

An
Coimisiún
Pleanála

Commission Order
ABP-320192-24

Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

Planning Register Reference Number: 2360388

Appeal by Anu Abbi and others of The Willows, Rosehall, Killineer, Drogheda, County Louth and by James Carroll of Field House, Rosehall, Killineer, Drogheda, County Louth against the decision made on the 21st day of June 2024, by Louth County Council to grant, subject to conditions, a permission to IDA Ireland care of RPS Group of Lyr 2, IDA Business and Technology Park, Mervue, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development of a new Advanced Building Solution consisting of office and light industrial/production spaces. Permission is also sought for vehicular/pedestrian entrance, signage, car parking, cycle shelters, landscaping, underground water storage tank, independent ESB substation and switch room building, access road and all associated site works at the IDA Drogheda North Business Park, Mell, Drogheda, 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 the site's General Employment zoning objective, to the planning history of the site and to the nature, scale, design and high quality of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and 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 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:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299), River Boyne and River Blackwater Special Protection Area (Site Code: 004232), Boyne Estuary Special Protection Area (Site Code: 004080) and Boyne Coast and Estuary Special Area of Conservation (Site Code: 001957) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the

Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299), River Boyne and River Blackwater Special Protection Area (Site Code: 004232), Boyne Estuary Special Protection Area (Site Code: 004080) and Boyne Coast and Estuary Special Area of Conservation (Site Code: 001957), in view of these sites' Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission 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. In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives

and that there is no reasonable scientific doubt as to the absence of such effects.

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 4th day of June 2024, 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. The developer shall ensure that all mitigation measures set out in the Natura Impact Statement (NIS), submitted with the application, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

3. The developer shall ensure that all embodied carbon reductions set out in the Whole Life Carbon Assessment, which was submitted as part of the further information response, shall be implemented and achieved in full, except as may otherwise be required in order to comply with the following conditions. Prior to occupation of the building, the developer

shall submit a report to the planning authority detailing the carbon savings that have actually been achieved,

Reason: In the interest of clarity and the protection of the environment during the construction phase of the development.

4. The operating hours of the facility shall be between 0700 to 1900 hours Monday to Friday and 0800 to 1400 hours on Saturdays only, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of clarity and residential amenity.

5. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority final details of the location and types of bicycle parking stands. Provision should be made for a mix of bicycle types including cargo bicycles. Electric charging points shall be provided at an accessible location for bicycles. All cycle parking shall be conveniently located and well lit.

Reason: In the interest of encouraging the use of sustainable modes of transport.

6. Prior to the occupation of the proposed development, a Mobility Management Plan (MMP) shall be submitted to, and agreed in writing with, the planning authority. This plan shall provide for incentives to encourage the use of cycling and walking by staff employed in the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

7. The landscaping scheme shall be carried out within the first planting season following substantial completion of external construction works. 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 or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

8. The developer shall engage a suitably qualified (licensed eligible under the National Monuments Acts) archaeologist to monitor all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development as appropriate, following consultation with the planning authority and the National Monument Service (NMS). Prior to the commencement of such works the archaeologist shall consult with, and forward to, the NMS a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation (for example, preservation in-situ/excavation). The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation

specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features, or other objects of archaeological interest.

9. External lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the operation of the proposed development.

Reason: In the interest of amenity and public safety.

10. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Details of the ducting shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

11. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant section of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority, for written agreement, a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interests of public health and surface water management.

12. Prior to the commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

13. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interests of amenity and of traffic and pedestrian safety.

14. A minimum of 20% of the car parking spaces shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply 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 sustainable transportation.

15. Site development and building works shall be carried out 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 shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

16. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) relating to noise and vibration shall be submitted to and agreed in writing with the planning authority. 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'.

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

17. 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 Environmental Protection Agency'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; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

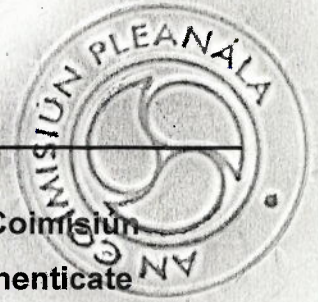
18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Declan Moore

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 22nd day of October 2025.