

**WICKLOW COUNTY COUNCIL**

**PLANNING & DEVELOPMENT ACTS 2000 (As Amended)  
SECTION 5**

CHIEF EXECUTIVE ORDER NO. CE/PDE/1065/2023

Reference Number: EX 36/2023  
Name of Applicant: Health and Safety Authority

Nature of Application: Section 5 Referral as to whether “an increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations” is or is not exempted development

Location of Subject Site: Zoetis Establishment, Rathdrum, Co. Wicklow

Report from Fergal Keogh, SE

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether “an increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations at Zoetis Establishment, Rathdrum, Co Wicklow” is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- a) the scale of the previous authorised development that operated on the site over the years (when it was categorised as a Tier 1 facility),
- b) the information provided by the HSA in relation to the proposed development, in particular, the attached Technical Advice,
- c) the fact that the increased storage would be facilitated within existing structures previously used for a similar degree of storage, albeit that the degree reduced for a period of time in recent years,

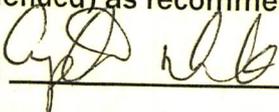
**Main Reasons with respect to Section 5 Declaration:**

- (a) The details submitted with the Section 5 Declaration Request, including the HSA Technical Advice
- (b) Sections 2 and 3 of the Planning and Development Act 2000 (as amended)
- (c) The planning history and the scale of the previous authorised development that operated on the site over the years

(d) the fact that the increased storage would be facilitated within existing structures previously used for a similar degree of storage

**Recommendation**

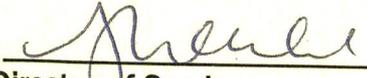
The Planning Authority considers that "increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations at Zoetis Establishment, Rathdrum, Co Wicklow" would not be a material change of use and therefore would not constitute development for the purposes of the Planning and Development Act 2000 (as amended) as recommended in the planning report.

Signed  Dated 21<sup>st</sup> day of June 2023

**ORDER:**

I HEREBY APPROVE that a declaration to issue stating:

That "increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations at Zoetis Establishment, Rathdrum, Co Wicklow" would not be a material change of use and therefore would not constitute development for the purposes of the Planning and Development Act 2000 (as amended)

Signed:  Dated 21<sup>st</sup> day of June 2023  
A/ Director of Services  
Planning Development & Environment



**Comhairle Contae Chill Mhantáin  
Wicklow County Council**

**Forbairt Pleanála agus Comhshaol  
Planning Development and Environment**

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Rphost / Email: [plandev@wicklowcoco.ie](mailto:plandev@wicklowcoco.ie)  
Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

**Dora Forde EHS Lead  
Zoetis Belgium S.A. (Irish Branch)  
Copse House  
Laragh Road  
Rathdrum  
Co Wicklow  
A67 X704**

21<sup>st</sup> June 2023

**RE: Declaration in accordance with Section 5 of the Planning & Development Acts  
2000 (As Amended) – EX36/2023**

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,

**ADMINISTRATIVE OFFICER  
PLANNING DEVELOPMENT & ENVIRONMENT.**





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**The Planning Authority considers that “increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations at Zoetis Establishment, Rathdrum, Co Wicklow” would not be a material change of use and therefore would not constitute development for the purposes of the Planning and Development Act 2000 (as amended)**

Signed:   
ADMINISTRATIVE OFFICER  
PLANNING DEVELOPMENT & ENVIRONMENT

Dated 21<sup>st</sup> June 2023





# Comhairle Contae Chill Mhantáin Wicklow County Council

**Forbairt Pleanála agus Comhshaol  
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## DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

**Applicant: Health and Safety Authority**

**Location: Zoetis Establishment, Rathdrum, Co. Wicklow**

**CHIEF EXECUTIVE ORDER NO. CE/PDE/1065/2023**

A question has arisen as to whether “an increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations” is or is not exempted development.

