

An
Bord
Pleanála

Application Form for Permission / Approval in respect of a Strategic Infrastructure Development

1.

Please specify the statutory provision under which your application is being made:	Section 37E of the Planning and Development Act 2000 (as amended)
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2. **Applicant:**

Name of Applicant:	Uisce Éireann, formerly known as Irish Water
Address:	Colvill House, 24/26 Talbot Street, Dublin 1, D01 NP86.
Telephone No:	Please see agent contact details below.
Email Address (if any):	Please see agent contact details below.

3. Where Applicant is a company (registered under the Companies Acts):

Name(s) of company director(s):	Tony Keohane, Niall Gleeson, Christopher Banks, Fred Barry, Gerry Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh
Registered Address (of company)	Colvill House, 24/26 Talbot Street, Dublin 1, D01 NP86.
Company Registration No.	530363
Telephone No.	Please see agent contact details below.
Email Address (if any)	Please see agent contact details below.

4. Person / Agent acting on behalf of the Applicant (if any):

Name:	Paul Judge
Address:	J. B. Barry and Partners Limited Classon House, Dundrum Business Park, Dublin 14, Ireland, D14 T9T0
Telephone No.	01 485 1400
Mobile No. (if any)	-
Email address (if any)	pjudge@jbbarry.ie

Should all correspondence be sent to the above address? (Please tick appropriate box)

(Please note that if the answer is “No”, all correspondence will be sent to the Applicant’s address)

Yes: [] No:[]

Paul Judge - 01 485 1400

5. Person responsible for preparation of Drawings and Plans:

Name:	Paul Judge
Firm / Company:	J. B. Barry and Partners Limited
Address:	Classon House, Dundrum Business Park, Dublin 14, Ireland, D14 T9T0
Telephone No:	01 485 1400
Mobile No:	-
Email Address (if any):	pjudge@jbbarry.ie

Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form.

A drawing schedule of plans accompanies the application.

6. Site:

<p>Site Address / Location of the Proposed Development (as may best identify the land or structure in question)</p>	<p>Dromore, Castletroy, Limerick</p>	
<p>Ordnance Survey Map Ref No. (and the Grid Reference where available)</p>	<p>1:1000 OS Sheets: 4683-A,4683-C Discovery Series: OS1614_D X-560717.1877 Y-658463.5332</p>	
<p>Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.</p> <p>Application site boundary is submitted in digital format USB.</p>		
<p>Area of site to which the application relates in hectares</p>	<p>3.166 ha</p>	
<p>Site zoning in current Development Plan for the area:</p>	<p>Utilities</p>	
<p>Existing use of the site & proposed use of the site:</p>	<p>The existing use is a wastewater treatment plant. The proposed use is wastewater treatment plant.</p>	
<p>Name of the Planning Authority(s) in whose functional area the site is situated:</p>	<p>Limerick City & County Council</p>	

7. Legal Interest of Applicant in respect of the site the subject of the application:

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner <input checked="" type="checkbox"/>	Occupier
	Other	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
If you are not the legal owner , please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
Yes, small attendant areas in ownership. Please refer to blue line boundary on submitted site location mapping.		

8. Site History:

Details regarding site history (if known):
Has the site in question ever, to your knowledge, been flooded? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
If yes, please give details e.g. year, extent: There was some flooding on the site in 2009 and 2016. Full details are provided in Appendix 14B of the submitted EIA which contains the Flood Risk Assessment.
Are you aware of previous uses of the site e.g. dumping or quarrying? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
If yes, please give details:

Are you aware of any valid planning applications previously made in respect of this land / structure?

Yes: [] No: []

If yes, please state planning register reference number(s) of same if known and details of applications

Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant of Refusal by Planning Authority / An Bord Pleanála

If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended. **N/A**

Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?

