



An
Bord
Pleanála

Inspector's Report

ABP-310184-21

Development	Demolition of existing structures and construction of two new stores and an ESB substation.
Location	Greenore, Co Louth.
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	20543
Applicant(s)	Greenore Port Unlimited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Greenore Residents Association & Tidy Towns Ltd. Angela Dullaghan & Jon Stirland
Observer(s)	Sean & Marie Breen
Date of Site Inspection	3 rd of September 2021
Inspector	Angela Brereton

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1.0 Site Location and Description

- 1.1. Greenore Port is located on a promontory extending northwards from the Cooley Peninsula, with Carlingford Lough to the west, north and east. There are views of the Port from the R176 Road from Carlingford to the west. Carlingford Lough and Shore are designated European sites.
- 1.2. The site is located to the northwest of Greenore village and is within the Port complex. The Port is accessed either by Euston Street or Shore Road (R175), with the latter providing for all HGV trips to and from the port as part of operational procedures. Vehicular access is through the existing port entrance on Shore Road. This is a busy working port and as viewed on the day of the site visit, there are on-going construction works.
- 1.3. Existing car parking at Greenore Port is provided adjacent to the office buildings located at the top of Euston Street and is also marked out within the yard area where it is proposed to locate the warehousing. This is accessed via a gated entrance from the parking area at the top of Euston Street.
- 1.4. The existing yard area for the proposed new warehousing is currently in use by Greenore Port. The site comprises storage containers and an existing car park that served the Open Hydro building. The warehouse type building to the north of the site is used for storage including construction site vehicles. To the northeast of the site are the existing port offices and admin block. Further to the northeast of the site is the remaining port area which is characterised by concrete apron with various warehouse type buildings. There is some open storage to the north of the site. Also, the former lighthouse complex building and lighthouse keeper's house which are protected structures. There is a wall around this complex that separates it from the port area.
- 1.5. The harbour area is to the east. The application site is located between the existing former OpenHydro and 'Store O' warehouse. The site is currently in use as an open storage area with an adjoining carpark at the south separated from the open storage area by an old rubble stone wall. In the north-eastern portion of the site there is a redbrick arcade. This wall was associated with the no longer extant railway station building. There is also an old rubble stone wall that forms a feature within the site. These walls are proposed for demolition to allow for the proposed development.

- 1.6. There are no designated cultural heritage features located within the proposed development site, however a water tower (NIAH 13831025) is located to the east of and proximate to the main development area. The Heritage Impact Assessment provides that there will be no direct impact on the water tower or other designated cultural heritage features in the wider environment.
- 1.7. The site is proximate to the residential areas within the Greenore Village Architectural Conservation Area - Anglesey Terrace, and Euston Street to the south. Anglesey Terrace is single sided with a terrace facing southwest towards the golf club. Greenore Golf Club is to the southwest of the application area. The current proposal will have a greater visual impact from Anglesey Terrace, than from Euston Street. There is a wall that is capped and rendered that provides the southern boundary to the port area with the access road to the residential areas in Anglesey Street and Euston Street.

2.0 Proposed Development

- 2.1. This proposal is to consist of the demolition and construction works at Greenore Port, i.e.:
- i Demolition works to include the following:
 - (a) Demolition of remnant former railway wall, 59.7m in length with a height ranging from 2.6m to 7.1m and concrete tower (3.9m x 4.5m) and 11.8m in height;
 - (b) Demolition of wall (43.5m x 4m) located inside the southern boundary of the application area;
 - (c) Demolition of existing ESB substation and associated switchroom.
 - ii Construction of Proposed 'New Store 1' comprising:
 - (a) 1,812m² gross floor area, max. height 15.25m²;
 - (b) Installation of 2 no. roller shutter doors (7.5m x 7.2mm and 7.5m x 7.19m) and 2no. pedestrian access doors (1m x 2.2m) on the north west elevation; and

- (c) Installation of 1no. pedestrian access door (1m x 2.2m) on the south east elevation.
- iii Construction of Proposed 'New Store 2' comprising:
 - (a) 1,184m² gross floor area, max. height 15.25m;
 - (b) Installation of 2no. roller shutter doors (7.5m x 7.2m and 7.5m x 7.19m) and 2no. pedestrian access doors (1m x 2.2m) on the north west elevation;
 - (c) Installation of 1no. pedestrian access door (1m x 2.2m) on the southeast elevation.
- iv Construction of an ESB substation with a floor area of 6.24m² and 2m in height and associated switchroom with a floor area of 12.25m² and 2.5m in height.
- v All ancillary site works including drainage and landscaping treatment to the southern boundary wall.

The Site Notice includes that the development to be applied for is within Greenore Port's landholding, within which curtilage also exists the water tower; lighthouse and lighthouse keeper's cottage which are all included in the Louth Record of Protected Structures ref. LH009-01, LH009-043, LH009-044 respectively, all at Greenore Port, Greenore, Co. Louth.

2.2. Documentation submitted with the application includes the following:

- Greenore Port Vision Document
- Planning Statement
- Service Design Report
- Outline Construction Management Plan
- Transport Statement
- Heritage Impact Assessment
- Stage 1 Appropriate Assessment Screening Report
- Photomontages

- Landscape Plan Landscape Management and Maintenance Plan

3.0 Planning Authority Decision

3.1. Decision

On the 13th of April 2021, Fingal County Council, granted permission for the proposed development subject to 9no.conditions. These in general concern development contributions, construction management, restriction on hours of construction works, landscaping, the submission of a Construction and Demolition Waste Management Plan, restriction of noise levels including a contribution to the Council towards noise monitoring and recording and the submission of a Final Construction Management Plan to be fully compliant with the Outline Construction Management Plan and the Transport Statement submitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

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

- The application area is contained within an area zoned 'port/port related activity' as per the Louth CDP. The proposed development is a permissible use within this area. The Council notes the national ports policy and has a commitment to supporting the expansion of ports.
- They have regard to the nature of the warehouse and storage and consider that further information should be sought in relation to impact on Protected Structures, the ACA and on views in the close proximity to residential areas.
- They consider that an assessment of light and shadow projections is necessary to determine the effect of the proposed development in the vicinity of Eustice Street and Anglesey Terrace.

- They note issues raised relative to the Heritage Impact Assessment and consider that it does not give enough weight to the 'Greenore Port Built Heritage Strategy (2019)'.
- They refer to a buffer with the residential area and consider that there is a balance to be formed in relation to the ability of the Port to expand its storage facility and trying to protect residential amenities.
- They note the proximity to Carlingford Lough and that the Council's Infrastructure section have reviewed the planning documentation and that there are not concerns about flooding.
- They have regard to the Transport Statement submitted. They note the traffic management arrangements and note issues with parking.
- Details are needed relative to type of cargo to be stored –to the possibility of Environmental pollutants including light, noise, dust management etc. They recommend that further information be sought relative to dust emissions.
- They are satisfied that the proposal does not require an EIAR as per Schedule 7 of the P&D Regulations.
- They have regard to the AA Screening Report and note that it concludes that neither the project alone nor in conjunction with other plans or projects would result in significant effects on Natura 2000 sites.

Further Information request

In summary, this included the following:

- They note concerns relative to the scale and massing of the proposed development and request that the applicant submit proposals for buffering and visual relief on views from the direction of Anglesey Terrace and Euston Street. Account to be taken of the impact on the Protected Structures, the ACA in the revisions in the Heritage Impact Statement.
- Assessment to be provided on the impact of the proposed development on Sunlight/Daylight and Overshadowing of the protected structures of Eustice Street and Anglesey Terrace and on their public amenity open space.

- The Heritage Impact Assessment is lacking in quality photos and drawings of the former railway station. A justification is required for the demolition of the two walls which form part of the original railway architecture dating from 1873 has been presented in the application. Revised proposals to be submitted to indicate the integration of old with the proposed development and to be informed by best conservation practice.
- Greater consideration of the overall design approach and the external materials used in the context of the surviving, built heritage context with input from a Grade 1 Conservation Architect is recommended.
- The applicant to provide a copy of the Greenore Port Built Heritage Strategy (2019).
- To demonstrate compliance with the car parking standards in the Louth CDP 2015-2021.
- To submit details of the product and cargo to be stored within the proposed buildings. To confirm what cargo (if any) that will be stored externally.
- Applicant to outline the procedures in a Dust Management Plan to control any dust emissions outside the Port.
- Additional information relative to the product storage and dust management to enable assessment of the impacts of the development on designated sites.
- Revised Public Notices relative if significant F.I is submitted.

Further Information response

McCutcheon Halley response on behalf of the Applicants includes the following:

- They refer to the additional documentation submitted and note that this section should be read in conjunction with the AECOM Landscape Report and Drawings, the Photomontages and the Architectural Heritage Impact Assessment, submitted under separate cover.

Proposed Development

- The design intent is to achieve a balance between the needs of an operational port and respecting the significance of the village, a designated ACA, and, views designated in the Louth CDP.

- They conclude that the floor plate cannot be broken up or reduced as it is necessary to facilitate the volume of the material being handled by the port. The height of the warehouse is driven by the volume of storage required and the size of machinery that will operate within it.
- They note the advice of the Grade 1 Conservation Architect. They provide that the colour plate was reviewed and the F.I response proposes a 'goosewing grey' RAL colour, that blends in with the background.
- They propose removing the boundary wall and replacing it with landscaping to soften the appearance from the village site with a resulting visual enclosure.

Sunlight and Daylight

- They refer to the Daylight, Sunlight and Overshadowing Report prepared by Passive Dynamics. The analysis demonstrates that the proposed development will not affect the existing amenity of adjacent land uses and the BRE standards for daylight and sunlight are achieved with the proposed development in place.
- There is no material overshadowing effect from the proposed development on the amenity spaces abutting the site on the village side, the private golf course, or the public garden/amenity space on Anglesey Terrace.

Heritage Impact Assessment

- The Greenore Built Heritage Strategy includes available photographic records. Detailed surveys of both walls proposed for demolition are included with the application. They reference the Architectural Heritage Impact Assessment submitted which provides a response to the walls issue by a Grade 1 Conservation Architect.
- The Planning Authority permitted the demolition of the hotel and railway station. The wall is the only upstanding remains. It inhibits the efficient operation of the port and in this context, there is no alternative to the proposed demolition.
- They note that the NIAH did not consider or rate the two surviving walls of significance. They have regard to the Record of Protected Structures in the

Louth CDP and the description and appraisal of the Water Tower. Notably the walls proposed for removal are not identified.

- The principle of this removal is supported by the Grade 1 Conservation Architect and the rationale is included in the Architectural Heritage Impact Assessment submitted. The removal of the walls would not affect the setting of the extant PS, the Water Tower.
- The overall approach to the built heritage at Greenore Port is presented in the Built Heritage Strategy for Greenore Port included with this submission. This strategy was originally drafted in 2019 and is used to guide and inform development proposals at the port.
- The proposal is acceptable in principle and the application area is zoned for port development. This will facilitate the efficient operation of the port which is consistent with the national strategy outcome (NSO) 6, high quality international connectivity, of the National Planning Framework.
- The palette and landscape amendments proposed in this F.I submission are sympathetic to and will enhance the interface between the port and the village.
- They note that Greenore Port Unlimited recently made a submission to the review of the Louth CDP and in the Vision Document and the Built Heritage Strategy were included.

Car Parking

- A response has been prepared by AECOM. They provide that no additional employment will be created as a result of this proposal. The existing carparking has a low level of occupancy and overspill onto the surrounding street network does not occur.

Dust Management

- They provide details of types of cargo handled and note that in the context of ensuring the efficient operation of the port it is reasonable to consider that the warehousing may be used for the storage of any product/cargo at the port.

- A Dust Management Plan is included with this submission, to demonstrate that best available techniques together with the standard operating procedures are employed at the site to mitigate dust nuisance.
- It is not intended to store cargo external to the proposed warehouse that forms part of this application. It is noted that some product eg. gypsum rock and wood chip are stored externally within the wider port and this practice will continue in their current locations.

Impact on Natura 2000 Sites

- An Operational Dust Management Plan has been submitted to address the outstanding matters relating to the product storage and operational procedures for dust management. They submit that this provides the PA with the information required to assess the impacts of the development on any designated Natura 2000 site. The project ecologist was consulted and confirmed that the changes on foot of this F.I have no material impact on the conclusions of the AA Screening report submitted with the application.

Revised Public Notices

- They note that these have been submitted and are erected on the site.

