



An  
Bord  
Pleanála

## Inspector's Report ABP-317967-23

<b>Development</b>	Demolition of public house and construction of an apartment block comprising 22 no. apartments and all associated site works.
<b>Location</b>	Loughboy, Upper Mell, Drogheda, Co. Louth.
<b>Planning Authority</b>	Louth County Council
<b>Planning Authority Reg. Ref.</b>	22704
<b>Applicant</b>	Ravala Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	Martin O'Brien & Conor Cooney
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	5 <sup>th</sup> February 2024

**Inspector**

Ian Campbell

## 1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.1150 Ha<sup>1</sup> and is located on the southern side of the R168, c. 1.5 km west of the centre of Drogheda.
- 1.2. The appeal site accommodates a two storey public house/restaurant and car park. The appeal site adjoins a mixed use building, indicated as being within the applicant's control/ownership, as depicted by the blue line boundary. The mixed use building is stated as accommodating a retail unit, doctors surgery and medical centre at ground level and a guest house at first and second floor level, with a large surface car park to the rear/south. The rear/south of the site is bound by a gabion wall. There are a number of mature trees on the appeal site.
- 1.3. Toberboice Lane, a cul-de-sac, is located to the south of the appeal site and connects the R168 to a cluster of commercial units to the south-west of the appeal site. The topography of the lands to the south of the appeal site fall towards the River Boyne, which is c. 200 metres south of the appeal site. On northern side of the R168 is St. Joseph's Terrace, comprising two storey terraced houses. An undeveloped area of land bounds the appeal site to the east. OS mapping indicates a building on these lands however this building appears to have been demolished. The predominant land use in the vicinity of the appeal site is residential.

## 2.0 Proposed Development

- 2.1. The development as initially proposed comprised;
  - Demolition of a two storey public house/restaurant.
  - A 4 storey/part 5 storey apartment building (incorporating 22 no apartments (i.e. 9. No. 1 bedroom units and 13 no. 2 bedroom units). Stated floor area 2,094 sqm.
    - Principle/shoulder height of building c. 13 metres, with penthouse level c. 16 metres.
    - Private balconies on front/north and rear/south elevations.

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<sup>1</sup> The area of the appeal site was revised following a response to a request for Further Information to 0.2342 Ha.

- Material finishes to the apartment building indicated as natural stone, red brick, and zinc cladding for the upper floor.
- Removal of 1 no. existing vehicular access (provision of pedestrian access in lieu) and shared use of existing vehicular access with adjacent mixed use building.
- Retention of existing 2 metre high block wall to side/east and rear/south of site.
- Landscaping, open space, play area, bin storage and bicycle parking.
- Unspecified number of car parking spaces shared with adjacent mixed use building.
- Associated site services.

2.2 The planning application was accompanied by the following reports/studies;

- Design Statement.
- Housing Quality Assessment.
- Parking Requirements.
- Building Lifecycle Report.
- Surface Water Attenuation Calculations.
- Part V Calculations.

2.3. Following a request for Further Information the proposed development was amended.

The principle changes were as follows;

- The red line boundary of the site was extended to include the area of surface car parking to the immediate west (43 no. car parking spaces indicated to serve the proposed apartments and the existing mixed use building).
- The number of apartments was reduced from 22 no. to 20 no. (i.e. 10. No. 1 bedroom units and 10 no. 2 bedroom units).
- The footprint of the building was altered. The building was set back c. 2 metres from the footpath.
- The elevational design of the building was amended. Material finishes now comprise render, red brick and zinc cladding for the upper floor, and the

omission of natural stone. Changes have also been made to fenestration. Access is indicated from the front/north of the building area, as opposed to the side/east as previously proposed.

- The height of the building has been marginally increased.

2.4. The following reports/studies were submitted at Further Information stage:

- Housing Quality Assessment.
- Photomontages.
- Tree Survey & Arboricultural Assessment.
- Appropriate Assessment Screening Report.
- Construction Environmental Waste Management Plan.
- Average Daylight Factor Assessment.
- Uisce Éireann – Pre-connection Enquiry.
- Structural Calculations for Gabion Wall.

### 3.0 Planning Authority Decision

#### 3.1. Request for Further Information

Prior to the decision of the Planning Authority to grant permission for the proposed development, the Planning Authority requested Further Information.

##### 3.1.1. Further Information was requested as follows:

Item 1: extend site to incorporate car parking for residents; consider the provision of a functional communal area, consider the quality of the public realm between the road and proposed building, and provide details of boundaries at this location; and incorporate area of open space to the north of apartment building into private open space of units.

Item 2: in the context of Sustainable Urban Housing: Design Standards for New Apartments, December 2020, demonstrate - daylight and sunlight to all habitable rooms in compliance with BRE Guidelines June 2022; internal storage; provision for

bulky storage; buffer zones for locations where private amenity areas interface with public areas; segregated refuse storage; and provide bicycle storage located outside private amenity areas.

The applicant was advised that north facing single aspect apartments may only be considered when overlooking an amenity.

Item 3: submit tree survey, including relevant tree protection measures.

