

An
Bord
Pleanála

Application Form for Permission / Approval in respect of a Strategic Infrastructure Development

1.

Please specify the statutory provision under which your application is being made:	In accordance with section 37E of the Planning and Development Act 2000 (as amended). The proposed development is a project of the type described at paragraph 3 – Environmental Infrastructure in the Seventh Schedule of the Planning and Development Act, 2000 (as amended) being an installation for the disposal, treatment, or recovery of waste with a capacity for an annual intake greater than 100,000 tonnes.
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2. **Applicant:**

Name of Applicant:	Starrus Eco Holdings Limited
Address:	Panda Waste Managements Solutions, Ballymount Road Upper, Dublin 24.
Telephone No:	01 829 8992
Email Address (if any):	David.tobin@beauparc.ie

3. Where Applicant is a company (registered under the Companies Acts):

Name(s) of company director(s):	Brian McCabe, Damian Murray.
Registered Address (of company)	Panda Waste Managements Solutions, Ballymount Road Upper, Dublin 24.
Company Registration No.	527552
Telephone No.	01 829 8992
Email Address (if any)	David.tobin@beuparc.ie

4. Person / Agent acting on behalf of the Applicant (if any):

Name:	Brian Minogue, Tom Phillips + Associates
Address:	80 Harcourt Street, Dublin 2
Telephone No.	(01) 478 6055
Mobile No. (if any)	089 6020604
Email address (if any)	brian@tpa.ie

Should all correspondence be sent to the above address? (Please tick appropriate box)

(Please note that if the answer is “No”, all correspondence will be sent to the Applicant’s address)

Yes: [X] No:[]

Contact Name and Contact Details (Phone number) for arranging entry on site if required / appropriate:

David Tobin

David.tobin@beaupark.ie

086 043 7943

Brian Minogue

Brian@tpa.ie

089 602 0604

5. Person responsible for preparation of Drawings and Plans:

Name:	Oisin Doherty			
Firm / Company:	ORS			
Address:	Herbert House, Suite: G04 - Iconic Offices, Harmony Row, Dublin 2			
Telephone No:	(01) 524 2060			
Mobile No:	086 339 0666			
Email Address (if any):	o.doherty@ors.ie			
Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form.				
Name	Scale	Drawing number		
SITE LOCATION MAP	1:2500	211_066-ORS-ZZ-00-DR-AR-100	A3	P01
EXISTING SITE LAYOUT	1:500	211_066-ORS-ZZ-00-DR-AR-210	A1	P01
EXISTING GROUND FLOOR PLAN AND ELEVATION OF	1:200	211_066-ORS-Z1-ZZ-DR-AR-211	A1	P01

MATERIALS RECOVERY BUILDING 1				
EXISTING ELEVATIONS AND SECTION A-A OF MATERIALS RECOVERY BUILDING 1	1:200	211_066-ORS-Z1-ZZ-DR-AR-212	A1	P01
EXISTING GROUND FLOOR PLAN AND ELEVATION OF MATERIALS RECOVERY BUILDING 2	1:200	211_066-ORS-Z2-ZZ-DR-AR-213	A1	P01
EXISTING ELEVATIONS AND SECTION B-B OF MATERIALS RECOVERY BUILDING 2	1:200	211_066-ORS-Z2-ZZ-DR-AR-214	A1	P01
PROPOSED SITE LAYOUT	1:500	211_066-ORS-ZZ-00-DR-AR-215	A1	P01
PROPOSED GROUND FLOOR PLAN AND ELEVATION OF MATERIALS RECOVERY BUILDING 1	1:200	211_066-ORS-Z1-ZZ-DR-AR-216	A1	P01
PROPOSED ELEVATIONS AND SECTION C-C OF MATERIALS RECOVERY BUILDING 1	1:200	211_066-ORS-Z1-ZZ-DR-AR-217	A1	P01
PROPOSED GROUND FLOOR PLAN AND ELEVATION OF MATERIALS RECOVERY BUILDING 2	1:200	211_066-ORS-Z2-ZZ-DR-AR-218	A1	P01
PROPOSED ELEVATIONS AND SECTION D-D OF MATERIALS RECOVERY BUILDING 2	1:200	211_066-ORS-Z2-ZZ-DR-AR-219	A1	P01

6. Site:

Site Address / Location of the Proposed Development (as may best identify the land or structure in question)	Greenstar Millenium Buisness Park Cappagh Road Dublin 11	
Ordnance Survey Map Ref No. (and the Grid Reference where available)	3062-C,3062-D, 3130-A, 3130-D ITM – 710305, 741071	
Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.		
Area of site to which the application relates in hectares	4.43 ha	
Site zoning in current Development Plan for the area:	GE – General Employment	
Existing use of the site & proposed use of the site:	Waste Recovery Facility with a tonnage limit of 270,000 tonnes per year to a Waste Recovery Facility with a tonnage limit of 450,000 tonnes per year	
Name of the Planning Authority(s) in whose functional area the site is situated:	Fingal County Council	

