnes per annum. They include 3 arrivals and 6 departures during the AM Peak Hour 8 – 9 and 1 arrivals and 10 departures during the PM Peak Hour 5 – 6.

The trips generated during the peak hours would not be considered to have a significant impact on the road network and the percentage traffic added to the road network is less than 2%.

The TTA also concluded that the access junction from the R122 would continue to operate satisfactorily through the Design Year of 2029 to the Future Year of 2039 with a waste turnover of 21,900 tonnes per annum and there has been a 33% reduction in the number of vehicles accessing the site between 2019 and 2023. There is no significant impact on the road network due to the development.

Bicycle Parking

Provision of high quality, safe, secure and convenient bicycle parking is essential to support sustainable transport including cycling, walking and public transport. To successfully influence the choice to cycle by all, bicycle parking provision should also be supported by cycle welfare facilities and cycle repair stations, and this should be appropriately reflected in Mobility Management Plans.

All employment generating development should provide changing, shower, storage and drying facilities to encourage employees to cycle, walk, run to work and An adequate number of power sockets should be installed for recharging e-bikes in the provision of bicycle parking facilities.

Short-Stay Bicycle Parking:

These are designed for ease of use by the public and visitors to a development. Such bicycle parking spaces should be in highly visible areas with good passive surveillance, which are easy to access and well lit. They should ideally be situated no further than 15m from main entry points.

Long-Stay Bicycle Parking:



These are to be designed for private use by employees. Such cycle parking spaces should be in a secure area that is easy to access, well-lit and covered. Effective security and functionality for all types of users is also maximised by the provision of individual facilities to allow for different types of equipment such as buggies, cargo bikes, helmets and scooters to be stored where appropriate. They should be situated within the curtilage of the destination.

Employment Use	GFA	Long-Stay Bicycle Parking		Short-Stay Bicycle Parking		Total
Industry General	2127 m ²	1 per 80 m ²	26	1 per 200 m ²	10	36

The proposed 6 cycle parking spaces is well below the minimum of 36 spaces required. Out of the 33 staff at the facility a survey indicated that no one cycles to work.

- (vi) Showers should provide in the changing rooms
- (vii) A minimum of 26 lockers should be provided in the welfare facilities and detailed on a revised layout.
- (viii) The applicant should identify a location where additional cycle parking for up to 36 spaces can be accommodated and this area should be reserved.

Vehicle Parking

The Fingal County Development Plan 2023–2029 provides for the creation of two distinct parking zones to ensure adequate residential parking provision and the control of destination car parking. This approach also allows greater flexibility in the application of car parking standards on sites in areas with varying levels of road and public transport provision.

Zone 1 relates to developments within 800m of Bus Connects spine route, or 1600m of an existing or planned Luas/Dart/Metro Rail station or within an area covered by a Section 49 scheme, or in lands zoned Major Town Centre and Zone 2 relates to all other areas.

The proposed development is located in Zone 2.

Employment Use	GFA	Rate Max	Development Plan Standards requirements	Proposed Parking Provision	Accessible Parking 5%	EV Parking 10%	Motorcycle 1 per 10 spaces
Industry General	2127 m ²	1 per 50m ²	42	22	1	2	1

The proposed parking quantum's is acceptable.



Conclusion

If a grant of permission is being considered then the Transportation Planning Section would recommend that the following conditions be applied.

- (ix) The applicant shall provide sightline drawings from a setback point at the middle of the entrance of both 3.0m and 2.4m for a distance of 145 meters to the near side edge of kerb to the north and to the south of the existing access in accordance with TII DN GEO-03060. The area of the visibility envelope should be highlighted and the area identified for ongoing hedgerow maintenance to be carried out by the owner/occupier indefinitely ensuring necessary sightlines are maintained. The details of maintenance operations required shall be agreed with Fingal County Council and carried out at the expense of the developer.
- (x) Showers should provide in the changing rooms/ welfare facilities layout.
- (xi) A minimum of 26 lockers shall be provided in the welfare facilities and detailed on a revised layout.
- (xii) The applicant shall identify a location where additional cycle parking for up to 36 spaces can be accommodated and this area shall be reserved and additional cycle parking provided as demand increases.