Item 4: submit Construction Environmental Management Plan.

Item 5: submit landscape plan, with emphasis on area at interface between proposed building and public road.

Item 6: submit contiguous elevations/photomontages.

Item 7: submit (a) details of internal barrier system to car park; (b) warning system for pedestrians using public footpath; (c) details of sightlines and corner radii in accordance with DMURS, and address the potential for the porch serving the existing building at the entrance to impede sightlines; (d) details of pedestrian crossing points including details providing for the replacement of the existing footpath across the eastern entrance; and (e) submit a structural report in relation to the existing gabion wall around the site.

Item 8: submit Appropriate Assessment (Screening).

Item 9: submit details of feasibility of connection to public water/waste water.

Item 10: re-advertise public notices in accordance with Art. 35 of the Planning and Development Regulations, 2001, as amended.

**3.1.2. Further information (deemed Significant) submitted on 21<sup>st</sup> July 2022 (following a 3 month time extension)**

Item 1: red line boundary of the site extended to incorporate car parking for residents within the adjacent car park serving the mixed use building (43 no. spaces indicated to serve both developments) and table provided to show breakdown of car parking per use. Open space to the rear of the site has been redesigned to incorporate hard and soft landscaped areas, play equipment and seating. Details of boundary treatments

provided. Open space to the front/north of the apartment building is now incorporated into the private amenity areas of units.

Item 2: daylight and sunlight analysis submitted indicating pass/compliance with required standards; storage provided in accordance with Sustainable Urban Housing: Design Standards for New Apartments, December 2020; provision for bulky storage now made; the building has been set back 2 metres from edge of the footpath providing a buffer to apartment no. 3 with all other apartments having a planted buffer 3 metres deep; apartment 4 is dual fronted and apartment 1 is triple aspect; refuse storage is provided within the building envelope; a secure, bicycle storage area is provided; north facing apartments now overlook a planted buffer zone, with 2 out of the 3 north facing apartments dual fronted.

Item 3: tree survey submitted. 7 no trees on the site are to be retained and tree protection measures put in place.

Item 4: Construction Environmental Management Plan submitted.

Item 5: Landscape Plan submitted, includes planted area to the front of the building.

Item 6: photomontages of the proposal submitted.

Item 7: details of barrier system to car park submitted, occupants of apartments to have fobs to enter car park; warning system for pedestrians to be installed at car park; *Drawing no. 2021-15-11* indicates sightlines of 49 metres in accordance with DMURS, no obstruction posed by existing building; existing entrance to be upgraded with new kerb radii of 3 metres and provision of tactile paving; replacement of the existing footpath proposed; and structural report in relation to the existing gabion wall submitted.

Item 8: Appropriate Assessment Screening report submitted.

Item 9: pre-connection enquiry and confirmation of feasibility from Uisce Éireann submitted in respect of connection to public water/waste water.

Item 10: public notices readvertised in accordance with Art. 35 of the Planning and Development Regulations, 2001, as amended.

### 3.2. Decision

The Planning Authority issued a Notification of Decision to GRANT Permission on the 10<sup>th</sup> August 2023 subject to 21 no. conditions. The following conditions are of note;

**C2 (b)** – quantum of car parking assigned to apartment units to be agreed. Details to also be agreed of a boundary and controlled access to this area.

**C14** –vibration from piling to specified velocity.

**C19** – details of bicycle parking and details of individual bulky storage areas to be agreed.

**C20** – provision for EV charging.

### 3.3. Planning Authority Reports

#### 3.3.1. Planning Reports

3.3.2. The first report of the Planning Officer generally reflects the issues raised in the request for Further Information. The report also includes the following comments;

- The proposal is acceptable in terms of the zoning objective applicable to the site.
- The density of the proposed development is acceptable.
- The proposal supports compact growth and the consolidation of development in the existing built up area.
- The proposal will not result in undue negative impacts on the residential amenities of the area arising from loss of light noting the separation distances concerned.
- The proposal is of a similar height to the adjoining building.
- The design and material finishes of the proposal are acceptable.
- The proposal accords with Objective HOU15 of the Louth County Development Plan 2021-2027.

Request for Further Information recommended.

3.3.3 The second report of the Planning Officer notes that the Further Information submitted is generally considered acceptable, save for a number of issues which can be addressed by condition.



The report of the Planning Officer recommends a grant of permission consistent with the Notification of Decision which issued.

#### 3.3.4. Other Technical Reports

Place Making and Physical Infrastructure Department – initial report recommends further information in respect of access arrangements, sightlines, car parking, footpath condition and the retaining structure to the rear of the site.

Subsequent report recommends conditions in relation to the finish of roads; street lighting; car parking; Construction Management Plan (to incl. a Traffic Management Plan).

#### 3.4. Prescribed Bodies

Úisce Eireann – no objection.

#### 3.5. Third Party Observations

The report of the Planning Officer summarises the main issues raised in the third-party observations as follows:

- Impact of proposal on residential and visual amenity of area, and the amenities of the boardwalk south of the site.
- The height of the proposal will block light to St. Josephs Terrace.
- The proposal will result in an increase in traffic and kerbside parking.
- Absence of contiguous elevations.
- The site should not be considered a town centre site.
- Proposal does not accord with zoning objective in relation to conserving/enhancing established residential communities.
- Risk of subsidence.

