

Comhairle Chontae Atha Cliath Theas

PR/1056/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0291 **Application Date:** 28-Jun-2022
Submission Type: New Application **Registration Date:** 28-Jun-2022

Correspondence Name and Address: Ellen Reville, BIGbin Waste Tech Ltd Unit BO,
Confederation House, Waterford Business Park, Cork
Road, Co Waterford, X91 T449

Proposed Development: Placement of a pay-to-use portable waste compactor
for the acceptance of residual and food waste and a
pay-to-use portable compactor for mixed dry
recyclables. This activity requires the developers to
possess a waste collection permit/certificate of
registration

Location: Supervalu, Firhouse Shopping Centre, Ballycullen
Avenue, Dublin 24, D24 NYT3

Applicant Name: BIGbin Waste Tech Ltd

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area: Stated as 1.58ha

Site Visit: 5/8/2022

Site Description:

The subject site comprises a portion of the car parking of the Firhouse Shopping Centre.

Proposal:

The proposed development comprises of:

- Placement of a pay-to-use portable waste compactor for the acceptance of residual and food waste and a pay-to-use portable compactor for mixed dry recyclables. This activity requires the developers to possess a waste collection permit/certificate of registration.
- Total area of works 16sqm

The waste compactors will be located on the western edge of the car park and appear to replace two existing clothing banks. They will be situated beside two existing pay per use laundrette facilities near to a pedestrian exit on to the Firhouse Road.

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SEA Sensitivity:

No overlap identified.

Zoning:

The subject site is subject to zoning objective DC - *'To protect, improve and provide for the future development of District Centres'* in the South Dublin County Development plan 2022-2028.

Consultations:

Irish Water – Additional information required.

Surface Water Drainage - Additional Information required.

Roads Department - Additional Information required.

Environmental Health Officer – Additional information required.

Parks – Additional Information required.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject Site

SD20A/0172 - The erection of a lean-to open canopy and associated signage along the north elevation of the Firhouse Shopping Centre. **Permission Granted**

SD14A/0246 Two 4 hose petrol pumps under a canopy dispensing petrol and diesel on each side of the pump; two underground storage tanks, each with a capacity of 40,000L, one storing petrol and the other storing diesel; all the associated fuel pipework between the pumps and underground tanks and fill points and vents; concrete slab surfacing and associated drainage; the drainage from the area around the forecourt and delivery points will be discharged into a 10,000L petrol interceptor prior to discharge to the proposed drainage system; two electrical equipment storage cabinets, each one adjacent to a 4 hose pump; advertising signage along the edge of the canopy and a stand alone 6m high advertising flag pole sign at the site boundary. **Permission Refused**

SD13A/0095 Change of use from retail space to veterinary clinic (daytime) to include interior alterations and alterations and new signage to existing shopfront. **Permission Granted**

SD12A/0259 Erection of 2 no. new illuminated high level shopfront signs to underside of existing canopy and associated site works. **Permission Granted**

SD12A/0151 Erection of new free standing sign with lighting located along the northwest boundary with Firhouse Road and associated site works. **Permission Granted**

SD11A/0148 Modifications to previously approved application Reg. Ref. SD10A/0065 comprising of reduced lobby to southeast facade and changes to southeast facade with brickwork extended to

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underside of capping, blockwork housing with slate roof covering for cold and freezer rooms and addition of galvanised steel sliding security gates to rear. **Retention Permission Granted**

SD10A/0379 Change of use of unit from retail to restaurant use as previously approved under Planning Application Reg. Ref. SD10A/0065. **Permission Granted**

