

Chief Executive Officer
Fingal County Council
County Hall
Main Street
Swords
County Dublin
K67 X8Y2

Friday, 10 March 2023

Dear Madam

Re: SID application, containing an EIAR, for a proposed increase to the waste processing capacity at a waste processing facility at Millennium Business Park, Cappagh Road, Dublin 11

1.0 INTRODUCTION

Starrus Eco Holdings Ltd.¹ has retained Tom Phillips + Associates (Town Planning Consultants)², to issue to Fingal County Council copies of a Strategic Infrastructure Development (SID) application in relation to a proposed development at their existing waste facility at Millennium Business Park, Cappagh Road, Dublin 11.

The subject development proposes *inter alia* to increase the annual waste intake limit at the facility from 270,000 tonnes annually to 450,000 tonnes annually. This proposed increase would facilitate an expansion in the facility's recycling/recovery capacity to satisfy growing demand in the city.

The need to provide adequate resource recovery and processing facilities is accelerated by the recent publication of *A Waste Action Plan for a Circular Economy - Ireland's National Waste Policy 2020-2025*. This forward-looking document seeks to shift the focus from waste disposal and a linear economy to a circular economy where materials and products remain in productive use for longer.

Furthermore, there is significant concern that existing waste infrastructure is gradually being eroded through the rezoning of land in Local Authority Development Plans.

This letter is provided in accordance with ABP's direction to notify the prescribed bodies.

¹ Panda Waste Managements Solutions, Ballymount Road Upper, Dublin 24.

² 80 Harcourt Street, Dublin 2, D02 F449.



A full schedule of submitted information is enclosed. A hard copy and two electronic copies of the submission is submitted to Fingal County Council as requested by the Planning Authority (see Appendix E), copies have also been submitted to the fifteen other prescribed bodies, referenced by ABP.

The full application can also be viewed at www.millparksid.ie once the application is lodged.

An Bord Pleanála may grant permission for the strategic infrastructure development as proposed; or may grant permission subject to such modifications as it specifies in its decision; or may grant permission in part only, with or without any other modifications it may specify in its decision; or may refuse to grant permission for the proposed development.

An Bord Pleanála may attach to a grant of permission such conditions as it considers appropriate. Submissions or observations may be made only to An Bord Pleanála (“the Board”), 64 Marlborough Street Dublin 1 during the seven weeks consultation period (commencing 10 March 2023) relating to:

- i. The implications of the proposed development for proper planning and sustainable development;
- ii. The likely effects on the environment of the Proposed Development; and
- iii. The likely significant effects of the proposed development on the integrity of a European Site if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies). Such submissions/observations must also include the following:

- I. The name of the person making the submission/observation, the name of the person acting on his/her behalf, if any, and the address to which any correspondence relating to the application should be sent;
- II. The subject matter of the submission or observation; and
- III. The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning and Development Regulations refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board. Any enquiries relating to the application process should be directed to the SID Section of An Bord Pleanála (Tel. 01-8588100).

We alert the Planning Authority to the Board’s requirement that the application documentation be made available for public inspection/purchase by the Planning Authority in accordance with the terms of the public notice.

It is the Board’s intention that all of the application documentation will remain available for public inspection during the currency of the application.

An Environmental Impact Assessment Report has been prepared to accompany the planning application.



Yours faithfully,



Brian Minogue
Associate
Tom Phillips + Associates



Schedule of Documents

The documentation outlined in the following Sections forms part, and is in support of, the subject planning application.

1 No. hard copies and 2 No. soft copies of all documents are provided to FCC.

1 Planning Application Form and Appendices

Completed current *ABP SID Planning Application Form*.

2 Cover Letter/Planning Report and Appendices

Cover Letter/Planning Report and Appendices, prepared by Tom Phillips + Associates.

3 Letters to Prescribed Bodies

15 No. Letters to the prescribed bodies (not including this cover letter to Fingal County Council Planning Authority)

4 Planning Fee

A payment has been made by EFT to An Bord Pleanála, dated Friday, 3 March 2023, in the amount of **€100,000.00** representing the Planning Application fee payable. Proof of this payment is appended to this Application.

5 Notices

Page of the *Irish Daily Star* dated 10 March 2023.

Page of the *Dublin Gazette*, dated 9 March 2023

Site Notice dated 10 March 2023, erected or fixed at the site.

6 Confirmation of publication of EIAR on EPA Website

Confirmation of publication of the EIAR for the proposed development on the EIA Portal, attached to this Cover Letter.

7 Traffic and Transport Assessment

Traffic and Transport Assessment, prepared by ORS.



8 *Appropriate Assessment Screening*

Appropriate Assessment Screening, prepared by O’Callaghan Moran.

9 *Drawings*

All plans and drawings prepared ORS.

10 *Environmental Impact Assessment Report (EIAR)*

EIAR prepared in respect of this Application, comprising: a Non-Technical Summary and 17 No. Chapters addressing the following topics:

CHAPTER	ASPECTS OF THE ENVIRONMENT CONSIDERED	CONTRIBUTOR
Non-Technical Summary	Non-Technical Summary of entire EIAR	Provided by contributors listed below
1	Introduction	OCM
2	Site Description	OCM
3	Development Description	OCM
4	Alternatives	OCM
5	Climate	OCM
6	Land & Geology	OCM
7	Water	OCM
8	Biodiversity	Dixon Brosnan
9	Air	OCM
10	Population & Human Health	OCM
11	Landscape & Visual Impact	OCM
12	Archaeology, Architecture & Cultural Heritage	OCM
13	Material Assets: Built Assets	OCM
14	Materials Assets: Traffic & Transport	OCM/ ORS
15	Interactions	OCM
16	Summary of Mitigation	OCM

Table 1: EIAR Chapter Headings and Contributors.