### 4.0 Planning History

The appeal site and adjacent site were the subject of a number of planning applications. The most recent/relevant of which are noted below.

### Appeal Site

PA. Ref. 08/510227 – Permission GRANTED for extension of surface car park.

### Adjacent Site/Within Blue Line

PA. Ref. 06/249 – Permission GRANTED for 2 and 3 storey mixed use building.

## 5.0 Policy Context

### 5.1. National Policy

#### 5.1.1 National Planning Framework 'Project Ireland 2040'

- **National Policy Objective 3a:** Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- **National Policy Objective 3c:** Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.
- **National Policy Objective 13:** In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- **National Policy Objective 33:** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- **National Policy Objective 35:** Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing

buildings, infill development schemes, area or site-based regeneration and increased building heights.

## 5.2 Ministerial Guidelines

5.2.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023).
- Design Manual for Urban Roads and Streets (2019).
- Urban Development and Building Height Guidelines, Guidelines for Planning Authority (2018).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities, 2010.

## 5.3. Development Plan

5.3.1. The Louth County Development Plan 2021 – 2027 is the relevant development plan.

5.3.2 The appeal site is zoned 'Existing Residential' (A1) under the Louth County Development Plan 2021 – 2027, with an objective '*to protect and enhance the amenity and character of existing residential communities*'.

5.3.3 There is a map based objective (see Drogheda Composite Map, Louth County Development Plan, 2021 – 2027 - TWSAV13 refers) indicating 'trees and woodlands of special amenity value' at/in the vicinity of the appeal site.

5.3.4. The provisions of the Louth County Development Plan 2021-2027 relevant to this assessment are as follows:

Chapter 2 (Core Strategy and Settlement Strategy)

- Objective CS2
- Objective CS10
- Objective CS11
- Objective SS5

#### Chapter 3 (Housing)

- Objective HOU11
- Objective HOU15
- Objective HOU16
- Objective HOU25
- Objective HOU32

#### Chapter 13 (Development Management Guidelines)

##### Section 13.8 Housing in Urban Areas

##### Section 13.21 Land Use Zoning Objectives

#### **5.4. Natural Heritage Designations**

- River Boyne and River Blackwater SAC (Site Code:002299) – c. 150 metres south.
- River Boyne and River Blackwater SPA (Site Code:004232) – c. 1.5 km west.
- Boyne Estuary SPA (Site Code:004080) – c. 3.5 km east.
- Boyne River Island pNHA (Site Code:001862) – c. 1 km south west.

#### **5.5. EIA Screening**

(See Form 1 and Form 2 attached). Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, 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**

This is a third-party appeal against the decision to grant permission. The grounds for appeal may be summarised as follows;

- Concern regarding proposal to construct large apartment block in a mature residential area, which is zoned 'A1' in the Louth County Development Plan, located opposite modest two storey terraced dwellings.
- The application site is located c. 0.75 km from the extents of the town/village zoning. How the applicant can contend that the application site is a town centre location is queried in this context. The proposal should have been assessed on the basis of its A1 zoning in relation to density.
- Absence of reference to pre-planning consultations having taken place in respect of the proposal on the Louth County Council Planning Portal.
- The Planning Authority are restricted to considering, proper planning and sustainable development, and the provisions of the Development Plan.
- The proposal does not accord with the 'A1' zoning objective for the site noting its scale.
- The proposal is not appropriate noting the character of the area and would impact the amenities of surrounding properties.
- The applicants' submissions which were submitted in response to the significant Further Information were not reviewed, and the Planner's report noted that no submissions were received in respect of the significant Further Information.
- If permitted the proposal would set a precedent for the lands to the east.
- Louth County Council have contravened their development plan in permitting the proposal.

## 6.2. Planning Authority Response

The Planning Authority have submitted a response in respect of the third party appeal submission stating;

- National and Regional policies as well as the 'Urban Development and Building Heights, Guidelines for Planning Authorities (2018)' promote taller buildings, however regard must be had to the context of the site.
- The building height of the adjoining property is similar to that of the proposed. The existing adjacent mixed use building has a ridge height of 12.68m, the proposed building has a roadside parapet height of 13.6 m that steps up to 16 m. The two proposed 4<sup>th</sup> floor penthouse apartments are set back from the front wall of the structure, and as such the proposal will not have any undue negative impact on the residential amenities of the area or result in the loss of light given the separation distances involved.
- The properties on St Joseph's Terrace are situated across the public road and footpath with front gardens to separate them from the proposed development. The separation distance concerned (27m) is adequate to protect residential amenity.
- The applicant submitted contiguous elevations/photomontage displaying the proposed development in relation to the adjoining properties to east and west.
- The planning report identifies the land as zoned 'A1' (Existing Residential) and the proposal was assessed under this zoning objective.
- The proposed development is located within the urban envelope of Drogheda in close proximity to the town centre.
- It is referenced in the original planning report that a pre-planning meeting took place.
- The submission submitted in respect of the significant Further Information is acknowledged however the Planning Authority, having reviewed same, is satisfied that all points raised were fully addressed and responded to in the original planning report on file.

