



An
Bord
Pleanála

Inspector's Report

ABP-312205-21

Development	Amendments to mixed use development resulting reduction from 522 residential units to 517 units. Alterations for revised open public spaces, roads, and services layout.
Location	Yellowbatter & Moneymore, Drogheda, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	211231
Applicant(s)	Moffett Investments Holdings Unlimited.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Liscorrie Residents' Association.
Observer(s)	None.
Date of Site Inspection	09 th of June 2022.

Inspector

Karen Hamilton

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1.0 Site Location and Description

- 1.1. The site is located to the north of Drogheda town, Co. Louth. The site is currently in agricultural use and there was grazing horses during site inspection. The site is located at the end of a residential road, Bog Lane, and is to the north of an apartment development, Listoke Hall apartments. Bog Lane also provides access to other residential estates in the immediate vicinity known as Liscorrie and Rosehall. Access into the site is currently through an agricultural gate.
- 1.2. Permission was granted for a large residential development (Reg Ref 08/101 as extended under Reg Ref 18/667) from this site and spanning east towards the Twenties Lane. Construction is currently underway towards the east of the site, beside Twenties Lane.

2.0 Proposed Development

- 2.1. The proposed development comprises of amendments to part of a permitted mixed-use development previously approved under Reg Ref 08/101, extended by Reg Ref 18/667 to include the following:
 - Provision of a vehicular and pedestrian link between Bog Lane and the proposed scheme.
 - Reduction in the overall number of residential units approved from 522 to 517, a reduction of 5 units.
 - Revision of public open spaces and landscaping details, revised garden boundary arrangement to house no. 196 and revised roads and services layouts, together with all associated site development

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission subject to three conditions as noted below:

C1- Plans and Particulars

C2- The permission is linked to the parent permission and extension of duration which is due to expire on the 30th of November 2023.

C3- Infrastructural requirements including the provision of traffic signs, tactile crossings, public lighting design and road construction requirements.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission and is summarised as follows:

Principle of Development

- The proposed vehicular and pedestrian link is ancillary to the residential development.
- Phase 1 of the original permission is aligned with the Twenties Lane.
- The access point at Bog Lane is provided in tandem with the provision of a vehicular access.
- The principle of development is considered acceptable.

Layout and Design

- The proposed link will intersect an existing mini roundabout and link into Bog Lane.
- The new layout proposed is considered acceptable.

Residential Amenity

- The proposed link road provides a greater set back between the proposed dwellings and Listoke Hall apartments.

Traffic and Transportations Considerations

- The majority of third-party submissions relate to the traffic and transport concerns.
- The infrastructure department have reviewed the file and are satisfied.

- Phase 1 of the permitted Reg Ref 08/101 is currently being constructed in tandem with and includes a realigned road onto the Twenties Lane.
- Bog Lane will not be the sole access.
- There are traffic calming measures already in place along Bog Lane in a series of ramps leading from Crosslanes.

Flood Risk

- The site is not within an area deemed as susceptible to flooding

Surface Water

- The proposal includes impermeable surfacing, and it is not proposed to amend the surface water design proposals from Reg Ref 08/101

3.2.2. Other Technical Reports

Infrastructure Section: No objection subject to conditions.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

A large number of third-party submissions (43 stated in the planner's report) are submitted from the residents of those dwellings in the vicinity of the site. A submission on behalf of the Liscorrie Residents Association (RA) includes a signed petition by multiple resident's (over 100) and a separate Solicitors letter. The concerns raised throughout the submissions are similar in nature and are summarised below:

3.4.1. Traffic and Transport

- Impact of the traffic along Bog Lane on the children playing.
- Bog Lane was never intended to accommodate the 500 houses from the proposal.
- The PACNR was never built and should have accommodated the traffic from the permission.

- The proposal will cause traffic congestion and impact the movement of emergency vehicles.
- The proposed access is poor with pedestrian and cycle connections.
- There is no Road Safety Audit.
- The Traffic Impact Assessment is based on 2007 figures and is out of date.
- The junction at Crosslanes was at capacity in 2014.

3.4.2. Residential Amenity

- The additional movement of cars will cause noise disturbance and air pollution to the adjoining dwellings
- There will be a significant environmental impact on the residents along Bog Lane.