### Having regard to:

- a) the scale of the previous authorised development that operated on the site over the years (when it was categorised as a Tier 1 facility),
- b) the information provided by the HSA in relation to the proposed development, in particular, the attached Technical Advice,
- c) the fact that the increased storage would be facilitated within existing structures previously used for a similar degree of storage, albeit that the degree reduced for a period of time in recent years,

### Main Reasons with respect to Section 5 Declaration:

- (a) The details submitted with the Section 5 Declaration Request, including the HSA Technical Advice
- (b) Sections 2 and 3 of the Planning and Development Act 2000 (as amended)
- (c) The planning history and the scale of the previous authorised development that operated on the site over the years
- (d) the fact that the increased storage would be facilitated within existing structures previously used for a similar degree of storage

*Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas  
This document is available in alternative formats on request.*

Ba chóir gach comhfhreagras a sheoladh chuig an Stúirthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.  
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



## Planning Report re S5 from HSA re Zoetis, Rathdrum, Co. Wicklow

To: Breege Kilkenny  
Director of Services  
Planning & Development

### 1.0 Introduction

The Health and Safety Authority have written to the Planning Authority seeking a Declaration under S5 of the Planning & Development Act 2000, as amended. This type of request from the HSA is provided under Regulation 24(5) of the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015.

The S5 Request relates to the existing pharmaceutical plant in Rathdrum. It was formerly known as the Schering Plough site and is now operated by Zoetis. It is a designated establishment for the purposes of the Major Accidents Directive.

There is considerable planning history in relation to the site and a significant pharmaceutical development has operated on the site since the early 1980s. Initially, the Operator was Avondale Chemical Company, followed by Schering Plough and, after a period in which the facility was closed, by Zoetis.

The S5 request relates to an increase in the storage of dangerous substances, which would result in the facility being re-classified as an upper tier establishment from a lower tier establishment under the COMAH Regulations.

**The HSA are seeking a declaration as to whether the proposed modification is or is not development or is, or is not exempted development within the meaning of the Planning & Development Act 2000, as amended.**

### 2.0 Assessment

S3 (1) (a) of the Planning & Development Act 2000, as amended, defines development as:

- (1) In this Act, except where the context otherwise requires, "development" means— (a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land,*

In this case, the proposed development involves a change of use at an established authorised development. Therefore, the first question to be answered is whether such change of use would be a material change of use or not.

Having regard to:

- a) the scale of the previous authorised development that operated on the site over the years (when it was categorised as a Tier 1 facility),
- b) the information provided by the HSA in relation to the proposed development, in particular, the attached Technical Advice,
- c) the fact that the increased storage would be facilitated within existing structures previously used for a similar degree of storage, albeit that the degree reduced for a period of time in recent years,

I consider that the proposed change of use, which is for an increase in the storage/inventory of dangerous substances, would not be a material change of use of the authorised facility. Therefore, the proposed change of use would not be development for the purposes of the Planning & Development Act 2000, as amended.

I therefore recommend that a Declaration is issued to the HSA as follows:

**With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether:**

**The proposed modification which includes an increase in the inventory of dangerous substances, such that it will change the status from a lower tier establishment to an upper tier establishment under the COMAH Regulations, at the Zoetis Establishment, Rathdrum, Co. Wicklow is, or is not, development, or is, or is not, exempted development within the meaning of the Planning and Development Acts, 2000(as amended).**

The Planning Authority considers that:

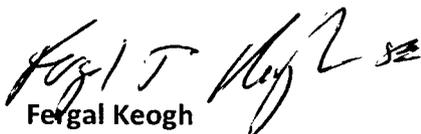
The proposed modification which includes an increase in the inventory of dangerous substances, such that it will change the status from a lower tier establishment to an upper tier establishment under the COMAH Regulations, at the Zoetis Establishment, Rathdrum, Co. Wicklow is not development within the meaning of the Planning and Development Acts, 2000(as amended)

Main Considerations with respect to Section 5 Declaration :

- (a) The details submitted with the Section 5 Declaration Request, including the HSA Technical Advice
- (b) Sections 2 and 3 of the Planning and Development Act 2000 (as amended)
- (c) The planning history and the scale of the previous authorised development that operated on the site over the years
- (d) the fact that the increased storage would be facilitated within existing structures previously used for a similar degree of storage

Main Reasons with respect to Section 5 Declaration :

The proposed increased inventory of dangerous substances would be a change of use from current operations but would not be a material change of use and therefore would not constitute development for the purposes of the Planning and Development Act 2000 (as amended).

