



An  
Bord  
Pleanála

## Inspector's Report

**ABP-304224-19**

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|-------------------------------------|---|
| <b>Development</b>                  | Construction of 2 extensions to existing warehouse. |
| <b>Location</b>                     | Grangegeeth, Slane, Co. Meath                       |
| <b>Planning Authority</b>           | Meath County Council                                |
| <b>Planning Authority Reg. Ref.</b> | LB180223  |
| <b>Applicant(s)</b>                 | Hibernia Steel Products Ltd.                        |
| <b>Type of Application</b>          | Permission  |
| <b>Planning Authority Decision</b>  | Permission  |
| <b>Type of Appeal</b>               | Third Party   |
| <b>Appellant(s)</b>                 | Grangegeeth Residents Association                   |
| <b>Observer(s)</b>                  | None  |
| <b>Date of Site Inspection</b>      | 18 <sup>th</sup> of July 2019                       |
| <b>Inspector</b>                    | Angela Brereton                                     |

# Contents

|   |    |
|---|----|
| 1.0 Site Location and Description .....                 | 4  |
| 2.0 Proposed Development .....                          | 4  |
| 3.0 Planning Authority Decision .....                   | 5  |
| 3.1. Decision .....                                     | 5  |
| 3.2. Planning Authority Reports .....                   | 5  |
| 3.3. Other Technical Reports .....                      | 8  |
| 3.4. Prescribed Bodies .....                            | 8  |
| 3.5. Third Party Observations .....                     | 8  |
| 4.0 Planning History.....                               | 9  |
| 5.0 Policy Context.....                                 | 10 |
| 5.1. Meath County Development Plan 2013-2019.....       | 10 |
| 5.2. Natural Heritage Designations .....                | 11 |
| 5.3. EIA Screening .....                                | 12 |
| 6.0 The Appeal .....                                    | 12 |
| 6.1. Grounds of Appeal .....                            | 12 |
| 6.2. Applicant Response .....                           | 15 |
| 6.3. Planning Authority Response .....                  | 17 |
| 7.0 Assessment.....                                     | 18 |
| 7.1. Principle of Development and Planning Policy ..... | 18 |
| 7.2. Validity of the application .....                  | 19 |
| 7.3. Design and Layout .....                            | 20 |
| 7.5. Regard to Usage and Intensification .....          | 21 |
| 7.6. Traffic and Transportation issues.....             | 22 |
| 7.7. Car Parking .....                                  | 24 |

|  |    |
|--|----|
| 7.8. Hours of Operation.....             | 26 |
| 7.9. Other issues.....                   | 28 |
| 7.10. Drainage issues.....               | 28 |
| 8.0 Appropriate Assessment.....          | 29 |
| 8.1. AA Screening.....                   | 29 |
| 8.2. Stage 2 Appropriate Assessment..... | 31 |
| 8.3. Conclusion regarding AA.....        | 33 |
| 9.0 Recommendation.....                  | 34 |
| 10.0 Reasons and Considerations.....     | 34 |
| 11.0 CONDITIONS.....                     | 34 |

## 1.0 Site Location and Description

- 1.1. The application site is located in the rural townland of Grangegeeth c. 4km north of Slane village. It is accessed off the L-1605 which connects to the N2 via the L-5604. Grangegeeth is in the rural area but contains a number of established industrial/warehouse type units. Hibernia Steel Products Ltd is an existing steel production facility at the site along with storage sheds and offices served with an existing entrance onto the local road. The offices are primarily located in the red brick north eastern part of the building. The existing commercial buildings onsite are mainly of concrete walls and galvanised roofs with a concrete yard area adjacent to same. There are also a number of steel products stored in the open yard area on site. I noted some smaller works vehicles in operation and empty trailers parked on the day of my site visit. There are trees along the western boundary with the industrial premises on the adjacent site.
- 1.2. On site I noted that there are other industrial/warehouse type uses on the southern side of the road in Grangegeeth. These appear to be in-situ for some time and include Dagget Bricks, R&M Buckets (which provides attachments for Construction, Drainage and Agriculture) is to the west of the site and WK Composites and Dawn Paper & Tissue Manufacturing to the east of the larger commercial development Hibernia Steel Products Ltd. Grangegeeth Inn, a public house is to the east of the crossroads and another industrial type use MTM Engineering is on the local road to the south east of the crossroads. While on my site visit I noted a truck entering the Dawn premises to the east. There is residential on the (northern) opposite site of the road, including a single storey bungalow with an access opposite the vehicular entrance to the subject site.

## 2.0 Proposed Development

- 2.1. This is for the construction of 2no. extensions to existing warehouse.
- 2.2. Drawings including the Site Layout Plan, Floor Plans and Elevations have been submitted with this application.

## 3.0 Planning Authority Decision

### 3.1. Decision

On the 29th of March 2019, permission was granted for the proposed development subject to 16no. conditions. These include the following:

- Condition no.2 – restricted the use to light industrial use and warehousing only - planning permission for any change of use.
- Condition no. 3 - provides that HGV's shall access the development from the N2 via the L-5604 and L-1605 only.
- Condition no. 4 – provides that the applicant shall employ all the prevention/mitigation measures as detailed in the NIS submitted.
- Condition no.5 – relates to ensuring the adequate functioning of the wastewater treatment system.
- Condition no.6 - refers to the hours of operation.
- Condition no.7 – provides restriction on operational noise levels.
- Condition no. 8 – mitigation measures relative to lighting.
- Condition no. 9 – restricts signage.
- Condition no.10 – refers to surface water drainage.
- Condition no.11 – refers to external finishes.
- Condition no. 12 – retention of existing trees and shrubs.
- Condition nos. 13 – 16 – refer to construction related issues.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made and the inter departmental reports. Their Assessment included regard to the following:

- The planning history and to the established industrial use on the site.

- The previous and most recent uses of the site should be clarified and it should be demonstrated that the proposed use does not result in a significant intensification of the previous use onsite. The exact usage of the proposed extensions needs clarification.
- There are no protected views or protected structures in the vicinity of the site and therefore it is not considered that the proposed development would impact on the visual amenities of the area.
- Details of hours of operation and associated traffic and noise impacts need to be clarified.
- Details regarding the septic tank and percolation area to show that it is adequate to serve the proposed development have not been submitted.
- The concerns raised in the submissions relative to traffic management are noted as are the recommendations of the Transportation Office.
- Given the site location the applicant should be requested to carry out a Habitats Screening Statement.
- As noted in the Council's Development Contributions Scheme this proposal as an extension to an existing authorised business is exempt from development contributions.