### 6.3. Observations

None received.

## 7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the appeal, having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Height, Impact on Visual Amenity & Design
- Impact on Residential Amenity
- Matters Arising
- Appropriate Assessment

### 7.2. Height, Impact on Visual Amenity & Design

#### Height

- 7.2.1. A central issue in this appeal is the contention that the height and scale of the proposed apartment building is excessive at this location.
- 7.2.2. I note that the proposed apartment building, when measured from the street elevation, has a shoulder height of c. 13.7 metres (to the parapet) with the penthouse level having a ridge height of c.16.6 metres. I note that the penthouse level is set back c. 2 metres from the front wall of the apartment building. The adjoining mixed use building has a principle height of c. 12.7 metres.
- 7.2.3. Section 3.12 (Buildings of Height) of the Louth County Development Plan 2021-2027 states that given its designation as a Regional Growth Centre, increased building heights will be encouraged in Drogheda, subject to a number of criteria, specifically location, legibility, sense of place, design quality and protection of existing streetscape and heritage.

- 7.2.4. The Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018 states that it is Government policy that building heights must be generally increased in appropriate urban locations, and that there is a presumption in favour of buildings of increased height in town/city cores and in other urban locations with good public transport accessibility, and that increasing prevailing building heights has a critical role in addressing the delivery of compact growth.
- 7.2.5. Section 3 of the Guidelines sets out broad principles for the assessment of proposals for buildings taller than prevailing heights. Section 3.1, states that principles to be considered in assessing buildings taller than prevailing building height include the contribution of the proposal in securing NPF objectives. In this regard I consider that the proposal supports National Policy Objectives 3a, 3c and 35 in terms of delivering compact growth in urban centres. Section 3.1 also requires proposals to align with Development Plan requirements. I note that the appeal site is zoned 'A1' (Existing Residential) under which 'residential' use is permissible.
- 7.2.6. Section 3.2 of the Guidelines sets out criteria to be satisfied at various scales.
- At the scale of the city/town, regarding public transport provision serving the site, I note that the appeal site is located proximity (c.1.5 km) from the centre of Drogheda and is served by a bus route (i.e. 173N Drogheda Town Service<sup>2</sup>). In terms of integration with the character of the area, the applicant has submitted visuals of the proposed development in the context of the wider landscape which provide a representation of how the proposal will appear in the receiving landscape. Having considered the photomontages I am satisfied that the proposal will integrate with the character of the area, in particular I note the scale and design of the adjoining mixed use building which in my opinion is comparable and complementary.
  - At the scale of district /neighbourhood/street, the proposal provides for an appropriate interface with the R168, contributes positively to the streetscape, enhances the legibility of the area and is not monolithic in its design.

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<sup>2</sup> See Transport for Ireland (TFI) website.



- At the scale of the site/building, I am satisfied that the form, massing and height of proposed development has been carefully modulated so as to maximise access to natural daylight, ventilation and views, and minimise overshadowing and loss of light.

7.2.7. Noting the location of the appeal site in proximity to the town centre, proximity to high frequency public transportation, the pattern of development in the vicinity of the appeal site, including the adjoining building which is not dissimilar in height, the appeal site's frontage onto the R168, an arterial route into the town centre, and the design of the proposed building, I consider that the proposed development is consistent with the Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018, and with the guidance set out in the Louth County Development Plan 2021 – 2027, in particular Section 3.12.

#### Impact on Visual Amenity

7.2.8. The appeal site is located within an urban area which has been extensively developed. I note that the adjoining area is not indicated as being subject to any specific objectives to preserve views or prospects in the County Development Plan. Given the topography of the local area views of the proposed development will be possible from areas to the south of the site, and along the River Boyne and Tobberboice Lane. Whilst the presence of large mature trees on the appeal site will provide some screening when viewed from the south, the proposal will remain be prominent when viewed from these locations. I note however that the proposal will be experienced in the context of the wider urban environment, which includes a building of similar height on the adjoining site and as such I consider that the area has capacity to absorb the proposal. I also note that there are buildings of similar scale/height south of the River Boyne, and in my opinion the proposal would not represent a discordant feature in the urban landscape. I consider the proposed development to be responsive in the context of the sensitivity of the site, and wider landscape, and I do not consider that the proposed development would result in significant adverse effects on the visual amenity of the area.

#### Design

- 7.2.9. I consider the design of the proposed apartment building to be appropriate to its urban location and to the character of the area. The recessed penthouse level serves to dissipate the scale, and minimises the perception of the height of the building. The proposed building is also sufficiently set back from the R168 so as not to dominate the interface with the public realm. The landscaped area between the building and the R168 also creates an attractive interface, further assisting with the assimilation of the proposed. The palette of materials, predominately consisting of red brick, is reflective of buildings in the area, with a band of render breaking up the dominance of red brick and bringing balance to the front façade.

