



An  
Bord  
Pleanála

## Inspector's Report ABP-315897-23

<b>Development</b>	Construction of a builders merchants with associated staff facilities, security hut, parking bays and drainage at lands to the immediate south of Lidl and west of John McCabe Nissan within Donore Road Industrial Estate.
<b>Location</b>	Donore Industrial Estate, Drogheda, Co. Louth
<b>Planning Authority</b>	Louth County Council
<b>Planning Authority Reg. Ref.</b>	22716
<b>Applicant(s)</b>	Andante Investments Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Emily Hickey
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	9 <sup>th</sup> February 2024
<b>Inspector</b>	Ian Boyle

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## **1.0 Site Location and Description**

- 1.1. The appeal site comprises a plot of employment-zoned land in Donore Road Industrial Estate, in Drogheda, Co. Louth. The industrial estate is close to Junction 9 (Drogheda South) of the M1 Motorway, west of the site.
- 1.2. The site is adjoined to the north by an existing supermarket and its associated surface car park (Lidl), the east by a car dealership (John McCabe Nissan), the south by a strip of vacant land, which lies in front of a commercial warehouse / light industrial unit (further south), and the west by further vacant land.
- 1.3. The site is relatively flat and adopts a uniform rectangular shape. It is roughly 0.47ha in area. There are perennial grasses, undergrowth, gravel, and small patches of scrub across the property.
- 1.4. The character of the surrounding area is mainly commercial, warehousing, and light industrial uses. There is some low density housing further to the west which takes the form of mostly detached dwellings on relatively spacious plots.

## **2.0 Proposed Development**

- 2.1. The proposed development is for a commercial development comprising a single storey builders merchants. It includes ancillary staff facilities at mezzanine level (557sqm), a single storey warehouse building (995sqm), security hut (11sqm), 17 car parking spaces, 5 bicycle parking spaces, a new vehicular entrance from the northern site boundary (from the existing access road leading off Mathew's Lane South) and associated site development works, landscaping, boundary treatment and SuDS drainage works.
- 2.2. The Planning Authority requested further information on 27<sup>th</sup> October 2022, including a revised site layout and parking arrangement (Item 1a) details of landscaping and boundary treatments (Item 1b), bin storage and lighting details (Item 1c), footpath linkages (Item 1d), provision of increased car parking, disabled parking and clarification of sightlines (Item 2), stormwater management and discharge rates (Item 3a), and confirmation of hours of operation (Item 3b).
- 2.3. The Applicant provided further information on 8<sup>th</sup> September 2022 addressing the above items.

### 3.0 Planning Authority Decision

#### 3.1. Decision

3.1.1. The Planning Authority issued a Notification of Decision (NoD) to Grant Permission on 30<sup>th</sup> January 2023, subject to 17 no. conditions.

3.1.2. Notable conditions include:

Condition 2: The permitted warehouse shall be a single planning unit used for class 5 purposes only (i.e., a warehouse or a repository).

Condition 3: Hours of operation.

Condition 6: Revised site plan required showing landscaping and all car parking repositioned within the site.

Condition 9: Construction Environmental Monitoring Plan (CEMP).

Condition 10: Site working hours.

Condition 12: Petrol inceptors required to be installed.

Condition 14: Revised site plan required showing new footpath and tactile paving provisions.

Condition 15: Provision of 2 no. accessible parking spaces.

Condition 16: Entrance details (distance between edge of road and gates)

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

- The site is located within an employment zone ('E1 - General Employment') as identified in the Louth County Development Plan 2021-2027 (CDP), as varied. The zoning matrix in the CDP indicates that 'builders provider/yard' and 'warehousing' are generally permitted uses under the zoning objective. The proposed development is considered acceptable in principle.
- The design, scale and form and material finishes of the proposed buildings are acceptable in this location. The overall design is reflective of the use

proposed and would not result in any adverse visual impact on the immediately surrounding area.