The Council's Further Information request included the following:

- Clarification relative to the partially constructed industrial building and crane on the site.
- Details relative to the previous and existing operation and processes occurring on the site to demonstrate that the proposal does not represent an intensification of use.
- To clarify the exact uses of the existing buildings and proposed extensions including that the facility will be solely used for the storage of steel products or whether manufacturing of steel will also occur on this site.
- Traffic management details, including relative to hours of operation, distribution routes, staff numbers, location of staff and customer parking.

- Details to demonstrate adequate space for HGV vehicular manoeuvring on the site.
- To demonstrate that the existing wastewater treatment system and percolation area are functioning adequately to serve the existing building and the proposed extensions.
- To submit a Habitats Directive Screening Statement to contain sufficient information to allow the PA to screen the application and to fully assess the potential impacts of the proposal on the designated sites.
- To review the submissions and to address the issues raised.

The applicants subsequently requested a time extension to respond to the Council's F.I request. The P.A agreed to a 3 month extension.

*Further Information response*

Sean Boyle Architect, Surveyor and Planning Consultants response on behalf of the applicant includes the following:

- They have applied for and received planning permission for the retention and completion of the building in question.
- They provide details of the existing and proposed operations and note that no intensification of use is envisaged.
- The proposed usage is primarily for storage usage with some industrial processes to be carried out therein.
- They include a Traffic Report outlining the hours of operation, the type and frequency of vehicles. Details are also given of staff numbers/car parking and traffic having regard to the proposed extensions. The Plan enclosed shows Autotrack movements as required.
- They provide details of the wastewater treatment system and percolation area and note that it was designed for a pop equivalent of 40 people and that it appears to be working to the manufacturers specification.
- They enclose a Habitats Directive Screening Statement.
- Revised Public Notices

### *Planner's response*

This notes the further information submitted and their Assessment includes regard to the responses to each of the items raised. They concluded that having regard to the suitability of the site from a technical perspective, together with the nature and scale of the development, that the proposed development would not seriously injure the amenities of the of the area, nor lead to devaluation of adjacent property, would not lead to creation of a traffic hazard nor traffic inconvenience and would therefore be in accordance with the proper planning and sustainable development of the area. They considered the development to be in compliance with ED POL 18 of the Meath CDP 2013-2019 in relation to rural enterprise.

### **3.3. Other Technical Reports**

#### Transportation Office

They had regard to the drawings submitted and requested clarification as to issues regarding conflict with HGV manoeuvring on the site. Also, a swept path analysis of the vehicle exiting the northern building. In response to the F.I submitted they note that they have no objection subject being conditioned to limiting HGV's to accessing the development from the N2 via the L-5604 and L-1605.

#### Assistant Chief Fire Officer

They provide that a Fire Safety Certificate Application is required for the development under Part III of the Building Control Regulations.

### **3.4. Prescribed Bodies**

The Health and Safety Authority notes that since the proposal appears to be outside the scope of the Regulations, the Authority has no observations to forward.

### **3.5. Third Party Observations**

The Grangegeeth Residents Association, submission/petition relates their concerns relative to the application, these include relative to:

- Traffic management/Impact
- Hours of operation



- Building prior to approval
- Unsuitable Site

Another submission made includes concerns relative to the following:

- Validity of the Planning Application
- Impact on Residential Amenity
- Road Traffic Implications
- Public Services
- Natura 2000

These issues are considered further in the context of the Assessment below.

#### 4.0 **Planning History**

The Planner's Report provides details of the Planning History relative to the subject site and this includes the following permissions granted subject to condition by Meath County Council:

##### *Subject site*

- Reg.Ref. LB/190247 –Permission granted (2019) for retention of existing groundworks and construction of 417sq.m g.f.a extension to existing building to house additional steel storage space and steel finishing machinery.
- Reg.Ref. LB/180801 – Retention permission granted (2018) to Hibernia Steel Products Ltd for the Retention and Completion of dispatch area to the front of the premises at Grangegeeth.
- Reg.Ref.SA60379 – Permission granted to Geith International Ltd. for the retention of offices, canteen, kitchen area, and extension to the rear of factory.
- Reg. Ref. 01/4196 – Permission granted to re-roof and extend existing fabrication plant and storage area.
- Reg.Ref. 01/4163 – Geith International were granted permission for the construction of a new steel storage warehouse to the rear of their existing fabrication plant.

- Reg.Ref. 97/355 – Permission granted to construct new site access to existing buildings.
- Reg.Ref.97/12 – Permission granted to erect a factory workshop extension.
- Reg.Ref.95/82 – Permission granted to erect a factory extension.
- Reg.Ref. 94/607 – Permission granted to erect factory extension, septic tank, and to install a gas fired kiln.
- Reg.Ref.89/1206 – Permission was granted for the erection of a factory for the manufacturing of earthenware goods.
- Reg.Ref. 89/558 – Permission granted for the erection of offices and extension to factory.

#### *Other - Proximate Sites*

- Reg.Ref. LB/170509 – 10 year permission granted by the Council and subsequently subject to conditions by the Board (PL17.248939 refers) for the Installation of a photovoltaic (PV) solar panel array consisting of up to 11 hectares of solar panels on ground mounted steel frames, electrical substation, client side substation, inverter cabins, underground cable ducts, a temporary site compound and ancillary facilities, boundary security fencing, CCTV, associated site roads and site works at Grangegeeth, Slane, County Meath.

This site is on the opposite side of road further to the east, closer to Grangegeeth crossroads.

## **5.0 Policy Context**

### **5.1. Meath County Development Plan 2013-2019**

Chapter 4 refers to Economic Development Strategy and includes relevant policies and objectives.

ED POL 18 seeks: *To recognise and develop the full potential for energy production and manufacturing including the export of green energy to the national grid...*

ED POL 19 seeks: *To recognise the contribution of rural employment to the overall growth of the economy and to promote this growth by encouraging rural enterprise and diversification generally and to promote certain types of rural enterprise, especially those activities which are rural resource dependent, including renewable energy production, food production / processing and the extractive industries.*

ED POL 20 seeks: *To normally permit development proposals for the expansion of existing authorised industrial or business enterprises in the countryside where the resultant development does not negatively impact on the character and amenity of the surrounding area. In all instances, it should be demonstrated that the proposal would not generate traffic of a type and amount inappropriate for the standard of the access roads. This policy shall not apply to the National Road Network.*

ED POL 21 seeks to permit development proposals for industrial or business enterprises in the countryside where generally (criteria (i) to (vi)) are met.