3.3. Planner's Response

They have regard to the F.I submitted and their response includes the following:

Visual Impact

- They note that the F.I relates to heritage implications, visual impact on the village setting and impact on residential amenity, compliance with car parking standards, matters relative to dust management and appropriate assessment.
- The principle of port and port related service is long established on the site. The port is of regional importance. Functionally the port is dependent on warehousing of sufficient scale and massing.
- While the applicant has not reduced the scale and massing of the proposed warehouse buildings, their impact on the ACA and Protected Structures has been softened by the proposed colour 'goosewing grey' and this together with

the landscaping will mature and soften the edge of the port with the proposed development.

- They consider that the applicant has made sufficient justification for the demolition of the walls on the site. That these walls are not protected nor within the curtilage of a protected structure.
- The input of the conservation architect in addressing a more suitable external finish has addressed the concerns of visual impact and has improved the aesthetic of the building.

Residential Impact

- They have regard to the Sunlight and Daylight Analysis undertaken and consider that this demonstrates that the proposed development will not affect the existing amenity of adjacent land uses, in particular the protected structures in Euston Street and Anglesey Terrace.
- They note that in undertaking this assessment Passive Dynamics had regard to BRE Industry Guidelines and accept the conclusions made.

Car Parking

- They note the response prepared by AECOM and the details provided. This includes that there will be no additional employees as a result of this proposal.
- They accept the rationale that there is sufficient car parking to address the needs of the Port and that the additional storage will reduce the need for traffic movement to off-site storage facilities.

Environmental

- They note the confirmation that Greenore Port handles both dry bulk and break bulk (steel) and details of the products to be stored in the warehouses. They consider this acceptable and are not proposing to restrict the cargo that can be stored in the warehouses.
- They consider that a Dust Management Plan should be put in place. They note that the Environment Section has concluded that subject to conditions they have no objections to the proposal.

Appropriate Assessment

- An AA Screening Report accompanied the application and concluded that the project would not either alone or in combination with other plans and projects result in significant effects on the Natura 2000 sites.

Development Contributions

- Development Contributions are applied in accordance with the Louth County Development Contributions Scheme 2016-2021. They provide a calculation of these levies.

Conclusion

- They conclude that Greenore Port is a port of regional significance and the application area is zoned for port related development. They further consider that the development of the port is consistent with national strategic outcome (NSO) 6 of the National Planning Framework which promotes high quality international connectivity. They recommend that permission be granted subject to conditions.

3.4. Other Technical Reports

Infrastructure Planning Report

They have no objection subject to recommended conditions, to include that a Final Construction Management Plan be submitted, details on surface water drainage, access route, lighting, the developer to be responsible for the cost of carrying out of road/footpath cleaning work.

Waste Management and Environment Section

They request F.I to include details as to what product will be stored within the proposed buildings, how the Port will handle dusty cargo (loading/unloading and storage). To submit a Dust Storage Management Plan to control any dust emissions outside the port, to confirm what cargo (if any) will be stored externally.

3.5. Prescribed Bodies

Irish Water - They provide that they have no objection in principle to the proposed development, subject to conditions.

Department of Culture, Heritage and the Gaeltacht

The Department has concerns about the scale and is not supportive of the demolition of the railway walls as envisaged. While they acknowledge the on-going evolution of the port and its strategic importance, they are concerned about the impact on the surviving-built heritage. That this requires greater consideration in the design approach of the proposed re-development. They note the historic significance of the area and recommend the input of a Grade 1 Conservation Architect to support the analysis and an overall heritage led development strategy to sustain the long-term survival of this special place.

An Taisce

They are concerned that the proposal would affect on of the remaining historic features from Greenore's 19th Century development as a railway port and the amenity of the residential terraces in proximity, which are part of an ACA. They consider that demolition of the two remaining walls which were part of the 1870's railway complex would be undesirable. The location and scale of the proposed sheds in relation to the ACA would contravene the objective: *To preserve the character of the village and its setting*. In addition, general Louth CDP policies including HER 49 apply: *Any new development on the periphery of an ACA does not detract from the existing character of the designated ACA*.

The Loughs Agency

They are a statutory body charged with the conservation, protection and development of inland fisheries within the Foyle and Carlingford systems, the promotion of development of Loughs Foyle and Carlingford and catchments for commercial and recreational purposes in respect of marine, fisheries and aquaculture issues and the development of marine tourism.

The Agency has no major objections, given the existing former development on the site. They suggest that in the event, that significant areas of contaminated land are identified during the construction phase works should cease until the contamination is remediated to the satisfaction of the competent authority.

In view of the site location, they have concerns about flooding events relative to impact of silt and other pollutants into the surface water environment. They

recommend conditions relative to storm water drainage to prevent pollution of watercourses. Also, that best practice environmental measures be used when working close to watercourses in the interests of the aquatic environment.

3.6. **Third Party Observations**

Their concerns are noted, in the Planner's Report and the issues raised are considered further in the context of the Grounds of Appeal in the Assessment below.

4.0 **Planning History**

The Planner's Report provides details of the extensive Planning History of Greenore Port. This includes from 1982 up to the present day. The following are the most recent:

- **Reg.Ref.20/268** – Permission for Extension (1,499 sq.m) and Modification to the existing former Open Hydro warehouse and modifications to the existing warehouse 'Store 0' on a site of 0.93ha. The development applied for is within Greenore Port's landholding within the curtilage also exists the watertower, lighthouse and lighthouse keeper's cottage which are all included in the Louth Record of Protected Structures Ref.LH009-01, LH009-043, LH009-44 respectively.

This application was granted by the Council and is the subject of a concurrent appeal to the Board ABP-307862-20 refers.

- **Reg.Ref.19/807** – Permission for development on a site of c.0.176 ha, to consist of (1) The change of use of the former 'Open-Hydro' building (1,607sq.m) from light engineering and office to storage for port commodities (agricultural feed, fertilizer, rock and salt); and (2) The removal and closing up of an existing vehicular access door on the northeast elevation and reinstatement and rendering of façade to match the existing. This development is within Greenore Port's landholding within the curtilage also exists the watertower, lighthouse and lighthouse keeper's cottage which are all included in the Louth Record of Protected Structures Ref.LH009-01, LH009-043, LH009-44 respectively.

- **Reg.Ref. 17/413** – Permission granted for dredging of the harbour and rehabilitation works to the quay wall (the full description is provided in the Planner’s Report).
- **Reg.Ref.16/842** – Permission for development on a 0.271 ha site to consist of grain silos and all associated conveyor systems and associated works etc.

Other Relevant Permissions

18/285 (ABP-302841-18) An application was submitted for lands outside the immediate Greenore Port Site consisting of an open storage area of c.1.4ha (for the storage of steel and Port related cargoes) and a new left entrance off the R175 to serve the proposed storage area and adjacent open storage area. An NIS was included as part of the response to the Council’s F.I request.

The Board’s decision was to grant permission subject to conditions

15/105 – Permission was granted by the Council to Frazer Ferries to occupy an area of foreshore for a reinforced concrete slipway and associated works.

13/842 – Permission was granted for the construction of ferry terminal facilities adjacent to Greenore Port.

95/136 – Permission granted for the use of the existing warehouse ‘Store 0’ as a store. This is located to the southwest of the subject site.

5.0 Policy Context

5.1. National Policy

National Ports Policy, (DTT&S) 2013: This document sets out Government policy in relation to the countries ports. It states that the core objective of national policy is to facilitate a competitive and effective market for maritime transport services. Greenore is described as a privately owned Port of Regional Significance.

National Planning Framework – Project Ireland 2020

This document under Section 1.3 indicates that high-quality international connectivity is crucial for overall international competitiveness and addressing opportunities and

challenges from Brexit. In relation to ports it highlights investment in them through the National Ports Policy.

Section 7.2 acknowledges that the maritime economy is a key enabler of effective regional development and has an important role to play as a gateway for the movement of people and freight. National Policy Objective 39 advocates the support of the sustainable growth and development of the maritime economy.

Section 7.3 also acknowledges that Ireland's port and shipping services play an important role as enablers of economic growth and that they are critical infrastructure for international trade with over 90% of international trade moving by sea. It further notes that ports also serve as logistic and distribution hubs. It states that: "*port infrastructure involves development on both land and the marine area (foreshore) and often in proximity to areas of environmental importance and protection, and diverse eco-systems*"; "*as an island nation, we depend on the quality and efficiency of our ports*"; and "*to maintain economic growth, we must be capable of delivering additional port capacity in a timely and predictable manner*".

National Policy Objective 40 seeks to: *Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance and smaller harbours are addressed as part of Regional Spatial and Economic Strategies, metropolitan area and city/county development plans, to ensure the effective growth and sustainable development of the city regions and regional and rural areas.*

5.2. Section 28 Guidelines

Architectural Heritage Guidelines for Planning Authorities 2011: These Guidelines provide a practical guide in relation to the Record of Protected Structures, Architectural Conservation Areas, Declarations and Places of Worship as well as development control advice and detailed guidance notes on conservation principles.

Flood Risk Management Guidelines for Planning Authorities 2009: These Guidelines seeks to avoid inappropriate development in areas at risk of flooding and avoid new developments increasing flood risk elsewhere (including from surface water run-off) and they advocate a sequential approach to risk assessment.

5.3. Local Policy

Louth County Development Plan 2021 to 2027

The Louth County Development Plan 2021-2027 came into effect on 11th November 2021. It is noted that the application for permission to the council, the appeal to the board and the submissions from all the parties were made while the previous development plan was in force.

The site is within the settlement boundary designated for Greenore. Table 2.4 provides the *Settlement Hierarchy for County Louth*. Greenore is listed as a Level 5 Settlement Category – Rural Nodes.

Ports

Section 5.10 of the plan refers to Marine Opportunities including Ports. This notes that there are three commercial ports in Louth at Drogheda, Dundalk and Greenore, all of which have been identified as Ports of Regional Significance in the National Ports Policy 2013. Greenore Port is a deepwater port with lift on/lift off facilities. It handles non-containerised cargo including bulk animal feed, feed chemicals, fertiliser, rock, steep, and woodchip. There are bulk dry storage facilities a short distance from the Port that can cater for a range of dry bulk products. Figure 5.5 notes the Tonnage Handled by Louth Ports 2019. This includes Greenore '1,023,000'. It is provided that the Louth CDP 2021-2027 will support the expansion and improvements to Port facilities in the County in order to maintain connectivity and competitiveness and support the economic growth of the County and wider Region.

- 5.3.1. Policy objective EE 25 - 27 refer. Of note Policy EE 27 seeks: *To recognise that the port facilities at Drogheda, Greenore, Dundalk, and Clogherhead are an important economic resource and to support any improvements or expansion to these Port facilities at Drogheda, Greenore and Clogherhead and the consolidation of Dundalk Port, subject to the preparation of a Master Plan and appropriate environmental considerations.*

Heritage

- 5.3.2. The Water Tower in the port is a protected structure, LHS-009-001. The Lighthouse in the port is also a protected structure, LHS009-043, as is the keeper's cottage LHS-

009-044. Most of the structures in the village also appear on the record of protected structures.

Policies of note include:

BHC 20 - To ensure that any development, modification, alteration, or extension affecting a protected structure and / or its setting is sensitively sited and designed, is compatible with the special character and is appropriate in terms of the proposed scale, mass, density, layout, and materials of the protected structure.

BHC 23 - To require that all planning applications relating to protected structures contain the appropriate documentation as described in the Architectural Heritage Protection Guidelines for Planning Authorities (2011) or any subsequent guidelines, to enable a proper assessment of the proposed works and their impact on the structure or area.

5.3.3. The development plan designates an Architectural Conservation Area at Greenore. It includes the Victorian streets in the village and extends into the port lands to include the water tower. The eastern part of the current appeal site is c.6m north of the boundary of the ACA.

5.3.4. Policies of note include the following:

BHC31 - To require that all development proposals within or affecting an Architectural Conservation Area preserve or enhance the character and appearance of that area, protect architectural features of special interest and ensure that the design respects the character of the historic architecture in terms of height, scale, layout, and materials. All development proposals shall have regard to the Architectural Conservation Area objectives in Appendix 11, Volume 3 and objectives contained in applicable Character Appraisals where available.

BHC 35 - To require that any development on the periphery of an Architectural Conservation Area does not detract from the existing character of the designated Architectural Conservation Area.

5.3.5. Section 15 of Appendix 11 Volume 3 provides a description of Greenore ACA. This has regard to its history as being set up as a village to serve the railway/passenger port. The objectives of the ACA refer to the view north along Euston Street to the Mourne and include:

1. To preserve the special character of the village and its setting through positive management of changes to the built environment, in particular, by requiring that the height, scale, design and materials of any proposed development within the village and in the surrounding area should complement the character of the village and not diminish its distinctiveness of place.
2. To protect the landscape setting of the village and the views outwards.