7. Legal Interest of Applicant in respect of the site the subject of the application:

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner X	Occupier
	Other	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
No		

8. Site History:

Details regarding site history (if known):
<p>Has the site in question ever, to your knowledge, been flooded?</p> <p>Yes: [] No: [X]</p> <p>If yes, please give details e.g. year, extent:</p> <p>Are you aware of previous uses of the site e.g. dumping or quarrying?</p> <p>Yes: [X] No: []</p> <p>If yes, please give details:</p> <p>The site is part of an existing materials recovery facility</p>

Are you aware of any valid planning applications previously made in respect of this land / structure?

Yes: [X] No: []

If yes, please state planning register reference number(s) of same if known and details of applications

Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant of Refusal by Planning Authority / An Bord Pleanála
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- FCC granted permission on 13 March 2003 (Reg. Ref. F02A/1474) (granted by ABP on 12 August 2003, on appeal) for development *inter alia* of 2 No. buildings for use as a waste recovery and transfer building and biowaste treatment building, respectively. The waste recovery and transfer building was constructed; the biowaste treatment building was not.
- FCC granted permission on 20 September 2018 (Reg. Ref. FW18A/0079) (Final Grant 31 October 2018) for development consisting of *inter alia* a second waste recovery and transfer building on the site approximately where the 2003 permission permitted the biowaste treatment building. The proposed development related to an activity covered by an existing Waste Licence No. W0183-01 issued by the Environmental Protection Agency.
- FCC granted retention permission on 31 March 2022 (Reg. Ref. FW22A/0016) (Final Grant 10 May 2022) for development *inter alia* of a waste recovery and transfer building on the site, different to that, in terms of size and orientation, permitted under Reg. Ref. FW18A/0079.

If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended.

Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?

Yes: [] No:[X]

If yes please specify

An Bord Pleanála Reference No.: _____

9. Description of the Proposed Development:

<p>Brief description of nature and extent of development</p>	<p>The proposed development is a project of the type described at paragraph 3 – Environmental Infrastructure in the Seventh Schedule of the Planning and Development Act, 2000 (as amended) being an installation for the disposal, treatment, or recovery of waste with a capacity for an annual intake greater than 100,000 tonnes.</p> <p>The development will consist of: an amendment of Condition 5 of Reg. Ref. FW18A/0079 to increase to the annual waste acceptance rate from 270,000 tonnes to 450,000 tonnes per year so as to expand the recycling/recovery capacity; and the installation of odour control unit, to the rear (east) of Material Recovery Building No. 1. The unit will include an external flu some 18 m in height above ground. The increased intake does not require new buildings, or extensions to existing buildings.</p>
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10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:

Class of Development:	Gross Floor Area in m ²
N/A	N/A

11. Where the application relates to a building or buildings:

Gross floor space of any existing buildings(s) in m ²	N/A
Gross floor space of proposed works in m ²	N/A
Gross floor space of work to be retained in m ² (if appropriate)	N/A
Gross floor space of any demolition in m ² (if appropriate)	N/A

12. In the case of residential development please provide breakdown of residential mix:

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Apartments	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Number of car-parking spaces to be provided		Existing: N/A	Proposed: N/A		Total: N/A		

13. Social Housing:

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		X
<p>If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act.</p> <p>If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p> <p>If the answer to the above question is “no” by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted.</p>		

14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)
Waste Recovery Facility with a tonnage limit of 270,000 tonnes per year
Proposed use (or use it is proposed to retain)
Waste Recovery Facility with a tonnage limit of 450,000 tonnes per year
Nature and extent of any such proposed use (or use it is proposed to retain).
Increase in permitted tonnage limit.

