

An
Coimisiún
Pleanála

**Commission Order
ACP-323186-25**

Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

Planning Register Reference Number: 2560063

Appeal by The Boulevard and Norhalton Residents care of Adolfo Carvalho and by others against the decision made on the 4th day of July, 2025 by Louth County Council to grant, subject to conditions, a permission to, Groveview Builders Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a temporary foul sewer pumping station and a temporary wastewater treatment plant to pre-treat wastewater prior to discharging to the public sewer with vehicular access via the substantially completed internal estate road ('The Boulevard', constructed under reference number 03/1754) and all associated development works on application site (red line) area of circa 0.31 hectares at Raynoldstown Village, Haynestown, Dubin Road, Dundalk, County Louth.

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: -

- (a) the sites planning history,
- (b) the temporary nature of the wastewater treatment plant and its location on lands with a 'GI' 'community facilities' zoning,
- (c) the policies and objectives in the Louth County Development Plan 2021-2027 (as varied) and the Dundalk Local Area Plan 2025-2031,
- (d) the nature, scale and design of the proposed development,
- (e) the pattern of existing development in the area,
- (f) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (g) the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031,
- (h) the provisions of Housing for All – A New Housing Plan for Ireland issued by the Department of Housing, Local Government and Heritage in September 2021,
- (i) Project Ireland 2040 National Planning Framework (First Revision), provided by the Department of Housing, Local Government and Heritage in April 2025,

- (j) the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities published by the Department of Housing, Local Government and Heritage in January 2024,
- (k) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013,
- (l) 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') issued by the Department of the Environment, Heritage and Local Government in November 2009,
- (m) the 'Wastewater Treatment Manual: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' issued by the Environmental Protection Agency in 1999,
- (n) Urban Wastewater Treatment issued by the Environmental Protection Agency in 2024,
- (o) Procedural Advice Note for Planning Authorities Developer-Led Infrastructure (DLI) Initiative for Wastewater Services to support Housing Delivery, issued by the Department of Housing, Local Government and Heritage in March 2026, whereby arrangements for temporary bridging infrastructure for wastewater facilities to support the activation of housing developments are enabled. This is where, by agreement with Uisce Éireann, a developer can provide a temporary wastewater solution for their housing scheme during an interim period only before a scheduled increase in the capacity or provision of Uisce Éireann infrastructure is delivered, with removal of the temporary facilities thereafter,
- (p) submissions and observations received, and
- (q) the Chief Executives Report,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of odour, noise, wastewater treatment and pedestrian and traffic safety. 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 10th day of June 2025, 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. Odour levels at the site boundary shall comply with an odour concentration limit of five odour units per cubic metres on a 98th percentile basis of hourly averages. Monitoring and recording of odour concentration levels shall be carried out at intervals to be agreed with the planning authority and details of all surveys undertaken shall be submitted to the planning authority at intervals to be agreed with the planning authority.

Reason: To protect residential amenity.

3. The proposed temporary wastewater treatment plan shall treat the wastewater to a minimum standard as follows:

Biochemical Oxygen Demand – 25 mg/l (25 milligrams per litre),

Suspended Solids – 35 mg/l (35 milligrams per litre),

prior to discharging effluent back into the public sewer network to be transferred to the Blackrock Wastewater Treatment Plant.

Reason: To prevent the organic overloading of the municipal wastewater treatment plant at Blackrock.

4. This permission is for a temporary period of five years from the date of the grant of permission after which time all structures shall be decommissioned and removed from the site at the developer's expense and the lands revert back to their previous use unless a separate planning permission has first been granted by the planning authority or An Coimisiún Pleanála (on appeal) for the maintenance and operation of the structures on site.

Reason: To define the terms of the permission and to cater for orderly development of the area and to permit the planning authority to re-assess the situation in light of the circumstances at that time.

5. (a) If the upgrade to the public Blackrock Wastewater Treatment Plant is completed prior to the expiration of this permission, the developer shall decommission the utilities and structures granted under this permission and revert the lands back to their previous use.

- (b) Prior to the decommissioning of the utilities and structures granted under this permission, the developer shall submit written confirmation from Uisce Éireann of the connection agreement confirming the required upgrades to the Blackrock Wastewater Treatment Plant have been completed and that a direct discharge to the Blackrock Wastewater Treatment Plant can be facilitated.
- (c) The developer shall provide for the disconnection and removal of the Temporary Bridging Infrastructure following the direct connection of the development to the public wastewater network when notified to do so by Uisce Éireann. The Connection Agreement(s) between the developer and Uisce Éireann shall specifically provide for such arrangements.
- (d) The developer shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a connection(s) to the proposed wastewater treatment infrastructure and adhere to the standards and conditions set out in that agreement. The Connection Agreement(s) shall also confirm the requirements for the developer led Wastewater Treatment Infrastructure to be vested in Uisce Éireann. The Connection Agreement shall be in place prior to any works commencing on site in respect of the wastewater infrastructure development.

Reason: In the interest of public health and to provide adequate wastewater facilities.

6. (a) Upon completion of the temporary wastewater treatment plant, foul sewer pumping station and associated works granted under this permission, a completion certificate shall be submitted by a suitably qualified professional with professional indemnity insurance confirming that the works have been constructed to the required standard as set out in the 'Code of Practice Wastewater Infrastructure', Clause 3.6 (Document Number: IW-CDS-5030-03) issued by Uisce Éireann or any updates of same.
- (b) The temporary wastewater treatment plant and foul sewer pumping station shall be managed and operated by a suitably qualified professional. Prior to the development becoming operational, details of the persons/company responsible for the operation and maintenance of the facility shall together with their qualifications and professional indemnity insurance shall be submitted for the written agreement of the planning authority.
- (c) Upon the temporary wastewater treatment plant and foul sewer pumping station becoming operational, the developer shall submit a maintenance and operational contract for the management and operation of the treatment plant and pumping station, for the written agreement of the planning authority.

