

**FINGAL COUNTY COUNCIL INTERNAL CONSULTEE
PLANNING REPORT
Report of Parks and Green Infrastructure Division**

Register Reference: PARTXI/009/21

Registration Date: 09-Jul-2021

Development: The proposed development will comprise a two-storey detached maintenance building in Balleally Landfill Site, Lusk, Co. Dublin. The maintenance building will provide storage room for vehicles and equipment used to operate and maintain Rogerstown Park.

The maintenance building, will be approximately 8.5 m wide by 45m long with a total height of 8.2 m. The total floor area for the development is approximately 354m² comprising a ground floor area of approximately 315m² and a first-floor area of approximately 39m².

The ground floor level will be divided into the following areas:

- Maintenance Shed for the storage of maintenance vehicles associated with Rogerstown Park.
- Water Closet (WC) connected to existing foul drainage.
- Equipment Store – a separately lockable storage room for general maintenance equipment.

The following areas are proposed at first floor level:

- Mezzanine Store – additional small item storage room accessible via stairs.

At roof level solar PV panels will be installed at each front and rear of the building. Rooflights will also be installed to allow natural lighting into the building.

Vehicular access to the maintenance building will be provided from the existing access to the Leachate Treatment Plant and via three installed roller shutter doors to the building.

Location: Balleally Landfill Site, Lusk, Co. Dublin

Applicant: Environment Department, Climate Action, Kevin Vallely

Application Type: Part XI (Dev by LAs)

Report

The Parks & Green Infrastructure Division has no objection to the proposed development.

Officer: Mark Finnegan

Endorsed: Gemma Carr

Date: 27/07/21

Date: 28/07/21

Item 3 of the additional information submitted refers to Transportation.

The additional information has mostly addressed the Transportation Planning Sections concerns.

In order to ensure visibility requirements from the proposed car parking area to the internal road network No objects, structures or landscaping shall be placed or installed within the visibility triangle required which would interfere or obstruct (or could obstruct over time) the required visibility envelopes, from a point 2.4m back from the road edge at the entrance to the parking area to the existing entrance gate to the west and for a distance of 45 meters to the north east near side road edge.

Consequently, the Transportation Planning section has no objection to the development subject to the following conditions:

- (i) No objects, structures or landscaping shall be placed or installed within the visibility triangle required which would interfere or obstruct (or could obstruct over time) the required visibility envelopes for the proposed entrance to the new parking area and maintenance building development.
- (ii) Cycle parking shall be covered and secure
- (iii) All above works to be carried out at the applicant's expense according to the specifications and conditions of Fingal County Council.

Officer:

Endorsed:

Date:

Date:

Report

Foul Sewer: No Objection subject to:

1. The foul sewer drainage proposal is acceptable in principle.
2. IW standard details document IW-CDS-5030-01 and IW Code of Practice IW-CDS-5030-03 apply.
3. Note that the statutory consultee in this regard is Irish Water, accordingly:
 - a. Where the applicant proposes to connect directly or indirectly to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
 - b. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

Surface Water: No Objection subject to:

1. The drainage strategy which incorporates suds through the use of rainwater harvesting and a vegetated swale is deemed acceptable.
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.

Flooding:

1. A commensurate flood risk assessment has been prepared by Fehily Timoney, on behalf of the applicant.
2. In accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities, the proposed development is considered to be a less vulnerable development but located in its entirety within Flood Zone C (ie <0.1% AEP).
3. Mitigation measures (finished floor levels - + freeboard) have been incorporated into the design for tidal /overland flows.

Water Supply: No Objection subject to:

1. The water supply proposal is acceptable in principle.
2. IW standard details document IW-CDS-5020-01 and IW Code of Practice IW-CDS-5020-03 apply.
4. Note that the statutory consultee in this regard is Irish Water, accordingly:
 - a. Where the applicant proposes to connect directly or indirectly to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
 - b. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

Officer: _____ DC _____

Date: _____ 06/10/2021 _____

FINGAL COUNTY COUNCIL INTERNAL CONSULTTEE

PLANNING REPORT

Additional Information

Report of the Transportation Planning Section

Register Reference: PARTX1/009/21

Registration Date: 09-Jul-2021

Development: The proposed development will comprise a two-storey detached maintenance building in Balleally Landfill Site, Lusk, Co. Dublin. The maintenance building will provide storage room for vehicles and equipment used to operate and maintain Rogerstown Park.