### 7.3. Impact on Residential Amenity

- 7.3.1. Noting the nature of the proposal I consider that the main potential impacts from the proposed development arise in terms of overlooking, overshadowing/loss of light and overbearance.

#### Overlooking:

- 7.3.2. The proposed apartment building will be located in excess of 25 metres from the residences in St. Joseph's Terrace. Section 13.8.9.1 of the Louth County Development Plan 2021-2027 provides that '*a minimum of 22 metres separation between directly opposing first floor habitable rooms in residential properties shall generally be observed*'. SPPR 1 of Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) notes that '*there shall be no specified minimum separation distance at ground level or to the front of houses<sup>3</sup>, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy*'. The proposed apartment building comprises habitable rooms up to a fifth floor (4 floors above ground level) and in this context I consider that the provision of a separation distance of c. 25 metres is acceptable, and that the proposed development would not result in a significant degree of overlooking of the residences along St. Joseph's Terrace.

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<sup>3</sup> My emphasis.

- 7.3.3. The lands to the east and south of the appeal site are undeveloped but are zoned 'A1' (Existing Residential) and 'A2' (New Residential Phase 1) respectively. The proposed apartment block is positioned c. 14 metres off the eastern site boundary and between c. 15 metres and c. 25 metres from the southern site boundary. Noting the separation distances concerned and the proposal to retain large mature trees within the site I am satisfied that the proposal would not result in significant overlooking of these adjacent lands.
- 7.3.4. In summation, having regard to the siting and relationship of the proposed development relative to adjacent properties and the lands to the south and east, and to the location of the appeal site within an urban setting, I am satisfied that the proposal would not result in significant overlooking to adjoining properties or land.

Overshadowing/loss of light:

- 7.3.5. As noted above, the proposed apartment block will be c. 25 metres from the residences within St. Joseph's Terrace. Noting the height of the proposed apartment block, the separation distance concerned, and the southern orientation of the proposal relative to St. Joseph's Terrace I do not consider that the proposed development would result in significant overshadowing or loss of light to St. Joseph's Terrace. The proposal, being located west of the undeveloped 'A1' zoned land (east of the appeal site) could be subject to a degree of overshadowing in the evening. However, noting the height of the proposal and the separation distance to the eastern site boundary I am satisfied that the any overshadowing would not be significant.

Overbearance:

- 7.3.6. Noting the separation distance between the proposed apartment building and the residences within St. Joseph's Terrace at c. 25 metres, and the neighbouring lands to the east, I do not consider that significant overbearance would result. Whilst the proposed apartment building will result in some overbearance on the lands to south, in part as result of the difference in levels between the appeal site and the lands to the south, I consider that it would fall within the bounds of acceptance for an urban site.

## 7.4. Matters Arising

- 7.4.1. Zoning – the appellants contend that the zoning applicable to the site ('A1' – Existing Residential) has not been adhered to in relation to density. For Regional Growth Centres (which Drogheda is designated), Table 13.3 of the Louth County Development Plan 2021-2027 recommends a minimum density of 50 dpha for 'town/village centre sites', and 35 dpha for sites located at the 'edge of settlements'. The area of the initial site was stated as 0.1150 Ha in the planning application form (resulting in a density of c. 174 dpha), however I note that the red line boundary of the appeal site was significantly enlarged in response to a request for Further Information, decreasing the density of the proposal. The revised site area i.e. 0.2342 Ha, results in density of c. 85 dpha. The density requirements contained in Table 13.3 are minimums and on this basis I consider that the density of the proposed development accords with the requirements of the Development Plan as set out in Table 13.3.
- 7.4.2. Planning Authorities report – the appellants note that their submission made in response to the Further Information was not referred to in the report of the Planning Officer. In response, the submission of the Planning Authority notes that it is satisfied that all points raised were fully addressed and responded to in the original planning report on file. In relation to this issue I submit to the Board that this assessment represents my de novo consideration of all planning issues material to the proposed development.
- 7.4.3. Compliance with relevant Guidelines - having reviewed the plans and particulars submitted with the application and the appeal, I consider that the proposal complies with, and in many instances exceeds the standards set out in the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2023.

Condition no. 20 of the Planning Authorities Notification of Decision to Grant Permission requires the applicant to submit details of bicycle storage and bulky storage. The Apartment Guidelines (at para 4.17) require that bicycle storage is secure and of permanent construction. The design of the bicycle storage proposed does not in my opinion meet this requirement and as such I concur with the Planning Authority

regarding the requirement for details of revised bicycle parking to be submitted for agreement. Should the Board be minded to grant permission for the proposed development I recommend that a condition requiring same is attached.

The Apartment Guidelines (at para 3.32) address the requirement for the provision of bulky storage (children's play equipment, buggies etc.) within apartment developments. Providing storage of this nature would likely have implications for the communal amenity area and circulation within same. I note that the Apartment Guidelines (at para 3.34) provides for a relaxation of storage requirements for urban infill schemes on sites up to 0.25 Ha subject to the overall design quality of the scheme. I note that storage provision in all units exceeds minimum requirements and on this basis I submit to the Board that a relaxation may be considered in terms of storage provision.