  
Fergal Keogh

Senior Engineer

Planning and Development

13/06/23

Agreed   
21/06/23



An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

☎ 0818 289 389 ✉ [landuseplanning@hsa.ie](mailto:landuseplanning@hsa.ie) 🌐 [www.hsa.ie](http://www.hsa.ie)

Mr Fergal Keogh

Planning Department,  
Wicklow County Council,  
County Buildings,  
County Wicklow

Our Ref: 392065-1380

13 June 2023

**Re: Referral to the Planning Authority under the COMAH Regulations relating to a proposed modification of an establishment**

Dear Mr Keogh,

The Health and Safety Authority, acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (COMAH Regulations) may refer a proposed modification of an existing COMAH establishment, to the relevant planning authority.

Under Regulation 24 (5)<sup>1</sup>, if it is the opinion of the Health and Safety Authority as the Central Competent Authority (CCA), that a proposed modification is considered to be a significant change, then the CCA shall refer the proposed modification to the relevant Planning Authority.

In this instance, the CCA has been notified by the following establishment

*Zoetis Belgium S.A. Ireland branch T/A Zoetis Rathdrum*

*Laragh Road, Rathdrum, County Wicklow, A67 X704*

that it intends to carry out the following modification:

**Tier Change: *increase its inventory of dangerous substances, such that it will change status from a lower tier establishment to an upper tier establishment under the COMAH Regulations***

This proposed modification is deemed a significant change under Regulation 12(1)<sup>2</sup> of the COMAH Regulations.

The purpose of this referral to the Planning Authority is under Section 5(1) or Section 5(4) of the Planning and Development Act, for a declaration as to whether the proposed modification is or is not development, or is, or is not exempted development within the meaning of the Planning and Development Act.

To assist the Planning Authority in making its decision, as required by Regulation 24(5) of the COMAH Regulations, the CCA has included relevant technical advice in relation to this proposed modification. See Attachment 1.

# HSA

An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

☎ 0818 289 389 ✉ [landuseplanning@hsa.ie](mailto:landuseplanning@hsa.ie) 🌐 [www.hsa.ie](http://www.hsa.ie)

Please contact the undersigned if you require further information.

Yours sincerely



Inspector Name

*Inspector, COMAH, Chemical Production & Storage (CCPS)*

CC: Ms Dora Forde, Zoetis Belgium S.A. Ireland branch T/A Zoetis Rathdrum

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Notes

Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015

1. Regulation 24(5) If, in the opinion of the Central Competent Authority, a proposed modification reviewed under paragraph (4) is considered to be a significant change it shall be referred by the Central Competent Authority, with relevant technical advice, to the relevant planning authority under section 5(1) or section 5(4) of the Planning and Development Act, for a declaration as to whether the proposed modification is or is not development or is or is not exempted development within the meaning of that Act.
2. Regulation 12. (1) An operator shall review and where necessary update—
  - (a) the notification under Regulation 8;
  - (b) the MAPP and safety management system under Regulation 10; and
  - (c) the safety report under Regulation 11;

prior to the modification of an installation, establishment, storage facility, or process or of the nature or physical form or quantity of dangerous substances which could have significant consequences for major accident hazards, or could result in a lower-tier establishment becoming an upper-tier establishment or vice versa.



An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

☎0818 289 389 ✉ [landuseplanning@hsa.ie](mailto:landuseplanning@hsa.ie) 🌐 [www.hsa.ie](http://www.hsa.ie)

### Attachment 1 – Technical Advice to the Planning Authority

On the basis of the information supplied by *Zoetis Belgium S.A. Ireland branch T/A Zoetis Rathdrum* the Authority **DOES NOT ADVISE AGAINST** the proposed tier change progressing, based on the following;

The calculated offsite risk following the tier change is in the **TOLERABLE** range.

The risk of MATTE is in the **TOLERABLE** range

Your attention is directed to the need to consult with the local authority emergency services on any potential impact on local access/egress arrangements, in the context of public behaviour in the event of an emergency and access for emergency services, generally and in relation to fire prevention and response issues.

The advice given is only applicable to the specific circumstances of this proposal at this period of time. Changes to those substances or their location could alter that advice. Therefore, part of our technical advice to you is to impose conditions in this regard.



# Comhairle Contae Chill Mhantáin Wicklow County Council

## Forbairt Pleanála agus Comhshaol Planning Development and Environment

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Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

Dora Forde EHS Lead  
Zoetis Belgium S.A. (Irish Branch)  
Copse House  
Laragh Road  
Rathdrum  
Co. Wicklow  
A67 X704.