- The subject site is situated within the urban area of Drogheda on lands zoned E1 General Employment, where the surrounding area is characterised primarily by business premises. The nearest residential properties are situated c.90m to the west of the subject site. In having regard to the nature and scale of the proposed development, and the proximity to the nearest dwellings, the proposed development would not result in adverse impact on residential amenity.
- The specified hours of operation are considered acceptable (Monday to Friday, 07:00 - 17:00; Saturday, 08:00 - 13:00; and closed on a Sunday / Bank Holiday)
- The proposed site layout (further information) is not acceptable in terms of providing footpath linkages as there would be a significant distance between the northeastern corner of the site and the western end of the existing footpath along the northern side of the Lidl access road. A condition should be attached in relation to footpath provision and tactile paving along the northern boundary.
- There are concerns in relation to the site layout, in particular, the location of the car parking and cycle parking along the northern boundary of the site. These parking spaces would be accessed directly from the internal access road associated with the Lidl supermarket and result in conflicting traffic movements / traffic hazard. Instead, all vehicles should drive through the gate entrance, and all parking should be provided within the site. The further information response shows not all car parking has been relocated to be within the application site. This will be required under condition. The landscaping proposal should also be revised accordingly.
- The further information indicates that the underlying ground will not allow percolation of groundwater. It is considered that the design originally submitted with the application, which restricts outflow from the site to QBar Rate (the peak rate of flow), is the most appropriate solution for the site. The

Infrastructure Section in their report state they are satisfied with the further information response.

- Having regard to the nature and scale of the proposed development, the suitability of the site, the pattern of development in the vicinity and national, regional and local policy, it is considered the proposed development would not seriously injure the visual amenities of the area, or the residential amenities of other properties in the vicinity and would not be likely to have significant effects on the built or natural environment.
- The proposal should be granted, subject to conditions.

### **3.2.2. Other Technical Reports**

Infrastructure Section: Initially requested further information (first report). No objection upon receipt of further information, subject to conditions in relation to footpath provision, accessible parking, entrance details (distance between edge of road and gates), Road Opening Licence (second report).

### **3.3. Prescribed Bodies**

Uisce Éireann (formerly Irish Water): No objection, subject to a condition requiring the Applicant to sign a connection agreement with Irish Water prior to the commencement of the development and to adhere to the standards and conditions set out within.

### **3.4. Third Party Observations**

A single observation was received by the Planning Authority. The main concerns raised are similar to those raised in the third party appeal to the Board. See Section 6.1 below.

## **4.0 Policy Context**

### **4.1. Louth County Development Plan 2021-2027**

#### **4.1.1. Background**

The Louth County Development Plan 2021-2027 ('Development Plan') was adopted by Louth County Council on the 30<sup>th</sup> September 2021. The Plan came into effect on the 11<sup>th</sup> November 2021. It incorporates the functional area of the entire County, including the areas formerly within Drogheda Borough Council, Dundalk Town Council and Ardee Town Council.

Section 1.1 of the Development Plan states that 'when adopted, the County Development Plan will replace the Drogheda and Dundalk Development Plans, and Urban Area Plans / Local Area Plans will be prepared for these towns during the lifetime of this Plan'. [In May 2023 the Planning Authority commenced formal preparation of a Local Area Plan for Dundalk. This process was underway at the time of writing of this report.]

#### **4.1.2. Zoning**

The subject site is zoned 'E1 – General Employment'. The objective for this zone is to provide for general enterprise and employment generating activities.

The Development Plan Guidance states this zoning is the primary location for employment generating activities. It will facilitate the improvement and expansion of existing employment areas and the investment and development of new employment areas. A wide range of uses will be facilitated on these lands including small, indigenous enterprises, general industry, manufacturing, food production, logistics, and warehousing. The compatibility of a particular use or operation will be dependent on the nature of the use/operations and surrounding uses in the area in which the development will be located. This zoning also facilitates opportunities for uses that are deemed permissible under the "Business and Technology" zoning category.

A 'Builders Provider/Yard' is listed as a Generally Permitted Use.