Yes: [] No:[]

If yes please specify

An Bord Pleanála Reference No.: _____

9. Description of the Proposed Development:

Brief description of nature and extent of development	<p>Application under Section 37E of the Planning and Development Acts (as amended) by Uisce Éireann, formerly known as Irish Water for the approval by An Bord Pleanála for a period of 10 years for development at Dromore, Castletroy, Limerick. The development comprises of upgrades to Castletroy Wastewater Treatment Plant to increase the capacity of the existing plant and will consist of increased capacity stormwater and foul pumps in the existing main lift pump station; upgrading of inlet works to include new screens, additional vortex grit removal lane, grit classifier, air blower, discharge skip and odour control equipment; new forward feed pump station; primary filters building and odour control equipment; primary sludge storage tank; stormwater storage tank, storm tank cleaning system, storm overflow screen and storm water return pumping station; flood event pump station including increasing the wall height of the existing final effluent sampling chamber structure; scum removal pumping station; additional chemical dosing tank and ancillary equipment, interconnecting pipework (rising mains and gravity) and valves; internal road area including surface water drainage and attenuation; retrofitting the existing aeration basins with integrated fixed-film activated sludge (IFAS) technology including a media support system and new fine bubble diffused air; retrofitting of existing secondary clarifiers to provide baffles and bridge; replacement of the existing sludge dewatering equipment and provision of 3 no. skip units (covered), with odour control equipment; new picket fence thickener and re-purposing of an existing picket fence thickener to a thickened sludge storage tank; site lighting (both task lighting and road lighting); roof mounted solar panels on primary filters building; landscaping; and all associated site development works including ancillaries and excavation works above and below ground for the proposed works. The project will be constructed in the Castletroy Agglomeration area licenced under the Waste Water Discharge (Authorisation) (WWDA) Regulations 2007 (Licence D0019-01). This application relates to a proposed development which requires a review of the existing WWDA Licence. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and will be submitted to the Planning Authority with the application.</p>
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10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:

Class of Development:	Gross Floor Area in m ²
Site is in use as a wastewater treatment plant (utilities).	Floor area of additional primary filter building on site is 194 sqm.

11. Where the application relates to a building or buildings:

Gross floor space of any existing buildings(s) in m ²	361 sqm
Gross floor space of proposed works in m ²	194 sqm
Gross floor space of work to be retained in m ² (if appropriate)	0
Gross floor space of any demolition in m ² (if appropriate)	0

12. In the case of residential development please provide breakdown of residential mix: N/A

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses							N/A
Apartments							N/A
Number of car-parking spaces to be provided		Existing:	Proposed:			Total:	

13. Social Housing: N/A

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		✓
<p>If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act.</p> <p>If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p> <p>If the answer to the above question is “no” by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted.</p>		

14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)
N/A
Proposed use (or use it is proposed to retain)
N/A
Nature and extent of any such proposed use (or use it is proposed to retain).
N/A

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			✓
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			✓
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			✓
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.			✓
Does the application relate to work within or close to a European Site or a Natural Heritage Area?		✓	
Does the development require the preparation of a Natura Impact Statement?		✓	
Does the proposed development require the preparation of an Environmental Impact Assessment Report?		✓	
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?			✓
Do the Major Accident Regulations apply to the proposed development?			✓
Does the application relate to a development in a Strategic Development Zone?			✓
Does the proposed development involve the demolition of any habitable house?			✓

16. Services:

Proposed Source of Water Supply:
Existing connection: <input checked="" type="checkbox"/> New Connection: <input type="checkbox"/> Public Mains: <input checked="" type="checkbox"/> Group Water Scheme: <input type="checkbox"/> Private Well: <input checked="" type="checkbox"/> Other (please specify): Existing connection to administration building is from public mains. Washwater for the proposed mechanical equipment including stormtank cleaning system will be taken from the existing borehole well. _____ Name of Group Water Scheme (where applicable): _____
Proposed Wastewater Management / Treatment:
Existing: <input checked="" type="checkbox"/> New: <input type="checkbox"/> Public Sewer: <input type="checkbox"/> Conventional septic tank system: <input type="checkbox"/> Other on site treatment system: <input checked="" type="checkbox"/> Please Specify: Existing toilet drains to the on-site inlet sewerage pumping station.
Proposed Surface Water Disposal:
Public Sewer / Drain: <input type="checkbox"/> Soakpit: <input type="checkbox"/> Watercourse: <input checked="" type="checkbox"/> Other: <input checked="" type="checkbox"/> Please specify: Attenuation and outfall, refer to submitted site drainage layout plan.