Chapter 6 relates to Transport

Section 6.10.2 refers to Regional and Local Roads

Chapter 10 relates to Rural Development

Section 10.19.3 refers to Wastewater Disposal in unserviced areas. RD POL 46 refers.

Chapter 11 relates to Development Management Guidelines for non-residential development.

Section 11.8.1 refers to Industrial, Office, Warehousing and Business Park Development.

Volume 2, Appendix 16 identifies Grangegeeth as a Rural Graig.

Copies of these policies are included in the Appendix to this Report.

## **5.2. Natural Heritage Designations**

- 5.2.1. The nearby stream to the south of the site is a tributary of the River Boyne and River Blackwater SAC and SPA protected as Natura 2000 sites under European legislation.

### 5.3. EIA Screening

- 5.3.1. Having regard to the nature the proposed development as an extension to an existing established light industrial/warehouse use, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

Grangegeeth Residents Association have submitted a Third Party Appeal. Their grounds of appeal include the following:

#### *Traffic*

- Traffic implications, particularly relevant to HGV movements. The existing road network cannot cope with an intensification of use. They include photos showing the state of the roads in the vicinity.
- They request the Board to assess the traffic concerns in relation to traffic numbers, staff movements and car parking, all within the context and having due regard to ED POL 19.
- The JRY Consultants Traffic Report is very misleading and full of inconsistencies. They do not agree with the traffic numbers and movements stated and consider that these are not substantiated.
- This application along with concurrent applications all demonstrate that such large scale industrial/warehousing activities on site negatively impact on the character and amenity of the surrounding area.

#### *Staff Movements and Car Parking*

- They query the car parking layout and consider that there is a serious conflict and to permit same would pose a serious risk to those having to operate within the confines of an already overdeveloped site.

- They consider that staff car sharing cannot be enforced and are concerned that off-site parking will lead to traffic hazard.
- They query the 'storage facility' usage proposed.
- To permit this proposal would pose a traffic safety hazard and it should be refused planning permission.

#### *Opening Hours and Impact on Residential Amenity*

- They note that Hibernia Steel guarantee 24 hour delivery and are concerned about the length of opening hours and operations, including large vehicles entering/exiting the site and using the local road network throughout the night.
- They are concerned about Condition no. 6 (hours of operation) of the Council's permission and consider that the impact on their residential amenity has not been assessed.
- Such operating hours are not acceptable in the context of a Rural Graig.
- These hours of operation and multiple uses within the site would be injurious to the residential amenity of adjacent dwellings and the entire area, devaluing their homes and right to peace and quiet.

#### *Public Health*

- The PA has failed to adequately address the issue of public health and they consider that the adequacy of the WWTU to cater for proposed staff numbers has not been demonstrated.
- They are concerned about the impact on water quality in the area. The application site is not served by public mains nor a group water scheme. It is served by a private well, as are all properties in the dry Graig of Grangegeeth.
- The applicant's response and inaccurate details are all the more serious given the sites special location with the designated River Boyne & River Blackwater SAC and SPA and the necessity that this application require a Stage 2 NIS.

#### *Land use associated with the site*

- They are concerned about the operational land uses on this site and as to whether they are authorised. They ask the Board to assess the permitted use

on the site and make a determination with regard to the class of use which should be attributed to this site.

- They ask the Board to protect their residential amenity and limit the use of the site to 1 singular use rather than a multiple of uses granted planning permission.
- The applicant has not sought planning permission for a light industrial use so they query why has the Council granted a dual land use.
- They are concerned that the applicant would develop a warehousing depot along with a light industrial use simultaneously and the impact this would have on their residential amenity.

#### *Validity of Planning Application*

- They consider that there are a number of issues concerning the validity of the application and provide details of these, including incorrect dates and non-adherence to timelines including relative to the submission of the NIS, lack of consistency in the public notices etc. They consider that the application should have been declared invalid and withdrawn.

#### *Conclusion*

- The residents raised a number of issues within their planning submissions and they consider that the Planner's Report failed to address their concerns.
- They are concerned that the Council has given the applicants a carte blanche in terms of the operations that can be carried out on the site.
- They consider that this and other permissions granted provide for an overdevelopment and an intensification of use of this site which will severely diminish the residential amenity of surrounding dwellings.
- The proposal will result in traffic hazard.
- It is contrary to the policy and provisions of the Meath CDP and to the proper planning and development of the area and should be refused.

## 6.2. Applicant Response

Steven Peck Chartered Town Planner's response on behalf of the applicants to the Third Party grounds of appeal includes the following:

- An Executive Summary is provided relative to the history and established usage of the site.
- They note the former usage by Geith International until 2016 and have regard to existing use and that proposed in the extensions.
- They provide that Hibernia Steel is a growing Irish business providing local employment. The proposed development will facilitate the creation of 17 permanent skilled jobs.
- They provide details of the scale of operations and note that this proposal will allow for the reduction in the number of HGV import deliveries travelling to and from the site on local roads.
- They note that permission was granted subject to 16no. conditions, following a comprehensive planning and technical analysis by the Council.
- The proposed development is in accordance with planning policy and the proper planning and sustainable development of the area.

### *Traffic*

- The proposed development will reduce the number of HGVs travelling to and from the site, as set out in the Traffic Assessment submitted. It will not increase the number of small/medium sized lorries visiting the site.
- They note the recommendations of the Roads Section of the Council relative to haulage routes and provide that Condition no. 3 is acceptable.

### *Staffing*

- They provide details relative to staffing and the anticipated increase in staff from 25 to 45.

### *Parking*

- They provide details of the parking and consider that the current level of provision is more than sufficient to cater for all anticipated employment growth on site and for all visitors to the site.
- The layout of the existing parking area is shown in Appendix G of the Traffic Assessment Report submitted. While additional parking can be accommodated they do not consider it necessary.

### *Hours of Operation*

- They provide that it is untrue that Hibernia Steel operates throughout the night and on Sundays. They provide details of the hours of operation (noted in the Assessment below) and provide that the condition on the grant of permission is acceptable to the Applicant.
- They have implemented new lighting procedures to minimise light disturbance during the winter months.
- They note issues with early morning parking by lorries on the road outside and provide that the Applicant has issued a memorandum to all relevant customers relative to avoidance of this issue.
- They take their responsibility to protect the amenity of local residents seriously and the hours of operation condition is acceptable to them.

