

An  
Bord  
Pleanála

**Board Order**  
**ABP-320187-24**  
(Formerly ABP-314130-22)

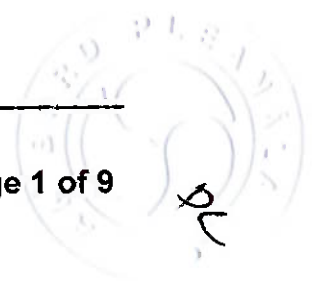
**Planning and Development Acts 2000 to 2022**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 212142**

**Appeal** by Kevin Cummins and Oliver Ryan, and Pat and Fionnuala Nevin care of Frank Burke and Associates of Baldara, Trim Road, Navan, County Meath against the decision made on the 23<sup>rd</sup> day of June 2022, by Meath County Council to grant, subject to conditions, a permission to Mid Cork Pallets and Packaging Limited care of Lynch and Associates of The Corner House, South Square, Macroom, County Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The construction of (1) new storage warehouse with canopy (2) filling in of an existing fire water lagoon and replacing with a fire water tank and (3) associated site works including palisade fencing and landscaping, at Oranstown, Dunboyne, County Meath. The proposed development was revised by further public notices received by the planning authority on the 27<sup>th</sup> day of May 2022. The proposed development was further revised by further public notices received by An Bord Pleanála on the 7<sup>th</sup> day of November 2024 consisting of: (a) the upgrade by means of replacing the existing on site wastewater treatment plant and associated percolation area with a PE12 Tricel Novo (or similar approved) wastewater treatment unit, UV filter and a Sancel 1800 filtering module.



## **Decision**

**GRANT permission 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.**

## **Reasons and Considerations**

Having regard to the established commercial enterprise on site, the Board considered that the proposed development, subject to the conditions set out below would not seriously injure the amenities of the area, or property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not share the Inspector's conclusion that there were concerns regarding the inadequacy of the water supply serving the proposed development. The Board noted that the proposed development would give rise to an additional six to eight employees at the facility and that the additional water demand would be likely to be minimal, having particular regard to the commercial nature of the development. The Board also noted that the site is located within a groundwater area where the bedrock is locally productive and on this basis that the well has sufficient capacity to cater for the proposed expansion of the facility and the modest increase in demand in water supply arising from the expansion. Finally, in relation to water supply the Board noted that Meath County Council's Water Services Department expressed no concerns in relation to water supply issues.

With regard to the Inspector's concerns in relation to the collection and disposal of surface water, it was noted that new roof water and surface water drainage is proposed to be incorporated into the surface water layout and this water is to be collected in a new surface water attenuation area via a manhole fitted with a silt trap prior to being discharged to a public 600 millimetre storm water sewer. Any surface water discharge will be controlled with a hydrobrake to limit run-off flow to three litres per second. It is considered that the public storm water sewer with a diameter of 600 millimetres has sufficient capacity to cater for the increase in run-off rate, including any additional run-off arising from discharges from the fire water retention tank. It was further noted that, subject to compliance with conditions (which have been incorporated in the Board's decision), the Water Services Department of Meath County Council had no objections in respect of the surface water arrangements on site. The Board, noted and agreed with the Inspector that the development would not give rise to significant traffic generation, so as not to create a traffic hazard on the surrounding road network, and would not give rise to any significant adverse impacts on residential amenity in terms of overshadowing, loss of light or visual intrusion. The Board also considered that the further information submitted by the applicant in respect of upgrading the wastewater treatment system serving the development would allay any concerns that the proposed development would pose a threat or be prejudicial to public health.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19<sup>th</sup> day of May 2022 and further plans and particulars submitted to An Bord Pleanála on the 12<sup>th</sup> day of August 2024 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. All relevant conditions attached to the parent permission (planning authority register reference DA70011) shall be complied with in full to the satisfaction of the planning authority.