#### 4.1.3. Chapter 5 Economy and Employment

Chapter 5 of the Development Plan relates to the economy and employment. The following policy objectives are considered particularly relevant:

- **EE 1** *‘To maximise the economic potential of Louth by building on its locational advantage along the Dublin-Belfast Economic Corridor and promoting and marketing the Regional Growth Centres of Drogheda and Dundalk for economic investment.’*
- **EE3** *‘To facilitate and support the sustainable growth of the economy in County Louth whilst maintaining and improving environmental quality. This economic development policy shall strive to deliver the following key aims:*
  - *To strengthen existing employment centres supported by enterprise, innovation and skills;*
  - *To strengthen the integration between employment, housing and transportation with a view to promoting compact urban areas and reducing car dependency;*
  - *To promote measures to improve the County’s attractiveness as a location for investment and increase entrepreneurial activity;*
  - *To improve the cluster-specific business environment by putting in place a favourable business ecosystem for innovation and entrepreneurship that supports the development of new industrial value chains and emerging industries;*
  - *To facilitate economic growth by consolidating existing industrial and commercial areas and by ensuring that there is an adequate supply of serviced employment lands at suitable locations;*
  - *To promote the regeneration of underutilised industrial and town centre areas in a manner which enhances the local economy and encourages a sequential approach to development; and*
  - *To provide for a range of business accommodation types, including units suitable for small business.*



- **EE 12** *‘To support the development of a strong economic base particularly along the Dublin-Belfast economic corridor that is supported by enterprise, innovation and skills whilst maintaining environmental quality.’*
- **EE14** *‘To ensure there are sufficient appropriately located lands identified for enterprise and industrial uses in the County in accordance with the designation of each settlement in the Settlement Hierarchy that will support economic investment and employment growth.’*
- **EE15** *‘To promote and facilitate the provision of a range of employment and enterprise units of different size, scale, and layout that will increase the choice of such facilities to meet the requirements of the various enterprise and employment sectors in the County.’*
- **EE18** *‘To encourage and facilitate the re-use and rejuvenation of vacant and underutilised industrial, enterprise, manufacturing, and warehousing units.’*
- **EE20** *‘To recognise the significant economic and employment benefits of similar enterprises clustering in an area.’*

#### 4.1.4. **Chapter 10 Infrastructure and Public Utilities**

Chapter 10 of the Development Plan relates to the infrastructure and public utilities. The following policy objectives are considered particularly relevant:

- **IU 19** *‘To require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development (including extensions to existing developments). All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality.’*
- **IU 21** *‘To seek to avoid the discharge of additional surface water to combined sewers and promote Sustainable Urban Drainage Systems (SuDS).’*

#### 4.1.5. **Chapter 13 Development Management Guidelines**

Chapter 13 sets out Development Management Guidelines.

## **Other Relevant Chapters and Sections**

Chapter 2: Core Strategy and Settlement Strategy

Chapter 7: Movement

Chapter 12: Climate Action

### **4.2. National and Regional Policy**

- Design Manual for Urban Roads and Streets, 2019
- Project Ireland 2040 National Planning Framework, 2018
- The Planning System and Flood Risk Management, 2009
- Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019-2031

### **4.3. Natural Heritage Designations**

No natural designations apply to the subject site or are within its immediate vicinity.

The nearest European Site is the River Boyne and River Blackwater SAC (Site Code: 002299), which is roughly 1.1km to the north.

The River Boyne and River Blackwater SPA (Site Code: 004232) is approximately 2.1km to the northwest.

### **4.4. EIA Screening**

- 4.4.1. Having regard to the nature of the proposed development, which consists of a builders merchants / warehouse, and its proximity to the nearest sensitive / designated site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.
- 4.4.2. See Appendix 1 of this report for further information (EIA Form 1: Pre-Screening and Form 2: EIA Preliminary Examination).