### *Public Health*

- They provide details of the wastewater treatment system and note that it was designed for a pop equivalent (p.e) of 40 persons. They provide that it is operating effectively and is sufficient to cater for the existing and proposed development.
- They note the Council's conditions relative to the wwts and have hired a consultant to carry out the required survey work to see if any upgrade is necessary. If so they will submit an appropriate upgrade proposal to the Council as required.



### *Planning History*

- The Council assessed the permitted uses of the site with respect to planning history and concluded that the site has a long history of permitted manufacturing and storage use.
- The light industrial and warehousing use of the site is considered appropriate. Hibernia Steel's business consists of steel warehousing and steel finishing operations, which comprise 'light industrial' operations.

### *Validity of the Planning Application*

- They provide a Table in respect of the validity of the planning application and the Applicant's response.
- In summary they consider that the correct procedures were followed at all times in the making, processing and determination of the subject application in accordance with the relevant legislation.

## **6.3. Planning Authority Response**

Meath County Council's response to the grounds of appeal includes the following:

- The P.A is satisfied that all matters outlined in the submission were considered in the course of its assessment of the planning application as detailed in the Planning Officer's Report.
- They note that the public notices did in the F.I response refer to the submission of the NIS.
- In relation to traffic movements a report was received from the Roads Section which is satisfied with the development relative to traffic movements.
- From the details submitted it is not considered that the development onsite will result in an intensification on the previous permitted use from this site.
- The use onsite does involve cutting and bending of the steel brought onto the site and therefore it is considered that the use complies with the existing light industrial permission onsite.
- There is an existing facility onsite going back a few decades and they have regard to the planning history.

- They consider that the working order of the existing WWTS could be addressed by way of condition.
- The hours of operation could be conditioned to prevent any undue impact on the adjoining residential amenity.
- A condition that the mitigation measures detailed in the NIS are carried out was also addressed in their grant of permission.
- The proposed development is considered to comply with policy ED POL 19 as detailed. It is considered to be consistent with the policies and objectives as outlined in the Meath CDP 2013-2019.

## 7.0 Assessment

### 7.1. Principle of Development and Planning Policy

- 7.1.1. The subject site is located on unzoned and unserved lands in the gaug of Grangegeeth. However, while in the rural area, it is recognised that there is an existing industrial use on site that has become established over several decades. This proposal seeks extensions to this established industrial use. Having regard to the extensive planning history of the site and as noted in the Planner's Report and the Planning History Section above, there is a long established and permitted manufacturing and storage use on this site. As noted in the planning history and the documentation submitted it is considered that the light industrial and associated warehouse use has become the established land use on this site. This proposal is for extensions to the existing established usage. Therefore, it is considered in this context and relative to the issue of intensification of use, rather than as a new proposed or separate use to the existing operations on this site.
- 7.1.2. Regard is had to Chapter 4 which provides the Economic Development Strategy. The Council consider that the proposal complies with Policy ED POL 19 of the current Meath CDP. This and Policy ED POL 20 have been quoted in the Policy Section above. It is noted that the latter is the more relevant economic policy in this instance, in that it applies to the expansion of an existing authorised industrial or business enterprise in the countryside.

- 7.1.3. The Third Party do not consider that the proposal complies with this policy. The Grangegeeth Residents Association are concerned that the site is in their opinion unsuitable for the scale of development and is not fit for purpose and that this proposal will only exacerbate problems resulting from the intensification and increase in scale of the usage. Concerns include, regard to the land use, impact on the local road network, road safety, traffic management, noise, light pollution, hours of operation and negative/adverse impact on the character and amenities of the area and unauthorised development.
- 7.1.4. The First Party response to the grounds of appeal considers the issues raised by the Appellants and provides a detailed response. They contend that the proposed development is consistent with planning policy and objectives in the Meath CDP particularly relative to industrial and business enterprises in the countryside, and the proper planning and sustainable development of the area.
- 7.1.5. Regard is had to the issues raised and to the impact on the character and amenities of the area and to proper planning and sustainable development of the area, in this Assessment below.

## **7.2. Validity of the application**

- 7.2.1. The Third Party have raised concerns about the validity of the application and regard is had to the Planning and Development Regulations 2001-2018 (as amended). They have raised a number of issues in this regard and consider that inadequate or ambiguous information has been submitted including relative to the public notices and that timelines have not been correctly adhered to in accordance with the legislation. They note that some development works have already taken place on site and consider the details submitted relative to the description of the development are flawed and question the validity of the application.
- 7.2.2. The First Party response includes a Table in respect of the validity of the planning application and the Applicant's responses. They consider that correct procedures were followed and that the application is in accordance with the legislation and is valid. The Planning Authority response provides that they are satisfied that all the matters outlined in the submission were considered in the course of their assessment of the planning application as detailed in the Planner's Report.

- 7.2.3. These concerns have been noted and I am of the opinion that these are procedural matter for the P.A. to address, a determination on whether the P.A decision is valid or not, would not be appropriate to make here. However, it must be noted that this application is now being considered on its merits de novo by the Board.
- 7.2.4. The Grangegeeth Residents Association also refer to unauthorised development on site, and regard is had to the Planning History Section above. It must be noted that the issue of enforcement proceedings is one for the appropriate section of the Council and is not within the remit of the Board.

### 7.3. **Design and Layout**

- 7.4. The proposed development consists of 2no. extensions to the western side elevation of the existing warehouse building. The application form provides that the area of the site is 3.6ha. The proposed new extensions are to have a height of 10m and a combined floor area of 3016sq.m. As shown on the drawings these are in the form of two separate extensions to be attached to the western part of the buildings. The southern extension has a floor area of 1534sq.m and is shown set c.6.5m off the western boundary and the northern extension is shown with a floor area of 1482sq.m and is more proximate to the western site boundary. I would consider that having regard to visual impact they will serve to screen the open storage now provided in the western yard area and will be seen in the context of the existing industrial/warehouse buildings. If the Board decides to permit I would recommend the inclusion of a condition that external finishes match that of the adjoining buildings.
- 7.4.1. On site I noted that there is a row of trees and hedgerows along the western site boundary with the adjoining industrial sites (in separate ownership to the west). In view of the rural setting of the application site and having regard to landscaping and encouraging biodiversity I would recommend that these boundary trees/hedgerows be retained. In order to achieve this, revised plans would need to be submitted showing the northern extension reduced in floor area and set a minimum of 6m off the western site boundary. If the Board decides to permit I would recommend that this be conditioned.