**Reason:** in the interest of clarity.

3. Prior to the occupation of the proposed extension, the applicant shall provide four number fully functional charging points for Electrical Vehicles at accessible locations, the details of which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of sustainable transportation.

4. The landscaping scheme shown on drawing number PL07, as submitted to the planning authority on the 19<sup>th</sup> day of May 2022, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

5. Details of the materials, colours and textures of the external finishes to the proposed warehouse shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

6. Parking on the public road including the hard shoulder along the road curtilage of the site shall be prohibited.

**Reason:** In the interest of traffic safety

7. (a) Prior to the commencement of development the developer shall submit, for the written agreement of the planning authority, an Engineering Report outlining the design calculations for the proposed attenuation system. The developer shall also submit details of the Q-bar calculations for the greenfield run-off for the subject site. The Discharge rate from the subject site shall be restricted to equal to one-year greenfield site peak runoff rate or 2l/s/ha, whichever is the greatest.

- (b) The developer shall submit a revised surface water attenuation system design, details of which are to be agreed in writing with the planning authority prior to the commencement of development.
- (c) The developer shall upsize the proposed attenuation system by 20% for climate change.
- (d) All flow control devices shall be fitted to an outlet pipe (minimum 225 millimetres diameter) and shall be fitted with a pull cord bypass. In order to isolate and carry out maintenance of the flow control device a penstock valve (or similar approved) shall be installed within the flow control chamber, on the upstream end of the manhole.
- (e) The developer shall supply a specification for the proposed flow control device which will ensure that the discharge rate from the site will equate to greenfield discharge rates.
- (f) The developer shall engage with and secure the written permission of the Municipal District Engineer for access to the water drain. They shall undertake any remedial works to the existing surface water drainage network which the Municipal District Engineer considers necessary to facilitate the discharge from the proposed development.
- (g) All works shall comply with the Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Volume 2 for new Developments.

**Reason:** In the interest of the orderly collection and treatment of surface water and the proper planning and sustainable development of the area.

8. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, hours of working, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

**Reason:** In the interest of environmental protection, public health and safety and environmental protection.

9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of proper planning and sustainable development.

10. All waste generated during construction, including surplus excavation material to be removed off site, shall be only recovered or disposed of at an authorised site which has a current Waste Licence or Waste Permit in accordance with Waste Management Acts, 1996 to 2008. This shall not apply to the reuse of excavated uncontaminated soil and other naturally

occurring material within the developers site boundary.

**Reason:** In the interest of the proper planning and sustainable development of the area.

11. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted in response to section 132 notice issued by An Bord Pleanála, received on the 12<sup>th</sup> day of August 2024, and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (c) Within three months of the date of this Order, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.
- (d) Access to the wastewater treatment system shall be provided for maintenance purposes. If this requires the removal or partial removal of the recently constructed warehouse to the rear of the

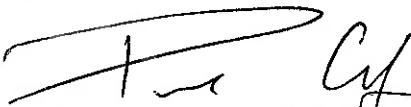


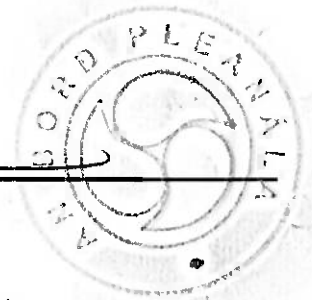
site, the developer shall remove that portion of the warehouse to ensure that access to the wastewater treatment system and percolation area is available at all times.

**Reason:** In the interest of public health and to prevent water pollution.

12. No increase in material shall be imported into the site until the requisite authorisation under the Waste Management (Facility Permit and Registration) Regulations has been obtained by the developer. The developer shall liaise with the Environment Section of Meath County Council to ensure compliance with the above Regulations.

**Reason:** In the interest of proper planning and sustainable development.

  
\_\_\_\_\_  
**Paul Caprani**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 20<sup>th</sup> day of February 2025.