17<sup>th</sup> June 2021.

A Chara,

I am writing in reference to your letter received on the 3<sup>rd</sup> June 2022. Your letter requests confirmation that planning permission is not required for increased activities / storage on site.

The current site benefits from a number of planning permissions, and attached are the details with respect to those permissions for your information. You should ensure that all the increased activities on site come within these permissions, and that no new development is taking place.

In this regard the definition of Development is defined under Section 3 of the Planning and Development Act 2000(as amended)

3.—(1) In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

The only means to confirm whether or not your increased activity is or is not development and is or is not exempted development is to seek a formal Section 5 Declaration under the Planning and Development Act 2000 (as amended). Forms for such an application are available on [www.wicklow.ie](http://www.wicklow.ie).

However, you are advised that any such application would need to include sufficient information to identify the question/works that would arise from the changes proposed which would result in the existing facility becoming a Tier 1 facility, i.e. details of what works/increased activity would take place, what storage would occur over and above previous levels and any related physical works. In addition, the application should be supported by information to confirm whether or not the increased activity would result in a need for Environmental Impact Assessment and/or Appropriate Assessment. Such information would allow the Planning Authority to carry out necessary screening as part of any S5 Declaration Request assessment.

In addition, it should be noted that a S5 Declaration request cannot relate to a question as to whether or not development on site would come within the terms of a permission, other than as it may indirectly relate to a material change of use question.

*Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas.*

*This document is available in alternative formats on request.*

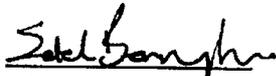
Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.  
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



Given the complexity of the matter you are advised to get your own planning advice from a suitably qualified professional to ensure that all matters are covered in respect of any Section 5 Declaration application.

I hope this clarifies the matter,

Is Mise le Meas,

  
Edel Bermingham.