## 7.5. Regard to Usage and Intensification

- 7.5.1. The Further Information submitted and the First Party response to the grounds of appeal notes that the proposed extensions are for the purpose of storage, however a bending and cutting machine will be fitted as shown on the plan to facilitate the requirements of the Clients purchasing sections. They point out that this is mainly a storage facility for the distribution and re-selling steel in smaller quantities to retailers and Engineering companies. They provide that the storage is required to cover as much of the steel as possible to keep it from oxidising in the open air. The existing use of the sheds is seen to be steel storage with small areas for bending and cutting.
- 7.5.2. The details submitted note that the site has a long history of industrial use. The site until 2016 was occupied by Geith International, a maker of steel components for construction and farming vehicles. Previously for the last 30 years manufacturing of machinery excavation buckets and loading shovels has taken place on the premises. Currently the steel comes in manufactured form in large quantities and is stored and distributed to retailers and Engineering companies. The proposed development will allow for additional steel processing/finishing to be carried out on site, instead of being shipped to and from other locations, which will reduce the number of HGVs travelling to and from the site. This is detailed in the Traffic Assessment Report submitted.
- 7.5.3. They provide that no intensification of use is envisaged at this point and that while there is a considerable open storage of steel (which could be for sale) the activities on site have been reduced. They note that 180 workers were at one time employed during the Geith operation, the workforce has been reduced and is now increased to 40. They provide that the increase in staff from 25 to 45 includes all anticipated growth within the firm, including customer service and office-based staff and staff to be employed in additional steel processing/finishing within the premises. Deliveries are also reduced as noted in the JRY Consulting Engineers Report. Customer numbers and comings and goings will remain roughly as before and staff movements and numbers have been greatly reduced from the former Greith operations.
- 7.5.4. A Traffic Assessment Report was submitted by JRY Consulting Engineers in response to the Council's F.I request. This notes that the site has been in use as an industrial area since the late 1950's with large scale fabrication of heavy steel taking

place on the site as recently as two years ago. The industry currently located on the site is less intensive than the previous use as the existing use is to facilitate the storage and supply of steel with no fabrication of steel taking place on site. The proposed development will provide space to stock an increased quantity and range of imported steel product for sale or distribution from site. It is provided that the extension to the warehousing will provide additional space to allow the stored steel products to be finished on site, therefore reducing the number of HGV import deliveries travelling to and from the site on local roads and avoiding the double movement of an amount of heavy traffic to site.

## **7.6. Traffic and Transportation issues**

- 7.6.1. It is proposed to use the existing access from Hibernia Steel Products Ltd to the local road in Grangegeeth. The Third Parties are concerned that the narrow local network of roads leading to and from Grangegeeth in particular from the N2 to the east and along the L5604 are already very busy and congested and that the introduction of 2 extensions of this scale to the existing structure will inevitably lead to more traffic movements and will further exacerbate the traffic problems in the area. Also, that the existing safety hazards caused by larger vehicles both accessing/exiting the site and using the local road network for motorists and pedestrians in the area will be intensified. That the application is premature pending an upgrade of the local roads. That there is a need for traffic management and that details should be submitted relative to the number of traffic movements to and from the site, staff numbers, a car parking layout. Also, that adequate on-site car parking facilities should be provided.
- 7.6.2. It is noted that as shown on the drawings the proposed route for HGVs will be via the southern extension and through the northern extension to the existing factory. The Transportation Section requested clarifications as to how a HGV is to manoeuvre around the south west corner of the southern building, showing any modifications to the proposed building or boundary as necessary. Also, how the conflict with the existing column in the northern building is to be addressed. They recommended that the applicant should submit the swept path analysis of the vehicle exiting the northern building. In response to the Council's F.I request the applicants submitted a plan showing how a HGV will manoeuvre around the south western corner of the southern building. The plan also shows Autotrack movements. The Council's

Transportation Section did not object to these internal site movements. If the Board decides to permit I would recommend that it be conditioned that a plan be submitted for the written agreement of the Council showing circulation routes for HGVs through the site to the proposed extensions.

- 7.6.3. Regard is had to the Traffic Assessment Report submitted in response to the Council's F.I request. This provides details relative to the previous and existing uses, hours of operation and traffic movements. Details are given relative to the type and frequency of vehicles to service both the proposed and previous usage of the site. It is noted that this consisted of a mixture of light traffic associated with staff movements as well as medium traffic and heavy traffic associated with the delivery of stock & fabricated steelwork. The existing use of the site of the proposed development consists of the storage and supply of unfabricated steel products.
- 7.6.4. They provide in summary that the type and frequency of vehicles to service the proposed use of the site as part of the proposed development will as per the existing use consist of a mixture of light traffic associated with staff movements, medium traffic associated with customers to the trade counter and heavy traffic associated with the delivery of steel products.
- 7.6.5. Section 4 includes that in terms of light traffic they have regard to staff movements and provide that there will be a maximum of 45 staff based at the site to facilitate the proposed development which at a maximum will require 90 traffic movements during the day. They also refer to carshare, reducing the number of such movements, which the Third Parties are concerned is not practical. They note that these traffic movements will primarily occur between 07.00 & 09.00 and 17.00 & 19.00 to allow for staff to arrive and leave work.
- 7.6.6. They provide that the medium traffic associated with the proposed development will as per the existing use be customers consisting primarily of pick-up to medium sized flat bed trucks. There will be an average as per existing of 15 customers to the trade counter per working day resulting in an average of approx.30 traffic movements. There will not be an increase in the number of small/medium sized lorries visiting the site.
- 7.6.7. The heavy traffic associated with the deliveries of steel products as per the existing use will consist of primarily of articulated (40 foot) truck and trailer units. They

provide that the heavy traffic movements will consist of an average of 10 loads of stock steel or unfabricated steel per working day to and from the existing site. It is noted that the delivery of steel products as per the existing use will primarily occur in the morning or evening time to facilitate the travel times across the county.