Signed: Niamh O Connor

Date: 20/02/2025

Endorsed:

Date:



FINGAL COUNTY COUNCIL INTERNAL CONSULTEE

PLANNING REPORT

Report of the Heritage Officer

Register Reference: SID/01/25

Registration Date: 15-Jan-2025

Development: Permission is sought for the ongoing use of the existing Waste Recycling and Transfer facility with a proposed waste throughout of up to 21,900 tonnes per annum for the bulking, transfer and recycling of metals, construction and demolition waste, bulk/skip waste, batteries, wood waste, glass and other non-biodegradable non-hazardous waste, and an Authorised Treatment Facility for end-of-life vehicles, surface water attenuation tank, above ground overflow connected to same, car parking inc EV Charging, bicycle parking, alterations to site boundary, inc replacing of existing internal boundary comprising stacked steel containers with 3m high concrete panel and steel post wall, and augmentation of dust netting where applicable, and revisions to the site area, subject of the retention application and an additional 2,616 sqm, which will comprise the proposed surface water attenuation tank and basin. The application is accompanied by an Environmental Impact Assessment and Natura Impact Statement.

Location: Sandyhill, St Margaret's, Co Dublin, K67 EW73

Applicant: Saint Margaret's Recycling & Transfer Centre Ltd

Application Type: Strategic Infrastructure Development

Report

Chapter 15 of the EIAR -Archaeology & Cultural Heritage was undertaken by a planner and architect. No professional archaeological input appears to have been sought.

There is no reference to the geophysical survey (NMS Licence Ref. 21R00310) and test-excavation (NMS Licence Ref. 21E0184) which were undertaken in the field that adjoins the development site immediately to the south. The back-filled test trenches are visible on the 2021 Google satellite photography.

The ability of non-archaeologists to recognise features of archaeological interest must be questioned in terms of the statement 'Site of proposed attenuation tank was visited and no above ground features of archaeological or cultural heritage interest were apparent'

The relevant department to agrees mitigation is that of National Monuments Service, Department of Housing, Local Government and Heritage, not DHCG.



Notwithstanding the above an examination of the aerial photographs shows the site to have been previously extensively impacted, including the area of the proposed attenuation tank. As such there are no objections to the proposed development on archaeological grounds.

Officer: Christine Baker__

Endorsed: _____

Date: __19/02/2025_____

Date: _____



Appendix 2 – Conditions for Permission

If planning permission is under consideration, the following conditions should be attached:

- 1 The developments shall be carried out in accordance with the plans, particulars and specifications lodged with the application received, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
- 2 Permission as outlined in the development description hereby permitted shall be for a period of three years only from the date of the final grant of permission, unless permission is granted for continued use either by the Planning Authority or An Bord Pleanála on appeal.
REASON: To prevent unauthorised development and in the interest of the proper planning and development of the area.
- 3 Within three months of the final grant of permission, the developer shall submit for the written agreement of the Planning Authority, a full noise impact assessment for the site to include existing and future noise levels associated with future airport growth, full details of internal noise levels within each building in which employees are working and proposed noise mitigation measures. The mitigation measures shall be completed within 6 months of the final grant of permission.
REASON: In the interests of public health and compliance with Objective DA07 of Dublin Airport Local Area Plan, January 2020.
- 4 No goods or materials of any description shall be accepted from or sold to visiting members of the public and all deliveries to and collections from the site shall be carried out by the operators of the facility or by persons or entities with whom the operators have entered into ongoing contracts for such services.
REASON: In the interest of maintaining an acceptable level of traffic generation at this location.
- 5 Within three months of the date of grant of permission, the developer shall submit details of the following for the written agreement of the Planning Authority:
 - (i) all waste streams currently accepted and processed on site and the percentage of each waste stream as a percentage of the total waste throughput.
 - (ii) volumes of all waste streams processed on a monthly and yearly basis.



(iii) all waste processing activities conducted on site from acceptance on site to transfer off site to recovery.

The maximum throughput of waste on site shall not exceed 21,900 tonnes per annum.

REASON: In the interest of clarity.

- 6 The number of employees working on site shall comply with the restrictions for the Dublin Airport Outer Public Safety Zone stipulated in the Public Safety Zones Report (ERM 2003) or such other document as may be approved in lieu of same.

REASON: In the interests of public safety.

- 7 Any mitigation measures and monitoring commitments identified and contained within the Environmental Impact assessment Report and the Natura Impact Statement, and other plans and particulars submitted with the application, shall be implemented in full.

Reason: In the interest of the protection of the environment and European Sites and the proper planning and sustainable development of the area.