File Number	Surname	Application Type	Status	Status Desc	Description
05/8536	Avondale Company	Retention	Grant	Application Finalised	18x6m shed adjacent to the boiler house to be used as equipment storage
03/8307	Schering Plough (Avondale) Co	Permission	Grant	Application Finalised	Addition of 210 sq.m. cladding to the north and east facades of the existing workshop building at basement level
02/765	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Extension to existing 38kV switchroom (3m x 4.06m) in substation compound
96/4867	Schering Plough (Avondale) Co	Permission	Grant	Application Finalised	ret. of exist. temporary contractors facilities incl. fenced & paved storage compound, storage shed, carpark & assoc. western & eastern access routes
93/59	Schering Plough Avondale Company	Permission	Grant	Application Finalised	new production building, 2 no product charging rooms and an electrical sub-station. Development will consist of a production building 24.85m x 19.9m x 18.7
03/8207	Schering Plough (Avondale) Co	Permission	Grant	Application Finalised	1 Alterations to existing Warehouse Goods Out link involving: a) the removal of 5.4m in length of the existing 12m long link bridge accessing goods out wareh
91/7658	Avondale Chemical Co. Ltd	Permission	Grant	Application Finalised	Relocation of tank loading bay and cooling tower pump enclosure
02/440	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	enclosure building to drum store
97/6327	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	upgrade P1 production building involving re-roofing and cladding existing sections of building, demolition of store & provision of a marshalling area and entr
96/4114	Schering-Plough (Avondale) Co.	Permission	Grant	Application Finalised	single storey extension to factory
14/912	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	switchroom to 1st floor of blower building & two storey water filtration building
04/244	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Construction of a building services plant room along the east of the existing warehouse. The new structure will be 46.6 metres long by 4.6 metres wide by 9.0
89/4886	Avondale Chemical Co	Permission	Grant	Application Finalised	Additional water storage tanks and plant housing
04/535	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Construction of a plant room penthouse to the existing P2 roof to the following dimensions, 6.070 metres long by 6.030 metres wide to a total height of 2.637
04/1695	Avondale Company	Permission	Grant	Application Finalised	Construction of water treatment building
99/861	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	extension to existing production building
02/7063	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	3 Storey Extension to Existing Buildings To Form Non Production Areas.
00/2047	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	first floor electrical switchroom on top of chiller building
08/1865	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	alterations to existing entrance and the provision of new fascia and soffits at the administration building
04/292	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Extension to existing solvent store to the rear of the existing PSX building consisting of an access lobby, a personnel gowning area, staging area and marshalling
99/1131	Schering Plough (Avondale) Co.,	Permission	Grant	Application Finalised	motor control room to P2 Production Building
86/2651	Avondale Chemical Co.	Permission	Grant	Application Finalised	new laboratory and pilot plant and extension to existing pilot plant and extension to existing steel pipe bridge
98/8624	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	two storey extension to existing R&D and Q.C. buildings incl. new laboratory and office accommodation
01/4913	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	2 storey water filtration building & LT switchroom
02/6574	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Truck Bay Extension
87/3557	Avondale Chemical Co	Permission	Grant	Application Finalised	Extension to production building
99/475	Schering Plough (Avondale) Co.	Permission	Grant	Application Finalised	two storey air testing laboratory & expansion of existing security lodge at entrance to production plant
91/7661	Avondale Chemical Co. Ltd	Permission	Grant	Application Finalised	Development
91/6954	Avondale Chemical Co	Permission	Grant	Application Finalised	Extension to workshop
01/4349	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	additional carparking
88/4197	Avondale Chemical Co	Permission	Grant	Application Finalised	Improvements to sight distances and provision of wider entrance and avenue to premises
00/9890	Schering Plough Avondale Company	Permission	Grant	Application Finalised	alterations to its existing P1 Production Building. The works will consists of a single storey extension 11.9m x 6.7m x 7.0m high to the north side of the P1 builc
00/4711	Schering Plough (Avondale) Co	Permission	Grant	Application Finalised	Construct a new HT switchroom 12m x 5m x 3.5m high to be located along the eastern access road at the southern end of their production facility at their site
99/816	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	alteration to warehouse & new electrical switchroom
88/4254	Avondale Chemical Co	Permission	Grant	Application Finalised	Expansion of existing waste water treatment plant
90/5986	Avondale Chemical Co	Permission	Grant	Application Finalised	New boiler house, chimney, two new oil storage tanks, extension to existing pipework and plant access road
08/1529	Schering Plough (Avondale) Co	Permission	Grant	Application Finalised	new main entrance and adjacent conference room at the R & D building. The proposed development relates to an establishment to which the requirements of
98/8228	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	upgrade existing P4 production building, provision of new pumphouse & extension to electrical room at existing facility
87/3348	Avondale Chemical Co	Permission	Grant	Application Finalised	Extension to generator and switch room
03/8382	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	6 new portacabins and 1 new two storey modular building for office use
92/8090	Electricity Supply Board	Permission	Grant	Application Finalised	38 kv station
03/9138	Schering Plough (Avondale) Co	Permission	Grant	Application Finalised	Installation of temporary accommodation comprising of a two-storey modular building 17.2m x 21.5m x 7.1 m high for use as a training centre facility and offic
97/6642	Schering-Plough (Avondale) Company	Permission	Grant	Application Finalised	extension to existing fire station building, involving raising the roof and extending to the front and side
02/6222	Schering-Plough (Avondale) Co.	Permission	Grant	Application Finalised	Permission for a Bicycle Parking Shed and a Smoking Hut
11/4756	(formerly Schering Plough Avondale	Permission	Grant	Application Finalised	a) existing 2 storey modular office building 6.7 m x 11.7 m x 5.8 m high ( previously granted temporary permission under Planning Permission Ref 03/8362) loc

00/470	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	First floor electrical switchroom on top of the existing PSA building at the southern end of the site
03/8442	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	New portacabin building for boiler water sampling to the east of the existing boiler house building.
01/4350	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	extension to existing low tension switchroom
04/1236	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	A new single storey facility to store high-pressure cylinders. New building to be located in the north-eastern corner of the Rathdrum site. Facility will consist of
91/7701	Avondale Chemical Co	Permission	Grant	Application Finalised	Extension to carpark
87/3460	Avondale Chemical Co	Permission	Grant	Application Finalised	Extension to vestibule of pilot plant
05/2394	Schering Plough	Retention	Grant	Application Finalised	HT Switchroom (prr. 04/711) without compliance with condition No. 3 relating to the retention of an existing Beech Tree (removed due to unsafe nature of the
03/8489	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Expansion of existing car parking facilities by the construction of an additional car park to accommodate 100 cars. The proposed development relates to an east
03/8637	Schering Plough (Avondale) Company	Permission	Grant	Application Finalised	Two storey modular building on lawn in front of Copse House and one storey modular building beside entrance to R&D building