Views & Prospects

Appendix 7, Vol.3 includes VP5 Carlingford Lough, R173 – Greenore-Carlingford-Omeath

5.4. Natural Heritage Designations

The appeal site does not form part of a European site. It is close to the Special Protection Areas (SPA) at Carlingford Lough (Site Code: 004078) and the Special Area of Conservation at Carlingford Shore SAC which are situated at their nearest point c9meters to the north. Further removed from the site are Special Area of Conservation: Carlingford Mountain SAC (Site Code: 000453) which is located c3.7km to the west; Special Area of Conservation: Dundalk Bay SAC (Site Code: 000455) which is located c7.5km and Special Protection Areas: Dundalk Bay SPA (Site Code: 004026) which is located c7.7Km, both to the south west.

6.0 The Appeal

6.1. Grounds of Appeal

Two separate Third Party Appeals have been submitted from the following:

- Greenore Residents and Tidy Towns Ltd
- Angela Dullaghan & Jon Stirland

Their Grounds of Appeal are summarised separately below.

Greenore Residents and Tidy Towns Ltd

- The construction of these monolithic bulky structures will have a serious negative effect on the residents and general amenity of Greenore Village and

ACA. There will be a negative impact on Anglesey Terrace, and the proposal will dominate it, and impact adversely on visual amenity and views.

- There is no assessment of the reduction of sun and daylight on the houses in the village, which are mostly protected structures, or on the public amenity areas on both Anglesey Terrace and Euston Street.
- The proposed landscape measures are inadequate to screen a shed of this enormous bulk.
- They find it difficult to believe that the proposed extra storage will result in a reduction of the current HGV traffic encountered.
- There is no assessment of the environmental and health impacts of the materials stored by the port on the residents of the village.
- They argue that this development, in conjunction with recent application (Reg.Ref.20/268 – ABP-307862-20 relates) would cumulatively add to the port's piecemeal development and should require a full environmental assessment.
- Even if these developments are sub-threshold, or of a category of development not requiring this assessment, there is clearly potential for significant effects on the environment.
- Due to the proximity to Carlingford Lough which is both an SAC and an SPA an Appropriate Assessment is required.
- As Greenore Port have submitted a Vision for the port, this would seem to constitute a Plan which requires Strategic Environment Assessment.
- This proposal would have a serious negative impact on the setting of Greenore ACA, which acknowledges the importance and uniqueness of Greenore as a Victorian Railway Village.
- The Heritage Plan submitted ignores the Louth CDP policy objectives to preserve the special character of the Greenore ACA. There is very little mention of the built railway architectural heritage of Greenore.

- They refer to a recent publication from the Irish Railway Record Society and include a number of these drawings. These show Greenore Railway Station before it closed in 1951.
- They do not agree with the conclusions of the Heritage Impact Assessment regarding the demolition of these two railway walls and the impact on the village ACA. It is their understanding that as structures from the railway station, which the water tower was part of, protection given to the water tower extends to these two walls and that they are covered as they are within the curtilage of this protected structure.
- They ask the Board to refuse permission relative to the serious negative effect on Greenore ACA, on the amenities of this beautiful railway village, and the irreparable loss of original railway walls architecture from 1873.

Angela Dullagan & Jon Stirland

They are local residents who reside in Anglesey Terrace and their grounds of appeal refer to the adverse impact of the proposed development on Greenore ACA and Protected Structures and include the following:

Impact on Protected Structures

- The protected structure i.e the Water Tower is now part of the demolished Victorian Railway Station constructed in 1873. The two walls proposed for demolition are within the curtilage of the Water Tower and are part of the built fabric of the now demolished Victorian Greenore Railway Station.
- They also refer to the Architectural Heritage Protection Guidelines for Planning Authorities, which refer to the strongest justification needed for the demolition of protected structures and have regard to cumulative historic interest of a building.
- The Heritage Impact Assessment makes very little mention of the built railway architectural heritage of Greenore. The second wall proposed for demolition in the former Greenore Railway station complex is the remaining wall of the former engine shed.
- The quality of this former railway platform wall can be clearly seen in drawings by the IRRS 2018 Irish Railway Record Society. They query why a 25- inch

O.S map is not included in the cartographic review. The existing drawings are inadequate in that they do not accurately represent the railway station wall as it remains.

- If the proposed development goes ahead the former Greenore Railway Station Water Tower will be swamped on all sides by a sea of bulky poor quality development. This poor architectural quality will be seen relative to the high-quality craftsmanship of its Victorian Engineering causing a high adverse impact.

Impact on Greenore ACA and Amenity of Local Residents

- They have regard to planning policy and objectives to protect the Greenore ACA. The submitted photomontages illustrate the highly negative impact the proposed development will have on the ACA and this application clearly does not achieve the objective of protecting the landscape setting of the village and the views outwards and is in contravention of these objectives.
- It is clear from the photomontages submitted that the proposed development, in particular store no.1 will dominate and have an extremely negative impact on Anglesey Terrace. In particular, the overbearing monolithic structure will devalue the residential amenities of nos.15-12 Anglesey Terrace.
- The proposed landscape measures are completely inadequate and are merely tokenistic.
- It is difficult for the residents in Greenore to believe that the proposed extra storage will result in a reduction of the current HGV traffic. Rather it is believed that the extra storage will be used in addition to that currently rented off site leading to an increase in HGV traffic.
- Due to increasing onsite storage of materials, a number of port staff now currently park alongside the Shore Road, adding to traffic congestion in the area.

The Council's Further Information request and Decision

- The responses submitted by the applicant do not address the areas of concern raised in the F.I request.

- They consider that the description of development lacks clarity and is legally incorrect and the application should be declared invalid.
- They consider that the Built Heritage Strategy submitted is not applying the definition of a Protected Structure under the Planning and Development Act 2000 (as amended).
- They note that the two walls are part of the original Victorian Railway station and their intrinsic architectural heritage value. They do not need to be mentioned in the description or appraisal of the Water Tower in the RPS or identified by the NIAH to be covered by the legal definition of a P.S under the said Act.
- They submit that the F.I response to merely change the colour of the metal cladding from brown to goosewing grey and to add some paltry planting is inadequate and fails to address the concerns of local residents and the impact on the character of the ACA and P.S.

Environmental Issues

- They are concerned about the impact of constructional and operational phases on their residential amenities – noise, vibration, traffic etc.
- The Port's activities and their disregard for the surrounding protected environment would also cause concerns regarding the AA Screening Assessment that the project would not either alone or in combination with other plans or projects result in significant effects on the adjoining Natura 2000 sites of Carlingford Shore SAC and Carlingford Lough SPA.
- They also refer to unloading in windy conditions and most recently dumping woodchip material directly into Carlingford Lough adjoining the Natura 2000 sites of Carlingford Shore SAC and Carlingford Lough SPA.
- While the warehouses are for dry good storage, they question their adherence to any dust management plan and consider the applicants have shown complete disregard to any dust management measures to date.

Conclusion

- Their grounds of appeal include that there is a lack of adequate assessment of the adverse impact of the proposed development on Greenore's Railway Architectural Heritage, and the proposed demolition of two remaining elements of the Greenore' Victorian Railway buildings.
- The demolition has not been adequately advertised in the development description or the public notices and the exceptional circumstances required to be demonstrated under Section 57 (10)(b) of the Planning and Development Act have not been demonstrated.
- The proposed development will contravene the Louth CDP objectives for the Greenore ACA and will have a detrimental impact on the ACA.
- The proposed development will have a negative impact on the residential and public amenity of the village for its residents and visitors and devalue adjacent properties.
- The impact of the proposed development on the adjoining Natura 2000 sites has not been adequately addressed in the AA Screening Conclusions.

6.2. Applicant Response

McCutcheon Halley's response on behalf of the Applicants includes the following:

Planning History

- They have regard to the Planning History and consider that previous decisions confirm that port related storage is an acceptable use at Greenore Port and consistent with the proper planning and development of the area.
- The most recent decision (Reg.Ref.19/807 refers) confirms that storage of port related commodities complies with Policy TC 41 as set out in the Louth CDP 2015-2021, which seeks to support the development and expansion of the ports in County Louth, including Greenore.

Built Heritage

- They advise that this section be read in conjunction with the response prepared by Mr John Greene Grade 1 Conservation Architect.

- The proposed development will not give rise to a substantive impact on Greenore railway heritage, and the walls are not of special interest. The existing buildings do not address the port and the proposed development takes place outside of the ACA; that the water tower curtilage is defined and does not extend to the development area.

Visual Impact

- The proposed development is within an active port, handling large volumes of imported material. The scale of the proposed warehousing is largely consistent with existing structures on site and with existing warehousing.
- During the initial design process, the design intent was to achieve a balance between the needs of an operational port and respecting the significance of the village and adjoining residences.
- They refer to their further information submission, where the design of the building was reviewed and it was concluded that the height scale and mass of the warehousing as proposed could not be altered in view of operational needs of the port.
- The colour palette was reviewed and it was concluded that 'goosewing grey' RAL colour would be more appropriate than the original brown, to mitigate the visual impact of the building.
- They provide that the photomontages submitted as part of the F.I response include a wide selection of views and accurately present the proposal.
- They note and include photographs showing the presence of former warehousing until 2015, at the top of Anglesey Terrace.

Landscaping

- It was identified that an opportunity exists to enhance the interface through providing a green edge to the development site that would provide a visual break between the working port and the village.
- The Local Authority concurred that the landscaping would mature over time and ultimately serve to enhance the village and its wider setting. They refer to Condition no.5 of the Council's permission relative to landscaping.

- They include a suite of photomontages to illustrate the scheme initially proposed and that submitted as F.I. They submit that the significant positive effects derived from the removal of the southern boundary wall, which provided a hard edge to the village, revised landscaping and change to the colour palette of the warehousing is illustrated.

Daylight/Sunlight

- They consider that the concerns of local residents, relative to Daylight and Sunlight are unfounded.
- They note that a Daylight Sunlight and Overshadowing Report was submitted as part of the F.I response. The report provided assessed the impact on existing dwellings, together with an assessment of the public amenity space.
- The assessment considered the cumulative effects on daylight and sunlight arising from the new proposed warehousing together with that proposed under Reg.Ref.20/268 to ensure a robust assessment, and a full suite of shadow projections were included.
- The analysis demonstrates that the proposed development will not affect the existing amenity of adjacent land uses and the BRE standards for daylight and sunlight are achieved with the proposed development in place.
- There is no material overshadowing effect from the proposed development on the amenity spaces abutting the site on the village side, the private golf course, or the public amenity space on Anglesey Terrace.

Appropriate Assessment Screening

- The AA Screening Report submitted with the application comprehensively demonstrates that in view of best scientific knowledge the proposed development individually or in combination with another plan or project will not have a significant effect on any European Designated Site. This conclusion was reached without considering or taking into account, mitigation measures or measures intended to avoid or reduce any impact on European sites.

Dust Management

- An Operational Dust Management Plan (ODMP) was submitted as part of the F.I response which sets out the operational practices in place at Greenore Port relating to the management and handling of dusty cargo. This was considered by the Environment Section of the Council who recommended conditions.

Strategic Environmental Assessment

- Greenore Port prepared a Vision Document to indicate an overall structure for the future development of the Port. This is a requirement of the extant Development Plan, specifically TC 41.
- The Vision Document does not supersede the Development Plan policies and objectives and does not establish development management criteria against which individual applications would be assessed. It is a non-statutory document i.e it is not the approved plan by elected members. They note that the Development Plan was subject to SEA during the plan making process.
- The submitted Vision Document does not qualify as a Plan for the purpose of the SEA Directive and implementing Regulations and accordingly neither screening nor SEA was required.

Traffic

- The proposed development is borne out of a need to provide additional storage capacity at the port to move away from the existing arrangement whereby the majority of incoming dry bulk commodities are temporarily stored off site in third party warehouses.
- The Traffic Impact Assessment submitted comprehensively addresses the traffic related impacts of the proposed development. In summary the scheme would result in an improvement to current vehicular movements at the port, reducing the number of HGV movements transporting material to offsite storage facilities, and between the Port and the offsite storage.

Conclusion

- The proposed development would be in keeping with the proper planning and development of the area and this is supported by the planning history of

adjacent sites within the port. The precedence for development of this nature has been well established by previous planning permissions.

- All the matters raised in the appeals have been comprehensively addressed during the processing of the application by the Council. They conclude that the proposed development is entirely consistent with proper planning and sustainable development and this is supported by the Council's decision to grant permission.
- They consider that the matters raised would not justify any further amendments to the proposed development or provide grounds for a reason for refusal of permission.