SD10A/0065 Reconfiguration of the existing mall to reduce its area; relocation of Post Office; extension of the pharmacy into neighbouring unit; consolidation of two of the existing units into one larger unit to the southeast of the centre; reconfiguration and increase in area of the existing anchor supermarket unit; provision of two new units to the northeast, fronting onto existing car park; the construction of 2 no. proposed lobbied entrances to the mall to the northeast and southeast; new glazing to the end unit along northeast elevation; relocation of existing ATM; refurbishment of the existing northeast and southeast elevations to include the construction of a canopy with a pitched, slated roof along the northeast elevation of the centre; resurfacing and re-marking the existing car park with ancillary works to include new trolley bays, bicycle parking, designated disability and "mother and child" car park spaces; new signage to the centre including proposed totem signage and lighting; provision of enclosed bin storage and plant to rear and associated site works. **Permission Granted**

SD07A/0443 Demolition and the removal of the pyramid roof, the service yard to the eastern side and single storey structures to the northern and southern sides of the existing building to facilitate the construction of the new development on a 0.324 hectare site as part of the new Village Centre. There will be a single level underground car park of 1924sqm with 66 car parking spaces, refuse stores, bicycle parking, plant areas, storage for the apartments and access staircases & lifts. The structure will be 3 storeys over ground floor comprising 3 no. two bed and 2 no. one bed apartments at the western side, the existing Licenced Premises extended to 600sqm, 3 no. retail units totaling 417sqm, access lift & staircases and a 255sqm service yard at ground floor level. There will be 3 no. two bed and 2 no. one bed apartments, 2 no. office units totaling 701sqm and a restaurant of 360sqm including kitchen and stores at first floor level. There will also be 11 no. two bed and 4 no. one bed apartments at both 2nd and 3rd floor levels around an internal landscaped courtyard. The total number of apartments will be 40. 6 no. surface level staff car spaces are provided in the service yard and 16 no. short stay car spaces are provided at ground floor level. The total gross floor area of the development, excluding the basement and service yard, is 5230sqm. **Permission Refused**

SD07A/0339 Demolition and redevelopment of Firhouse Shopping Centre and construction of a new mixed use village centre on a site of 1.118 ha in 3 blocks around a new landscaped village square. The submission includes revised accommodation to include a single level underground car park of 7369 sq.m consisting of 227 car spaces, refuse stores, bicycle parking and plant areas. Block A, 3 storeys over ground floor, comprises 11 no. retail units totaling 2824 sq.m including an anchor supermarket of 1220 sq.m with associated stores and staff welfare accommodation (existing service yard is retained), takeaway 95 sq.m (unit 3), pharmacy 117 sq.m (unit 5), and post office 70 sq.m

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(unit 9), 1 no. ESB substation, a new "Day Care Centre" for the central remedial clinic of 490 sq.m with associated ambulance parking (4 no. ambulance spaces and 3 disabled car spaces) an ATM at ground floor level, a creche of 300 sq.m and a fitness centre of 1000 sq.m on first floor level, three storeys of office space over ground floor entrance totaling 854 sq.m and 30 no. 2 bed residential units. Block B, 3 storeys over ground floor comprises 7 no. retail units totaling 583 sq.m including a betting office of 112 sq.m (unit 16) and 9 no. 1 bed, 11 no. 2 beds and 3 no. 3 bed residential units (23 in total) and 1 no. ESB substation. Lock C comprises single storey restaurant/cafe unit 135 sq.m and public lift and stair to carparking at basement level. 19 no. short stay surface car spaces are also provided at ground level adjacent to the Village Square. The development is to be carried out in two phases as described in the documentation to facilitate the continued operation of the anchor supermarket unit. In this regard, permission is also sought for the temporary relocation of the existing Day Care Centre (375 sq.m), Pharmacy (75 sq.m) and supermarket (1000 sq.m) within the existing structure. The total gross floor area of the development, excluding basement areas, is 12,604 sq.m. **Permission Granted**

S01A/0062 Variations to approved plans Reg. Ref. S98A/0568 to 2 No. entrance canopies and shopfronts to south east elevation **Permission Granted**

S00A/0001 Installation of Automatic Telling Machine, including alterations to north elevation. **Permission Granted**

S99A/0590 Variations to approved plans Reg. Ref. S98A/0568 for residential and commercial development including revised floor plans to blocks A and C, increased floor area to block A, variations to gable elevations to blocks A and C caused by omission of block B, changes to roofs, addition of balconies. **Permission Granted**

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

Policy EDE8: Retail - Overarching Seek to ensure adequate retail provision at suitable locations in the County, having regard to the sequential approach, and protect the vitality and viability of existing centres in accordance with the retail framework provided by the Retail Planning Guidelines for Planning Authorities (2012, or any superseding guidelines) and EMRA RSES Retail Hierarchy.