- 8 The applicant shall undertake a hedgerow Survey carried out by a suitably qualified ecologist and hedgerow management expert. The Hedgerow Appraisal System by Foulkes et al. (2013) is the standard methodology for Irish county hedgerow surveys.

The applicant shall provide the following information:

- Demonstrate how these hedgerows will be incorporated into the design of the project.
- Specify how these hedgerows will be protected during site set-up and construction.
- Create an acceptable landscape plan for managing the hedgerows.

REASON: In the interest of biodiversity and to protect the visual amenity of the area

- 9 The applicant shall engage the services of a suitably qualified Ecologist to provide details and full specification on the conversion of c.1.1 ha of hardstanding to managed grassland/wildflower meadow.

REASON: In the interest of biodiversity and to protect the visual amenity of the area

- 10 The following requirements of the Planning Authority shall be strictly adhered to:
- (a) The applicant shall provide sightline drawings from a setback point at the middle of the entrance of both 3.0m and 2.4m for a distance of 145 metres to the near side edge of kerb to the north and to the south of the existing access in accordance with TII DN GEO-03060. The area of the visibility envelope shall be



highlighted and the area identified for ongoing hedgerow maintenance to be carried out by the owner/occupier indefinitely ensuring necessary sightlines are maintained. The details of maintenance shall be agreed with the Planning Authority and carried out at the expense of the developer.

(b) Showers shall be provided in the changing rooms/ welfare facilities layout.

(c) A minimum of 26 lockers shall be provided in the welfare facilities and detailed on a revised layout.

(d) The applicant shall identify a location where additional cycle parking for up to 36 spaces can be accommodated and this area shall be reserved and additional cycle parking provided as demand increases

REASON: In the interest of traffic safety and the proper planning and sustainable development of the area.

11 Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a further grant of planning permission.

REASON: In the interests of visual amenity.

12 The facility shall not operate outside the hours of 0900hrs to 1800hrs Monday to Saturday or as agreed in writing with the Planning Authority. No activity shall take place outside these hours or on Sundays or public holidays.

REASON: To protect the residential amenities of property in the vicinity.

13 The developer shall comply with the following requirements in respect of foul drainage:

a) No foul drainage shall discharge into the surface water system under any circumstances.

b) The foul drainage shall be in compliance with the 'Regional Code of Practice for Drainage Works Version 6.0' FCC April 2006, or the EPA Code of Practice for Wastewater Treatment and Disposal Systems Serving Single dwellings (October 2009), whichever is applicable.

In respect of Surface Water:

a. Only clean, uncontaminated water shall be discharged from the site to the surface water network

b. The pumped discharge rate shall not exceed 3.5 l/s.

c. No surface water / rainwater shall discharge into the foul water system under any circumstances.



- d. The surface water drainage shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.

REASON: In the interests of public health and the proper planning and sustainable development of the area.

- 14 The cumulative noise emissions due to the operation of the development shall not cause a noise nuisance to nearby noise sensitive location i.e. shall not exceed the background level by 10dB(A) or more or exceed the limits below whichever is lesser.
Daytime (07:00 to 19:00 hrs) – 55dB LAr, 30mins
Evening (19:00 to 23:00 hrs) – 50dB LAr, 30mins
Night-time (23:00 to 07:00 hrs) – 45dB Laeq, 30mins

As measured from the boundary of the nearest noise sensitive location/s. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

REASON: In the interest of public health.

- 15 The developer shall comply in full with the following:
(a) The hours of construction shall be restricted to between 8.00a.m. to 7.00p.m., Monday to Friday, and 8.00a.m. to 2.00p.m. on Saturdays. Restricted delivery times or working hours may apply. Construction Traffic should be managed to limit the impact on the local road network a detailed Traffic Management Plan should be agreed with the Operations Department prior to construction.
(b) No activities shall take place on site on Sundays, bank or public holidays.
(c) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Fingal County Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Fingal County Council.
REASON: To protect the amenities of the area.

- 16 The developer shall comply in full with the following:
All necessary measures shall be taken by the applicant/developer to prevent the spillage or deposit of any materials including clay, rubble, or other debris or adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developer's own expense.
The applicant/developer shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road, arising from the construction work and shall either make good any damage to the satisfaction of the Planning Authority or pay the Planning Authority the cost of making good such damage



upon issue of such a requirement by the Planning Authority.

REASON: To protect the amenities of the area.

NOTE 1:

The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act 2000, as amended, a person shall not be entitled solely by reason of a permission to carry out any development.