## **5.0 The Appeal**

### **5.1. Grounds of Appeal**

The following main concerns raised are as follows:

- The proposed development would use the existing access road currently serving Lidl, which is for the general public.
- There would be an increase in the movements of large HGV's and commercial vehicles on the busy access road to Lidl. A lot of road users who shop in Lidl would not expect to mix with large HGV's. This would cause a traffic hazard.
- The proposed drainage system does not show how surface water would be collected from the site / development. Surface water runoff would run onto the access road and then into the Lidl car park. This would generate surface water ponding and dangerous road conditions during heavy rainfall events.

### **5.2. Applicant Response**

- The proposed development is in an area of retail development.
- The access roads are constructed to a standard that can accommodate HGV movements.
- Most customers will use smaller vans. There will occasionally be HGV deliveries, but these would generally be early in the morning and not pose a traffic hazard to other road users.
- The drawings submitted demonstrate that the site's hydrology and attenuation volumes are in line with LCC requirements. The relevant gullies and channels will be installed to provide adequate drainage on the site at construction stage.
- The volume of attenuation proposed during a storm event will ensure that all flood waters generated during a 1 in 100 year storm event would be contained within the underground drainage network. No water will run out onto the main road or into the supermarket car park.

- The external yard will, as part of normal maintenance, be gritted during cold weather to ensure it is safe for motorists and pedestrians.

### 5.3. **Planning Authority Response**

- The planning authority remains of the view that the site has adequate space for heavy vehicles and the proposed development is not considered to result in a traffic hazard.

## 6.0 **Assessment**

The main planning considerations relevant to this appeal case are:

- Traffic and Access
- Drainage
- Appropriate Assessment

### 6.1. **Traffic and Access**

- 6.1.1. The proposed development is for a builders merchants (also known as a builders providers) with a GFA 1,562sqm approx. The proposed structure is single storey with ancillary staff facilities at mezzanine level (557sqm), security hut (11sq.m). car parking spaces, cycle parking spaces, a new vehicular entrance from the northern site boundary (from the existing access road leading off Mathew's Lane South) and associated site development works, landscaping, boundary treatment and SuDS drainage works.
- 6.1.2. The zoning objective ('E1 – General Employment') is to provide for general enterprise and employment generating activities. The zoning guidance provided in the Development Plan states that this zoning is the primary location for employment generating activities and it will facilitate the improvement and expansion of existing employment areas and the investment and development of new employment areas. The guidance also states that a wide range of uses will be facilitated on these lands including general industry, manufacturing, logistics and warehousing.

- 6.1.3. The subject site is within an existing business park, called the Donore Road Industrial Estate. The industrial estate is close to Junction 9 (Drogheda South) of the M1 Motorway, west of the site. The surrounding area characterised by similar type warehouse, light industrial and bulky good retailers, such as electrical stores, light manufacturing, commercial printers, home goods stores, and general warehousing and storage facilities. The area is heavily developed, urbanised, with an established road network and supporting infrastructure.
- 6.1.4. The proposed development has a standard layout, design and format of a typical warehouse / commercial premises used for the storage, handling, distribution and sale of such goods and materials. Therefore, I consider the proposed development consistent with the zoning for the site, and the character of the receiving environment, and that it would not result in any adverse visual impact on the area. This is in accordance with the Development Plan Policy Objectives EE12, EE14, EE15, and EE20 which are in relation to supporting enterprise and industrial development in the County.
- 6.1.5. I note a concern raised by the Appellant is linked to the proposed use of the existing access road serving the adjacent Lidl Supermarket, which they state is regularly used by members of the public. The Appellant asserts that many road users use the road at present and that a continuous stream of HGV's along it would lead to unsafe road conditions and a traffic hazard. The potential for HGV's parking on the roadside for pickups and deliveries associated with the builders merchants would exacerbate the problem.
- 6.1.6. I consider the overriding purpose of a builders merchants is to supply construction materials, tools, equipment, and related products to builders, contractors, tradespeople, and DIY enthusiasts. They typically offer a range of building materials and products for various construction projects, from smaller residential projects to commercial developments. A builders merchants, therefore, supplies essential materials and equipment required for building, renovating, or maintaining structures. However, I understand that they are not generally used to source largescale quantities of materials, aggregate, or very heavy plant required for more significant types of construction projects. Therefore, the typical customer is likely to use a medium sized vehicle, such as a van, to collect materials or equipment for use as part of a job they are undertaking. In this respect, a builders providers is somewhat

akin to a home improvement store, or large hardware store, which also often adopt a 'big box' format and accept deliveries from heavy vehicles for restocking purposes on a regular basis. Such types of development are well suited to being located in a business park or industrial park environment.