Policy EDE12: Retail – District Centres Maintain and enhance the retailing function of District Centres (Level 3 and Level 4).

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EDE12 Objective 1: To promote the development of District Centres as sustainable, multifaceted, retail led mixed use centres and support their enhancement and upgrade.

EDE12 Objective 2: To ensure that the scale and type of retail offer in District Centres is sufficient to serve a district catchment, without adversely impacting on or drawing trade from higher order retail centres.

Policy GII: Overarching Protect, enhance, and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing, and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

Policy GI4: Sustainable Drainage Systems Require the provision of Sustainable Drainage Systems (SuDS) in the County and maximise the amenity and biodiversity value of these systems.

5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'

- *Consider existing natural, cultural and built heritage features and green infrastructure elements as well as social, economic and environmental factors that impact on an area.*
- *Promote good urban design, which seeks to create public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate social interaction.*
- *Promote public transport and other transport facilities that mitigate dependence on cars, promote safe walking and cycling, while assisting with internal movements within neighbourhoods.*
- *Ease of access to and availability of good jobs and a good quality of life for the community at large.*
- *High quality services, community infrastructure and open spaces accessible to all.*

- *A real sense of place, positive purpose and local distinctiveness, where buildings are not only attractive but also safe and useful with lots of green and open spaces for people to spend time, relax and play.*
- *Promotes a mix of uses with appropriate increases in density and building heights in the right locations maximising the existing transport network and existing infrastructure.*
- *High quality design, materials and finishes and good quality landscaping with robust maintenance protocols for all large residential, commercial and employment developments.*

Section 12.4.2 Development Management and Green Infrastructure

All development proposals shall be accompanied by a Green Infrastructure Plan, which will normally be submitted as part of the suite of Landscape Plans that are required for a development. Plans shall include the following: à Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;

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- *Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;*
- *Indicate how the development proposals link to and enhance the wider GI Network of the County;*
- *Proposed GI protection, enhancement, and restoration proposals as part of the landscape plan, where appropriate, for the site;*
- *Proposals for identification and control of invasive species.*

Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:

- *tree and hedgerow removal;*
- *tree and hedgerow retention;*
- *new tree and hedgerow planting.*

This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time.

Relevant Government Guidelines

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

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage, and Local Government (2009)

Circular PL 2/2014 Use of OPW Flood Mapping in assessing planning applications and Clarification of advice contained in the 2009 DECLG Guidelines for planning authorities – The Planning System and Flood Risk Management Department of Environment, Community and Local Government (2014)

The Planning System and Flood Risk Management Guidelines for Planning Authorities Department of Environment, Heritage and Local Government and the Office of Public Works (2009)

The Eastern-Midlands Region Waste Management Plan 2015-2021 (2015)

Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031, Eastern and Midland Regional Assembly (2019)

Assessment

The main issues for assessment relate to the following;

- Zoning and Council Policy,
- Green Infrastructure,
- Residential and Visual Amenity,
- Drainage,
- Environmental Health,

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- Roads,
- Public Realm,
- Signage,
- Screening for Appropriate Assessment; and
- Screening for Environmental Impact Assessment

Zoning and Council policy

The subject site is located in an area with zoning objective DC - '*To protect, improve and provide for the future development of District Centres*' in the South Dublin County Development plan 2022-2028.

According to information submitted with the application the proposal comprises a waste portable compactor into which members of the public place refuse for a fee. The closest classification of this type of use would be a Recycling Facility, though actual sorting of waste will not occur at the site. Essentially the waste material is collected (separate compactors for dry recycles and residual and food waste) and temporarily stored at the site pending transfer to a final disposal facility. In this context it is considered appropriate to classify the use of a section of the shopping centre car park for the purpose of a Recycling Facility.