6.3. Planning Authority Response

Louth County Council's response includes the following:

- They note reference to Greenore port and the operations of the port and the fact that the area is zoned for port related activity.
- The Greenore Built Heritage Strategy accompanies the F.I submission. Surveys of the walls proposed for demolition are included with the application.
- The response to the F.I refers to the NIAH which did not include the two surviving walls to be of significance.
- Reference is made to the Louth CDP 2015-2021 Volume 2 C, Appendix 18 Record of Protected Structures which provides a description and appraisal of the water tower. The walls for removal are not identified.
- The PA in the consideration of the proposed development has regard to the Greenore Railway architectural heritage and the heritage policies contained within the Louth CDP 2015-2021.
- They consider that all other matters are addressed in their Planner's Reports. They request the Board to uphold the decision of the PA and to grant permission subject to all conditions attached to the notification of permission.

6.4. Observations

An Observation has been received from Sean and Marie Breen of No.15 Anglesey Terrace and this includes the following:

- They are concerned that the Applicant's response is inadequate, discounting any environmental impact and painting the enormous structures in a different colour and planting some bushes.
- The scale and visual impact of this development will completely overshadow any future for Greenore. They also reference their concerns regarding Reg.Ref.20/543 which is to be decided by the Board.
- They are concerned about the impact on the residential amenities of Greenore and their dwelling, a protected structure which is proximate to the proposed development.
- They have retired to Greenore and devoted their time towards keeping the special character of the village as residents and their involvement in the Tidy Towns.
- They consider that the Council are not taking the special character of the Greenore ACA and the Protected Structures and the residential amenities of local residents into account.
- They are concerned that their views of Slieve Foy, above Carlingford and the Cooley and Mourne Mountains will be impacted adversely.
- They refer to the impact of the proposed development on daylight and sunlight concerns including relative to their property and rear garden area.
- They rely on concerned residents and the Tidy Towns Group and are lacking in financial resources and need the Board to stand up for communities such as theirs, where commercial interests are taking precedence.

6.5. Environmental Impact Assessment

- 6.5.1. The proposed development consists of the construction of two new warehouses. Therefore, it would not come within Class 8 (b) of part 1 of schedule 5 to the planning regulations refers to *Trading ports, piers for loading and unloading*

connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes. Nor would it result in the Greenore Port coming within the class, so the proposed development would not come within Class 21 of the part 1 of schedule 5 either.

6.5.2. The proposed development would be part of port installation and so it could be considered to come within Class 10(e) of part 2 of schedule 5 which refers to

- *New or extended harbours and port installations, including fishing harbours, not included in Part 1 of this Schedule, where the area, or additional area, of water enclosed would be 20 hectares or more, or which would involve the reclamation of 5 hectares or more of land, or which would involve the construction of additional quays exceeding 500 metres in length.*

6.5.3. However, the proposed development would not result in any enclosure of water or reclamation of land or the construction of additional quays, so it would not alter the extent to which Greenore Port approached the thresholds set out in that class. It would therefore be a sub-threshold development in relation to that class. It would not come within Class 13 of part 2 of schedule 5 either. The application was not accompanied by a formal EIA screening report, so a preliminary examination of the nature, size and location of the proposed should be carried out under article 109 of the planning regulations to determine whether an EIA is required.

6.5.4. The proposed development would increase the available indoor storage in the port by 2996m². The warehouses have a stated height of 15.25m. It would increase the capacity of the storage in the port by c.10,750 tonnes, which a relatively small change compared to the 1,128,000 tonnes that the port handled in 2020 (2021-2027 CDP states 1,023,000 in 2019). The proposed development would not introduce new activities or processes to the port. It would not extend the area of the port to the landward or seaward side. The works would be outside the areas designated for the protection of natural and architectural heritage. It can therefore be concluded on the basis of a preliminary examination of the nature, size and location of the proposed development that there is no real likelihood of significant effects on the environment arising from it.

6.5.5. It is noted that there have been previous works at Greenore Port and that there is a concurrent proposal for other works to construct warehousing under appeal ABP-

307862 - 20 (would increase the capacity of the storage in the port by c. 5,000 tonnes to 17,000 tonnes). The two current proposals taken together would still not contribute anything towards the threshold for the class of port installations that require EIA under either part 1 or part 2 of schedule 5 to the planning regulations. It is therefore concluded that those other projects would not give rise to cumulative effects in conjunction with the one under consideration in this appeal that would alter the fact the size, nature and location of the current proposal means that there is no real likelihood of significant effects on the environment arising from it.

- 6.5.6. It is therefore concluded after a preliminary examination that an Environmental Impact Assessment is not required for the present appeal.

7.0 Assessment

7.1. Introduction

- 7.1.1. The planning issues that arise in relation to the proposed development can be addressed under the following headings:

- Policy
- Rationale
- Built Heritage
- Design and Layout
- Residential Amenity
- Impact on the Character and Amenities of the Area
- Access and Parking
- Drainage and Flood Risk
- Other issues
- Appropriate Assessment - Screening

7.2. Policy

- 7.2.1. The National Planning Framework – Project Ireland 2020 supports the development of Ireland's Ports as strategic infrastructure for international trade and as logistics and distribution hubs. Section 7.3 notes that National ports policy seeks to facilitate a competitive and effect market for maritime transport services and identifies a tiered approach to port significance. National Policy Objective 40 refers.
- 7.2.2. At national and regional level, the National Ports Policy 2013, seeks to facilitate a competitive and effective market for maritime transport services and it arranges the country's 19 ports into three main categories. Tier 1 and Tier 2 Ports are of national importance whilst other ports (including Greenore Port which is a commercial port in private ownership) are of Regional Significance. Section 4.3 refers to Port master-planning and recognises the desirability of master planning for Tier 1 and 2 Ports. Section 4.4 stresses the importance of hinterland connectivity to facilitate large volumes of traffic, especially for the Tier 1 and 2 Ports which form part of the European TEN-T transport network. The proposed development, would be associated with an established port of Regional Significance with good connections to the M1 motorway, would therefore be compatible with national ports policy.
- 7.2.3. The Eastern and Midlands Regional Economic Strategy 2019, recognises the importance of regional ports such as Greenore and proposes to support and enhance their roles as regional economic drivers. Relevant RSES regional policy objectives for ports include: RPO 8.22 and RPO 8.23.
- 7.2.4. The current development plan was adopted in November 2021. The application, the council's decision and the subsequent appeals were made under the previous development plan and refer to its provisions. However, after comparison of the two plans I do not consider that council's policy in relation to ports in general and Greenore in particular, were substantially changed by the adoption of the new plan.
- 7.2.5. The main policies of the current plan in relation to ports are objectives EE 26 and EE27. The latter recognises that the Port facilities at Drogheda, Greenore, Dundalk, and Clogherhead are an important economic resource and to support any improvements or expansion to these Port facilities at Drogheda, Greenore and Clogherhead and the consolidation of Dundalk Port, subject to the preparation of a Master Plan and appropriate environmental considerations. This provision has the

same effect as the main policy on ports set out at TC41 of the previous plan that was cited in the appeals. It is not considered, therefore, that the recent change of plan would prevent the board considering the current application and appeals on the basis of the submissions which it has already received. It would not prejudice the position of any of the parties to proceed at this stage, nor would it otherwise be required by the proper planning or sustainable development of the area to further delay of the current application and appeals.

- 7.2.6. The proposed development would improve the facilities at Greenore Port. Policies EE26 and EE27 support such development subject to environmental considerations. The works would be carried out within the existing footprint of the port which itself is within the settlement boundary of Greenore designated in the development plan. These facts would indicate that the proposed development would be supported by local planning policy as well as national policy.
- 7.2.7. However, the relevant provision of the development plan also refers to preparation of masterplans for various ports. The question therefore arises as to whether in view of Objective EE27, the current application should be refused on the basis that no masterplan is in place for Greenore Port. On this point I would note that ‘masterplans’ are not statutory plans and are not material considerations for planning applications under section 34(2)(a) of the planning act. Although there could be planning issues that would justify a refusal of permission which could be best addressed by an informal masterplan, the absence of such a non-statutory document would not be sufficient grounds *ipso facto* to refuse to consider a grant of permission for a development that was otherwise in accordance with the provisions of statutory plans and the with proper planning and development of the area.
- 7.2.8. The applicant states that the rationale for this proposal is borne out of the need to provide additional storage capacity at the port in order to allow it to move away from the existing arrangement whereby the majority of incoming dry bulk commodities are temporarily stored in 3rd party warehouses at a location remote from the port. This proposal, if permitted, would increase the ports on site storage capacity by approximately 10,750 tonnes of port commodities based on the various documentation provided with this application. This appears represent a small proportion of the total annual tonnage that this port appears to cater for, which CSO recorded as 1,128,000 for Greenore (Statistics of Port Traffic – Quarter 4 and year) in 2020. The proposed

development would not extend the area occupied by the port. It would increase the footprint of the structures on the site by 2,996m², a relatively modest amount. The limited scale and ancillary nature of the proposed development mean that its planning implications can be properly assessed without needing a masterplan for the entire port. The proposed development would therefore be in keeping with policy objective EE 27 of the development plan.

7.2.9. There is a concurrent appeal before the board under ABP-307862-20 for development on another site within the port beside the site covered by this application. However, the development proposed in this application is not dependent on works on the other site. The board can consider separately whether permission should be granted for the current application without predetermining any of the issues associated with the other application, including whether the other application raises matters that should be determined by an informal masterplan for the port.

7.2.10. Reference is had to the adoption of a more strategic approach to the future development of the Greenore Port lands in the interest of the proper planning and sustainable development of the area. In this respect it is noted that 'Greenore Port Vision 2020' has been submitted with the application. While not a Masterplan this outlines the current and potential future development of Doyle Shipping Group (DSG's) privately owned 23ha landholding. It notes the importance of Greenore Port and that it is the only deep-water port on the east coast of the Republic of Ireland outside Dublin. The reason given for producing this document is to provide all the Port's stakeholders with a view as to how the Port will be developed over the next number of years. It is provided that this vision document is a working document that may be amended or adjusted at any time and is a non-statutory vision document. However, as the proposed development would be in keeping with national and local planning policy and provides for a relatively modest increase in the ancillary storage facilities available in the port, the principle of development is acceptable. Its particular impacts are considered below.

7.3. Rationale

7.3.1. A Planning Report has been submitted with the application. This notes that the port has a long history, being operational for the past 140 years. The wider port area has

evolved over many years through planning applications, in accordance with development rights set out under the Harbour Acts 1996-2009 (as amended). The majority of this pre-dates Doyle Shipping Group (DSG's) ownership of the site in 2014. Details of the extensive planning history are noted, including the more recent applications in the Planning History Section above. It is considered that the planning history confirms that storage of port related commodities at Greenore Port is an acceptable in principle use.

- 7.3.2. The port provides a range of services including general cargo handling, pilotage and customs. At present the main commodities handled at the Port are bulk animal feed, fertiliser, coal, steel, timber and general cargo. There are 2no. berths – the outer berth (Berth 1), which accommodates vessels up to 200m, and the inner berth (Berth 2), which accommodates vessels up to 110m. It is stated that it can handle ships of up to 200m length, 32m beam, 8.5m draught and 60,000 tonnes deadweight. Prominent structures within the wider port include mobile cranes and a gantry crane ranging between c. 34m to 60m as well as numerous storage buildings.
- 7.3.3. The rationale provides that DSG plan for more improvements in future years and refers to the 'Greenore Port Vision 2020' document which has been submitted. As a commercial entity and an important facilitator of both imports and exports in Ireland, DSG has an obligation and commitment in meeting the needs of its customers. As outlined there has been a c. 50% increase in tonnage handled by the port (2014-2019 period). Currently the majority of dry bulk commodities are taken off site to third-party warehousing units prior to onward transfer to end customers. This is not the optimum approach as it results in periods of intense traffic movements at times when ships are discharged; and double handling of goods is inefficient and uneconomic. It is submitted that the proposed development would reduce these intense HGV movements, allowing the product to be stored on site and removed in a controlled manner. That this would have positive benefits for the local road network and the amenities of village residents.
- 7.3.4. The application area is bounded to the south by Greenore Village and Golf Club and to the southwest and east by established harbour related activity. The subject site is located between the existing former 'OpenHydro' and 'Store 0' warehouse, both of which have a stated cumulative existing storage capacity of 11,900 tonnes. The

development under (Reg.Ref.20/268) provides for a revised storage capacity of 16,900 tonnes i.e an increase of 5,000tonnes.

