

**South Dublin County Council**  
**An Rannóg Talamhúsáide, Pleanála agus Iompair**  
**Land Use, Planning & Transportation Department**  
**Telephone: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)**

**Kavanagh Burke Consulting Engineers**  
**Unit F3, Calmount Park**  
**Ballymount**  
**Dublin 12**

**NOTIFICATION OF DECISION TO GRANT PERMISSION**  
**PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING**  
**REGULATIONS THEREUNDER**

<b>Decision Order Number:</b> 0606	<b>Date of Decision:</b> 16-May-2022
<b>Register Reference:</b> SD21A/0305	<b>Date:</b> 19-Apr-2022

**Applicant:** Electrical Waste Management Ltd.

**Development:** Alterations to existing granted planning, Ref. SD19A/0065, for a proposed Waste Metal Transfer Facility including Waste Electric & Electronic Equipment (WEEE). The subject alterations for which planning permission is sought for are as follows: (1) Reconfiguration of the floor plan areas as follows: (A) Provision of 535sq.m additional floor area due to introduction of areas as follows - (A.1) Extended display area at ground floor of ancillary office, addition of 46sq.m floor area, (A.2) Extended open plan office at first floor of ancillary office, addition of 20sq.m floor area, (A.3) Single storey ancillary storage facility to the front north-east elevation totalling 166sq.m with overall height 7m, (A.4) Mezzanine area to the south eastern side of Light Industrial Unit, totalling 303sq.m. Alterations listed above result in total building area Increase from 4391sq.m to 4926sq.m as shown at the revised table of gross Internal floor areas & uses. (B) Change of use of 64sq.m of light industrial unit floor area to staff facilities due to the introduction of: (B.1) Enclosed stairs from Light Industrial Unit to ancillary office/staff facilities (overall 31sq.m), (B.2) single

storey cleaners store and storage at ground floor to the north-eastern corner of light industrial unit (overall 33sq.m). (C) Change of use of 100sq.m of workshop charging area & staff facilities to workshop area & single storey office/staff facilities. (D) Introduction of full height dividing wall at light industrial unit. 2. Elevations alterations as per list above plus additional alterations as follows: (a) Provision of full height cladding (ground floor to roof) to light industrial unit and ancillary Workshop. (b) Introduction of 11m wide x 6m high open to light industrial unit side (north-western) elevation, (c) Rearrangement of all fire exit & level access doors to light industrial unit & ancillary workshop including omission and addition of the same, (d) Introduction of integrated modular louvre system to light industrial unit rear (south-western) & side (north-western) elevation, (e) Introduction of canopies to the ancillary office main entrance and above 11m wide open & dock levellers to light industrial unit side (north-western) elevation. (3) Site plan alterations as follows: (a) Rearrangement of car parking spaces due to provision of office extended display area to the front (north-eastern) elevation, (b) Provision of new finish floor level to office/staff facilities and Workshop and associated site levels adjustments, (c) Provision of a new boundary fence type (paladin fence) throughout the development, (d) Provision of additional weighbridge - overall 2 proposed and rearrangement of brush wash and steam wash between workshop and site's north-western boundary, (e) Provision of building protection bollards to workshop side elevations (south-east and north-west), (f) Associated drainage adjustments due to the inclusion of the alterations above plus reduction of surface water and foul sewer outfall route as per as built access road and services which serve built developments to the east of the site. All other details such as landscaping, lighting, external surface finishes, Environmental Impact Assessment Report (EIAR), Flood Risk Assessment etc. will remain as per the granted application ref. SD19A/0065.

**Location:**

Tay Lane, Greenogue, Rathcoole, Co. Dublin

**Floor Area:**

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 12-Jan-2022 /19-Apr-2022

**Clarification of Additional Information Requested/Received:**

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

#### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

#### **SECOND SCHEDULE**

##### **Conditions and Reasons:**

1. Development to be in accordance with submitted plans and details.
  - (i) The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 19 April 2022, save as may be required by the other conditions attached hereto.
  - (ii) In all other regards, the development shall be carried out in compliance with the relevant conditions of the grant of planning permission on this site under Ref. SD19A/0065, save as may be required by other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. SuDS  
Prior to commencement of development the applicant shall submit a revised drawing showing additional SuDS (Sustainable Drainage Systems) in proposed development, the details of which shall be agreed in writing by the Planning Authority. Examples of SuDS are Swales, Tree Pits, Biodiversity areas/gardens that could be included in green areas adjacent to the perimeter of site. Other areas for SuDS could also be considered at green areas adjacent to parking areas.

REASON: In the interests of sustainable drainage.

3. Drainage.

(a) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

4. Environmental Health.

Noise

Construction Phase

(1) No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Operational Phase

(2) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(3) All plant items associated with the ESB substation, weigh bridges, brush wash and steam wash equipment shall be regularly maintained to ensure that excessive noise generated by any worn or rattling components is minimised.

(4) The applicant shall adhere to the mitigation measures outlined in Sections 13 (Air) and sections 14 (Noise) of the Environmental Impact Assessment Report submitted as part of this planning permission request. They shall also adhere to the operating hours of 07:00 - 19:00 Monday to Friday and 07:00 – 16:00 on Saturday as listed in the EIAR. No waste should be accepted and processed outside these operating hours and trucks should not be queued outside the facility outside these operating hours.

Air

(5) The development shall be so operated that there will be no emissions of malodours or vibrations as would give reasonable cause for annoyance to any person in a nearby residential area or public place in the vicinity.

(6) The development shall be so operated that there will be no emissions of dust, fumes or other deleterious materials, on site as would give reasonable cause for annoyance to any person in a nearby residential area or public place in the vicinity.

(7) Spray from the brush and steam wash must not pass outside the boundary of the property and cause annoyance to any neighbouring property or public area.

Refuse

(8) A suitable location for the storage of refuse shall be provided during the construction of the development so as to prevent a public health nuisance.

Drainage

(10) Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

Pest Control

(11) The applicant shall put in place a pest control contract for the site for the duration of the construction works.

Lighting

(12) Lighting to be used on site must not be intrusive to any light sensitive location including residential properties and public places in close proximity to the development.

REASON: In the interest of public health.

5. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €52,836.60 (fifty two thousand eight hundred and thirty six euros and sixty cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

7. That arrangements be made with regard to the payment of financial contributions and lodgement of security/bond in respect of the overall development, as required by Condition Nos. 26 and 17 of Register Reference SD19A/0065., arrangements to be made prior to commencement of development.

REASON: It is considered reasonable that the developer should contribute towards the cost of providing services and to ensure that a ready sanction may be available to the Council to induce provision of services and prevent disamenity in the development.

NOTE: 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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

  
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for **Senior Planner**

**17-May-2022**

## NOTES

### **(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

### **(B) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:  
**The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.**
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
  - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
  - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
  - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
  - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) ..... €220.00
  - (e) Application for leave to appeal..... €110.00
  - (f) Appeal following a grant of leave to appeal..... €110.00
  - (g) Referral ..... €220.00
  - (h) Reduced fee (payable by specified bodies) ..... €110.00
  - (i) Submission or observations (by observer) ..... €50.00
  - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100