The maintenance building, will be approximately 8.5 m wide by 45m long with a total height of 8.2 m. The total floor area for the development is approximately 354m² comprising a ground floor area of approximately 315m² and a first-floor area of approximately 39m².

The ground floor level will be divided into the following areas:

- Maintenance Shed for the storage of maintenance vehicles associated with Rogerstown Park.
- Water Closet (WC) connected to existing foul drainage.
- Equipment Store – a separately lockable storage room for general maintenance equipment.

The following areas are proposed at first floor level:

- Mezzanine Store – additional small item storage room accessible via stairs.

At roof level solar PV panels will be installed at each front and rear of the building. Rooflights will also be installed to allow natural lighting into the building.

Vehicular access to the maintenance building will be provided from the existing access to the Leachate Treatment Plant and via three installed roller shutter doors to the building.

Location: Balleally Landfill Site, Lusk, Co. Dublin

Applicant: Environment Department, Climate Action, Kevin Vallely

Application Type: Part XI (Dev by LAs)

FINGAL COUNTY COUNCIL

PLANNING & STRATEGIC INFRASTRUCTURE DEPARTMENT REPORT

Register Reference: PARTXI/009/21

Proposed Development:

The proposed development will comprise a two-storey detached maintenance building in the former Balleally Landfill Site, Lusk, Co. Dublin. The maintenance building will provide storage room for vehicles and equipment used to operate and maintain Rogerstown Park.

The maintenance building, will be approximately 8.5 m wide by 45m long with a total height of 8.2 m. The total floor area for the development is approximately 354m² comprising a ground floor area of approximately 315m² and a first-floor area of approximately 39m².

The ground floor level will be divided into the following areas:

- Maintenance Shed for the storage of maintenance vehicles associated with Rogerstown Park.
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At roof level solar PV panels will be installed at each front and rear of the building. Rooflights will also be installed to allow natural lighting into the building.

Vehicular access to the maintenance building will be provided from the existing access to the Leachate Treatment Plant and via three installed roller shutter doors to the building.

Location: Former Balleally Landfill Site, Lusk, Co. Dublin

Proposing Department: Environment Department, Climate Action

Application Type: Part XI/ Part 8 (Dev by LAs)

Purpose of report

The following report has been prepared by the Planning and Strategic Infrastructure (P&SI) Department to assess the proposal with regard to the provisions of the Fingal Development Plan 2017-2023 and outlines the planning considerations relating to the impact of the proposal on the amenities of the receiving area. The report is based on the information provided to P&SI by the Climate Action Division of the Environment Department. The information includes plans, particulars, an Architect's Report, and a Report to Inform Screening for Appropriate Assessment. The comments of other sections of the P&SI Department and any other Department of the Council are also considered.

Nature of development

The proposals for the two-storey detached maintenance building in the former Balleally Landfill Site incorporate the following;

- Maintenance building, c.8.5m wide, c.45m long and height of c.8.2m. The total floor area c.354sqm (comprising c.315sqm at ground floor and c.39sqm at a first-floor).
- Ground floor provides storage of maintenance vehicles associated with Rogerstown Park, a WC connected to existing foul drainage and a separately lockable storage room for general maintenance equipment.
- First(Mezzanine) floor provides a small item storage room accessible via stairs.
- Roof level solar PV panels and rooflights will be installed.
- Vehicular access provided from the existing access to the Leachate Treatment Plant via three installed roller shutter doors to the building.

Site Location & Description

The site is within the former Balleally Landfill located at Balleally Lane, Lusk, Co. Dublin, about 4.5km south of Lusk Village. No site area is provided, and no indication of the full landholding is shown. The subject site is estimated from the drawings to be c. 1.06 hectares in area and is located off an existing driveway c.100m from the lane on its southern side. A number of other buildings (tanks and maintenance structures) are located on the subject site served by an existing driveway. The site of the proposed structure is relatively flat at the foot of the raised landfill area to the east. A number of vehicles and cargo containers are located on the subject site.

Two dwellings are situated to the north west of the application site (c. 250m). The site is at present densely screened with vegetation.