#### Older Files

Applicant	Development	Planning Reference
Avondale Chemical Co	Additional water storage tanks and plant housing	The copse, Rathdrum 89/4386
Avondale Chemical Co	Expansion of existing waste water treatment plant	The copse, Rathdrum 88/4254
Avondale Chemical Co	3 Finger post signs	Rathdrum 89/5011
Avondale Chemical Co	Improvements to sight distances and provision of a wider entrance and new avenue	The copse, Rathdrum 88/4197
Avondale Chemical Co	Extension to production building	The copse, Rathdrum 87/3557
Avondale Chemical Co	Extension to vestibule of pilot plant	The copse, Rathdrum 87/3460
Avondale Chemical Co	Extension to generator and switch rooms	The copse, Rathdrum 87/3348
Avondale Chemical Co	Drum storage compound	The copse, Rathdrum 86/2747
Avondale Chemical Co	New laboratory and pilot plant and extension to existing pilot plant and extension to existing steel pipe bridge	The copse, Rathdrum 86/2651
Avondale Chemical Co	Extension to carparking facilities	Copse House, Rathdrum 86/2591
Avondale Chemical Co	Extension to warehouse	The copse, Rathdrum 86/1952
Avondale Chemical Co	Fire substation	The copse, Rathdrum 84/759
Avondale Chemical Co	Office building	The copse, Rathdrum 84/412

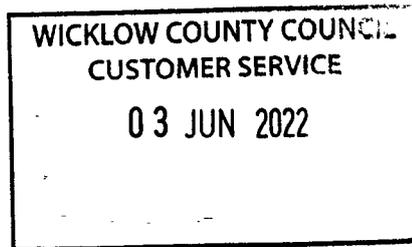
Sent to T Griffin, M Boland  
A. Cushman 13/6/22

Zoetis Belgium S.A. (Irish Branch)  
Copse House  
Laragh Road  
Rathdrum  
Co. Wicklow  
A67 X704

zoetis

02<sup>nd</sup> June 2022

The Senior Planner, Sorcha Walsh  
Wicklow County Council  
County Buildings  
Whitegates  
Wicklow Town  
A67 FW96.



**Ref: Notification of an establishment under the Chemicals Act ( Control of Major Accident Hazards Involving Dangerous Substances ) Regulations 2015 , S.I. No 209 of 2015.**

Dear Sorcha,

In accordance with the requirements of the above Regulations, the site is required to submit a formal notification to the Health and Safety Authority, in order for it to exercise its functions as Central Competent Authority (CCA) under Regulation 21 of the above Act.

As the site increases its activities, it is anticipated that the site will become a Tier I status under the Seveso III regulations by April 2022, due to an increase in Inventory which will lead to an increase in Materials held in the Environment Category.

We would therefore be grateful if you could provide written confirmation that planning permission is not required for this Site. As we apply for a section 5 exemption which states that the Local authority have been notified of the sites tier status change and that planning permission is not required. It is our understanding that this also triggers Wicklow County Council to ensure that the sites Internal emergency plan is included in the County emergency plan.

We would like to remind the Planning Authority that a formal notification was submitted to the H.S.A in December 2021, whereby Zoetis Belgium S.A. Ireland Branch (CRO No 908417), had completed the electronic Notification which was submitted to the central competent Authority.

In accordance with Article 13 of the Directive and Regulation 24(2) of the: **Notification of an establishment under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015, S.I. No. 209 of 2015** and requested permission in writing to become an Upper Tier Establishment.

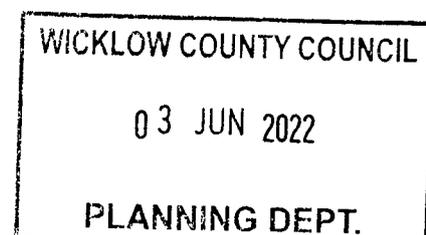
I would be grateful if you could acknowledge our Notification and also written acknowledgement that a section 5 exemption has been approved and planning permission is not required for this change so it can be submitted to the competent authority.

Should you require any more information, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Dora Forde".