- 7.6.8. Section 4.3.5 provides that the heavy traffic movements as part of the proposed development will reduce as double movements of steel product will be removed as steel is proposed to be finished on site. They include that the removal of the requirement for double movements of heavy traffic to allow steel products to be finished off site is an advantage to both the applicant and the local community. Appendix F provides details of Deliveries, noting that the proposed use will not represent an increase on the previous use.
- 7.6.9. The Third Parties have expressed concern about haulage routes and damage to the local road network (they include photographs). The Report includes that a number of haul routes are provided to the existing site to ensure traffic movements are shared across the road network. It is proposed that the existing haul routes would continue to be used to serve the site as part of the proposed development. Details are given of haulage routes from the North-East, South-East, South-West and North-West.
- 7.6.10. The Council's Transportation Section's comments note that the warehouse located in Grangegeeth is accessed off the L-1605 which connects to the N2 via the L-5604. The local roads are approx. 5.5 to 6m wide and they provide are in good condition. They note that adequate sightlines are available from the entrance onto the L-1605. They had no objection to the proposal subject to the applicant being conditioned to limiting HGV's to accessing the development from the N2 via the L5604 and L-1605. This has been included in Condition no. 3 of the Council's permission. The Third Parties consider that this condition is unenforceable. However, it is noted that it is also included in Reg.Ref. LB/190247 (as noted in the Planning History Section above). Also, the First Party response to the grounds of appeal includes that this condition is acceptable to the Applicant.

## **7.7. Car Parking**

- 7.7.1. Section 5.0 provides details on carparking layout which provides c. 50 spaces and is divided into 3 adjoining sections. Management and visitor parking are located to the



east side of the main building. The short-term trade drop off parking is located further to the rear on front of the main entrance adjacent to the rear of the administration building. General staff parking is located to the left of the entrance adjacent to the eastern boundary. They propose that the existing car parking layout (as shown in Appendix G of the Traffic Assessment Report submitted) would continue as per the existing as part of the proposed development.

- 7.7.2. The First Party response also notes that the development permitted on site under Reg.Ref. LB/180801 requires no additional employees, and the development permitted under Reg.Ref. LB/190247 will create four jobs, all of which can be accommodated within the existing carpark. They also note that there is space on site to facilitate additional provision should the Board consider it appropriate to require more parking spaces by way of condition, but that they do not consider additional parking to be necessary.
- 7.7.3. Section 11.8 of the Meath CDP refers to Industrial, Office, Warehousing and Business Park Development. This includes regard to servicing, loading and unloading of vehicles and to on-site car parking. Table 11.9 provides the Car Parking Standards. This includes relative to Land Use -Employment: Manufacturing Industry – 1per 50sq.m g.f.a, Warehousing 1 per 100 sq.m g.f.a. The description of development is for 2 extensions to existing warehouse, the floor area of which is given as 3016sq.m. Based on the warehouse rather than the industrial usage the requirement for this scale of extension would be an additional 30 spaces. Notes relevant to this Table include: *Non-residential car parking standards are set down as 'maxima' standards.*
- 7.7.4. Section 5.2 of the Traffic Assessment Report notes that the amount of parking provided at the site is as existing i.e. 50no. spaces spread across the management, visitor and general staff parking area. It is not proposed to provide additional parking and they note that parking for the proposed development is not in accordance with the CDP standards. They note that the short term drop off parking to the rear of the administration building is not included but is an additional to the individual car parking spaces and could provide additional parking on-site. They provide that the expected occupancy is calculated using the current staff car parking requirements which comes to 80% of the staff numbers, that 14no. car parking spaces in the short term drop off area would cater for visitors. Therefore, they contend that the existing

car parking is sufficient and that the proposed extensions will not result in a demand for more on-site parking.

7.7.5. It is noted that the Council's Transportation Section did not refer in particular to a deficit in on-site parking provision and it is noted relative to the notes in Table 11.9 that the Council has discretion relative to such provision. However, there is concern that the Car Parking Standards in the CDP have not been complied with and I would consider that this is not good practice and may set an undesirable precedent relative to the scale and nature of the proposed extensions. The Third Party concerns relative to adequate onsite parking provision are also noted. Having viewed the site, it would appear that there is space particularly to the east of the building to accommodate an additional parking area. I would recommend if the Board decides to permit that it be conditioned that a Site Layout Plan be submitted for the written agreement of the Council, showing the existing parking area and 20 no. additional on-site parking spaces and HGV trailer parking area marked out.

## 7.8. Hours of Operation

7.8.1. The Third Party concerns relative to disturbance issues concerning the length of the hours of operation are noted as is the proximity of residences to the site and on the local road network. The Traffic Assessment Report notes the existing and previous hours of operation relative to the subject site. It provides (Section 4.2) that having regard to the current usage the existing Hours of Operation are as follows:

- Administration – 08.00-18.00 Monday to Friday
- Warehousing – 08.00 to 18.00 Monday to Friday
- Trade Counter -08.00 to 18.00 Monday to Friday
- Distribution – 06.00 to 22.00 Monday to Friday.

7.8.2. They note that the hours of operation have been reduced due to the omission of the former workshop activities and of Saturday operational hours relative to the workshop and distribution. Also, that the existing hours of operation take into account human nature with regards to arriving and leaving work within an amount of time before and after closing hours. They note that the administration, warehousing, trade counter & distribution is not operational on Saturday, Sunday and Bank Holidays.

- 7.8.3. It is noted that Condition no. 6 of the Council's permission provides that the opening hours shall be as per Section 4.2 of the Traffic Assessment Report. The said section restricts the opening hours to as noted above. The Condition also provides that no activity on site shall occur on Saturdays, Sundays and Bank Holidays.
- 7.8.4. The Third Parties are concerned about the workability and enforceability of this condition. There are concerns about noise, light pollution and traffic resulting from the hours of operation which the Grangegeeth Residents Associations state is c.05.15 to 23.00, 7 days a week including Bank Holidays. They also consider that the distribution hours are too long and disturb their peace and quiet. However, it is noted that this condition reduces the hours of operation and this application is for extensions to development that has already been permitted on this site.
- 7.8.5. Therefore, if the Board decides to further reduce the hours of operation (which are long relative to the distribution activities) this would only refer to the current application relative to the extensions and would so be unworkable relative to the activity as a whole, for the established use of this site. The First Party, also note that they have issued a memorandum to all relevant/Suppliers informing them that early arrival on site should be avoided in the first instance, and where it is unavoidable, drivers have permission to enter the site and must not park on the public road. It is also noted that their response to the grounds of appeal provides that that this condition is acceptable to them. If the hours as per section 4.2 of the Traffic Assessment Report are extended further than permitted by this condition, it would mean that the activity would be unauthorised and subject to planning enforcement, which as has been noted is in the remit of the Council rather than the Board.
- 7.8.6. The First Party response also noted that the Applicant has prepared and implemented new site lighting procedures to minimise light disturbance during the winter months. It is recommended that if the Board decide to permit that a condition relative to provision and implementation of a lighting scheme be included.
- 7.8.7. It is noted that the Council's permission has included a condition relative to restrictions on noise during the operational phase of the proposed development. Having regard to the proximity of residential development on the opposite side of the road, if the Board decides to permit I would recommend that a similar type condition be included.