- 7.3.5. The development proposal is for the construction of 2 new warehouse units. Details submitted provide that proposed 'New Store 1' and 'New Store 2' will provide for a storage capacity of 6,500 tonnes and 4,250 tonnes (i.e a cumulative capacity of 10,750 tonnes). Therefore, the proposed new warehouse units result in an additional storage capacity of 10,750 tonnes within the Port. It is stated that the stores will hold dry bulk goods such as agricultural feeds, fertiliser, rock salt etc. Subject to approval of the subject application, the cumulative of all stores within the port, would provide for an overall capacity of 27,650 tonnes.
- 7.3.6. The rationale as per the documentation submitted provides that there is a deficit in on-site storage for dry-bulk commodities, and the Port is reliant on third party warehouses. This leaves the port vulnerable to external influences such as the increased demand for warehousing in recent years. That the proposed development represents an efficient use of the area within the port's landholding and seeks to maximise the potential to facilitate additional on-site storage which would increase capacity by 10,750 tonnes.
- 7.3.7. In addition, the rationale provides, that the proposed development would not qualify as intensification of use, as the commodities are currently being imported to the Port and stored in third party warehouses off-site. That the intensive traffic movements associated with ships discharging will reduce as more product will be stored on site and removed in a controlled manner.

7.4. Built Heritage

- 7.4.1. Greenore Port sits on the edge of an ACA and there are a number of protected structures within the area. There are concerns about the lack of a buffer zone, the creation of a hard edge of warehousing and the impact of the proposal being visually prominent in the area. In this respect regard is had to the visual representation as shown in Section 4.4 Greenore Port Vision – Warehouses. It is submitted that warehousing such as proposed would not compliment the character of Greenore village. It is important that a heritage approach be undertaken in the design approach of the new port structures, and the impact on the ACA. A balance has to be achieved

in facilitating the port buildings of scale and addressing the public realm interface with the village. The proposed development needs to be assessed in order to determine whether the impact is significant on the character, setting or integrity of any of the Protected Structures in the vicinity of Greenore Village, and on the views from the ACA.

- 7.4.2. A Heritage Impact Assessment accompanied the application. This notes the history of Greenore village. Details are given of the establishment of Greenore as a railway town c.1873 and the associated port services. The railway line closed in 1951 after the withdrawal of the ferry services from the port of Greenore. A Cartographic review has been submitted. It is noted that the first edition of the OS map depicting Greenore, records the lighthouse complex that survives today. The 25-inch OS map shows the hotel and railway station. It provides that though now demolished (save for a section of walling of the former station), this complex was once an integral part of harbour and railway life. The establishment of the village of Greenore, included the housing, golf course and other amenities to serve the workers at the port and local population. A hotel was also constructed but has been demolished (c. 2006). It is clear that the village of Greenore and the architecture therein would not have existed without the port having been sited at this location. Although the railway line is closed the commercial port continues to operate.
- 7.4.3. The Architectural Heritage Protection Guidelines 2011 provides guidance for development relevant to protected structures and within or proximate to ACA's. Regard is had to the importance of the conservation/preservation and management of such areas so as to prevent inappropriate development that would detract from the character of the ACA. This includes the contextual location of an area, including its relation to its surroundings, noting any important views or vistas and topographical features which help to define it.
- 7.4.4. Greenore Village is designated as an Architectural Conservation Area (ACA) in the Louth County Development Plan 2021-2027. Appendix 11 of Volume 3 of the said plan refers to Greenore. The village lies to the southwest of the application area and is centred on two parallel street: Euston Street and Anglesey Street. Euston Street comprises a terrace of two-storey dwellings on its north-eastern side and a national school, shop, and more terraced dwellings on the opposite side. Anglesey Street to

the south of the application site, is single sided with a terrace facing south-west towards the golf club.

- 7.4.5. The ACA provides that although Greenore ceased to operate as a passenger port in 1952, this remarkable group of buildings within the village continues to survive in almost intact. The former hotel and railway station have been demolished. It provides that the stone and brick terraces of Euston Street, brick schoolhouse and timber frame bungalows are one of the finest groupings in Ireland. The Objectives for the ACA include in summary, to preserve the special character of the village and its setting, through positive management of changes to the built environment and to protect the landscape setting of the village and the views outwards.

The views are as follows:

1. Along Euston Street, north to the Mournes.
2. Eastward from the coastguard houses and the seafront.

- 7.4.6. The Heritage Impact Assessment provides that the proposed development will not have any impact on the second of these views. That the view of the Mournes from Euston Street has been blocked by the port and railway infrastructure (in the form of 19th century engine and good sheds) since the port and village were developed. A former glue factory at this location was removed c.2005. Until 2015, a warehouse occupied part of the footprint of the proposed warehouse, adjacent to the public road. Photographs are included to show the original warehousing and that proposed as seen from Anglesey Road. It is noted that this was less substantial than that currently proposed.

- 7.4.7. They consider that the only impact will occur at the northernmost end of Euston Street and at along Anglesey Terrace. An Assessment of Photomontages Images, is provided, including having regard to the revised plans and to the viewpoints submitted. They conclude that the proposal will result in slight changes to the historic setting, which are considered 'negligible adverse' in terms of significant impact.

- 7.4.8. It is noted that the houses in the ACA in Euston Street and in Anglesey Terrace face the road/the green rather than towards the port area. However, the views of the Mournes in particular from Anglesey Steet, which are now partly restricted by the boundary wall and the rubblestone wall, will be blocked further if these warehouses,

the subject of the current application are to be constructed. The proposal will also provide a hard edge of warehousing, adjoining and to the north of the ACA.

Protected Structures

7.4.9. The Planning Report provides that there is no record of any protected structure, archaeological or cultural heritage within the application site area. There are however 3no. protected structures within the wider Greenore Port landholding. While a full description of these is given in the Council's Record of Protected Structures (Volume 2C of the Louth CDP), in summary they are as follows:

- i. LHS009-001/ Water Tower/ An attached three-stage stone water tower built c.1840. Though part of the structure has been converted to office use, it continues to retain its original function as a water tower. This is located in proximity and east of the proposed development area.
- ii. LHS009-043/Greenore Lighthouse/built c.1830, with a circular-plan and taper profile. Currently not in use, located some distance to the north-east of the proposed development.
- iii. LHS009-044/Greenore Lighthouse Keeper's House/ A detached three-bay single storey structure of which the attic was a former lighthouse keepers dwelling built c. 1830. Currently not in use this structure is located some distance to the north-east of the proposed development

7.4.10. The Heritage Impact Assessment notes that the majority of the 19th century structures in Greenore are designated as protected structures in the Louth CDP 2015-2021. These are listed in the National Inventory of Architectural Heritage (NIAH). It is also of note that these include the residential properties nos. 12 to 15 Anglesey Terrace to the south of the proposed development site. Many of the P.S in Greenore are in residential use and are described as attractive workmen's houses that testify to the significance of Greenore's industrial past. This is also the case, as noted in the Record of Protected Structures in Volume 4 of the current Louth CDP 2021-2027.

7.4.11. There are no designated cultural heritage features located within the proposed development site, however, a water tower (NIAH 13831025) is located to the east of the main development area. The water tower is an integral part of the historic

environment of the port. It was built to service the railway station c.1875. Although the function of this structure has changed (it currently functions as office space for port administration), this has meant that the structure has been preserved and maintained and is in use.

7.4.12. There is Third Party concern that the impact on the P.S the Water Tower and its curtilage has not been adequately considered in the application. They refer to Section 57(10)(b) of the Planning and Development Act 2000 (as amended) i.e. *A planning authority, or the Board on appeal, shall not grant permission for the demolition of a protected structure or proposed protected structure, save in exceptional circumstances.*

7.4.13. This architectural heritage includes the remains of the Greenore Railway Station and terminates the vista at the end of Euston Street and at the end of Anglesey Terrace from the public green area. The Heritage Impact Assessment provides that there will be no direct impact on the water tower or other designated cultural heritage features in the wider environment.

Demolition of Walls

7.4.14. There are 2no. existing historic walls within the proposed development site, both of which are proposed for demolition. The Planning Report submitted, notes that one of these was associated with the former Greenore Railway Station and that this now freestanding redbrick structure is not included as part of the NIAH record (ref.no.13831026) for the hotel and railway station. They submit that this feature no longer retains its intrinsic architectural value. Also, that the wall fragment is not a Protected Structure but is considered to be of industrial archaeological heritage interest. The concerns of the Department of Culture, Heritage and the Gaeltacht, An Taisce and the Third Parties concerns relative to the demolition of these walls and on the impact on heritage and the Protected Structure – the Water Tower are noted.

7.4.15. There is concern that the Heritage Impact Assessment gives a low value to this former railway wall. That its context in conjunction with the existing water tower and the remaining wall of the engine shed should be retained to avoid total loss of Greenore's original railway heritage. The Third Party provides that the two walls do not need to be mentioned in the description or appraisal of the Water Tower in the RPS or identified by the NIAH to be covered by the legal definition of a P.S under the

aforementioned Act. In addition, they contend that the description of development is legally incorrect. That it does not state clearly that it proposes the demolition of two remaining walls of the Greenore Railway Station, namely the remaining platform wall and the remaining engine shed wall as these are part of the protected structure LHS009-001 the former railway water tower in accordance with the definition of Protected Structures. In this respect it is noted that the Public Notices refer to the demolition of the walls and separately to the Protected Structures.

- 7.4.16. Reference is made to the Louth CDP 2021-2027 Volume 3, Appendix 11 Record of Protected Structures which provides a description and appraisal of the water tower. The former railway walls for removal are not identified. It is noted that these walls are also not referred to in the NIAH (13831025) record relative to the Water Tower. The Heritage Impact Assessment has regard to the condition of the walls proposed for demolition. Figure 9 shows the location of the walls within the site. Wall 'A' separates the current carpark area from the open storage area at the southern portion of the proposed development site. 'Wall B' is a free standing eleven bay (six arches extant) blind arcade wall, formerly associated with Greenore Railway Station, built c.1870-1890. The wall is orientated northeast to southwest, with the main façade facing northwest i.e towards the seaward side of the port. Details are provided of the construction and external finishes of these walls. The description refers to 'demolition of the former railway wall and the associated concrete tower'. The Assessment has no objection to the demolition of the latter which while adjacent to the old railway wall, is separate to the water tower that is a P.S and does not form an attractive feature. The water tower that is a protected structure is in office use.
- 7.4.17. The Greenore Port Built Heritage Strategy (2019) notes that this red brick arcade represents the extant remnants of the southeast elevation of the former railway building on the site. That this now free-standing structure was not recorded as part of the former NIAH record for the hotel & railway station (NIAH ref. no. 13831026). In summary they submit that the wall has lost its context and no longer retains its intrinsic architectural value, nor contributes positively to the character of the port. However, given its erstwhile association with the former railway station they recommend that measures should be undertaken to preserve it by record.
- 7.4.18. Details submitted provide that the Applicant engaged the services of a Grade 1 Conservation Architect who advised that a detailed scheme of recording (i.e

preservation by record) should be undertaken prior to its removal. A survey to preserve by record and the detail is presented in Appendix 1 of The Planning Report submitted.

- 7.4.19. The Heritage Reports submits that the rubblestone wall proposed for removal to the south of the application area does not have any intrinsic industrial heritage significance. A survey of the rubblestone wall was also completed and the results are presented in Appendix 2 of The Planning Report. The Greenore Built Heritage Strategy recommends that this wall be removed as part of the proposed developments, without any additional mitigation measures.

Conclusion

- 7.4.20. The Greenore Port Built Heritage Strategy notes that the busy port of Greenore is in a state of continual change and development. It is submitted that given the location within the working area of the port, the location of these walls proposed for demolition represents a constraint to the smooth running of the port. The extant protected structures within the port (lighthouse, keeper's house and water tower) are integral to the built heritage of Greenore and to County Louth.
- 7.4.21. The lighthouse in particular is an important example of its kind in Ireland and has a landmark quality and is particularly visible to visitors using the Carlingford Ferry. The Strategy provides that Greenore Port UnLtd are committed to the preservation of these structures. That they are committed to the continual preservation of protected cultural heritage assets within their guardianship and within their landholding and have pledged funding for conservation works. It is of note that the lighthouse and light house keeper's cottage are not proximate to the current application site, nor will they be impacted by the development. Appendix 2 contains a Conservation method statement for the lighthouse complex.
- 7.4.22. The proposed warehouse development will be proximate to the Water Tower P.S and necessitate the removal of the said walls which include the former railway station wall. It is of note that as shown on the mapping and referred to in the documentation submitted that warehousing on this site is not a new concept, in that in the recent past this area was occupied by albeit a less substantial former warehouse type building. The footprint then showed a greater set back from the site boundaries.

7.4.23. The Heritage Reports provide that the developments currently proposed within the port will not pose any direct or indirect impact on the built historic environment or on the adjacent Greenore Village ACA or protected structures. They, recommend that a number of works be undertaken to protect the protected structures within the port. It is recommended if the Board decides to permit that, conditions, including conservation by record relative to these heritage walls to be removed be included.

