

An
Bord
Pleanála

Board Order
ABP-308725-20

Planning and Development Acts 2000 to 2020

Planning Authority: Monaghan County Council

Planning Register Reference Number: 20/300

Appeal by John Morehart care of Joe Bonner of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin against the decision made on the 23rd day of October, 2020 by Monaghan County Council to grant subject to conditions a permission to Abbott Ireland, Cootelhill care of AWN Consulting of The Tecpro Building, Clonsillaugh Business and Technology Park, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Proposed replacement of the existing water treatment plant (WTP) with a new WTP all within the existing Abbott Ireland, Cootelhill facility. The proposed works will comprise (a) installation upon a concrete slab (2,140 square metres) of a proposed WTP building and associated tanks and equipment, to be located in a grass area between the existing main facility and the car park, to the south-east of the existing Wastewater Treatment Plant (WWTP), (b) construction of a 514 square metres gross floor area one-storey cavity block building with a building height of 6 metres, partially clad with insulated steel composite cladding panels, aluminium framed double-glazed windows, steel framed insulated steel doors, and a 4 metres by 3.5 metres steel roller shutter door, (c) installation within

the concrete slab of a number of tanks and equipment external to the WTP building (d) installation within the proposed WTP building of filtration equipment, staff welfare facilities, and a lab, (e) new internal site waterpipe connecting proposed WTP to the main facility, and a temporary connection to the WWTP discharge lines to facilitate testing of the proposed plant during commissioning phase, (f) installation of a new firewater ring main around the north of the existing facility building, (g) a temporary construction compound to the north of the existing car park, and other associated site works. The Abbott Cootehill site operates in compliance with a licence issued under Part IV of the Environmental Protection Agency Act 1992 (as amended by the Protection of the Environment Act, 2003); all at Dromore West, Cootehill, County Cavan:

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.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European Sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the sites' Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on Lough Oughter and associated Loughs Special Area of Conservation (Site code: 000007) and Lough Oughter Complex Special Protection Area (Site code: 004049), or any other European Site, in view of the sites' conservation objectives.

Reasons and Considerations

Having regard to the nature of the proposed development which involves the replacement of an existing water treatment plant with a newer water treatment plant within an existing industrial and manufacturing facility, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 5th day of October, 2020, 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. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

4. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

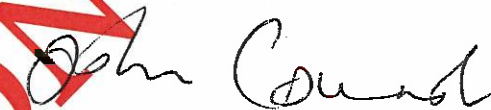
In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the

Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 8th day of MARCH 2021.