- 6.1.7. I further note that the Applicant submitted further information to the Planning Authority which includes a revised proposed site layout plan (Drwg. no. 101, Revision D, dated 30.03.22). The information addressed concerns regarding the proposed car and cycle parking arrangement, landscaping and boundary treatments, bin storage and lighting details. I have reviewed this information and consider the layout generally acceptable and that the proposed development would not pose a traffic hazard, or unreasonable inconvenience, to other road users, including those accessing the supermarket car park.
- 6.1.8. However, I also acknowledge the comments in the Planner's Report where it is stated the Applicant has not fully adhered to the site layout amendments suggested in the Council's further information request. This is because not all car parking has not been relocated to within the application site and there is inadequate accessible parking included. Furthermore, I consider there is insufficient details regarding the provision of footpaths, pedestrian facilities or linkages, which should be provided in such a setting. In this regard, I note that the Planning Authority included conditions (Nos. 6 and 14), requiring a revised site layout plan, prior to commencement of construction, showing all car parking to be repositioned within the site and the inclusion of new footpath and tactile paving. I concur that similar conditions should be included as part of any grant of permission issued by the Board to address these items.

## **6.2. Drainage**

- 6.2.1. I note the Appellant's concerns in relation to drainage and that surface water runoff created by the new development may find its way out onto the access road serving the site, and potentially into the adjacent Lidl car park. This, they assert, would generate surface water ponding and dangerous road conditions, particularly during heavy rainfall.

- 6.2.2. The proposed drainage system submitted as part of the application describes how surface water generated on the site would be collected and managed. The system utilises soakaways over underlying ground which is composed of a stiff clay covered with a thin layer of fill material. In this regard, I have reviewed the online EPA mapping tool ([www.gis.epa.ie](http://www.gis.epa.ie)). It describes the subsurface soil as sandstone and shale till which is clayey in texture. The layer above, at ground level, is described as 'man-made' with a concreted or artificial surface. Therefore, given these type of conditions, significant amounts of downwards seepage or percolation through the soil are not likely to occur, in my opinion.
- 6.2.3. Also, the proposed drainage response was deemed acceptable to the Planning Authority. I note the findings of the report prepared by the Council's Infrastructure Section, completed post receipt of further information, where it recommends a grant of permission, subject to conditions. The conditions are standard in nature.
- 6.2.4. In summary, I do not consider there is potential for surface water runoff to leave the site, in such large quantities, that it would exit onto the surrounding road network or adjoining supermarket car park.
- 6.2.5. However, notwithstanding this, I note that the proposed development site is made up of expansive impermeable areas, including a surface car park, hardstand, and physical structures. There are no other specific SuDS measures explicitly set out as part of the application, as is required under Objective IU 19 of the Development Plan. The Objective is 'to require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development... All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality'. I consider that a more integrated approach to rainwater management in the form of dedicated SuDS measures could readily be incorporated as part of the development. Therefore, I consider it reasonable to address this issue via condition.

### 6.3. **Appropriate Assessment**

- 6.3.1. Having regard to the nature and scale of the proposed development; which is for a builders merchants and ancillary works within an existing industrial park / built-up

urban area, and which would be connected to public services, with onsite surface water / stormwater attenuation, and the distance from the nearest European site; no Appropriate Assessment issues arise. Therefore, 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 a European site.

## **7.0 Recommendation**

- 7.1. I recommend that planning permission be granted for the reasons and considerations set out below.