4.0 Planning History

Reg Ref 08/101

Permission granted, with a 10-year permission, for a mixed used development consisting of 527 no dwellings (terraces, semi-detached and duplex), a civic/commercial neighbourhood centre (c. 5,823m²) including the provision of a supermarket unit (c.1,063m²) and 18 no retail units at ground floor level, public house, 2 no restaurants, coffee shop, office, creche etc. An Environmental Impact Assessment was submitted.

Extension of duration of the permission was granted (Reg Ref 18/667) until the 30th of November 2023.

5.0 Policy Context

5.1. Louth County Development Plan 2021-2027

5.1.1. Zoning

The site is located on lands zoned as residential, A2, New Residential where it is an objective *“To provide for new residential neighbourhoods and supporting community facilities”*.

A small portion of the site along the road, beside the Listoke Hall Apartments is zoned as A1, Existing Residential where it is an objective *“To protect and enhance the amenity and character of existing residential communities”*.

5.1.2. Northern Environs of Drogheda

Section 2.13.6 refers to a portion of land which will form part of a **UAP/LAP** land bank to support economic growth on the northern part of Drogheda. This is required to be prepared in conjunction with Louth County Council and Meath County Council.

The Drogheda Northern Environs Masterplan 2006 set out a number of phasing arrangements in 2006.

The roll out and delivery of lands in the northern environs is closely linked to the phasing and delivery of social and physical infrastructure.

The subject site is located in Phase 1 of the Masterplan area and is detailed as lands subject to Flow and Flood Study. Diagram 1 states that in the event the Flow and Flood Study is not completed before the end of Phase1, no development should take place until such studies are completed to the satisfaction of the Planning Authority.

Policy Objective SS11: To support the coordinated development of the Northern Environs of Drogheda with the provision and delivery of sustainable social and community facilities and infrastructure in tandem with residential development.

Policy Objective SS12: To recognise the importance of the Port Access Northern Cross Route (PANCR) as a critical piece of enabling infrastructure in the strategic growth of Drogheda and to seek to secure funding to progress the delivery of this project as a priority during the life of the Plan.

5.2. Natural Heritage Designations

The site is located c.1.2km to the north of River Boyne and River Blackwater SAC (site code 002299) c. 4km to the northwest of the Boyne Estuary SPA (site code 004080), the Boyne Coast and Estuary SAC (site code 001957) and the Boyne Coast and Estuary p NHA (site code 001957).

5.3. EIA Screening

- 5.3.1. The proposed development includes alterations to a previously permitted mixed use development including 522 units. The proposal includes a reduction of the number of residential units to 517 (5 no. units) and the introduction of a new vehicular and pedestrian access onto Bog Lane. An Environmental Impact Assessment accompanied the original application Reg Ref 08/101, as extended.
- 5.3.2. The proposed construction of the road and associated removal of 5 no dwellings do not exceed the thresholds for mandatory EIA (i.e., 500 dwellings or an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere) as per Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended).
- 5.3.3. The impact of proposed development would not, in my opinion, alter the findings of the original EIA which was accepted by the PA. Therefore, having regard to the nature and scale of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted by a Solicitor on behalf of the Liscorrie Residents Association. The submission is accompanied by an engineer's report and a signed petition from a large number of residents. The issues raised are summarised below:

6.1.1. Background

- The application and extension of duration for Reg Ref 08/101 ends in November 2023.
- A commencement notice submitted in August 2018 was for 14 no. units on the eastern portion of the site. No residential units have been completed or attempt made to form the approved site entrances off Twenties Lane.
- No material development has taken place in the last 13 years.
- It is questionable if the Infrastructure Section considered the third-party submissions.

6.1.2. Rationale for new link

- There is no rationale to amend the link road from the Twenties Lane to the Bog Lane.
- The planner's report indicates that the Phase 1 development will be constructed in tandem with the realigned access from the Twenties Lane.
- There is no evidence the Twenties Lane will be realigned and completed within the lifetime of the permission.
- There are concerns the Bog Lane will become the only entrance for the entire development.
- The Board should consider why the access is now needed.

6.1.3. Traffic Impact Assessment

- There is no mention of the impact of the traffic on the neighbouring road network, including Bog Lane and Cross Lanes.
- The Traffic and Transport Assessment Guidelines (PE-PDV-02045) published by Transport Infrastructure Ireland (TII) recommended a TIA if the road network becomes congested by 5%.
- Neither the planner's report nor the infrastructure section comments on the TIA. It is assumed they consider the 2008 application remains valid.
- The original TIA considered three new access points off the Twenties Lane and not along Bog Lane.