## 7.9. Other issues

7.9.1. The Meath County Development Contributions Scheme 2016-2021 (as amended) includes Section 7.1 relative to Exemptions and Reduced Contributions. Section 7.1.3 refers to Non-Residential Development and includes: *Expansions to existing authorised commercial, industrial and manufacturing operations (Class 1-5) shall be exempt where development contributions have been paid in full for the existing use. Where the Planning Authority deems that additional public infrastructure is required to facilitate the development a Special Development Contribution may apply.* The Planner's Report noted that this current proposal is for the construction of an extension to the existing light industrial facility onsite and as such they provide that contributions are no applicable. Therefore, it is considered that should the Board decide to permit that a development contributions condition would not be applicable in this case.

## 7.10. Drainage issues

- 7.10.1. The application provides that there is an existing connection to the public mains and there is an existing conventional septic tank on site. The Third Party is concerned that the applicant has not demonstrated that the existing treatment system has the capacity to cater for any extra effluent generated by the proposed development. While the location of the existing septic tank has been shown on the site layout plan the location of the percolation area has not been indicated. Also, that it has not been demonstrated that the existing system has been maintained and there are concerns that it could be a cause of pollution. They consider the applicant should be requested to submit proposals for effluent disposal which includes a WWTU which sufficiently caters for a business of this scale or to demonstrate that the use of the existing septic tank and percolation area will not cause a health hazard.
- 7.10.2. The First Party response provides that the site is equipped with a wastewater treatment system designed for a population equivalent (p.e) of 40 persons. Also, that relevant to the recommended wastewater loading rates for commercial premises, this level of provision is sufficient to cater for all anticipated employment growth at the site, including that related to the permission granted under Reg. Ref. LB/190247.

They note that the treatment system on site received a full service in April 2019 and was found to be working sufficiently.

- 7.10.3. Regard is had to the Council's Condition no. 5 which requires the applicant to demonstrate that the existing wastewater treatment system and percolation area are functioning adequately. The First Party provide that this condition is acceptable to them. They also note that the Applicant has hired a consultant to carry out the required survey work and that if any upgrade works to the treatment system or percolation area are identified as necessary, they will submit an appropriate upgrade proposed to the Council as required. It is recommended that if the Board decide to permit that a condition relative to water supply and drainage be included.

## **8.0 Appropriate Assessment**

### **8.1. AA Screening**

- 8.1.1. A Natura Impact Statement has been submitted in order to assess if the proposed development is likely to have a direct, indirect or 'in-combination' impacts on the Natura 2000 network. The assessment requirements of Article 6 of the Habitats Directive are generally dealt with in a stage by stage approach. The stages are as outlined in 'Appropriate Assessment of Plans and Projects in Ireland-Guidelines for Planning Authorities'.
- 8.1.2. According to the guidelines as laid down by the NPWS (2009), AA screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):
- (1) Is the plan or project directly connected to or necessary for the management of the site?
  - (2) Is the plan or project, alone or in combination with other such plans or projects likely to have significant negative effects on a Natura 2000 site(s) in view of the conservation objectives of that site(s)?
- 8.1.3. The proposed development does not comply with the first screening test i.e the project is not directly connected to or necessary for the management of any Natura 2000 site. The Screening exercise therefore concentrates on the second screening test as noted above.

- 8.1.4. A description is provided of the site and the presence of a water-course immediately adjacent (Devlin River). They provide that the number of species recorded in the vicinity of the site is low. It is likely that Kingfisher utilise the Devlin River in the vicinity of the proposed development. No species listed in Part (1) of the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations of 2011 are recorded as occurring.
- 8.1.5. The Screening Assessment notes that the proposed development will take place proximate to the Devlin River, which is a tributary of the Mattock River, which discharges to the River Boyne – the primary constituent of the River Boyne and River Blackwater SAC (site code 002299) and River Boyne and Blackwater SPA (site code 004232). Regard is had to the Site Synopsis for these sites and their Qualifying Interests. The qualifying interests of these two sites are directly or indirectly dependent on water quality. These Natura 2000 sites are approx. 4.3kms south of the subject site. It is noted that there are no other Natura 2000 sites within a 15km radius of the site.
- 8.1.6. The Conservation Objective for the SAC seeks: *To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.* The habitats for this SAC are: Alkaline fens, Alluvial forests (priority habitats listed). The fauna are: River Lamprey, Salmon and Otter.
- 8.1.7. The Conservation Objective for the SPA seeks: *To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.* This is listed as the Kingfisher.
- 8.1.8. The potential for impacts upon the Natura 2000 sites identified in the event of negative impacts is summarised in Table 13. The potential impacts on the qualifying interests of identified Natura 2000 sites is summarised in Table 14. The latter notes that while no impacts are foreseen relative to the habitats listed in the SAC, there are potential impacts on the other qualifying interests, associated with changes in water quality, potential secondary impacts. Such potential impacts are also foreseen relative to the kingfisher in the SPA. However, it is also noted that the NIS provides that the NPWS has not yet drawn up detailed Conservation Objectives document for either site.

- 8.1.9. Table 15 notes Potential Cumulative Impacts. This provides that the primary source of any cumulative impacts concerns the deterioration in water quality of the River Boyne, as the species and habitats comprising the qualifying interests of the Natura 2000 sites are directly or independent on water quality. They provide that assuming any potential negative impact of the proposed development on water quality can be addressed through implementation of mitigation measures, there will be no cumulative impacts. Table 16 notes that there is potential of the proposed development to impact on the Natura 2000 sites in the absence of suitable mitigation/preventable measures.
- 8.1.10. Section 2.6 provides Conclusions of screening. This provides that applying the Precautionary Principle, it is not possible to exclude, on the basis of objective information and in the absence of specific prescribed precautionary/mitigation measures, that the proposed development individually or in combination with other plans or projects, that the proposal will have a significant effect on the following Natura 2000 sites:
- River Boyne and River Blackwater SAC; and
  - River Boyne and River Blackwater SPA.