- 7.4.4. Car Parking – 43 no. car parking spaces are indicated to serve the existing mixed use building and the proposed apartments, with 20 no. spaces indicated as being reserved for the apartments. Overall, when the commercial and residential uses are considered in the context of Table 13.16.12 (Car Parking Standards) of the Louth County Development Plan 2021-2027 there is a shortfall of 2 no. spaces. The applicant contends that given the nature of the site and the users of the car park, that the provision of car parking is adequate. The quantum of car parking appears to be acceptable to the Planning Authority, concerns are however raised in relation to the management of spaces and the absence of a boundary separating commercial and residential parking. Condition no. 2 (b) of the Planning Authorities Notification of Grant of Permission stipulates that the quantum of car parking assigned to apartment units should be agreed, and that details also be submitted of a boundary and controlled access to this area. In my opinion the provision of boundaries within the car park could result in visibility issues. Assigned spaces to each apartment unit would adequately address the issue of the reservation of spaces within the car park.

## 7.5. Appropriate Assessment

### 7.5.1. Stage 1 Screening

7.5.2. Compliance. The requirements of Article 6(3) of the Habitats Directive as related to screening the need for appropriate assessment of a project under Part XAB, Section 177U of the Planning and Development Act 2000, as amended, are considered fully in this section.

7.5.3. Background. A screening report for Appropriate Assessment was submitted with the planning application. The report was prepared by Gannon & Associates. A field study of the site was undertaken by a qualified ecologist on the 9<sup>th</sup> March 2023 in order to identify potential source-pathway-receptor links and to classify the habitats within and bounding the site. The report notes that there are no drainage ditches within or boundary the site, that the site is not capable of supporting QI or SCI species from any European sites and that the site does not offer suitable foraging habitat for overwintering birds. The report notes that the site is separated from the River Boyne by a densely vegetated slope which forms a natural barrier preventing pollutants from the site entering the River Boyne. The report also notes that subsoil permeability is classified as 'low' and the report notes there are no QI dependent on groundwater within the Drogheda Groundwater Body. The Appropriate Assessment screening report identifies 6. no European sites within a 15km radius of the appeal site. All European sites are 'screened out' due to an absence of connectivity. Noting the nature of the proposal and the absence of connectivity between the development site and any European sites, the report concludes that the potential for significant effects from the proposed development on European sites can be excluded. The report also notes that as there is no connectivity between the development site and any European sites there is no potential for any in-combination effects with any other plans or projects.

7.5.4. Likely Significant Effects. The project is not directly connected with or necessary to the management of a European site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s). The proposed development is examined in relation to any possible interaction with European sites

designated as SACs and SPAs to assess whether it may give rise to significant effects on any European site.

7.5.5. The Proposed Development. The development comprises permission for;

- Demolition of public house/restaurant.
- 20 no. apartments (using pile foundations bored to a depth of 10 metres).
- Connection into existing public surface and foul sewer network.
- Communal open space, lighting, landscaping and associated site works.

7.5.6. Potential Effects of the Proposed Development. Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following issues are considered for examination in terms of the implications for likely significant effects on European sites:

- The uncontrolled release of pollutants to surface and ground water (e.g. sedimentation, run-off, fuel, oils) during construction phase of the proposed development.
- Potential for the release of contaminated surface water generated by the proposal at operational stage of the proposal.
- Should any bird species which are Special Conservation Interests (SCI) of River Boyne and River Blackwater SPA (Site Code:004232), Boyne Estuary SPA (Site Code:004080) or another European site use the site for resting, foraging, breeding etc., then the proposed development would have the potential to result in habitat fragmentation and disturbance to bird species (i.e. ex-situ impacts).

7.5.7. Submissions and Observations – none relating to Appropriate Assessment issues.

7.5.8. European Sites and Connectivity. A summary of European sites that occur within a possible zone of influence of the proposed development is presented in Table 7.1. I note that the applicant included a greater number of European sites in their initial screening consideration with sites within 15km of the development site considered. There is no ecological justification for such a wide consideration of sites, and I have only included those sites with any possible ecological connection or pathway in this

screening determination. I am satisfied that other European sites proximate to the appeal site can be 'screened out' on the basis that significant impacts on such European sites could be ruled out, either as a result of the separation distance from the appeal site or given the absence of any direct hydrological or other pathway to the appeal site.