- The use of 14-year-old data is not best practice.
- The TIA should have considered the impact of the generated traffic on the Bog Lane/ Cross Lane junction and the Cross Lanes/ R132 Junction.

6.1.4. Road Safety Audit (RSA)

- It is standard practice that any traffic proposals affecting vehicular or pedestrian movements should be accompanied by a stage 1 and 2 RSA.
- The road safety issues can not be addressed by referencing the existing traffic calming measures along Bog Lane.
- The footpath along the link road is poor with no continuous footpath.
- The geo-metric layout of the roundabout is sub-standard.

6.1.5. Other Concerns

- There was no footpath construction, although stated on drawings.
- There is only one footpath along Bog Lane, not in compliance with DMURS.
- A large number of dwellings have direct vehicle access onto Bog Lane, will have to reverse onto/off a busy road and will cause a traffic hazard.
- The visibility to the right from Bog Lane onto Cross Lane is poor.

6.1.6. Original third-party submission

- The construction of the new link road will increase the construction traffic and damage the road.

6.2. Applicant Response

A response from an agent on behalf of the applicant was received in relation to the grounds of appeal as summarised below:

6.2.1. Background

- Phase 1 of the development commenced earlier this month (January 2022) by CFS Homes Ltd, the applicant's development partner.

- The first phase of the development includes a significant section of the agreed re-aligned Twenties Lane (an element of the PANCR route granted by the Board in 2009)
- The proposed amendments are to include greater connectivity and improve links between the existing and planned residential development.

6.2.2. Rationale for the proposed development

- The original permission was granted by two separate planning authorities (Louth County Council and Drogheda Borough Council) and no formal link was present.
- The proposal now represents compliance with best practice (DMURS)
- The new link will provide a more direct link for existing residents to the realigned Twenties Lane, linear park etc.
- The Sustainable Residential Development Guidelines require convenient access between commercial facilities, residential areas etc. There should be maximum connectivity. The Urban Design Manual requires improved connectivity, and the proposal will lead to a better-connected neighbourhood.

6.2.3. Traffic Impact Assessment

- The proposal will not generate any additional traffic and includes a minor amendment to a permitted scheme.
- The construction of the first section of the realigned Twenties Lane will be commenced in the coming weeks and will be open to vehicular traffic before occupation of any residential units permitted under Reg Ref 08/101.
- An Irish Water connection agreement has been achieved for the first 70 units with stipulations that capacity will be available for these units within the piped networks by Q3 2022 and no units can be occupied until then.
- The first section of the realigned twenties lane will be complete and open to traffic by Q3 2022.
- The proposed development will not create increase traffic on Cross Lane or the critical R132/CrossLane junction and may result in a moderate increase

of traffic using the Bog Lane/ Cross Lanes junction but will be accompanied by a decrease using the Twenties Lane/ Cross Lanes junction.

6.2.4. Road Safety Audit

- A Road Safety Audit is not a requirement to make a planning assessment.
- A permission may be granted subject to the undertaking of a Road Safety Audit prior to any development should the PA require.
- The proposed development was designed to consider the safety of all road users.
- The council Infrastructure Section did not consider a Road Safety Audit was necessary.

6.2.5. Summary

- The EMRA RSES sets out a series of guidance for healthy placemaking with accessibility for walking and cycling a positive contribution.

6.3. **Planning Authority Response**

The Planning Authority response to the grounds of appeal includes a report from the Planning Authority and a report from the Infrastructure Section, each are summarised separately below:

6.3.1. Planner's Response

- The access is ancillary to the overall development permitted on the site and is permitted in principle.
- The proposal relates to an additional access point for the residential development permitted under Reg Ref 08/101, the original access point onto the realigned Twenties Lane remains. This development has not commenced and will expire in c. 22 months.
- The PA took cognisance of the submissions on file and the concerns mainly related to traffic impacts.