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
	Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?		X
	Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?		X
	Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?		X
	Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.		X
	Does the application relate to work within or close to a European Site or a Natural Heritage Area?		X
	Does the development require the preparation of a Natura Impact Statement?		X
	Does the proposed development require the preparation of an Environmental Impact Assessment Report?	X	
	Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?		X
	Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license		X
	Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?	X	

Do the Major Accident Regulations apply to the proposed development?		X
Does the application relate to a development in a Strategic Development Zone?		X
Does the proposed development involve the demolition of any habitable house?		X

16. Services:

Proposed Source of Water Supply:
Existing connection: <input checked="" type="checkbox"/> New Connection: <input type="checkbox"/> Public Mains: <input checked="" type="checkbox"/> Group Water Scheme: <input type="checkbox"/> Private Well: <input type="checkbox"/> Other (please specify): _____ Name of Group Water Scheme (where applicable): _____
Proposed Wastewater Management / Treatment:
Existing: <input checked="" type="checkbox"/> New: <input type="checkbox"/> Public Sewer: <input checked="" type="checkbox"/> Conventional septic tank system: <input type="checkbox"/> Other on site treatment system: <input type="checkbox"/> Please Specify: _____
Proposed Surface Water Disposal:
Public Sewer / Drain: <input checked="" type="checkbox"/> Soakpit: <input type="checkbox"/> Watercourse: <input type="checkbox"/> Other: <input type="checkbox"/> Please specify:

17. Notices:

Details of public newspaper notice – paper(s) and date of publication
Copy of page(s) of relevant newspaper enclosed Yes: [X] No:[] Irish Daily Star – 10 March 2023 Dublin Gazette – 9 March 2023
Details of site notice, if any, - location and date of erection
Copy of site notice enclosed Yes: [X] No:[] 3 No. site notices erected at site with 1 No. at Cappagh Road entrance to Millennium Business Park and 2 No. at entrances to Greenstar Facility within Millennium Business Park
Details of other forms of public notification, if appropriate e.g. website
website – www.millparksid.ie

18. Pre-application Consultation:

Date(s) of statutory pre-application consultations with An Bord Pleanála
Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form. Enclosed: See appendix A of this Application Form Yes: [X] No:[] Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification. Enclosed: See Appendix B of this Application Form Yes: [X] No:[]


19. Confirmation Notice:

Copy of Confirmation Notice
Attach a copy of the confirmation notice in relation to the EIA Portal where an EIAR accompanies the application. – See appendix C

20. Application Fee:

Fee Payable	€100,000 – See appendix A of the Tom Phillips + Associates Report
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I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Board in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Board.

Signed: (Applicant or Agent as appropriate)	
Date:	10 March 2023

General Guidance Note:

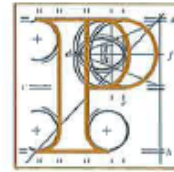
The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

Appendix A - pre application consultations

Our Case Number: ABP-314052-22

Your Reference: Starrus Eco Holdings Ltd.



**An
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Tom Phillips & Associates
80 Harcourt Street
Dublin 2
D02 F449

Tom Phillips & Associates	
Action:	GL
Date Rec'd:	13 OCT 2022
Project Ref & Planner:	PR18-2574

Date: 12 October 2022

Re: Increase waste intake limit from 270,000 tonnes per year to 450,000 tonnes per year.
Millenium Business Park, Cappagh Road, Dublin 11

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the first meeting of the 6th October 2022.

If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

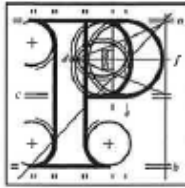
Yours faithfully,


Niamh Thornton
Executive Officer
Direct Line: 01-8737247

PC07

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie

64 Sráid Maoilbhríde
Raib Átha Cliath 1
64 Marlborough Street
Dublin 1



An
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Pleanála

Record of Meeting ABP-314052-22 1st meeting

Case Reference / Description	Increase waste intake limit from 270,000 tonnes per year to 450,000 tonnes per year. Millenium Business Park, Cappagh Road, Dublin 11		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	06/10/22	Start Time	11.00 a.m.
Location	N/A	End Time	11.35 a.m.

Representing An Bord Pleanála
Ciara Kellett, Assistant Director of Planning (Chair)
Breda Gannon, Senior Planning Inspector
Niamh Thornton, Executive Officer
Representing the Prospective Applicant
Brian Minogue, Tom Phillips + Associates
Hugh Kelly, Tom Phillips + Associates
David Tobin, Starrus Holdings Ltd.

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board. The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant opened its presentation with a summary of the proposed development and site location. The proposed development will take place at an existing Greenstar waste facility. The prospective applicant stated that no works will be required to facilitate the proposed increase in waste processing capacity.

It was stated that the purpose of the proposed development is to maximise the potential of the existing underutilised resource, recovery and processing facility. The prospective applicant stated that the proposed development is in line with and supported by policy, referencing in particular 'A Waste Action Plan for a Circular Economy - Ireland's National Waste Policy' 2020-2025'.

It was stated that there are capacity constraints within the system. A waste management capacity deficit of up to 30,000 tonnes is predicted in Dublin in 2022. The prospective applicant predicts that this deficit will grow to above 50,000 tonnes in 2022 due to sustained economic activity and increased inward migration.