Reason: In the interests of clarity and orderly development.

7. The development shall be registered by Uisce Éireann in accordance with the European Union (Water Policy) Small Wastewater Discharge (Register) Regulations 2026. The Connection Agreement(s) between the developer and Uisce Éireann shall specifically provide for such arrangements.

Reason: In the interest of public health.

8. Prior to the commencement of development, full details of all decommissioning and site remediation works to the structures and utilities associated with this permission shall be submitted for the written agreement of the planning authority. This shall include a timeframe for carrying out these works.

Reason: In the interests of clarity and orderly development.

9. (a) Prior to the operation of the temporary foul sewer pumping station and temporary wastewater treatment plant, all roadways and footpaths serving the said infrastructure shall be finished with a permanent durable surface course. The roadway shall be applied with line marking and road signage as per furnished drawings.
- (b) Prior to the operation of the temporary foul sewer pumping station and temporary wastewater treatment plant, the street lighting in the vicinity and serving the said infrastructure shall be operational.
- (c) Prior to the commencement of development, the developer shall prepare and submit for the written agreement of the planning authority, a Construction Management Plan for the works. This Plan shall fully detail:
- (i) A Traffic Management Plan for all phases of the proposed development including Construction Traffic Access arrangements.
 - (ii) The delivery and routing of materials to the site during the construction phase shall be organised so that deliveries do not conflict with the morning or evening periods of peak school traffic flow.
 - (iii) The removal and routing of surplus material off site shall be so organised that haulage vehicles do not conflict with morning or evening periods of peak school traffic flow.

- (iv) If the Construction Management Plan should indicate that access over third-party lands is required, evidence of landowner's Consent shall be submitted.

Reason: In the interest of traffic safety and to protect the residential amenities of property in the vicinity of the site.

10. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit of €40,000 (forty thousand euro) or as may be adjusted on the 1st January each year, based on the changes to the Wholesale Price Index for building construction, published by the Central Statics Office) as security to ensure the satisfactory completion of the development or to enable the planning authority to undertake the necessary completion or reinstatement of the site, (including all necessary demolition and removal) if deemed necessary. The deposit, or part thereof, will be refundable to the developer following the decommissioning of the temporary wastewater treatment plant and foul sewer pumping station and all required site remediation works. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

11. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

12. 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. All records (including for waste and all resources) pursuant to the agreed RWMP shall be submitted to and agreed in writing with the planning authority and shall be made available for inspection at site offices at all times.

Reason: In the interest of sustainable waste management.

13. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority. The CEMP shall include but not be limited to:
 - (a) 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. The CEMP shall include all relevant construction mitigation measures as agreed in writing with the planning authority.

- (b) The CEMP shall include a site location map showing the nearest noise sensitive locations, give details of the predicted noise and vibration impact in addition to proposed mitigation measures. The CEMP and noise abatement measures shall comply with the recommendations of BS 5228, 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'. The noise sensitive locations shall be taken to be the nearest residential buildings unless otherwise agreed in writing with the planning authority. Noise levels attributable to the proposed development activities when assessed at the nearest noise sensitive locations shall comply with the noise threshold limit values set out as follows:

During the operational phase of the proposed development, the noise level shall not exceed:

- (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
- (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, corrected for a tonal or impulsive component, as measured at the nearest dwelling.

Reason: In the interests of residential amenities, public health and safety, and environmental protection.

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

Reason: In order to safeguard the amenities of property in the vicinity.

15. (a) The landscaping scheme shown on drawing number PZL-JBAI-XX-XX-M2-L-0001-A3-C01, as submitted to the planning authority on the 10th day of June, 2025 shall be carried out within 12 months of the date of commencement of development.
- (b) 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.
- (c) The developer shall submit proposals for a secure boundary fence, 2.4 metres in height, other than a palisade fence. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

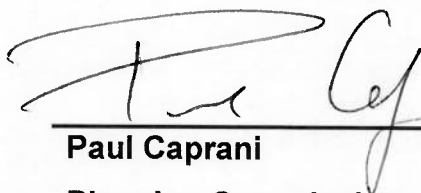
Reason: In the interests of visual and residential amenity.

16. Prior to the commencement of development, the developer shall submit details of site-specific measures to minimise the risk of water pollution during the construction stage to the planning authority for written agreement. The submission shall demonstrate compliance with guidance document "Control of water pollution from construction sites - Guidance for consultants and contractors" published by the Construction Industry Research and Information Association (CIRIA C532) or similar approved. In particular, there must be adequate measures in place to prevent the discharge or overflow of contaminated rainwater during construction and operation.

Reason: Prevention of pollution.

17. The development shall be operated to ensure that there will be no emissions or malodours, fumes, other deleterious matter such as would give reasonable cause for annoyance to any person in any residence in the vicinity.

Reason: In the interests of orderly development and public health and to safeguard the residential amenities of property in the vicinity.

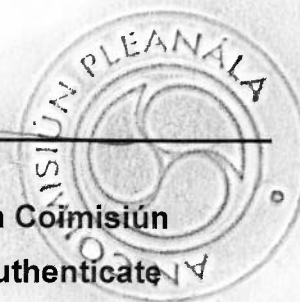


Paul Caprani

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 26th day of May 2026