Fingal Development Plan 2017-2023

Relevant Development Plan objectives

Land-use zoning:

The site of the proposed development is located in an area designated with Zoning Objective 'HA' High Amenity to 'Protect and enhance High Amenity Areas' in the Fingal Development Plan 2017 – 2023.

Vision: Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.

The application site is subject to a 'Highly Sensitive Landscape' designation on account of its location in proximity to the coast.

Landscape Character Area is "Coastal" and within an Estuary buffer. The subject site is located within an Ecological Buffer Zones but is adjacent to the former Balleally tiphead (classified as Parkland).

The Fingal Ecological Network sets out a spatial framework for biodiversity conservation and management in Fingal. The ecological network consists of the following elements (See Green Infrastructure Maps):

- Core Biodiversity Conservation Sites,
- Ecological Buffer Zones,
- Nature Development Areas,
- Ecological Corridors and Stepping Stones including Trees and Hedgerows.

Disposal

Objective WM16

Ensure the full restoration of the Balleally landfill site and the development of both it and the former Dunsink landfill into amenities for recreation and nature conservation. Undertake this process in co-operation with all relevant stakeholders and in compliance with all legislative and regulatory requirements.

12.14 Contaminated Land

Decontamination activities should ensure there is no off-site migration of contaminants via runoff, soils or groundwater and the area is available for use. It is noted both Balleally and Dunsink landfills are being developed as Regional Parks.

Map Based Local Objective 27:

Implement in full the measures outlined in 'The Landfill Restoration Plans' in The Rogerstown Estuary Study and to provide for a landscaped public amenity space incorporating woodland and screen planting, pathways and seating areas, carparking, visitors centre and a boardwalk southwards alongside the railway line to Donabate.

Planning History

No recent planning history, although it is noted that a number of gas-powered generators were permitted on the landfill c. 500m to the east.

Lands to the east

F98A/1076 – Permission GRANTED to extend the compound to incorporate three extra gas generators and transformers, an ESB Switchroom and a gas valve unit at Balleally Landfill site. Applicant: Wimpey EPC Ltd.

F94A/0526 – Permission GRANTED for 2 no. gas powered electric generating units, control container, E.S.B. sub station and gas valve chamber in palisade fenced compound at Balleally Landfill site. Applicant: Wimpey Minerals E.D.C. (Ireland) Ltd.

Reports from Internal Sections of the Planning & Strategic Infrastructure Department:

Water Services Engineering Section: No objection subject to conditions

Transportation Planning: No objection subject to conditions

Parks and Green Infrastructure Division: No objection

Biodiversity Officer: No report at time of writing this report.

Details of Proposed Development:

The proposals for the two-storey detached maintenance building in the former Balleally Landfill Site incorporate the following;

- Maintenance building, c.8.5m wide, c.45m long and height of c.8.2m. The total floor area c.354sqm (comprising c.315sqm at ground floor and c.39sqm at a first-floor).
- Ground floor provides storage of maintenance vehicles associated with Rogerstown Park, a WC connected to existing foul drainage and a separately lockable storage room for general maintenance equipment.
- First(Mezzanine) floor provides a small item storage room accessible via stairs.
- Roof level solar PV panels and rooflights will be installed.
- Vehicular access provided from the existing access to the Leachate Treatment Plant via three installed roller shutter doors to the building.

Assessment:

The primary issues for consideration include:

- Compliance with Development Plan objectives
- Impact on amenities of the area
- Water & drainage
- Transportation considerations
- Ecological issues
- Appropriate Assessment;
- EIA Screening.

Compliance with Development Plan objectives

The site of the development is located in an area designated with Zoning Objective 'HA' High Amenity to 'Protect and enhance High Amenity Areas' in the Fingal Development Plan 2017 – 2023. Maintenance shed and equipment storage are not specifically listed as "Permitted" or 'Not Permitted' under the High Amenity Zoning Objective. The proposed development of a maintenance building associated with Rogerstown Park is considered ancillary to the primary use of Open Space in Rogerstown Park.