The development of a Recycling Facility is *Permitted in Principle* under the 'DC' zoning of the site. In this context, the proposal is for a self-contained unit on a site which is already visited by members of the public. Thus, it is considered that a proposal consisting of a pay-to-use portable waste compactor for the acceptance of residual and food waste and a pay-to-use portable compactor for mixed dry recyclables would accord with the zoning in principle and would be generally consistent with the policies and objectives of the South Dublin County Council Development Plan 2022 - 2028.

Green Infrastructure

The subject site is located within Primary GI Corridor 1 (Dodder River Corridor), as per figure 4.4 of the County Development Plan. Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required as there will be no removal of existing hedgerows, grassed areas or trees.

Residential and Visual Amenity

This is an application for a pay to use (PTU) waste portable compactor for dry recyclables and a pay to use portable waste compactor for residual waste and food waste, to be located at the western edge of the car parking for the Firhouse Shopping Centre.

The proposed compactors are to be located side by side against the western boundary wall close to the pedestrian access and beside self-service freestanding laundry units. The compactors are both

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the same size, measuring approximately 2m x 4.5m, and occupy approximately the footprint of a car parking space. The two compactors will be partially visible from the public road and the car park. Both compactor units are similar to an enclosed skip, which will operate electronically on payment of a fee either instore or online, allowing the depositing of dry recyclables, residual waste, and food wastes into the separate containers.

There are some residential units in the direct vicinity, but it is located in an area of the car park that would not lead to noise or odour issues. The documents submitted with the application note the compactor units are fully sealed and there are no dust or odour emissions arising from them and that they will be collected regularly by an authorised waste collector using a skip truck and emptied at a permitted/licensed waste facility. They will then be returned to the site. The submission goes on to say that any noise arising will be generated during the normal operation of the compactor during a short operation cycle and with a reading of 70db equates to the sound of a vacuum cleaner or hairdryer or dishwasher (75db).

Given that the Firhouse Shopping Centre already operates on a daily basis along a busy stretch of national road, there is a certain degree of activity and noise already experienced by local residents. It is therefore considered that the proposed development would not adversely impact on the residential amenities of the area.

Overall, the proposed application would not seriously injure the visual or residential amenity of the area. In the event of a grant of permission however, it is recommended that permission should be for a period of two years to enable any impacts of the development to be re-assessed.

Drainage

Water Services (regarding surface water) require further information. Their report states:

Further Information Required

Submit a drawing showing the setback distance from proposed waste compactor to surface water sewer north of site.

Given the nature of the proposed use, the request for **further information** is considered appropriate.

Irish Water (regarding water and foul) require further information. Their report states:

IW Recommendation: Further Information Required:

1 Water

1.1 Submit a drawing showing the setback distance from proposed waste compactor to any adjacent existing watermain.

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All development shall be carried out in compliance with Irish Water Standards codes and practices.

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 Submit a drawing showing the setback distance from proposed waste compactor to existing 450mm foul sewer adjacent to same. There shall be minimum 5m setback distance from the outside diameter of existing foul sewer to proposed waste compactor.

Having regard to the above, **further information** should be sought

Environmental Health

The Environmental Health Officer has stated that the applicant, BIGbin Waste Tec Ltd does not hold a valid waste collection license and as such is required to provide evidence of same which should be requested through **Additional Information**.

Notwithstanding, the above the Planning Authority is not satisfied that sufficient detail has been submitted regarding the classification of waste to be received and the screening measures in place to prevent possible hazardous waste being inserted into the compactors.

It is therefore recommended that the applicant submit further details by way of **Additional Information** of the classification of waste to be received and the control measures put in place to prevent hazardous waste being received.