The prospective applicant described the waste processing process, stating that it is now an extremely complex resource recovery operation. Skip waste goes to Millenium Park for initial sorting with resulting waste sent to specialized processing centres. The prospective applicant stated that this complexity will grow to meet the needs of a circular economy. It was stated that this complex process requires double or more capacity requirements as waste can enter and leave multiple sites prior to dispatch to its end recovery point.

The prospective applicant detailed how the City Edge Project in South Dublin will exacerbate the waste processing capacity deficit, driving the need for other facilities, including the facility at Millenium Park to be further utilised. Two facilities in Ballymount, on South Dublin County Council owned sites, will be lost, amounting to c. 850,000 tonnes of waste. Starrus Holdings Ltd.'s facility in Cookstown has also been rezoned as REGEN, meaning that this facility will also be closed, resulting in a further loss of 150,000 tonnes capacity.

Regarding the EIAR the prospective applicant has identified three key considerations: Traffic, Air and Noise.

The prospective applicant stated that traffic impact has already been assessed in the cumulative impacts in the Cappagh Road application ABP-310332-21.

It was stated that traffic patterns and mode will remain unchanged, albeit with higher volumes. The prospective applicant does not expect significant effects arising from traffic.

Regarding Air and Noise the prospective applicant stated that the air quality in the surrounding area was deemed to be of good status in March 2021. Impacts will be considered with regard to adjoining emitters including Huntstown Quarry, Panda Cappagh Road and other industrial and commercial uses within the Industrial Park.

Odour and Dust will be managed on site in accordance with the EPA licence.

The prospective applicant stated that it had not identified any noise sensitive receptors near the facility. It was noted that noise mitigation and monitoring measures are a condition of the EPA licence.

Regarding alternatives, the prospective applicant stated that there is no land zoned for an appropriately sized facility within the Greater Dublin area. If the capacity of this facility is not increased a new facility outside of the Greater Dublin Area would have to be developed.

Discussion:

The Board's representatives gave their preliminary view that the proposed development is SID. The final decision however is for the Board to make.

Regarding traffic, the Board's representatives noted that during the application process for the Panda facility on Cappagh Road one of the roundabouts was identified as operating over capacity. It was advised that the prospective applicant take this into consideration in their application.

The prospective applicant stated that there had been some isolated incidents in relation to odour at Millenium Park. It was stated that negative air extraction could be used to mitigate against odour issues that could arise as a result of an increase in capacity at the facility. The prospective applicant stated that this could be included in the EIAR.

The Board's representatives advised that the prospective applicant provide a robust reasoning for the need for the development and demonstrate how it complies with policy.

It was noted that the most recent combined waste regions report was published in Quarter 2 of 2022 and another report is due to be published in the coming weeks. The prospective applicant stated that these can be referred to in the application.

Conclusion:

The record of the instant meeting will issue in due course and the prospective applicant can submit any comments it may have in writing or alternatively bring any comments for discussion at the time of any further meeting. The onus is on the prospective applicant to either request a further meeting or formal closure of the instant pre-application consultation process.

The meeting concluded at 11.35 a.m.

Ciara Kellett 12/10/22

Ciara Kellett

Assistant Director of Planning

Appendix B – schedule of prescribed bodies

List of Prescribed Bodies

- Minister for Housing Local Government and Heritage
- Minister for the Environment, Climate Action and Communications.
- Fingal Co. Council
- South Dublin Co. Council
- Dublin City Council
- Dun Laoghaire Rathdown Co. Council
- Eastern Midlands Waste Regional Office
- Irish Water
- Transport Infrastructure Ireland
- Environmental Protection Agency
- The Heritage Council
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- Irish Aviation Authority
- Health Service Executive

Appendix C – EIAR Portal Confirmation

From: Housing Eiaportal [<mailto:EIAportal@housing.gov.ie>]
Sent: Monday 6 March 2023 16:21
To: jim@ocallaghanmoran.com
Subject: EIA Portal Confirmation Notice Portal ID 2023031

Dear Jim,

An EIA Portal notification was received on 06/03/2023 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 06/03/2023 under EIA Portal ID number 2023031 and is available to view at <http://housingovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2023031

Competent Authority: An Bord Pleanála

Applicant Name: Starrus Eco Holdings Ltd

Location: Millennium Business Park, Cappagh Road, Dublin 11 D11
PN52

Description: Increase the permitted annual waste intake from 270,000 tonnes to 450,000 tonnes and install an odour control unit with an 18m high stack.

Linear Development: No

Date Uploaded to Portal: 06/03/2023

Regards

Hugh Wogan,

EIA Portal team

—

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht
Department of Housing, Local Government and Heritage