Open Space is listed as 'Permitted' on the 'HA' zoned site. 'Open Space' is defined in the Technical Guidance notes in Appendix 4 of the Fingal Development Plan 2017-2023 as '*Any land, including water, whether enclosed or not, used primarily for active or passive recreation on which there are no buildings, or on which any buildings are intrinsically linked to the active or passive outdoor recreational use, and the remainder of which is laid out as a garden or for the purposes of recreation or lies vacant, waste or unoccupied.*'

In addition, the following objectives are contained within the Fingal Development Plan 2017-2023;

Ancillary Uses

Planning permission sought for developments which are ancillary to the parent use, i.e. they rely on the permitted parent use for their existence and rationale, should be considered on their merits irrespective of what category the ancillary development is listed in the 'Zoning Objectives, Vision and Use Classes' section

Objective Z06

Ensure that developments ancillary to the parent use of a site are considered on their merits.

The following objective relates to agricultural buildings:

Objective DMS178

Appropriate roof colours are dark grey, dark reddish brown or a very dark green. Where cladding is used on the exterior of farm buildings, dark colours (preferably dark green, red or grey) with matt finishes will normally be required.

Impact on amenities of the area

The proposed maintenance shed and equipment storage is to be located within the curtilage of the Rogerstown Park/former Balleally Landfill and is co-located with support buildings to the former landfill (i.e. tanks capturing leachate for the Leachate Treatment Plant).

The proposed facility will comprise various elements including improved storage and protection of existing maintenance vehicles, equipment, along with the staff toilet facilities and roof level solar PV panels.

The nearest dwellings to the subject site are to the north-west across a public road (c.250m away).

Car parking is proposed to the north and west. Bike parking is indicated on drawings submitted. Having regard to the separation distance of proposed maintenance shed which are some distances from the nearest residential properties (c.250m), dense screening with vegetation and the nature of the uses, no undue impacts on the residential amenity of nearby property or on the amenity of the adjoining area are anticipated.

In relation to visual amenity, it is noted that the proposed structure follows a contemporary take on the form of rural vernacular buildings. The relative form, size, height and general mass of the structure (c.8.2m in height with a total floor area of c.354sqm) is in keeping with agricultural style rural vernacular buildings. The contemporary aspect of the design relates to the choice of colour i.e. light grey for upper floor metal cladding and roof (argued to dissipate into the grey winter skies) and what appears to be dark pigmented concrete lower floor, oversized aluminium vehicular doors and dark painted timber doors (argued to anchor the building to the ground). The proposed colours are in line with *Objective DMS178*. The proposed design is acceptable at this location noting the dense screening with vegetation.

The Parks and Green Infrastructure Division has no objections to the above development.

In conclusion, it is considered that the proposition will enhance the amenity through the provision of quality vehicle storage facilities ancillary to operation and management of Rogerstown Park.

Water and Drainage

The Water Services Planning Section have no objection to the details submitted regarding surface water proposals, the commensurate Flood Risk Assessment, water supply proposal and foul sewer drainage proposal subject to condition.

Transportation considerations

The Transportation Planning Section have no objection to the proposed development subject to condition. The Section has assessed the clarifying information prepared by Fehily Timoney (dated 20/09/2021) which proposes a reconfigured car parking, pedestrian movement, as well as improved information regarding sightlines and intervisibility at the existing site entrance.

The proposed car parking design has been updated to include two number double electrical car charger locations (i.e. four total charging cables) to the North of the proposed building. The proposed car parking design has also been updated to include appropriate cycle parking infrastructure to the North of the proposed building. Welfare facilities including showers, changing areas and lockers are available within the existing Landfill Office building adjacent the proposed development.

Ecological issues:

The site is located within an Ecological Buffer Zone. Having regard to the nature and scale of the proposed development and the proposed location on made ground proximate to existing development relating to maintenance of former Balleally landfill, the proposal is considered acceptable in this regard.

Appropriate Assessment

The closest Natura 2000 site is the Rogerstown Estuary SPA (004015) and SAC (000208), located approximately 65 metres south/southwest of the subject site.

Fehily Timoney have prepared a 'Report to Inform Screening for Appropriate Assessment'. The report provides information to allow for the screening of the need for a Stage 2 Appropriate Assessment.