## **8.0 Reasons and Considerations**

- 8.1. Having regard to the zoning objective that applies to the area ('E1 – General Employment') as set out in the Louth County Development Plan 2021-2027, the nature and scale of the proposed development, which comprises a builders merchants in an existing business park and serviced area, and pattern of development in the surrounding vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would not seriously injure the visual or residential amenities of the area, or of property in the vicinity, or give rise to traffic hazard or obstruction of road users. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **9.0 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 received by the planning authority on 8 <sup>th</sup> September 2022, 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
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	<p>with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Prior to the commencement of development, the developer shall submit for the written agreement of the Planning Authority, a revised site layout plan showing details of:</p> <ul style="list-style-type: none"> <li>a) all proposed car parking spaces repositioned to be within the site.</li> <li>a) a new footpath and tactile paving provisions along the northern boundary of the site.</li> <li>b) 2 no. accessible parking spaces in compliance with Chapter 13.16.7 (Disabled Parking) in the Louth County Development Plan 2021-2027, as varied.</li> <li>c) the distance between the edge of road and the entrance gates in compliance with Chapter 13.16.19 (Road Gradients) in the Louth County Development Plan 2021-2027, as varied.</li> </ul> <p><b>Reason:</b> To ensure a satisfactory parking layout in the interests of pedestrian and traffic safety and of visual amenity.</p>
3.	<p>Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following:</p> <ul style="list-style-type: none"> <li>- collection and disposal of construction waste,</li> <li>- surface water run-off from the site,</li> <li>- on-site road construction, and</li> <li>- environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures.</li> <li>- the location of petrol interceptors so that the surface drainage of any area surrounding metering pumps, dispensers and tanker delivery points or the drainage of any petrol spillages or water contaminated</li> </ul>

	<p>with petrol shall be prevented from entering any water course, public drain or sewer.</p> <p>A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.</p> <p><b>Reason:</b> In the interest of landscape and environmental protection</p>
4.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p><b>Reason:</b> In the interest of sustainable waste management.</p>
5.	<p>The warehouse element of the development permitted shall constitute a single planning unit to be used for Class 5 purposes only (i.e., use as a warehouse or as a repository), as so defined in the Planning &amp; Development Regulations 2001, as amended, and for no other class of use specified in Part 4 of Schedule 2 of the Regulations, unless authorised by a further grant of permission. Any associated offices and staff facilities shall be incidental to the permitted use.</p> <p><b>Reason:</b> In the interests of clarity and to prohibit an unacceptable change of use.</p>

6.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
7.	<p>Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.</p> <p><b>Reason:</b> To protect the visual amenities of the area.</p>
8.	<p>a) Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>b) Details of SuDS measures shall be submitted to the planning authority for written agreement prior to commencement of development.</p> <p><b>Reason:</b> In the interest of public health.</p>
9.	<p>A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following: -</p> <p>a) details of all proposed hard surface finishes, including of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;</p> <p>b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;</p> <p>c) details of proposed street fixtures, including bollards, lighting, road signage; and</p>

	<p>d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.</p> <p>The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
10.	<p>No signage, advertisement or advertisement structure (unless that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.</p> <p><b>Reason:</b> In the interest of the visual amenities of the area.</p>
11.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p><b>Reason:</b> In the interest of public health.</p>
12.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure with the proposed development.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
13.	<p>The hours of operation of operation shall be restricted to between the hours of 0700 to 1700, Mondays to Saturdays inclusive, unless otherwise agreed in writing with the planning authority and, if deemed necessary, subject of a separate grant of permission.</p> <p><b>Reason:</b> In the interests of clarity.</p>
14.	<p>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</p>

	<p>planning authority.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity.</p>
15.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 developers or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Ian Boyle  
Senior Planning Inspector

