



Planning and Development Acts 2000 to 2019

Planning Authority: Meath County Council

Planning Register Reference Number: LB/180223

Appeal by Grangegeeth Residents Association care of Joe Groome of Grangegeeth, Slane, County Meath against the decision made on the 29th day of March, 2019 by Meath County Council to grant subject to conditions a permission to Hibernia Steel Products Limited care of Sean Boyle Architects of Unit 3, Second Floor, Donohoe Building, Kennedy Centre, Kennedy Road, Navan, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of two number extensions to existing warehouse at Grangegeeth, Slane, County Meath, as revised by the further public notices received by the planning authority on the 18th day of February, 2019 and on the 7th day of March, 2019.

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.

Reasons and Considerations

Having regard to the nature and scale of the proposed development for extensions to the existing warehouse in Grangegeeth, to the planning history and the established light industrial and associated warehouse usage on site, to the pattern of development in the area and to the proximity of the site to the regional and local road network, it is considered that, subject to compliance with the conditions set out below, the proposed development 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.

Appropriate Assessment: Stage 1 Screening

The Board completed a Stage 1 Screening for Appropriate Assessment in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the Stage 1 Screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion contained in the Inspectors 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. The Board agreed with the screening assessment and conclusion contained in the Inspector's report that the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232) are the European sites for which there is a likelihood of significant effects.

Appropriate Assessment: Stage 2 Screening

The Board undertook an Appropriate Assessment in relation to the effects of the proposed development on the the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232. The Board considered the Natura impact statement (NIS) and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposed development for European Sites in view of the conservation objectives of the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232). The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the assessment, the Board considered, in particular,

- (i) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (ii) the mitigation measures, which are essentially best practice construction methods, which are included as part of the current proposal, and,
- (iii) the conservation objectives of the European sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European sites, having regard to the sites' conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232) or any other site in view of the sites' Conservation Objectives.

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 submitted on the 1st day of February, 2019 and the 7th day of March, 2019 and by the further plans and particulars received by An Bord Pleanála on the 14th day of May, 2019, 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.
 - (a) The use of the site and proposed extensions shall be restricted to light industrial and associated warehousing only. Any change of use shall require planning permission.
 - (b) Storage of steel materials shall be contained within the extended warehouse units, rather than in the open yard area.

Reason: In the interest of clarity.

3. The proposed development shall be amended as follows:
- (a) The external width of northern extension shall be no greater than that of the southern extension, that is, no greater than 26 metres in width, to allow for the retention of the existing row of trees along the western site boundary.
 - (b) A plan showing the circulation route for HGVs through the site to the proposed extensions shall be submitted.
 - (c) A parking layout plan shall be submitted showing 20 number additional on-site car parking spaces, and parking area for HGVs on site.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of orderly development and residential amenity.

4. HGV's shall access the development from the N2 via the L-5604 and L-1605 only.

Reason: In the interests of clarity and the restriction of haulage routes.

5. Within three months of the initial occupation of the proposed development the applicant is required to demonstrate that the existing wastewater treatment system and percolation area are functioning adequately to serve the existing and the proposed extensions. In this regard the applicant shall submit a survey report from a suitably qualified person with professional indemnity insurance detailing the present condition of the existing septic tank and the existing length of the percolation area provided for on site, together with calculations and certification to demonstrate that the existing system is of such a design and construction to cater for the proposal without detriment to public health or the environment. If, arising from the survey report, an upgrade of the treatment system and percolation area is found to be necessary, a proposal to upgrade the treatment system and percolation area shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of public health and environmental protection.

6. A schedule of all materials to be used in the external treatment of the development to include external finishes to match the existing development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate standard of development.

7. (a) The existing trees/hedgerows along the western and southern site boundaries shall be retained.

- (b) A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

- 8. (a) Water supply and drainage arrangements, including the disposal of surface water shall comply with the requirements of the planning authority for such works and services.
- (b) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site.
- (c) An oil inceptor shall be put in place, within the drainage network.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public health and to prevent pollution.

9. The site and building works required to implement the development shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays or 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 the interest of residential amenity.

10. (a) 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 noise management measures and off-site disposal of construction/demolition waste.
- (b) This plan shall also incorporate best practice measures integral to the construction of the development on site, as outlined in Section 3.7 of the Natura impact statement submitted to the planning authority on the 1st day of February, 2019.

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

11. (a) The hours of operation shall be between the hours of 0800 and 1800 for the Administration Warehousing and Trade Counter Sections and between the hours of 0600 and 2200 for Distribution from Monday to Friday inclusive, as set out in Section 4.2 of the Traffic Assessment Report submitted to the planning authority on the 1st day of February, 2019. No activity shall take place on site on Saturdays, Sundays or public holidays.
- (b) No deliveries shall be taken in or dispatched from the premises outside the hours 0700 to 2200 from Monday to Friday inclusive, nor at any time on Saturdays, Sundays or public holidays.

Reason: In the interest of residential amenity.

12. During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:-
- (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
- (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

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

13. Details of lighting on the site, including for the proposed extensions, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

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

14. No additional signage, advertising structures/advertisements, or other projecting elements including flagpoles shall be erected within the site unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

15. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

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

Dated this day of 2019.