6.3.2. Infrastructure Section

- The Northern Drogheda Environs Masterplan provides guidance for the delivery of 7,100 houses and mixed use and includes the integration of the Port Access North Cross Route (PANCR) as far as Termofeckin Road.
- The Drogheda Borough Council Development Plan 2005-2011 was in place at the time of the grant of Reg Ref 08/101. This development plan recognised there were traffic problems in Drogheda and could be alleviated by the PANCR.
- An EIS accompanied the PANCR application to the Board (5.6km route) ABP 15HA0007.
- The PANCR and its associated components are necessary to support the neighbourhoods in the Northern Environs and will relieve much of the traffic from Crosslanes and in turn the traffic pressures at junctions of Bog Lane/ Cross Lanes and Twenties/ Cross Lanes.
- The upgrade of the Twenties Lane and the Ballymakenny Road with the PANCR will increase carrying capacity and permeability.
- The delivery of the PANCR remains an objective of the Council. Objective IO 1 of the Masterplan links the phasing of residential lands to the PANCR and seeks a legal/financial agreement towards the PANCR.
- The phasing programme allows up to 1,400 dwellings before the PANCR is constructed.
- The traffic effects of the proposed development were assessed on the basis of Opening year 2010, Future Year, 2015 and Design year 2025.
- The 2007 link flows factored in growth taken from the NRA's Future Traffic Forecasts.
- The EIS for the PANCR considered the upgrades of road, including Twenties Lane. It is also predicted that Phase 1 of the Northern Environs would be complete.
- The current approved developments consider the PANCR EIS.

- The proposal provides linkage between the masterplan lands and the Bog Lane and is a valuable alternative for local traffic.
- The provision of the link alone will not alleviate the traffic congestion on Crosslanes or the junction of Cross Lanes R132 but will provide a long-term link between Liscorrie and the PANCR and other major traffic routes.
- The proposal will ease the impact of the traffic on one route, compared to previous permissions Reg Ref 18/667 and Reg Ref 15/756.
- Bog Lane serves Liscorrie and other commercial developments. It has been widened to provide adequate width for extensive future development with footpaths and public lighting.
- The application does not require a traffic and transport assessment as no additional traffic is being generated and only rebalances the traffic flows.
- The proposed development ties in with a roundabout constructed under a previous grant of permission at Liscorrie and is therefore outside the scope for a Road Safety Audit.

6.4. **Observations**

None received

7.0 **Assessment**

7.1. I consider that the main issues in this case are as follows:

- Principle of Development
- Traffic and Transport
- Impact on Residential Amenity
- Appropriate Assessment

Principle of Development.

Introduction

7.2. The proposal includes an alteration to a previous permission to include a new (additional) access onto the Bog Lane, Drogheda. The initial 10-year permission

(Reg Ref 08/101 as extended under Reg Ref 18/667) was granted for a mixed used development consisting of 527 no dwellings (terraces, semi-detached and duplex), a civic/commercial neighbourhood centre (c. 5,823m²). Access into the site was via the Twenties Lane to the west of the site. The initial proposal includes the realignment of the Twenties Lane with three access points from the site.

- 7.3. The grounds of appeal do not consider the applicant has included a satisfactory rationale for this additional access onto Bog Lane and consider the permitted access should remain via Twenties Lane. It is considered the proposed access will have a negative impact on the traffic and residential amenity, further discussed below, and is not justified.

Northern Environs Drogheda

- 7.4. The proposed development is located on lands zoned as residential within an area defined as the Northern Environs. Section 2.13.6 of the Louth County Council Development Plan 2021-2027 provides a background of the planning context for lands within the Northern Environs Development area. The roll out and phased delivery of residential lands is informed by the Drogheda Environs Masterplan 2006. The development plan acknowledges the need for housing on these zoned lands to ensure the appropriate growth of Drogheda. The site is in Phase 1 of this masterplan area and is contiguous to the existing built-up area of Drogheda town.
- 7.5. The Port Access North Cross Route (PANCR) is a road link which will provide access from the North of Drogheda, through the Northern Environs Lands and into Drogheda Port. The purpose of this route is to remove large vehicles from the current road network and provide a more direct access to the Port and to provide vehicular access for the Northern Environs area. The realignment of Twenties Lane, and other routes, forms part of the upgrades to the existing local road network to accommodate the PANCR.
- 7.6. The grounds of appeal raised concern in relation to the connections onto the Twenties Lane and considers in the absence of the Twenties Lane connection, the new proposed entrance onto Bog Lane will be the sole access for the permitted mixed-use development.
- 7.7. The response from the Infrastructure Section of the Council provided a background to the phasing and delivery on the residential lands in the Northern Environs and the

required roll out with the road's infrastructure. It is stated that the PANCR is not required for this proposal (Phase 1 up to 1,400 units), although levies are collected, and the realignment of the Twenties Lane remains a requirement for the original permission.