15<sup>th</sup> March 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-315897-23		
<b>Proposed Development Summary</b>	The proposed development is for a commercial development comprising a single storey builders merchants. It includes ancillary staff facilities at mezzanine level (557sqm), a single storey warehouse building (995sqm). security hut (11sqm), 17 car parking spaces, 5 bicycle parking spaces, a new vehicular entrance from the northern site boundary (from the existing access road leading off Mathew's Lane South) and associated site development works, landscaping, boundary treatment and SuDS drainage works.		
<b>Development Address</b>	The appeal site is in Donore Road Industrial Estate, in Drogheda, Co. Louth. It is roughly 0.47ha.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	
		<b>No</b>	No further action required
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	✓		Proceed to Q.3

3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes	✓	<p>10. Infrastructure Projects</p> <p>(a) Industrial estate development projects, where the area would exceed 15 hectares.</p> <p>(b)(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.</p> <p>(iv) Urban development which would involve 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.</p>		Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		Screening Determination required

## Form 2

### EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-315897-23	
Proposed Development Summary	The proposed development is for a commercial development comprising a single storey builders merchants. It includes ancillary staff facilities at mezzanine level (557sqm), a single storey warehouse building (995sqm). security hut (11sqm), 17 car parking spaces, 5 bicycle parking spaces, a new vehicular entrance from the northern site boundary (from the existing access road leading off Mathew's Lane South) and associated site development works, landscaping, boundary treatment and SuDS drainage works.	
Development Address	The appeal site comprises a plot of land in Donore Road Industrial Estate, in Drogheda, Co. Louth. It is roughly 0.47ha.	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
Nature of the Development  Is the nature of the proposed development exceptional in the context of the existing environment?	No. The site comprises a plot of employment zoned land in Donore Road Industrial Estate, in Drogheda, Co. Louth. The industrial estate is close to Junction 9 (Drogheda South) of the M1 Motorway, west of the site.  The site is adjoined to the north by an existing supermarket and its associated surface car park (Lidl), the east by a car dealership (John McCabe Nissan), the south by a strip of vacant land, which	No.



<p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>lies in front of a commercial warehouse / light industrial unit (further south), and the west by vacant land.</p> <p>The character of the surrounding area is mainly commercial, warehousing, and light industrial uses. There is some low density housing further to the west which takes the form of mostly detached dwellings on relatively spacious plots; however, this is at some remove from the site.</p> <p>The site is zoned for 'E1 – General Employment' which is to provide for general enterprise and employment generating activities</p> <p>No. During the construction phase the proposed development will create demolition waste. However, the envisaged amount of waste would be minimal. The site is vacant.</p> <p>Given the moderate size of the proposed development, I do not consider that the demolition waste arising would be significant in a local, regional or national context.</p> <p>No significant waste, emissions or pollutants would arise during the operational phase due to the nature of the proposal, which is a builders merchants / warehouse.</p>	<p>No.</p>
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context</p>	<p>The proposed development is for a single storey builders merchants / warehouse. The overall gross floor area would be 1,563sqm. The development also includes ancillary staff facilities at mezzanine level (557sqm), a single storey warehouse building (995sqm). security hut</p>	<p>No.</p>

<p>of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>(11sqm). The receiving context is an existing business park.</p> <p>The character of the surrounding area is mainly commercial, warehousing, and light industrial uses.</p>	
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The application site is not within, or immediately adjoining, any protected area(s). There are no waterbodies on the site and there are no hydrological links between the subject site and any European designated site. The site</p> <p>No natural designations apply to the subject site or are within its immediate vicinity. The nearest European Site is the River Boyne and River Blackwater SAC (Site Code: 002299), which is roughly 1.1km to the north. The River Boyne and River Blackwater SPA (Site Code: 004232) is approximately 2.1km to the northwest.</p> <p>Therefore, there is no potential for significant ecological impacts as a result of the proposed development.</p> <p>The site is located within a serviced urban area. I do not consider that there is potential for the</p>	<p>No.</p> <p>No.</p>

	proposed development to negatively affect other significant environmental sensitivities in the area.	
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**Inspector: Ian Boyle**

**Date: 15<sup>th</sup> March 2024**