**Table 7.1 - Summary Table of European Sites within a possible zone of influence of the proposed development.**

European Site (code)	List of Qualifying interest /Special conservation Interest	Distance from proposed development (Km)	Connections (source, pathway receptor)	Considered further in screening Y/N
River Boyne and River Blackwater SAC (Site Code:002299)	<ul style="list-style-type: none"> <li>Alkaline fens [7230]</li> <li>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</li> <li><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</li> <li><i>Salmo salar</i> (Salmon) [1106]</li> <li><i>Lutra lutra</i> (Otter) [1355]</li> </ul>	c. 150 metres south of appeal site.	Having regard to the absence of connectivity between the appeal site and River Boyne and River Blackwater SAC, I do not consider a likelihood of significant effects.	<b>N</b>
River Boyne and River Blackwater SPA (Site Code:004232)	<ul style="list-style-type: none"> <li>Kingfisher (<i>Alcedo atthis</i>) [A229]</li> </ul>	c. 1.5 km west of appeal site.	Having regard to the absence of connectivity between the appeal site and River Boyne and River Blackwater and to the distance between the appeal site and River Boyne and River Blackwater SPA I do not consider a likelihood of significant effects.	<b>N</b>
Boyne Estuary SPA (Site Code:004080)	<ul style="list-style-type: none"> <li>Shelduck (<i>Tadorna tadorna</i>) [A048]</li> <li>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</li> <li>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</li> </ul>	c. 3.5 km east of appeal site	Having regard to the absence of connectivity between the appeal site and Boyne Estuary SPA and to the distance	<b>N</b>



	<ul style="list-style-type: none"> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A141]</li> <li>• Lapwing (<i>Vanellus vanellus</i>) [A142]</li> <li>• Knot (<i>Calidris canutus</i>) [A143]</li> <li>• Sanderling (<i>Calidris alba</i>) [A144]</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</li> <li>• Redshank (<i>Tringa totanus</i>) [A162]</li> <li>• Turnstone (<i>Arenaria interpres</i>) [A169]</li> <li>• Little Tern (<i>Sterna albifrons</i>) [A195]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>		between the appeal site and Boyne Estuary SPA, I do not consider a likelihood of significant effects.	
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7.5.9. Following an examination of sites within the zone of influence, and upon an examination of the connectivity between the appeal site and these sites (see Table 7.1 above), River Boyne and River Blackwater SAC (Site Code:002299), River Boyne and River Blackwater SPA (Site Code: 004232) and Boyne Estuary SPA (Site Code:004080) have been screened out due to the weakness in connectivity/absence of connectivity between the appeal site and these European sites. In terms of the potential for ex-situ effects, the appeal site would not represent a favourable habitat for birds species connected with River Boyne and River Blackwater SPA (Site Code:004232), Boyne Estuary SPA (Site Code:004080) or any other European site for resting, foraging, breeding etc.

7.5.10. Mitigation Measures. No measures designed or intended to avoid or reduce any harmful effects of the project on a European site have been relied upon in this screening exercise.

7.5.11 Screening Determination The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act, 2000, as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans and projects would not be likely to give rise to significant effects on European Site No. 002299, 004232 or 004080, or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment is therefore not required. This

determination is based on the absence of connectivity between the appeal site and the European sites and the distance between the appeal site and the European sites.

## 8.0 Recommendation

- 8.1. Having regard to the above it is recommended that permission is granted based in the following reasons and considerations and subject to the attached conditions.

## 9.0 Reasons and Considerations

Having regard to:

- (a) The design, scale and layout of the proposed development,
- (b) The pattern of development in the area,
- (c) The provisions of the Louth County Development Plan 2021-2027, including the 'A1' (Existing Residential) zoning of the site,
- (d) The Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018,
- (e) The 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2023,
- (f) Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).

it is considered that subject to compliance with the conditions set out below, the proposed development would not be visually intrusive or seriously injurious to the amenities of the area or the residential amenities of properties in the vicinity, and would not have a significant impact on ecology or on European sites in the vicinity, and, would be in accordance 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 plans
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	<p>and particulars received on the 5<sup>th</sup> September 2022 and the Further Information received by the Planning Authority on the 21<sup>st</sup> July 2023, 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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The development hereby permitted relates to 20 no. apartment units.</p> <p><b>Reason:</b> In the interests of clarity.</p>
3.	<p>All structural works on the site, including excavations, piling and the propping of any site boundary, shall be supervised by a suitably qualified engineer.</p> <p><b>Reason:</b> In the interest of environmental protection, public health and orderly development.</p>
4.	<p>The tree protection measures contained in the Tree Survey, Arboricultural Assessment, Management, Mitigation and Protection Measures submitted to the Planning Authority on the 21<sup>st</sup> July 2023 shall be implemented in full.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
5.	<p>Landscaping shall be carried out as indicated on the Landscape Plan (<i>Drawing no. 23116_LP</i> and <i>Drawing no. 23116_SLP</i>). Landscaping shall include only native species.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
6.	<p>Prior to commencement of development, the developer shall submit details (including floor plans, elevations and material finishes) to the Planning Authority for its written agreement indicating the provision of sheltered, secure bicycle storage structure with capacity for 40 no. bicycles at an appropriate location to the rear of the apartment building.</p> <p><b>Reason:</b> In the interests of residential amenity.</p>

7.	<p>The external finishes to the proposed development shall be as indicated on <i>Drawing no. 2021-15-028</i>, unless otherwise agreed with the Planning Authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
8.	<p>All boundary walls within the scheme shall be rendered on both sides and suitably capped.</p> <p><b>Reason:</b> In the interest of residential and visual amenity.</p>
9.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
10.	<p>Prior to commencement of development, the developer shall enter into water and waste water connection agreements with Úisce Eireann.</p> <p><b>Reason:</b> In the interest of public health.</p>
11.	<p>The construction of the development, and demolition works, shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> <li>a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;</li> <li>b) Location of areas for construction site offices and staff facilities;</li> <li>c) Details of site security fencing and hoardings;</li> <li>d) 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;</li> <li>e) Measures to obviate queuing of construction traffic on the adjoining road network;</li> </ul>