- 7.8. In relation to the concerns that the Bog Lane would be the sole access, I have addressed this issue below under construction traffic, and I consider it reasonable that the access onto Bog Lane would not accommodate construction traffic and should not be operational until the completion of the overall development.

Permeability and Connectivity

- 7.9. The applicant's response to the concerns relating to the rationale for the link road highlight the requirements from national guidance for residential development. Guidance in the Sustainable Residential Development in Urban Areas- Guidelines for Planning Authorities (2009) requires that priority is given to connectivity for pedestrians and cyclists with connections into existing neighbourhoods. Similarly, the guidance in the Design Manual for Urban Roads and Streets requires the promotion of permeability within new development to ensure the reduction of travel distances and promote walkable streets.
- 7.10. I note the proposed connection onto Bog Lane will not only allow the future occupants of the new estate a more direct access into Drogheda town and the MI road network, but it will also allow the current residents of Liscorrie and along Bog Lane quicker access towards the proposed civic/commercial area. In this regard I consider the proposed development provides greater permeability and connectivity in line with national guidance for new neighbourhoods.

Commencement of works

- 7.11. The proposed development is linked to the initial permission Reg Ref No 08/101 which is due to expire on the 30th of November 2023. Condition No 2 linked the proposal with the initial application and the subsequent EOD (Reg Ref 1/667). The grounds of appeal refer to the commencement notice which is dated August 2018 and note there has been no commencement of works on site. The applicant's response to the grounds of appeal stated that works were due to start imminently. I note there was construction activity on the site during my site inspection. In this regard I consider the applicant intends to carry out the proposed development.

Conclusion

- 7.12. Having regard to the grant of permission on the site and the objectives of the development plan, which support the delivery of residential development in the Northern Environs of Drogheda Town, I consider the principle of development acceptable, subject to other planning considerations further discussed below.

Traffic and Transport

- 7.13. The subject site is located on the most northern section of Drogheda town and is contiguous to the existing built-up area of which the residential area is Liscorrie. The overall site holding spans from the east at Twenties Lane to Bog Lane. Planning permission was granted for a mixed-use development of 522 no dwellings and civic/commercial centre on the site and extended until 30th of November 2023 (Reg Ref 08/101 / EOD Reg Ref 18/667). This permitted development included for access from and realignment of the Twenties Lane to the east of the site. The report of the Infrastructure Section notes this realignment forms part of the roll out and delivery of the PANCR infrastructure.
- 7.14. The proposal includes the reconfiguration of a previously granted permission for, inter alia, a new vehicular access onto Bog Lane. Bog Lane currently serves two large residential areas and a limited number of commercial properties. The grounds of appeal are submitted from the Residents Association of the adjoining residential area and raised concern in relation to the appropriateness of using this access. The main issue of concern in the grounds of appeal relates to the impact on the traffic along Bog Lane. The absence of a Traffic Impact Assessment, Road Safety Audit and proper footpath connectivity are raised as issues of concern.

Bog Lane

- 7.15. Bog Lane runs from Cross Lane to the south and ends at the south of the site, at the roundabout which provides access into Liscorrie estate. The response of the Infrastructure Section to the grounds of appeal referred to the previous rural nature of Bog Lane and noted the upgrade works which were undertaken to accommodate future development. Upon site inspection it was noted that the road had recently been upgrade and included traffic calming speed ramps. There is one continuous footpath along the east of the site, along the front of the existing dwellings.