7.5. Design and Layout

7.5.1. The site is currently in use as an open storage area with an adjoining carpark at the south separated from the open storage area by an old rubblestone wall. In the north eastern portion of the site there is a northeast to southwest orientated redbrick arcade. This arcade which now appears as a freestanding wall was associated with the no longer extant railway station. As noted in the Heritage Section above, both of these walls are now proposed for demolition to facilitate the proposed development.

7.5.2. The Site Layout Plan submitted shows that the site is irregularly shaped, adjoining the existing office and water tower complex to the east, extending northwards to the rear of the existing warehouse building and towards the existing silos, and southwards towards the boundary with the warehouse to the south 'Open Hydro'. The northern part of the site abuts the port internal access road. It is proposed to place 4no. roller shutter doors in the northwest elevation facing this access route.

7.5.3. The southern boundary abuts Anglesey Terrace which is part of the Greenore ACA. Nos. 12 -15 Anglesey Terrace are protected structures. The site is separated from the houses by the access road to this Terrace and to the Golf Club. There is currently a block wall that forms the southern site boundary of the port site. These houses face the green area to the west of Anglesey Terrace. As shown on the Site Layout Plan the boundary is within 6m and the proposed warehouse buildings will be within c.10m of the side elevation of no.15 Anglesey Terrace.

7.5.4. As noted the proposed development on this 0.81ha site comprises the demolition of the remnant 'railway wall' and the rubblestone wall positioned inside the southern boundary area and the construction of 2no. new warehouses i.e Proposed New Store 1 and New Store 2. The description of development provides that 'New Store 1' is to be 1,812m² g.f.a and be a maximum height of 15.25m, 'New Store 2' is to be

1,184m² and a maximum height of 15.25m. As shown on the floor plans submitted, the warehouses are to be adjoining, but not interconnected. The southern elevation of New Store 1 facing Anglesey Terrace. The sections and elevations show that the proposed height of the warehousing is to range from 9.12m to 10.55m in height, referred to as 15.25m OD as referred to on the Public Notices.

- 7.5.5. These warehouse buildings are to be structural steel frame and to have reinforced in-situ concrete walls. As originally submitted the cladding of the store and roof walls were to be in 'Kingspan Van Dyke Brown RAL 8014' to match existing warehousing located east south west and east of the proposed new stores. The First Party refer to their further information submission, where in accordance with the Council's F.I request, the design of the buildings was reviewed, and it was concluded that the height, scale and mass of the warehousing as proposed could not be altered in view of operational needs of the port. They provide that the floor plate could not be reduced or broken as it is necessary to facilitate the volume of material being handled by the port. That the height of the warehouse is driven by the volume of storage required and the size of machinery that will operate within, and the building's mass and scale is appropriate to the operational needs of the port. They submit that the building's mass and scale is appropriate to the needs of the port and the receiving port environment. It is driven by the need to achieve significant operational practices and the ongoing visibility of this strategic infrastructure asset.
- 7.5.6. However, it is acknowledged that there needs to be a balance achieved between the needs of an operational port and respecting the significance of the village, a designated ACA, and views designated in the Louth CDP. To this extent they propose to use a 'goosewing grey' RAL colour instead of the brown originally proposed and to provide some landscaping along part of the southern boundary.
- 7.5.7. The description of development also refers to the construction of an ESB substation with a floor area of 6.24sq.m and 2m in height and associated switchroom with a floor area of 12.25sq.m and 2.5m in height. The Site Layout Plan shows this located proximate to the south-western site boundary. Also included are all ancillary works including drainage and landscaping treatment.

7.6. Residential Amenity

Daylight/Sunlight/Overshadowing

- 7.6.1. In response to concerns about the issue of proximity to existing residential and to overshadowing, a Daylight, Sunlight & Overshadowing Report has been prepared by Passive Dynamics Sustainability Consultants. The Report provides that both the existing neighbouring and proposed amenity areas were analysed as part of this study. This included the neighbouring golf course and the public amenity space associated with Anglesey Terrace and Euston Street.
- 7.6.2. It provides that Daylight and Sunlight calculations have been carried out in accordance with BRE's 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice' (2011) – referred to as the BRE Guidance Document. It also notes that it is important that the guidelines that exist in relation to daylight and sunlight are read in the correct context and are not viewed as mandatory requirements.
- 7.6.3. The BRE Report, *Site layout planning for daylight and sunlight: a guide to good practice* (BR209), advises on planning developments for good access to daylight and sunlight. It gives advice on site layout planning to achieve good sunlighting and daylighting, both within buildings and in the open spaces between them. The advice is not mandatory and its aim is to help rather than constrain the designer. The appendices contain methods to quantify access to sunlight and daylight within a layout.
- 7.6.4. Section 6 of the Report includes regard to Simulation Model Images showing the existing and proposed scenarios. It also includes a cumulative assessment taking account of Reg.Ref. 20/268 (currently under appeal). Section 8 provides the Assessment Methodology. This refers to a Daylight and Sunlight Assessment of the impact of the proposed development on the adjoining properties. They have included within their analysis the dwellings along Anglesey Terrace and Euston Street. They provide modelling and note VSC Results relative to BRE Guidance on Vertical Sky Component. They note that as existing two windows to the rear of houses along Euston Street have a VSC of less than 27%. They provide that all other windows in the neighbouring buildings along Anglesey Terrace and Euston Street achieve a VSC of 27% or greater, with the massing representing the proposed development in

place. Therefore, they provide that the BRE Industry Guidelines have been achieved and no significant loss of daylight is reported.

- 7.6.5. Regard is had in Section 10 to BRE Guidance on Sunlight in Amenity Space. This includes an Amenity Sunlight Analysis. In the existing and proposed scenarios (current application) more than 50% of this amenity achieves 2 hours of sunshine on the 21st of March, as per the BRE Industry Guidelines.
- 7.6.6. It is concluded that the study confirms that there will be no loss of sunlight to the protected structures of Euston Street and Anglesey Terrace in addition to public amenity space associated with Anglesey Terrace and Euston Street as a result of the proposed development or cumulatively with other development in the wider port lands. These areas are south of the proposed development and therefore any loss of Daylight or Sunlight will be negligible. It is stated that the proposal achieves the BRE Industry Guidelines/Recommendations.
- 7.6.7. Shadow projections for the current application are provided in Appendix A. Shadow projections for the cumulative applications are proposed in Appendix B. These show existing and proposed scenarios. Analysis is included for the 21st of March, 21st of June and the 21st of December. In all cases it is noted that the proposed development to the north, does not cause significant additional overshadowing of the amenity spaces abutting the site on the village side, the private golf course, or the private garden/amenity space along Anglesey Terrace.
- 7.6.8. The Report concludes that having carried out a comprehensive assessment, that the proposed development achieves the best practice industry guidelines in relation to Daylight, Sunlight and Overshadowing. Having reviewed the simulation results in detail it has been found that there will be no significant loss of sun and daylight on the protected structures of Euston Street and Anglesey Terrace in addition to public amenity space associated with these residential areas.

7.7. Landscaping and Boundary Treatment

- 7.7.1. A Landscape Plan prepared by AECOM is included with the application. It is stated that the application area is constrained by the existence of services in close proximity to the southern boundary wall. Landscaping proposals as submitted with the application, included wall mounted planters and the planting of trees between the

proposed 'New Store 2' and the former existing Open Hydro warehouse positioned west of the application area. It is provided that the landscaping proposals as shown on the drawings submitted, will act as a continuation to those included with application Reg.Ref. 20/268. The proposal includes an indicative plan for the maintenance and management of the proposed planting.

- 7.7.2. There are concerns relative to the creation of a harsh edge and lack of landscaping to screen the proposed warehouse buildings from the ACA including nearby residential and protected structures in Anglesey Terrace and Euston Street. Initially it was submitted that the existing boundary wall that addresses the village will benefit from a considered landscaping scheme. In response to the Council's F.I a Landscape Treatment Proposal to Southern Boundary Wall was submitted. The revised proposal submitted with the F.I response includes the removal of the existing boundary wall which is a hard engineered edge, and replacing it with landscaping, which they provide will result in improved visual enclosure and a softening effect from the village side.
- 7.7.3. They submit that having viewed the location, it is considered that removing the existing boundary wall would assist with achieving a green interface between the port and the village. This would be replaced with a hedgerow and they provide details of the mature planting proposal to provide an immediate visual break to the development with the proposed tree planting being 7-9m in height. This landscape proposal is to provide a robust soft green transition into the site that had both vertical and horizontal interest throughout the year. In the interests of security there will be a fence line provided on the Port side of the landscaped boundary to ensure the property of the port is protected. They consider this acceptable and an appropriate design response.
- 7.7.4. Photomontages submitted with the F.I show the existing and proposed boundary treatment along the southern boundary which provides the interface with Greenore ACA. If the Board decides to permit, I would recommend, that it be conditioned that the proposed warehouses be set back a minimum of 5m from the southern and eastern site boundaries so that an additional landscaping area be incorporated in revised plans to provide a more meaningful buffer to soften the impact of the hard edge of the warehousing on the ACA be included.

7.8. Impact on the Character and Amenities of the Area

- 7.8.1. The Planning Report submitted, provides that the application is accompanied by a comprehensive suite of supporting information that demonstrates that the proposed development will not negatively impact on the adjacent ACA or Protected Structures. That the height of the proposed development is largely consistent with the existing structures and that a uniform materiality will be applied to all elevations for consistency.
- 7.8.2. Photomontages have been submitted with the application to demonstrate the extent of visual impact of the proposed development on Greenore Port and these present the 'existing view' and the 'proposed view' at each selected location. These photomontages also demonstrate the cumulative visual effect of the proposed new stores combined with the proposed modification and extensions to the former OpenHydro building and existing warehouse at the port (Reg.Ref.20/268 refers).
- 7.8.3. In response to the Council's F.I request revisions have been made to show the change to the colour of the cladding from brown to 'goosewing grey' and proposed planting. Viewpoint 02 shows the impact on views from Anglesey Terrace. Viewpoint 03 shows the blocking of the view of the Water Tower from Anglesey Terrace and Viewpoint 05 the extent of the warehousing from the golf course carpark. Viewpoints 08 and 09 show the proposed warehousing relative to the Water Tower and carparking area at the top of Euston Street. Viewpoint 10 is of interest in that it shows that the view of the Water Tower from Carlingford Lough will be masked by the proposed new warehousing.
- 7.8.4. I would consider that the change of colour of the cladding and the proposed landscaping as submitted at F.I stage, is an improvement on that already submitted. However, it is noted that there are concerns that this warehousing will block views from the ACA towards the mountains and will appear dominant and form a continuous hard edge adjoining the northern end of Greenore ACA and be overbearing for the adjacent residential Protected Structures, particularly when seen from Anglesey Terrace.
- 7.8.5. It is an issue that the proposed siting is too close and that it would be preferable if there was more of a buffer established, between the residential and proposed warehousing uses. I note that the applicants have stated in the F.I submitted that for

operational reasons that they do not wish to alter floor plate. The revised Site Layout Plan shows the proposed warehousing (warehouse no.1) sited 4.1m from the southern site boundary and 4.4m from the eastern site boundary. However, if the Board decide to permit, I would recommend, that it be conditioned that revised plans be submitted to show the proposed warehousing set back a minimum of 5m from the southern and eastern boundaries of the site. While this is marginal it would allow for a further set back from the Water Tower P.S and the closest dwellings in Anglesey Terrace and the ACA to allow for a greater landscaping buffer along the southern boundary.

- 7.8.6. The Third Parties are concerned that the construction and operational phases of the proposed development will have an adverse impact on their residential amenities. This includes concerns regarding noise, vibration, hours of operation, traffic and parking etc. In addition to impact on views, I would be concerned about the additional coming and goings, lighting, noise levels etc relative to the location and operations of the proposed warehousing in proximity to the residential development. These issues are discussed further including relative to construction management issues below.

7.9. Access and Parking

- 7.9.1. The Port is accessed either by Euston Street or Shore Road, with the latter providing for all HGV trips to and from the port as part of operational procedures. Vehicular access to the proposed development is through the existing Port Entrance on Shore Road. Pedestrian and cyclist access are made through an access off Euston Street where a carparking area relating to the Port is provided adjacent to the Port's offices. There are concerns about increased traffic/road safety implications and parking. Also relative to intensification of traffic and traffic management for the port.
- 7.9.2. A Traffic Statement by AECOM accompanies this application. It confirms that access for HGV's will continue via the existing port entrance from Shore Road. That the proposed development will provide capacity for an additional 10,750 tonnes on onsite storage per annum. That it will remove the requirement for HGV's to transfer deliveries from the port to a satellite storage facility. That this will ultimately result in a better efficiency for vessels and eliminate the initial requirements of transferring a

delivery from the port. Details are given of proposed trip generation and Table 4.1 presents a summary of the anticipated HGV's accessing and egressing the port as a result of the new storage facility.