Therefore, it is concluded that a Stage 2 AA is required.

## **8.2. Stage 2 Appropriate Assessment**

- 8.2.1. Following the identification of potential impacts upon one or more Natura 2000 sites through the AA Screening exercise (in line with a recent judgement in the ECJ (C323/17), a Stage 2 AA of the proposed development has been carried out in accordance with the requirements of Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC).
- 8.2.2. This Stage (2) AA provides for the consideration of the impact of the project or plan on the integrity of the Natura 2000 Sites, either alone or in combination with other projects or plans to the sites structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

- 8.2.3. The primary receptor of concern is the River Boyne, which is the primary constituent of the River Boyne and River Blackwater SAC and SPA. The NIS notes that all the qualifying interests of these two sites are directly or indirectly dependent on water quality. The proposed development is located immediately adjacent to the Devlin River, a tributary of the Mattock River, which discharges to the River Boyne. There is, therefore a direct source pathway receptor linkage between the proposed development and these Natura 2000 sites.
- 8.2.4. Table 20 provides a Summary of potential impacts on Qualifying interests of relevant Natura 2000 sites i.e The River Boyne and Blackwater SAC and SPA. This lists potential impacts as 'Change in Chemical/Nutrient Status and Bioaccumulation of Contaminants'. A summary of potential impacts on Qualifying Interests of relevant Natura 2000 sites and the sources of potential impacts are provided in Table 21. This provides that the sources of impacts are 'Contamination of Surface Water during Construction/Operation'.
- 8.2.5. Section 3.7 of the NIS has regard to Mitigation Measures. This notes that the primary mitigation/prevention measures to be implemented, therefore involve the protection of water quality. Section 3.7.1 provides mitigation measures avoiding significant impacts during construction. This includes regard to best practice measures integral to the construction of the project and regard to current guidelines and regulations.
- 8.2.6. Section 3.7.2 provides that there is currently an extensive drainage network associated with the development. Given the nature of the site and the presence of significant machinery, equipment and vehicles on site, it is recommended that an oil interceptor be put in place within the drainage network, such as to minimise any potential risk associated with contamination of surface water by hydrocarbons etc.
- 8.2.7. It is noted that there is currently a significant amount of steel stored in the open yard areas. There is potential for products of weathering to be washed into the drainage system and thereby contaminate surface/ground water. The NIS recommends that the storage of such materials outside be minimised (both the amount of time individual materials are stored and volume of material stored). This also notes that if the proposed warehouse extension is to provide increased storage, the development will have a positive impact on this element of potential contamination.



- 8.2.8. Regard is also had to the WWTU in situ and it is noted that it is important that this comply with current standards and regulations relative to capacity and operational use. The First Party response relative to Public Health is noted. This includes that a full service was carried out in April 2019 and that the system was found to be functioning correctly. If the Board decides to permit I would recommend a condition relative to the WWTU.
- 8.2.9. A summary of the significance of foreseen impacts is outlined in Table 22 of the NIS. This provides that these are not significant relative to the qualifying interests following the implementation of mitigation measures. The NIS concludes that there will be no adverse impact on the integrity of any of the relevant Natura 2000 sites, assuming the implementation of all mitigation/preventative measures as outlined are implemented, the proposed development will have no significant impact upon the Natura 2000 sites as outlined.
- 8.2.10. Consequently, that there will be no risk of adverse effects on Qualifying Interest habitats or species, nor the attainment of specific conservation objectives, either alone or in-combination with other plans or projects, for the relevant Natura 2000 sites. Therefore, it is provided that the ecological integrity of the Natura 2000 sites concerned (connected with qualifying interests for which these sites have been designated) will not be significantly impacted.

### **8.3. Conclusion regarding AA**

- 8.3.1. Having regard to all of the above and having examined the information before me, I am satisfied that the mitigation measures to be put in place, which are essentially best practice construction measures integral to the project, will ensure that the conservation objectives and integrity of the Natura 2000 sites identified above and that they will not be adversely affected by construction-related surface water discharges from the proposed development. I consider that the proposed measures are clearly described, are reasonable, practical and enforceable. I also consider that they fully address the potential impacts arising from the proposed development such that it will not give rise to significant impacts either alone or in combination with other potential impact sources. I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in

combination with other plans or projects would not adversely affect the integrity of the two relevant European sites, in view of their Conservation Objectives.

## 9.0 Recommendation

9.1. I recommend that permission be granted subject to the conditions below.

## 10.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development for extensions to the existing operations of Hibernia Steel Products Ltd in Grangegeeth, to the planning history and the established light industrial and associated warehouse usage on site, 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.

## 11.0 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 1<sup>st</sup> of February 2019 and the 7<sup>th</sup> day of March 2019 and by the further plans and particulars received by An Bord Pleanála on the 14<sup>th</sup> 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 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 northern extension shall be set back a minimum of 6 metres from the western site boundary to allow for the retention of the existing row of trees along the 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 no. additional on-site carparking 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. A schedule of all materials to be used in the external treatment of the development to include external finishes to match the existing 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.

6. (a)The existing trees/hedgerows along the western and southern site boundary 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.

7. (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

8. 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, and between the hours of 0800 and 1400 on Saturdays unless otherwise agreed in writing with the planning authority. No construction activity shall take place on site 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.

9. (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 hours of working, 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 1<sup>st</sup> of February 2019.

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

10. (a) The hours of operation shall be as detailed in Section 4.2 of the Traffic Assessment Report submitted to the planning authority on the 1<sup>st</sup> of February 2019 i.e. Monday to Friday 08.00 to 18.00 for the Administration, Warehousing and Trade Counter Sections and 06.00 to 22.00 Monday to Friday for Distribution. No activity on site shall occur on Saturdays, Sundays and Bank Holidays.

(b) No deliveries shall be taken in or dispatched from the premises outside the hours 06.00 to 22.00, Monday to Friday, nor at any time on Saturdays, Sundays or public holidays.

**Reason:** In the interests of residential amenity.

11. 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.

(b) 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.

12. Details of lighting on the site, including for the proposed extensions shall be submitted for the written agreement of the planning authority prior to the commencement of development.

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

13. 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.

14. 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.

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Angela Brereton  
Planning Inspector

26<sup>th</sup> of July 2019