Dora Forde  
EHS lead



Zoetis Belgium S.A. (Irish Branch)  
Copse House  
Laragh Road  
Rathdrum  
Co. Wicklow  
A67 X704



26<sup>th</sup> June 2020

The Senior Planner, Sorcha Walsh  
Wicklow County Council  
County Buildings  
Whitegates  
Wicklow Town  
A67 FW96.

**Ref: Notice for the purposes of Section 87(1)(b) of the EPA Act 1992 as amended – Review by the Agency of an Industrial Emissions Licence.**

Dear Sorcha,

In accordance with Section 87(1)(b) of the EPA Act 1992 as amended, we wish to notify the Planning Authority that the Environmental Protection Agency intends initiating a review of the existing Industrial Emissions Licence, Register Number: P0015-05, for an installation located at Rathdrum, Wicklow.

The review is being initiated for the purpose of enabling the Agency to complete a mandatory review of an Industrial Emissions Licence, or revised license, under Section 90(1)(a) of the EPA Act 1992 as amended. This review is for the purposes of updating the site's IED License to ensure compliance with the requirements of the European Commission decision on BAT conclusions applicable to our installation (Commissions Implementing Decision 2016/902/EU).

In accordance with Section 90(7) of the EPA Act as amended, the site is required for the purposes of the review of this licence, to submit the following information.

It is our understanding, that as an existing site, that development is not required for the purposes of achieving compliance with the Commission Implementing Decision of 30 May 2016 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament, the Council on industrial emissions for common waste water and waste gas treatment/management systems in the chemical sector (2016/902/EU).

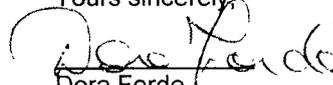
We would therefore be grateful if you could provide written confirmation that planning permission is not required for this Site.

We would like to remind the Planning Authority that a formal notification was submitted to the Council in December 2019, whereby Zoetis Belgium S.A. Ireland Branch (CRO No 908417), had completed the electronic Notification which was submitted to the central competent Authority (H.S.A).

In accordance with Article 13 of the Directive and Regulation 24(2) of the: **Notification of an establishment under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015, S.I. No. 209 of 2015** and requested permission in writing to become a Lower Tier Establishment.

I would be grateful if you could acknowledge our Notification in December 2019 and also written acknowledgement that planning permission is not required for this license review so it can be submitted as part of the site license application. Should you require any more information, please do not hesitate to contact me.

Yours sincerely,



Dora Forde  
EHS lead

20<sup>th</sup> December, 2021.

Unit 1a South Mall,  
Cork,  
T12 R7WC.

**Ref: Notification of an establishment under the Chemicals Act ( Control of Major Accident Hazards Involving Dangerous Substances ) Regulations 2015 , S.I. No 209 of 2015.**

Dear Ms Carew,

In accordance with the requirements of the above Regulations, the site is required to submit a formal notification to the Health and Safety Authority, in order for it to exercise its functions as Central Competent Authority (CCA) under Regulation 21 of the above Act.

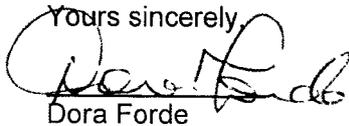
Zoetis Belgium S.A.Ireland Branch (CRO No 908417), has updated the electronic Notification which is submitted for your review.

As the site increases its activities, it is anticipated that the site will become a Tier I status under the Seveso III regulations by April 2022, due to an increase in Inventory which will lead to an increase in Materials held in the Environment Category.

- Regulation 8 - Notifications no later than 3 months prior to start of construction or operation or the modification (Regulation 8(2)(a))  
Notifying now.
- Regulation 10 - Major Accident Prevention Policy  
No later than 1 month prior to when the COMAH Regulations apply (Regulation 10(6)(a)) Already in place,
- Regulation 11 – Safety Report  
2 years from the date from which the COMAH Regulations apply (Regulation 11(3)(c)).- In progress.
- Regulation 15 – Internal Emergency Plan  
No later than 1 month prior to start of construction or operation or the modifications leading to a change in the inventory of dangerous substances (Regulation 15(3)(b)).  
This is already in place however, a HAZ ID exercise review is scheduled for January 2022 which may lead to changes of the plan.

Can you provide the provision of a secure link so the application can be placed securely on the website. A response from the Agency to this request would be greatly appreciated.

Yours sincerely,



Dora Forde  
EHS lead