Appendix A - Receipt of Payment

Bank of Ireland 
BUSINESS ON LINE

Payment Details

Payment Reference No. 186446307

Printed On
Friday, March 03, 2023
04:43:03 PM

Pay From > PAYMENTS , BALLSBRIDGE DUBLIN 4 , 27842996

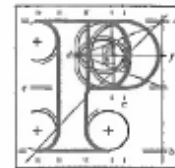
Pay To > AN BORD PLEANALA , IBANIE70AIBK93105500316067

Payment Details > €100,000.00 on 03/03/2023, SEPA Payment

Status > Payment Processed

Appendix B - Notification of the Board's decision concerning whether the development is SID

Our Case Number: ABP-314052-22
Your Reference: Starrus Eco Holdings Ltd.



**An
Bord
Pleanála**

Tom Phillips & Associates
80 Harcourt Street
Dublin 2
D02 F449

Date: 02 November 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,

Please be advised that following consultations under section 37B of the Planning and Development Act, 2000 as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a), (b) and (c) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act, 2000, as amended. Any application for permission for the proposed development must therefore be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

In accordance with section 146(5) of the Planning and Development Act, 2000 as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

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.

Teil	Tel	(01) 858 8100
Glaos Áitidil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Riomhphost	Email	bord@pleanala.ie

64 Sraid Maoilbhride	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



Yours faithfully,

Niamh Thornton
Executive Officer
Direct Line: 01-8737247

PC09

Tel (01) 858 8100
Glaos Áitiúil 1890 275 175
Facs (01) 872 2684
Láithreán Gréasáin www.pleanala.ie
Ríomhphost bord@pleanala.ie

Tel (01) 858 8100
LoCall 1890 275 175
Facs (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Meoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

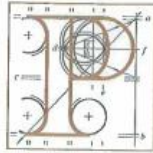


List of Prescribed Bodies

- 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

Further notifications should also be made where deemed appropriate.

Appendix C - Cappagh Rd SID



An
Bord
Pleanála

**Board Order
ABP-310332-21**

Planning and Development Acts, 2000 to 2021

Planning Authority: Fingal County Council

Application for permission under section 37E of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report, lodged with An Bord Pleanála on the 21st day of May, 2021 by Starrus Eco Holdings Limited (trading as Panda/Greenstar) at Panda Waste Management Solutions, Cappagh Road Depot, Finglas, Dublin 11.

Proposed Development: It is proposed to increase the annual waste acceptance rate from 250,000 tonnes to 450,000 tonnes so as to expand the recycling/recovery capacity. The increased intake does not require either new buildings, or extensions to existing ones and does not involve any changes to the layout of external areas and drainage systems. It is proposed to amend Fingal County Council Planning Register Reference Number FW19A/0145 to remove condition 3B that limits the extended operational hours to three years from the final grant of permission.

The proposed development relates to an activity covered by an existing Industrial Emissions Licence (W0260-02) issued by the Environmental Protection Agency.

All at the existing Materials Recycling Facility Cappagh Road, Cappoge Townland, Finglas, Dublin 11.

Decision

GRANT permission under section 37G of the Planning and Development Act 2000, as amended, for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

DETERMINE under section 37H(2)(c) the sum to be paid by the applicant in respect of costs associated with the application as set out in the Schedule of Costs below.



Appendix D – EIA 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://housinggovie.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 Oidhreachtá
Department of Housing, Local Government and Heritage

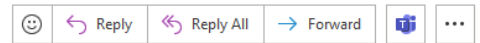


Appendix E – FCC email correspondence regarding copies of application to be furnished

RE: SID Planning Application for a waste processing facility at Millennium Business Park



Planning Department <Planning@fingal.ie>
To: Hugh Kelly



Thu 19/01/2023 14:54

Good Afternoon Hugh,

Many thanks for contacting us in Planning.
FCC would prefer to received both soft copies and at least one hard copy please.

Kind Regards,

Níall Kelly | Staff Officer | Fingal County Council | Planning & Strategic Infrastructure Department | County Hall | Main Street | Swords | Co. Dublin | K67 X8Y2
Phone: +35318905028
Email: niall.kelly@fingal.ie



From: Hugh Kelly <hugh@tpa.ie>
Sent: 19 January 2023 12:58
To: Planning Department <Planning@fingal.ie>
Subject: SID Planning Application for a waste processing facility at Millennium Business Park

CAUTION: This email originated from outside of Fingal County Council. Do not click on links or open attachments unless you are satisfied of the email's authenticity.

Dear Sir/Madam

I am writing to establish preference of delivery of an SID Planning Application for a waste processing facility at Millennium Business Park being submitted to An Bord Pleanála.

FCC are listed as a Statutory Consultees, meaning that the Applicant must furnish FCC with a full copy of the Planning Application.

We can provide this in a hard copy format; however, we recommend a soft copy as the Planning Application will include boxes of documents. Furthermore, if you would prefer a soft copy, could you please confirm the correct email address.

Can you please let me know your preference?

Please give me a call should you have any queries.

Kind regards,

Hugh Kelly
Planner

Tel: 087 669 4946

Tom Phillips + Associates
Town Planning Consultants