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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 22/06829**

**Appeal** by Margaret Glavin of Kilva, Midleton, County Cork and by Richard Glavin of Kilva, Midleton, County Cork against the decision made on the 22<sup>nd</sup> day of May, 2023 by Cork County Council to grant subject to conditions a permission to Uisce Éireann (formerly Irish Water) care of J.B. Barry and Partners of Eastgate Road, Eastgate Business Park, Little Island, County Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construct an extension to the existing Whitegate Regional Water Treatment Plant. These works will include the construction of a single storey treatment building with solar PV roof panels, nine number above-ground tanks, three number below-ground tanks, one number ESB substation building, one number control kiosk building, one number attenuation pond, one number generator and fuel storage tank, the realignment of the existing access from the public road with road markings and road signs, boundary fence and security gate, drainage network and all other site development works including existing container to be relocated, all at Whitegate Regional Water Treatment Plant, Knocknamadderee, Kilva Cloyne, County Cork.

## 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

It is considered that the proposed development, subject to compliance with the conditions set out below, would be beneficial in terms of public health, would not seriously injure the amenities of the area or of property in the vicinity and would 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.

## 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 24<sup>th</sup> day of April 2023, 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. Details of the materials, colours and textures of all external finishes to the proposed structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The landscaping of the site shall be in accordance with the Landscape Mitigation Plan received by the planning authority on the 24<sup>th</sup> day of April, 2023. Details of the implementation of the Plan shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure the protection of biodiversity.

4. Details of all boundary fencing shall be agreed in writing with the planning authority prior to commencement of development. Any boundary treatments shall not impinge upon the existing sod and stone embankment and the existing vegetation along the access leading to the site. Details in this regard shall be agreed in writing with the planning authority prior to commencement of development.

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

5. All works on site shall be implemented in accordance with a Construction Environmental Management Plan (CEMP) which shall include all measures proposed within the Ecological Impact Assessment Report and the Invasive Alien Species Survey and Management/Biosecurity Plan submitted with the original documentation to the planning authority. Details of the CEMP shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of protecting the environmental, ecological and residential amenities of the area.

6. Details of the proposed entrance including the provision of requisite sightlines for traffic exiting the site shall be agreed in writing with the planning authority prior to commencement of development.

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

7. Sight distances of 90 metres shall be provided at the entrance to the site at a point 2.4 metres from the public road edge.

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

8. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works in respect of both the construction and operation phases of the proposed development.

**Reason:** To ensure adequate servicing of the proposed development and to prevent pollution.

9. All chemicals and other hazardous materials shall be securely stored on site. All chemicals shall be contained within bunding with a volume equal to 110% of the sum of the volumes of the largest tank. Details of all bunding arrangements and storage of hazardous materials shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interests of protecting the environment and public health.

10. External lighting within the development shall be directed and cowled away from all sensitive receptors. All external lighting arrangements shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity and to reduce light pollution.

11. Noise levels from the development at operational stage shall not exceed 55 dB(A) rated sound level (corrected sound level for any tonal or impulsive component) at existing dwellings between 0800 hours and 2200 hours on any day and shall not exceed 45dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity.

12. 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.

A handwritten signature in blue ink, appearing to read 'Tom Rabbette', is written over a circular official seal. The seal features a central emblem and the text 'AN BORD PLEANÁLA' around its perimeter.

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**Tom Rabbette**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 21<sup>st</sup> day of Jan. 2024.