17. Notices:

Details of public newspaper notice – paper(s) and date of publication
Copy of page(s) of relevant newspaper enclosed Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>] The Limerick Leader (dated 25 th March 2023) Irish Independent (dated 25 th March 2023)
Details of site notice, if any, - location and date of erection
Copy of site notice enclosed Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>] Site Notices erected on 23rd March 2023. Please refer to Site Location Maps and Site Layout Plans for locations of site notices.
Details of other forms of public notification, if appropriate e.g. website
www.water.ie/castletroywwtp-docs

18. Pre-application Consultation:

Date(s) of statutory pre-application consultations with An Bord Pleanála
Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form.
Enclosed: Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>] See submitted Consultation Report, Planning Report and EIAR for details. Pre-application consultations took place with An Bord Pleanála under case reference ABP-310201-21, with associated details also available online. Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification. Enclosed: Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>]


19. Confirmation Notice:

Copy of Confirmation Notice	
Attach a copy of the confirmation notice in relation to the EIA Portal where an EIAR accompanies the application.	
A copy of the confirmation notice is appended to this application form.	

20. Application Fee:

Fee Payable	€100,000 (Fee paid by EFT on 23rd March 2023)
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I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Board in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Board.

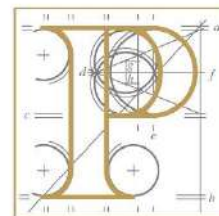
Signed: (Applicant or Agent as appropriate)	
Date:	28 th March 2023

General Guidance Note:

The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

Our Case Number: ABP-310201-21



An
Bord
Pleanála

Irish Water
PO Box 448
c/o Majella Keating
South City Delivery Office
Cork City

Date: 24 January 2023

Re: Proposed upgrade of an existing waste water treatment plant at Castletroy, Co. Limerick
Dromore, Castletroy, Limerick

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act, 2000 as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act, 2000, as amended. Any application for permission for the proposed development must therefore be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

In accordance with section 146(5) of the Planning and Development Act, 2000 as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Teil
Glaio Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email

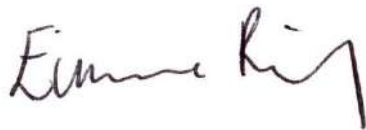
(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Eimear Reilly
Executive Officer
Direct Line: 01-8737184

PC09

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Prescribed Bodies to be notified of application:

1. Minister for Housing, Local Government and Heritage
2. Minister for Environment, Climate and Communications
3. Limerick City and County Council
4. Clare County Council
5. South-western Regional Assembly
6. Commission for Regulation of Utilities, Water and Energy
7. HSE
8. EPA
9. Inland Fisheries Ireland
10. Transport Infrastructure Ireland
11. The Heritage Council
12. An Taisce
13. An Chomhairle Ealaíon
14. Fáilte Ireland
15. Health & Safety Authority
16. GSI

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Orla O'Brien

From: Housing Eiaportal <EIAportal@housing.gov.ie>
Sent: Monday 20 March 2023 10:39
To: Orla O'Brien
Subject: EIA Portal Confirmation Notice Portal ID 2023045

Dear Orla,

An EIA Portal notification was received on 16/03/2023 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 20/03/2023 under EIA Portal ID number 2023045 and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2023045

Competent Authority: An Bord Pleanála

Applicant Name: Uisce Eireann

Location: Castletroy Waste Water Treatment Plant, Dromroe, Castletroy, Co. Limerick

Description: The development comprises of upgrades to Castletroy Wastewater Treatment Plant to increase the capacity of the existing plant. It will include instalation of stormwater storage infrastructure and upgrades to the existing process streams.

Linear Development: No

Date Uploaded to Portal: 20/03/2023

Regards

Karl.

EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage

Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0
Custom House, Dublin 1, D01 W6X0

T +353 (0) 1 888 2000

www.gov.ie/housing



**An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta**
Department of Housing,
Local Government and Heritage