- 7.9.3. A review is given, of existing traffic conditions in the vicinity of the proposed development. They note that the site comprises storage containers and an existing car park that served the former Open-Hydro building. It is stated that this building closed in August 2018. When in operation the building comprised of light engineering and office use, with approx. 100 employees.
- 7.9.4. Regard is had in the Transport Statement to the subject application, together with the increase in on-site storage (Reg.Refs. 19/807 & 20/268 relate). That a cumulative assessment of the trips includes that generated by the change of use of the former Open Hydro building for modifications and extensions to existing warehousing as part of this application. They submit that in summary the scheme would result in an improvement to the efficiency of vehicular movements at the port, whilst reducing the number of HGV movements transporting material to an offsite storage facility, thus reducing the number of HGV trips between the Port and the offsite storage. Also, that their analysis demonstrates that the proposed warehousing will lead to a net decrease in the number of trips generated during both the AM and PM peak hours when compared to the number of trips generated by the development under its previous use. It is concluded that the transport implications of the proposed development have determined that the proposed warehousing will lead to a net decrease in the number of vehicle trips generated.
- 7.9.5. Details are given of Traffic Management Measures. Reference is had to hours of operation during construction in the Outline Construction Management Plan. They provide that the measures will ensure that the presence of construction traffic will not lead to any significant environmental degradation or safety concerns in the vicinity of the proposed works. They conclude that the proposed development would have a marginal/beneficial impact on the surrounding road network from a traffic and transport perspective.
- 7.9.6. Pedestrian and cyclist access are made through an access off Euston Street where a carparking area relating to the Port is provided adjacent to the Port's offices. The village of Greenore is served by Bus Eireann. It is noted that there is no footpath

along part of the Shone Road and it is provided, there is an improvement scheme being delivered by Greenore Port and Carlingford Ferry to improve pedestrian conditions along Shore Road. These road improvements are separate to the subject application.

- 7.9.7. A ferry service known as the Scenic Carlingford Ferry, links Greencastle in County Down, with Greenore Port and docks some 175m to the east of the proposed development. The ferry can accommodate a number of vehicle types as well as foot passengers and cyclists, however, it is not of sufficient size to cater for articulated vehicles. There is a separate public parking area on the opposite side of Shore Road to the HGV entrance to the site. This appears to be for the Carlingford Lough Ferry Service.

Car Parking

- 7.9.8. Existing car parking at Greenore Port is provided adjacent to the office building, located at the top of Euston Street. The Applicant has indicated that there will be no additional employees at Greenore Port as a result of the proposed development, consequently no amendments are proposed to the car parking requirements as part of the planning application.
- 7.9.9. However as noted on site there will be a reduction in parking area, in that the warehousing proposed in the subject application will be partly sited in an area now used for car parking in front of the Open Hydro building and by other port related employees. This area is surfaced and parking spaces marked out, in a defined area between the southern boundary wall and the old rubble wall proposed for demolition. It is currently accessed via a gated entrance proximate to the office buildings and the car park to the north-east at the top of Euston Street. On the day of my site visit I noted that this area appeared to be in use as a parking area for employees/construction workers at the port and was well parked with cars and vans. This parking area will be removed along with the old rubble wall proposed for demolition to facilitate the siting of the warehousing in this application site.
- 7.9.10. The Council's F.I requested, that the Applicant demonstrate compliance with the car parking standards of the Louth CDP 2015-2021 as set out in table 7.6. It is stated that the site falls within Area 1 (Site located within Town and Settlement Centres) whereby there is a car parking requirement for warehousing of 1 space per 100sq.m

of floor area. This includes that should the required car parking not be facilitated, a justification must be put forward. Also, that the Planning Authority may levy for any shortfall of car parking.

7.9.11. In accordance with the Council's F.I - AECOM carried out a review on behalf of the Applicant of the overall car parking requirements of the Port to ensure requirements are matched with proposed changes to Port activities and cross referenced to current employment numbers in the Port. This notes that cumulatively, the proposed planning application together with the Change of use permission and the extension and modification application (concurrent appeal) would give rise to a total warehouse floor area of 7,747sq.m. This is broken down as follows i.e.

- Reg.Ref. 20/243 - The current appeal - permission sought for warehouses: Store no. 1 (1812 sq.m) and Store no.2 (1,184sq.m) i.e 2996sq.m.
- Reg.Ref. 20/268 – Permission granted by the Council (concurrent appeal to the Board) for the extension (1,499sq.m) and modification of the former OpenHydro warehouse and store units (1,645sq.m).
- Reg.Ref. 19/807 – Permission granted for a change of use of the former Open Hydro building which presently has a floor area of 1,607sq.m.

7.9.12. Therefore, in accordance with Table 7.6 of the County Plan, 7,747sq.m of warehousing space would lead to a total requirement for 77 spaces. It is of note that Table 13.11 of the current Louth CDP 2021-2027 provides the car parking standards. This remains unchanged at 1 space per 100sq.m. If considered as a stand-alone site, the current warehousing application – 2996sq.m would lead to a requirement of 30 spaces.

7.9.13. The AECOM response provides that the development of on-site facilities at Greenore Port is a rationalisation of current operational practices whereby product arriving at the Port is predominantly taken to third party off-site warehouses for storage prior to onward distribution. They submit that neither the proposed development, the permitted change of use of Open Hydro nor the proposed extensions and modifications to warehousing (under appeal) will give rise to additional employment at the Port. They provide that therefore no further carparking is required.

- 7.9.14. They note that the Applicant has confirmed that the port currently has a total of 38 employees, that some live locally and car sharing is in place. The port currently has a total of 19 car parking spaces situated adjacent to the front office which are used by the Port staff and they provide are underutilised as a result of sustainable transport measures. That in summary the provision of 77 car parking spaces to accommodate 38 total staff would be an overprovision. They submit that they are not aware of any off-site parking on the surrounding streets by Port employees and the spaces provided at the front office are sufficient to accommodate current employees.
- 7.9.15. The proposed development would require 30no. car parking spaces to align with the parking standards of the Louth CDP. Additional parking is not proposed within the site as they provide that the proposed development will not increase employment onsite. They submit that the car parking at the site currently operates with significant excess capacity at the current staffing level and, as such they put forward that the existing car parking provision would be satisfactory.
- 7.9.16. While the applicant has stated that there is sufficient parking available in the existing carparking area at the top of Euston Street, in front of the water tower and office buildings and that the proposed use will not result in additional parking, I note third party concerns. I would be concerned about the cumulative impact of the under provision and loss of on-site parking, also, taking into account the application for extensions and modifications of the Open Hydro building. Overspill parking, would be a concern for local residents, relative to their residential amenities and would not add to the character of the ACA.
- 7.9.17. It cannot be ruled out, that amount of warehousing proposed will not lead to a greater number of employees working at the port. It is noted that there is no provision for parking within the red line area of the subject site. I would not consider that it has been demonstrated that there is already sufficient on-site car parking available. The current proposal is within an area that is currently in use for car parking for the port. There may be future availability within the greater port area but this is not provided for in the current application. The Board may decide to refuse on this basis relative to the lack of provision of car parking on site and the cumulative impact on the greater port area and the adjoining ACA.

7.9.18. Alternatively, they may decide that as the greater port area within the blue line boundary is within the ownership of the applicants that it could be conditioned that the proposed development relative to the current application not commence until in accordance with the Louth CDP car-parking standards, plans have been submitted to show a parking area for 30 spaces to be provided within the greater port area.

7.9.19. I also note that cycle parking has not been provided in accordance with Table 13.12 of the Louth CDP 2021-2027. This should be 1 space per 5 staff for warehousing.

7.10. Other issues

Lighting

7.10.1. There is no external free standing lighting proposed as part of this application. Standard wall-mounted directional downward facing flood-lighting is to be installed above entrances on the north west elevation of proposed 'New store 1' and the south west elevations of proposed 'New Store 2'.

7.10.2. I would consider that if the Board decides to permit, it is important that no external lighting be installed on the south-east or southern elevation, that faces Anglesey Terrace and the green area. Also, that it be conditioned that all lighting be cowled and directed so that it faces away from the existing residential area.

Construction Management

7.10.3. An Outline Construction Management Plan has been submitted. This notes that the existing yard area of the proposed new stores is currently in use by Greenore Port. For the duration of the construction phase, these areas will be handed over to the Main Contractor and will not be accessible or in use for storage by the Port or their employees. Details are given of the Extent of Works. This includes that the site area will be enclosed with hoarding panels during the duration of the project. Regard is had to an indicative sequence of construction works to be confirmed by the Main Contractor. Note is had of Construction and Demolition works and that the Contractor is to prepare a Construction and Demolition Waste Management Plan in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects". Environmental issues are discussed and include regard to measures to be implemented during construction works.

Noise and Vibration

- 7.10.4. The proposed development is to comply with current standards for Noise Control on Construction and open sites. They provide that the Contractor shall implement measures to eliminate where possible and reduce noise levels where not. In addition, the Contractor shall provide and maintain vibration monitoring equipment for the duration of the works. Condition surveys of adjoining buildings will be required before excavations commence. Vibrations shall comply with current standards for such works.
- 7.10.5. Concern has been expressed at the impact of the works taking into consideration the proximity of nearby residential and that the Protected Structures are single glazed. If the Board decides to permit, I would recommend, that appropriate noise related conditions be included.

Harmful Materials

- 7.10.6. Details submitted note that these are to be stored on site in a controlled manner, for use in the construction works only. Where on site fuelling facilities are used that is to be a bunded filling area using a double bunded steel tank at a minimum.
- 7.10.7. Work methods and materials must not impinge upon any nearby watercourses. Regard is also had to construction management and to the conditions recommended by the Loughs Agency to demonstrate best environmental practice working close to watercourses to ensure that the proposal would not have an adverse impact on the aquatic environment.

Construction Traffic Impact

- 7.10.8. They estimate that the construction of the proposed development would be c.8 months. It is stated that the impact of construction vehicles would be minimal in comparison to the existing Port traffic levels, they would not interfere with the existing traffic flows. If the Board decides to permit, I would recommend that it be conditioned that a Demolition and Construction Management Plan be submitted.

Dust Management

- 7.10.9. It is stated relative to Demolition and Construction, that dust prevention measures shall be included for control of any site airborne pollution. That the Contractor shall put in place and monitor dust levels in the vicinity in accordance with standards and

details are given of this. Also, that dust shall be continuously monitored over the variation of weather and material disposal to ensure the limits are not breached throughout the project.

7.10.10. In response to the Council's F.I request an 'Operational Dust Management Plan' was submitted. This notes that Greenore Port handles both dry bulk (e.g. agricultural feed, fertiliser, gypsum rock, woodchip etc) and break bulk (e.g steel). Dry bulk product forms the majority of the throughput at the port, it is anticipated that the proposed warehouses will be used to store bulk animal feed e.g.maize, corn and soya products. However, in the context of ensuring the efficient operation of the port it is reasonable to consider that the warehousing may be used for the storage of any product/cargo handled at the port. It is not intended to store cargo external to the proposed warehouses that form part of this application. Some of the product e.g. gypsum rock and wood chip are stored externally within the wider port and this practice is to continue in their current locations.

7.10.11. It is noted that the Port is located north of the village and the proposed warehouses will sit between the berths and quay wall and the village. It is submitted that the siting locations will in themselves act as a barrier to dust reaching the village during the unloading of vessels. The loading points to the warehouses are positioned to the north of the buildings. The proposed new warehouses are to be designed and constructed with sealed joints with flashings on the extremities of the building fabric which will mitigate the escape of fugitive dust emissions.

7.10.12. Details of Dust Management measures to be put in place during the operational phase of development are given. Potential sources of dust at the operational phase of development include: vessel discharge; internal movement of vehicles within the port; loading/unloading of material in proposed warehouses; vehicle movements from the port. Regard is had to Port Monitoring Systems and to measures to be taken relative to wind speed and direction. It is noted that the nature of the product proposed for storage is such that dust may be generated from handling and transportation. It is proposed to undertake continuous monitoring for a period of 1 year post coming into operation of the proposed warehouses to monitor the dust levels from the port.