	<p>f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>g) 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;</p> <p>h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>i) 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;</p> <p>j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>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.</p> <p>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. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which may also be inspected by the planning authority.</p> <p><b>Reason:</b> In the interest of amenities, public health and safety.</p>
12.	<p>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 for the preparation of resource &amp; waste management plans for construction &amp; demolition projects”, published by the EPA, 2021. The plan shall include details of waste to be generated during site clearance and construction phases, including potential contaminated soil, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in</p>

	<p>accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p><b>Reason:</b> In the interest of sustainable waste management.</p>
13.	<p>Proposals for naming and numbering of the proposed scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the Planning Authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the Planning Authority's written agreement to the proposed name(s).</p> <p><b>Reason:</b> In the interest of urban legibility.</p>
14.	<p>20. no car parking spaces shall be assigned to the apartments hereby permitted, on the basis of 1 no. car parking space per apartment unit. The car parking spaces serving the residential development shall not be sold, rented, or otherwise sub-let or leased to parties who are not resident in the apartment block on the site.</p> <p><b>Reason:</b> In the interest of good traffic management.</p>
15.	<p>All parking areas serving the residential units shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of sustainable transportation.</p>
16.	<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/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any unit.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>

17.	<p>No additional development shall take place above roof parapet level, including lift motor enclosures; lift overruns; plant; machinery; telecommunications structures; or any external fans, louvres or ducts, without a prior grant of planning permission.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
18.	<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 Planning Authority.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity.</p>
19.	<p>During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-</p> <p>(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.</p> <p>(ii) An Leq,15 min value of 45 dB(A) at any other time.</p> <p>The noise at such time shall not contain a tonal component. All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.</p> <p><b>Reason:</b> To protect the residential amenities of property in the vicinity of the site.</p>
20.	<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 within the proposed development.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>

21.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the Local Authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of development.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of this development.</p>
22.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the Planning Authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
23.	<p>The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority</p>



	<p>and the developer 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>
24.	<p>Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the Local Authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To ensure the satisfactory completion of the development.</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 Campbell  
Planning Inspector  
6<sup>th</sup> February 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	ABP-317967-23		
<b>Proposed Development Summary</b>	Permission for demolition of public house and construction of 22 no. apartments		
<b>Development Address</b>	Loughboy, Upper Mell, Drogheda, Co. Louth		
<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>	X		Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>		N/A	No EIAR or Preliminary Examination required
<b>Yes</b>	X	Class 10, (b), (i) (threshold is 500 dwelling units)	Proposal is substantially below threshold

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

Inspector: Ian Campbell

Date: 6<sup>th</sup> February 2024

## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	ABP-317967-23	
<b>Proposed Development Summary</b>	Permission for demolition of public house and construction of 22 no. apartments	
<b>Development Address</b>	Loughboy, Upper Mell, Drogheda, Co. Louth	
<p><b>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.</b></p>		
	<b>Examination</b>	<b>Yes/No/ Uncertain</b>
<ul style="list-style-type: none"> <li>• <b>Nature of the Development</b></li> <li>• Is the nature of the proposed development exceptional in the context of the existing environment?</li> <li>• Will the development result in the production of any significant waste, emissions or pollutants?</li> </ul>	<p>The proposed development comprises the demolition of public house and a residential development of 22 no. apartments and is located within an urban area.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>	<ul style="list-style-type: none"> <li>• No</li> <li>• No</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Size of the Development</b></li> <li>• Is the size of the proposed development exceptional in the context of the existing environment?</li> <li>• Are there significant cumulative considerations having regard to other existing</li> </ul>	<p>The size of the proposed development would not be described as exceptional in the context of the existing environment.</p> <p>There are no significant developments within the vicinity of the site which would result in significant cumulative effects/considerations.</p>	<ul style="list-style-type: none"> <li>• No</li> <li>• No</li> </ul>

and/or permitted projects?		
<ul style="list-style-type: none"> <li><b>Location of the Development</b></li> <li>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</li> <li>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</li> </ul>	<p>Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, 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.</p>	<ul style="list-style-type: none"> <li>No</li> <li>No</li> </ul>
<ul style="list-style-type: none"> <li><b>Conclusion</b></li> </ul>		
<ul style="list-style-type: none"> <li><b>There is no real likelihood of significant effects on the environment.</b></li> <li>EIA not required.</li> </ul>	<ul style="list-style-type: none"> <li><del>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</del></li> <li><del>Schedule 7A Information required to enable a Screening Determination to be carried out.</del></li> </ul>	<ul style="list-style-type: none"> <li><b>There is a real likelihood of significant effects on the environment.</b></li> <li><del>EIAR required.</del></li> </ul>

Inspector: Ian Campbell

Date: 6<sup>th</sup> February 2024

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)