- 7.16. The new access will connect into the existing mini roundabout. The engineer's submission with the grounds of appeal considers this mini roundabout fails to meet the required geometric layouts. I note the report of the Infrastructure Section references the roundabout, as previously permitted for the Liscorrie development. I consider it acceptable that the design of the roundabout, to serve a large residential development, was previously assessed by the Infrastructure Section under the relevant planning permission. In addition, Infrastructure did not raise any concern in relation to the nature or scale of the roundabout to accommodate an increase movement of traffic.
- 7.17. The absence of a footpath along one side of Bog Lane and to the south of Listoke Hall apartments is also raised in the grounds of appeal. I note the proposal includes footpaths at either side of the new entrance. The site layout drawing 355-03-002 indicates the connection of the proposed footpath to the south of the Listoke Hall apartments with a footpath under construction around the edge of these apartments. I note part of the site is not within the red line boundary although is within the applicant's control (Drwg 006-03-002). I consider it reasonable that any grant of permission would include a condition to link the footpaths around Listoke Halls apartments. In relation to the path along Bog Lane, I consider the inclusion of a public footpath along the east sufficient to allow permeability and connectivity with the wider environment.
- 7.18. Therefore, having regard to the nature of Bog Lane, which serves a wider residential area, and location of the subject site, I consider Bog Lane is of a sufficient scale to allow an adequate connection for the proposed residential development.

Traffic Impact Assessment (TIA)

- 7.19. A Traffic Impact Assessment was submitted with the original permission (Reg Ref 08/101 / EOD Reg Ref 18/667). The grounds of appeal consider this TIA out of date and consider a new TIA should have accompanied the application to clearly demonstrate the impact of the proposed development on the road network. It is considered the Bog Lane and Cross Lane junction, to the south of the site, is congested and cannot accommodate the additional vehicles (c. 1,000).
- 7.20. The proposed development includes for a new access into the site and removal of 5 no houses. Both the Infrastructure Section and applicants' response to the grounds

of appeal note no increase in the traffic volume from the proposal and therefore it is not considered a TIA is required.

- 7.21. The report of the Infrastructure Section of Louth County Council acknowledged that there is a problem with traffic congestion with Drogheda although considered the delivery of the PANCR is needed to alleviate the greater problem. In relation to the increase in traffic flow for the original permitted development, it was considered there would be no negative impact on the Bog Lane/ Cross Lane junction and the new access would be beneficial in providing alternative options for traffic flows.
- 7.22. In relation to any requirement for the submission of a TIA, I note the main access will remain from the realigned Twenties Lane which has been previously assessed as appropriate. The Infrastructure Section also notes these works form part of a wider road network upgrade and are essential for the wider development of Drogheda. In this regard, I consider it necessary that the access onto Bog Lane is not used as an alternative to the Twenties Lane access. Although I consider the principle of an additional access acceptable, I consider this should only be supplementary to the main permitted access. In this regard I consider it reasonable that a condition is included in any grant of permission which restricts the use of the access onto Bog Lane, on completion of the dwellings.
- 7.23. Having regard to the TIA submitted with the original permission, the nature and scale of the proposed development and the absence of any additional traffic flow, it is my opinion that the submission of a TIA is not necessary to determine the application.

Road Safety Audit (RSA)

- 7.24. The grounds of appeal consider a Road Safety Audit should have accompanied the application. The response from the applicant considers a Road Safety Audit was not required and is not usual to accompany an application. The PA noted the inclusion of speed ramps along the Bog Lane and the Infrastructure did not raise any safety concerns.
- 7.25. Transport Infrastructure Ireland (TII) guidance (TII GE-STY-01024) notes that an RSA is an evaluation of road scheme during design and construction to identify potential hazards for all road users. An RSA is carried out on all new national road infrastructure projects and is recommended for any roadside layout changes to the local and regional road network.

7.26. I note the proposal integrates into an existing local road network which the Infrastructure Section notes has been approved under a separate planning permission. The proposed development includes a new access onto an existing road network and therefore, I do not consider it necessary that an RSA was submitted with the application. This aside, the Board will note my comments above in relation to the footpath connection at the Listoke Hall apartments and the linkages proposed. Having regard to these works, I consider it reasonable that the applicant should submit an RSA to the PA to ensure the satisfactory movement of pedestrians. I consider this can be reasonably included as a condition on any grant of permission.

Conclusion

7.27. Therefore, having regard to the location of the site beside the Bog Lane, the nature and scale of the proposed access and the design and layout of the original permitted development under Reg Ref 08/101, as extended, I do not consider the proposed development would have a negative impact on the flow of traffic in the vicinity or cause a traffic hazard.

Impact on Residential Amenity

7.28. The appellant's original submission (letter attached with the grounds of appeal) raised concerns with regard to the impacts of the increase of traffic movement (i.e., noise levels and air pollution) and construction traffic on the residential amenity.