- 7.10.13. Details are given relative to dust control measures - Vessel Discharge, Cargo Handling Equipment (Cranes and Hoppers), Operation and Movement within the Port. In addition, relative to the unloading and loading of product within the warehouses. Note is had to vehicles exiting the Port. Measures relative to General Port Area Dust include the use of a Road Sweeper and Water Spray. Similarly, Road Cleaning is to be carried out. A Complaints Procedure is to be implemented.
- 7.10.14. The Report concludes that the product to be stored in the proposed warehouse will be in the main bulk animal feed but this may change to other port related product and cargo if necessary. It notes that Greenore Port have standard operating procedures (SOPs) in place for the handling of dusty cargo and they will be extended to cover the operation of the warehouses. These SOPs are standard proven measures that are used in port environments to mitigate the effect of fugitive dust emissions for port related activities. It also provides that the Port is committed to investing in best technology to monitor wind direction and speed on site. That the information provided from this technology will inform operational practices.

7.11. Drainage and Flood Risk

- 7.11.1. A Services Design Report and drawing detailing drainage works for the proposed development has been submitted. It is noted that the port currently has an existing drainage network in place comprising of a foul septic tank and foul lines servicing buildings in the port. It is stated that the application will have no impact on the existing foul network. Given the nature of the proposed warehouses i.e storage of port commodities, it is provided, that there is no requirement for foul water services or a water supply.
- 7.11.2. The details submitted provide that the port currently has an existing storm water drainage network in place which services both yard surface water and roof water from buildings. The proposed new stores are to be constructed in the existing yard areas of the port. The roof areas of both stores will take place within the existing concrete yard areas. These impermeable yard areas will be reclassified as roof rainwater areas and will be connected into the existing network. Impermeable areas generating run-off pre-development and post-development will remain the same. The discharge rate to the outfall points will also remain the same. No increased volumes

will be discharged via either Storm Outlet. The design primarily involves the construction of new storm drainage network lines around the footprint and extremities of the proposed new stores. Areas currently drained by yard gullies will be converted into new roof area drainage via down pipes into the same stormwater drainage network before discharge. As such it is provided, that this proposal does not affect or alter the impermeable areas involved or discharge points of the current storm network.

- 7.11.3. It is noted that the Loughs Agency are concerned that all storm water from the development site should not be discharged to nearby watercourses or waterbodies unless first passed through pollution interception and flow attenuation measures. They recommend that best environmental practice be demonstrated to avoid pollutants damaging aquaculture. If the Board decides to permit it is recommended that appropriate conditions regarding storm/surface water drainage be included.

Flood Risk Issues

- 7.11.4. The proposed development is located adjacent to Carlingford Lough which is tidal. The Loughs Agency notes that part of the proposed development appears to be within the coastal plain as per the OWP flood public access maps. They are concerned about the impact of flooding relative to silt and other pollutants entering the surface water environment.
- 7.11.5. Details submitted provide that a review of the OPW records including flood extant maps was undertaken and did not identify any record of pluvial, fluvial or groundwater flooding at the application site. It is stated in the Service Design Report that the lowest proposed floor level for the stores within the works is 4.70m. This is well above the predicted extreme water level of 4.22m AOD.
- 7.11.6. A Strategic Flood Risk Assessment (SFRA) is included in the LCDP 2015-2021 (Volume 2(b) Appendix 13 SFRA). It identified in both map and textual format where Flood Zone A and Flood Zone B areas are most likely to occur. They submit that the proposed development area is not located within either of these flood zones (Map 2.23 of the LCP 2015-2021).
- 7.11.7. Phase 3 of the Irish Coastal Protection Strategy examined the North-East Coast stretching from Dublin to Greenore and illustrated that coastal flood hazards exist predominantly in or near coastal settlements. Carlingford to Greenore was identified

as an area of potential coastal flood hazards. The application area is not identified as an area at risk in this Study. It is concluded that having regard to its locational context, and the documentation submitted that the site is not within Flood Zone A and B and is not at risk of flooding in the future, thus the principle of development is acceptable.

7.12. Appropriate Assessment - Screening

- 7.12.1. The Stage 1 AA Screening Report submitted, provides a description of the site and the proposed development. The port is adjacent to Natura sites including Carlingford Lough SPA (site code:004078) and Carlingford Lough Shore SAC (site code: 2306). This notes that the development site consists of an existing 0.81ha site within Greenore Port, a busy shipping port serving merchant size ships. The 'red line' of the development site while not within a Natura 2000 is situated approx. 20m from the quay wall and about 20m distance from the SAC boundary at its nearest point. The SPA boundary is situated a further 30m to the north-west. Appendices 2 and 5 refer. The possibility that works on the appeal site might have an effect on the adjacent Natura 2000 sites therefore needs to be examined to determine whether the proposed development would be likely to have significant effects on those Natura 2000 sites, and so whether an appropriate assessment is required.
- 7.12.2. There are no ecological connections between the appeal site and any other Natura 2000 sites that could form a pathway by which the proposed development could be likely have significant effects exists on the conservation objectives of those Natura 2000 sites. In particular the SAC at Carlingford Mountain 000453 is 3.7km from the site and upstream of water flows; while the SAC 000455 and the SPA 004026 at Dundalk Bay are more than 7.5km from the appeal site and marine dilution means that that it would not be possible for the proposed development to have a likely significant effect of the waters in Dundalk Bay if it had not previously had one in Carlingford Lough. The appeal site does not contain habitats that would provide ex situ support to species that are the subject of the conservation objectives of any other Natura 2000 site. It can therefore be concluded that the proposed development would not have the potential to have likely significant effects on any Natura 2000 sites other than those at Carlingford Lough.

7.12.3. The conservation objectives of the relevant sites are as follows-

European Sites	Site Code	Qualifying Interests (QI's) /Conservation Objectives (CO)	Distance to the appeal site
Carlingford Lough SPA	004078	<p>QI's:</p> <p>A046 Brent Goose <i>Branta bernicla hrota</i></p> <p>A999 Wetland and Water Birds</p> <p>CO:</p> <p>To maintain the favourable conservation condition of the species and habitat listed in the Qualifying Interests in Carlingford Lough SPA</p>	<p>c.30 meters at nearest point</p> <p>(distance from the proposed warehousing is c. 50m)</p>
Carlingford Shore SAC	002306	<p>QI's:</p> <p>1210 Annual vegetation of drift lines</p> <p>1220 Perennial vegetation of stony banks</p> <p>CO:</p> <p>To maintain the favourable conservation condition of Annual vegetation of drift lines in</p>	<p>c. 20 meters at nearest point</p> <p>(distance from proposed warehousing is c.50m.</p>

		<p>Carlingford Shore SAC.</p> <p>To maintain the favourable conservation condition of Perennial vegetation of stony banks in Carlingford Shore SAC</p>	
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Carlingford Lough SPA

- 7.12.4. This is bounded by Carlingford to the west and Greenore to the east. Threats to the SPA as noted in the Screening Report, include increase in recreational activities of various kinds, increase in pollution, particularly agricultural run-off which may impact *Zostera* beds, increase in aquaculture activities, impacting the intertidal area, and invasive species. Others listed include dog walkers, and various activities associated with aquaculture production and traffic.
- 7.12.5. Site supporting documentation and site synopsis documents also make reference to black guillemots who nest in the port area. Several pairs nest off the breakwater in nesting boxes provided by the port. It is provided that Pale-bellied brent geese forage over Carlingford Lough, initially on *Zostera* beds (>1km to the north west of the development site), subsequently on *Ulva* sp (approx. 300m from the development site but typically further into the mudflats). The feeding area in Greenore Golf Course is about 800m west of the development site. The site synopsis is included in Appendix 3 of the Report.

Carlingford Shore SAC

- 7.12.6. This is described as an extensive area of mixed shoreline habitat stretching from the Newry River all the way to Balaggan Point, a length of c.15kms. The Qualifying Interests are Annual vegetation of drift lines and Perennial vegetation of stony banks. Both habitats are listed on Annex 1 of the E.U Habitats Directive. The Screening Assessment notes that the site synopsis is somewhat out of date. This notes the chief threats to the two habitats, which often form a mosaic along Carlingford Shore SAC, and invasive (including no-invasive) species, coastal developments,

aquaculture, and pollution. It is also noted that this habitat is subject to natural processes including erosion and succession.

Regard to Proposed Development

- 7.12.7. The Screening Assessment provides that since the development is located outside both designated sites none of the recorded threats is likely. They note that standard building good practice will be used at both demolition and construction stages to ensure no dust or other waste material enters the SAC or SAC.
- 7.12.8. It provides that because of the location/set back and limited scale of the proposed warehouse buildings, visual or noise disturbance is very unlikely during the demolition and construction phases. This is because of the nature of background activity ongoing on the quay wall at all times including mooring of vessels, discharging cargos, transporting cargos around the hard-standing area and off site. They provide no likely impact and that mitigation is not required since there are no likely impacts.

Cumulative impact

- 7.12.9. The Screening Assessment provides that a review of other development activities planned or ongoing in the port are, including application Reg.Ref.20/268 (concurrent appeal to the Board) were all accompanied by AA Screening Reports and concluded no likely significant effects either alone or cumulatively. They note that the proposed activities are consistent with the typical activities on the quay wall in terms of disturbance or other impacts or designated site, and as such are unlikely taken together to result on an impact on qualifying interests. It is concluded that the proposed project will have no significant impact on the conservation objectives of the designated sites of Carlingford Lough SPA and SAC.

Conclusion

- 7.12.10. Having regard to the F.I submitted and the nature and scale of the proposed development and considering that the warehouses are for dry storage cargo goods, within the existing port site, the Planning Authority concluded that no AA issues arise in this case. Therefore, they considered that the proposed development either individually or in combination with other plans or projects would not result in significant effects on the identified designated sites.

7.12.11. It is therefore concluded on the basis on the information submitted in connection with the application and appeals, which is adequate to allow a screening exercise to be completed, that the proposed development, by virtue of its nature, limited scale and location within the existing area of Greenore Port, would not be likely to have a significant effect on the Special Protection Area 004708, the Special Area of Conservation 002306 or any other Natura 2000 site, either in itself or in combination with any other plan or project and so a Stage 2 appropriate assessment and the submission of the Natura Impact Statement is not required.

8.0 Recommendation

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

9.0 Reasons and Considerations

Having regard to the limited scale of the proposed development and its conformity with the established use of the port lands at Greenore, and to the provisions of the Louth County Development Plan 2021-2027 including policy objectives EE 26 and EE 27 to facilitate the operation of ports including Greenore, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity of the site or the natural or built heritage of the area and would be acceptable in terms of the safety and convenience of road users. It would therefore be in keeping with the proper planning and sustainable development of the area.

10.0 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 19th day of March 2021 and by the further plans and particulars received by An Bord Pleanála on the 10th day of June 2021, 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 proposed development shall be amended as follows:

- a) The proposed warehousing shall be sited set back a minimum of 5m from the southern and eastern boundaries of the 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 visual and residential amenity.

3. Prior to the commencement of development the following shall be submitted:

- a) A Parking Layout Plan showing a parking area for a minimum of 30no. spaces marked out within the greater landholding of the port area.
- b) Cycle parking shall be provided on site in accordance with the Cycle Parking Standards (Table 13.12) of the Louth County Development Plan 2021-2021.

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 visual and residential amenity.

4. Prior to the commencement of development, details shall be submitted to, and agreed in writing with, the planning authority showing that a copy of the Conservation Report, photographs and drawings and elevations of the existing structures 'the former railway walls' have been lodged with the Irish Architectural Archive.

Reason: In the interest of clarity and to ensure that a proper record has been preserved.

5. Prior to the commencement of development the following shall be submitted to, and agreed in writing with, the planning authority:

- a) A comprehensive boundary treatment and landscaping scheme for the site and a timescale for its implementation. This shall include landscaping along the southern site boundary.

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, 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: To protect trees and planting during the construction period and in the interests of landscaping and visual amenity.

6. During the operational phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed an Leq,1h value of 55 dB(A) between the hours of 0800 and 2200, or an Leq, 15 min value of 45 dB(A) at any other time. Night time emissions shall have no tonal component. Dust levels at the site's boundaries with properties outside the port shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days. Prior to the commencement of development the developer shall agree with the planning authority a system for monitoring, recording and reporting of noise and dust emissions from the site.

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

7. Site development and building works shall be carried out only between the hours of 0800 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 will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of

development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Eastern and Midland Region.

Reason: In the interest of sustainable waste management.

9. The construction of the development shall be managed in accordance with a final Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be consistent with the draft management plan submitted with the application and shall provide details of intended construction practice for the development, including:
 - a) Location of the site and materials compounds including areas identified for the storage of construction refuse;
 - b) Location of areas for construction site offices and staff facilities;
 - c) Details of site security fencing and hoardings;
 - d) Details of on-site car parking facilities for site workers during the course of construction;
 - e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

10. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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

Angela Brereton
Planning Inspector

15th of December 2021