Section 5.5 'Stage One Screening Conclusion' states the following:

'It is concluded beyond reasonable scientific doubt that there are not likely to be significant effects from the proposed development on any European sites, either alone or in combination with other plans or projects.' The Planning Officer concurs with the findings of the report

The Proposed Project site is not connected with any European (Natura 2000) site and there is no realistic pathway between the Proposed Project site and these or any other European sites. Having regard to the nature, scale and location of the Proposed Project, in comparison with the existing baseline, it is considered that there is no likelihood of significant effects on any European sites during the construction or operation of the Proposed Project, and it is further considered that there are no other plans or projects that will act in combination with the Proposed Project to have a significant effect on European sites. It is considered that the Proposed Project, individually or in combination with another plan or project, will not have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

EIA Screening

The clarifying information prepared by Fehily Timoney (dated 20/09/2021) states that the proposed development (i.e. a 2-storey maintenance building) does not fall under any of the criteria listed below:

- does not fall under any of the activities listed in Part 1 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) (developments for which an EIA is mandatory);
- does not fall under any of the activities listed in Part 2 of Schedule 5 (sub-threshold developments requiring EIA);
- is not a change or an extension to an existing EIA project (the building will be used for the maintenance of the park);
- is not integral to an EIA project.

As such an EIAR is not required.

The conclusions are considered reasonable taking into account the proposed development is not listed in Schedule 5 (Part 1 or Part 2) of the Planning and Development Regulations 2001 (as amended) nor does the proposed development meet the requirements for sub-threshold EIA as outlined in Section 103 of the Planning and Development Regulations 2001 (as amended). No Environmental Impact Assessment (EIA) is therefore required.

Conclusion:

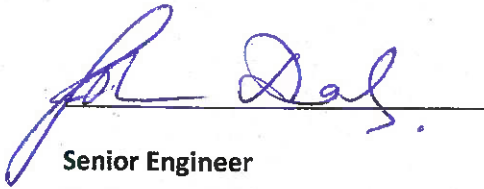
The proposed development is considered to accord with the 'HA' High Amenity land use zoning of the subject site and is also considered to generally comply with the applicable objectives contained in the *Fingal Development Plan 2017 – 2023*. The development would enhance the amenities of the area through improving the range of maintenance facilities in the park. The proposed development is generally considered to accord with the proper planning and sustainable development of the area.

Recommendation:

It is considered that the proposed development is acceptable in principle subject to the following recommendations.

1. The development shall be carried out in accordance with the plans and particulars and specifications lodged with the application except where conditions hereunder specify otherwise.
2. The following requirements of the Water Services Department in relation to surface water drainage shall be carried out in full;
 - (i) No surface water/rainwater shall discharge into the foul sewer system under any circumstances.
 - (ii) 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.
3. Note that the statutory consultee in this regard is Irish Water, accordingly:

- (i) Where the applicant proposes to connect directly or indirectly to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
 - (ii) In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.
4. The following requirements of the Transportation Planning Section shall be complied with:
- (i) No objects, structures or landscaping shall be placed or installed within the visibility triangle required (i.e. exceeding a height of 900mm) which would interfere or obstruct (or could obstruct over time) the required visibility envelopes for the proposed entrance to the new parking area and maintenance building development.
 - (ii) Cycle parking shall be covered and secure
 - (iii) All above works to be carried out at the applicant's expense according to the specifications and conditions of Fingal County Council.
5. During any demolition and the construction phase, all necessary steps shall be taken
- (i) To contain dust and airborne pollutants arising from the site and to prevent nuisance to persons in the locality.
 - (ii) By the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and make good any damage.
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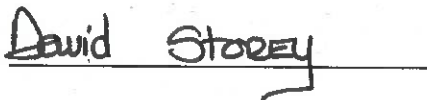
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**Senior Engineer
Environment Department**

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a/Senior Planner

Planning and Strategic Infrastructure Department

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Director of Services

Environment, Climate Action and Active Travel Department

FINGAL COUNTY COUNCIL INTERNAL CONSULTEE

PLANNING REPORT

Report of the Water Services Department

Register Reference: PARTXI/009/21

Registration Date: 09-Jul-2021

Development: The proposed development will comprise a two-storey detached maintenance building in Balleally Landfill Site, Lusk, Co. Dublin. The maintenance building will provide storage room for vehicles and equipment used to operate and maintain Rogerstown Park.

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Vehicular access to the maintenance building will be provided from the existing access to the Leachate Treatment Plant and via three installed roller shutter doors to the building.

Location: Balleally Landfill Site, Lusk, Co. Dublin

Applicant: Environment Department, Climate Action, Kevin Vallely

Application Type: Part XI (Dev by LAs)

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