Construction Traffic

7.29. I note an EIA was submitted with the original permitted development which would have addressed the impact of construction activities. Upon site inspection it was noted that construction activities had commenced beside Twenties Lane. I am of the opinion that the movement and flow of the construction traffic should remain via Twenties Lane as the impact of these works would have been assessed within the original EIA. In this regard, I consider it necessary to include a condition restricting the proposed access of construction activities to Twenties Lane and preventing construction activities along the Bog Lane. Therefore, having regard to the use of Twenties Lane for construction activities I do not consider the construction activities on the site would have any significant negative impact on the residential amenity of the adjoining residents.

Noise and Air Pollution

7.30. In relation to the increase in noise and air pollution from vehicular traffic, I note the proposal does not increase the volume of traffic on the local network, rather it is allowing for a redistribution of traffic via both the Twenties Lane and Bog Lane. I note the existing residential area at Liscorrie is quite significant in scale which would generate a number of vehicular movements along the Bog Lane. In addition, the site and surrounding area is located within the built-up urban environment of Drogheda town which currently has large movement of traffic. I do not consider the overall increase in noise or air pollution would be significant to cause a negative impact on the residential amenity.

Conclusion

7.31. Therefore, having regard to the location of the site and the permitted development, it is my opinion that the movement of traffic along Bog Lane will not cause a significant negative impact on the residential amenity of the residents in the adjoining properties.

Appropriate Assessment

7.32. The site is located c.1.2km to the north of River Boyne and River Blackwater SAC (site code 002299) and c. 4km to the northwest of the Boyne Estuary SPA (site code 004080), the Boyne Coast and Estuary SAC (site code 001957). No screening report was submitted with the application. The PA undertook an AA screening of those sites within a 15km radius of the site and concluded that no appropriate assessment issues were likely to arise, and a Stage 2 AA was not required.

7.33. I note the PA screening assessment and the qualifying interest of the European sites, in particular the River Boyne and River Blackwater SAC/SPA. The proposal will connect to an existing public foul and water supply. No additional foul wastewater will be generated during the construction and operation of the proposal as this is only associated with the adjoining residential development. The site is located over c. 1km from the River Boyne and is separated in the most part by the built-up area of Drogheda town. I do not consider there is any pathway between the site and any European Sites.

7.34. Having regard to the nature and scale of the proposed development within a serviced area and separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on the conservation objectives of any European site.

8.0 Recommendation

8.1. I recommend that planning permission should be **granted**, subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to pattern of development in the vicinity, the nature, form and design of the proposed development and compliance with the provisions of the Louth County Development Plan 2021-2027 relating to residential development in the Northern Environs of Drogheda, it is considered that subject to compliance with the conditions set out below, the proposed development would not adversely affect the residential amenity of the area and would be acceptable in terms of pedestrian, cyclist and traffic safety . The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanala for determination.</p> <p>Reason: In the interest of clarity</p>
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2.	<p>Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission(s) granted under planning register reference number 08/101 as extended under planning reference number 18/667, and any agreements entered into thereunder.</p> <p>For the avoidance of doubt this permission shall expire on the 30th of November 2023, in accordance with the parent permission, as extended.</p> <p>Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).</p>
3.	<p>The proposed development (access onto Bog Lane) shall not be used for construction traffic and shall not be operational until such time as the Twenties Lane realignment is complete, in compliance with Reg Ref 08/101 / EOD Reg Ref 18/667, and that residential development has been fully constructed.</p> <p>Reason: In the interest of residential amenity</p>
4.	<p>Landscaping details for the areas of open space, using only indigenous deciduous trees and hedging species, in accordance with details from the original permitted scheme Reg Ref 08/101 which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of residential and visual amenity.</p>
5.	<p>Prior to commencement of development the applicant shall submit a Road Safety Audit Stage 1 & 2 and undertake any recommendations within the RSA as agreed in writing with the Planning Authority.</p> <p>Reason: In the interest of traffic and pedestrian safety.</p>
6.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>

7.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p>Reason: In the interests of amenity and public safety.</p>
8.	<p>The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
9.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.</p> <p>Reason: To ensure adequate servicing of the development, and to prevent pollution.</p>

Karen Hamilton
Senior Planning Inspector

14th of July 2022