Roads

The Roads Department request further information. Their report states:

Roads recommend that additional information be requested from the applicant:

1. *The applicant to submit a revised drawing which:
 - a. *Includes the dimensions of the compactor.*
 - b. *Details the exact location that is being proposed for the compactor with an offset dimension from the boundary wall to the rear.*
 - c. *Details the clearance/lateral safety zone users will have from passing traffic.**
2. *The applicant to submit details of road markings (and road marking removal if applicable) that may be required in order to create a safe user zone for customers.*
3. *The applicant to submit details of bollards that may be required in order to create a safe user zone for customers.*
4. *Applicant to provide a revised Skip Lorry Access Route AutoTRAK drawing which details clearly how the skip lorry gets into position to collect/empty the compactor.*

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The (PTU) waste portable compactor is a standardised size, but this should be confirmed by way of additional information. Overall, the additional information as required by the Roads Department is considered appropriate.

Public Realm

Public Realm have no objection. Their report states:

Ideally there should be some screen planting (highlighted in green) in order to help screen the two proposed compactors along the northern boundary but there seems very little scope to be able to provide this given the mass concrete at the base of the wall

Fundamentally the Public Realm section have no objections to the proposed development although they are in favour of screening to mitigate the visual impact. Given that there are already clothes banks and a self-service laundry facility in situ without the benefit of screening, it is considered that screening is not required.

Signage

Details concerning advertising signage have not been submitted as part of this application. In order to protect the visual amenities associated with this development and its location just off a national road, in the event of a grant of permission, a **condition** should be imposed to control advertising signage.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established retailing area and comprises a first-floor side extension, front extension, attic conversion with rear dormers and rooflights and retention of a boundary fence.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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Conclusion

The principle of a pay to use (PTU) portable waste compactor is considered acceptable. Having regard, however, to the submissions from the internal and external consultees concerning setbacks from existing water mains and surface water sewers, waste collection license, hazardous material mitigation measures and roads issues, the applicant should be requested to provide **additional information**.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The applicant is requested to submit a drawing showing the setback distance from proposed waste compactor to surface water sewer north of site.
2. The applicant is requested to submit a drawing showing the setback distance from proposed waste compactor to any adjacent existing watermain. Furthermore the applicant is requested to submit a drawing showing the setback distance from proposed waste compactor to existing 450mm foul sewer adjacent to same. There shall be minimum 5m setback distance from the outside diameter of existing foul sewer to proposed waste compactor.
3. It is noted that the parent company of the applicant, Kollect on Demand Ltd, has a Waste Collection Licence but there is no evidence provided that the applicant is allowed to operate under this Waste Collection Licence. Therefore, the applicant is requested to provide evidence of a Waste Collection Licence under the applicants company name BIGbin Waste Tec Ltd.
4. The applicant has not provided any information on how they shall prevent hazardous waster materials being deposited in the Waste Compactors. The applicant is requested to provide information on mitigation and screening measures in place to prevent possible hazardous waste being inserted into the compacters.
5. The applicant is requested to submit:
 1. a revised drawing which:
 - a. Includes the dimensions of the compactor.
 - b. Details the exact location that is being proposed for the compactor with an offset dimension from the boundary wall to the rear.
 - c. Details the clearance/lateral safety zone users will have from passing traffic.
 2. details of road markings (and road marking removal if applicable) that may be required in order to create a safe user zone for customers.
 3. details of bollards that may be required in order to create a safe user zone for customers.
 4. a revised Skip Lorry Access Route AutoTRAK drawing which details clearly how the

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skip lorry gets into position to collect/empty the compactor.

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REG. REF. SD22A/0291

**LOCATION: Supervalu, Firhouse Shopping Centre, Ballycullen Avenue, Dublin 24, D24
NYT3**

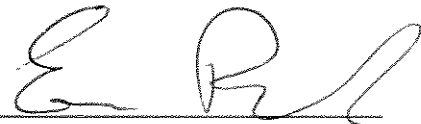


**Jim Johnston,
Senior Executive Planner**

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

19/8/22



Eoin Burke, Senior Planner