

**An
Bord
Pleanála**

**Board Direction
BD-018690-25
ABP-317390-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/01/2025.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

The Board made its decision consistent with the:

- Climate Action and Low Carbon Development Act 2015, as amended;
- Climate Action Plan 2024,

In reaching its decision, the Board had regard to relevant European and national legislation, as well as national, regional policy and guidelines and the relevant provisions of the Meath County Development Plan. The proposed development, comprising the construction of a wastewater treatment plant and ancillary infrastructure to augment the extant water management / treatment system within the established mine site, would enhance the treatment of wastewater within the mine prior to discharge to the River Boyne. Having regard to the nature and scale of the proposed development and its location within the overall established mine site, it is considered that subject to compliance with the conditions set out below, the proposed development would not give rise to a significant risk of pollution and would not have an unacceptable impact on the biodiversity or visual amenity of the area, would be in accordance with the provisions of the Water Framework Directive , would be

consistent with the provisions of the Climate Act, 2021 and the Climate Action Plan 2024 and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Environmental Impact Assessment Screening

The Board completed an environmental impact assessment screening of the proposed development having regard to the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following: -

- (a) The nature and scale of the proposed development, which forms part of an extant water management / treatment system and does not form an integral part of the extraction of minerals and, therefore, does not fall within the definition of class 2(c) of the Planning and Development Regulations 2001 (as amended). The proposed development also falls significantly below the threshold in respect of Class 11(c) and Class 13 of the Planning and Development Regulations 2001.
- (b) The provisions of the Meath County Development Plan 2021-2027 and the results of the strategic environmental assessment of this Plan undertaken in accordance with the SEA Directive (2001/42/EC),
- (c) The location of the site in an established mine and the existing pattern of development in the vicinity,
- (d) The results of relevant assessments of the effects of the environment submitted by the applicant, including an Appropriate Assessment Screening Report and Natura Impact Statement, a Flood Risk Assessment and a Landscape and Visual Impact Assessment.
- (e) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified in the NIS.
- (f) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold

Development", issued by the Department of the Environment, Heritage and Local Government (2003)

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

Reason: To protect the integrity of European Site

3. The landscaping scheme, as submitted with the application, shall be carried out within the first planting season following the completion of the 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 visual amenity

4. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

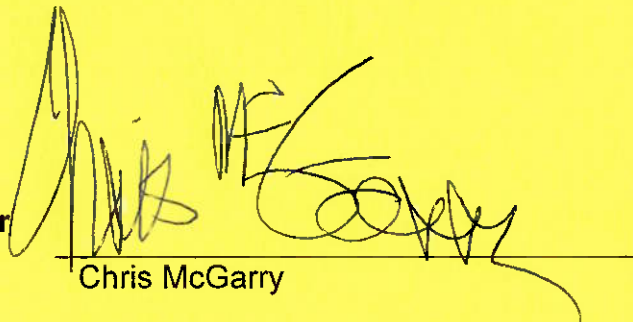
5. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection 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.

6. 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 EPA'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.

Board Member



Chris McGarry

Date: 17/01/2025